



# City of Emeryville

CALIFORNIA

## MEMORANDUM

**DATE:** March 19, 2019  
**TO:** Christine Daniel, City Manager  
**FROM:** Pedro Jimenez, Community Services Director  
**SUBJECT:** **Ordinance Of The City Council Of The City Of Emeryville Amending Chapter 24 Of Title 5 Of The Emeryville Municipal Code, "Parks"; CEQA Determination: Exempt Pursuant To CEQA Guideline 15061(B)(3)**

### RECOMMENDATION

The Parks and Recreation Committee and staff recommends the City Council adopt the second reading of the attached ordinance amending Chapter 24 of Title 5 of the Emeryville Municipal Code, "Parks."

### DISCUSSION

Emeryville is well known for having many dog owners in the community and is generally regarded as being "dog-friendly." When the Parks and Recreation Committee was created, one seat was dedicated to a Resident Dog Owner, which is still true today. However, the current Municipal Code does not allow for dogs to be in most of Emeryville's parks. The current code only authorizes dogs to be in Marina Park and Temescal Creek Park.

Since the current Municipal Code was enacted, additional designated dog parks have been constructed at Park on Powell and Christie Park, and there is another dog park planned at Sherwin Williams. Even though City parks include these facilities with designated spaces for dogs, the current Municipal Code prohibits dogs from these parks. In response to the introduction of these new facilities, staff began exploring an amendment to the Municipal Code.

In keeping with the spirit of Emeryville being dog-friendly, the proposed changes would allow leashed dogs to be in all Emeryville parks. Dogs would be authorized to be off-leash in designated areas only. For both on-leash and off-leash areas, the proposed amendments include a limit of four (4) dogs per handler. All dogs in City parks must have current licenses issued from the City or another jurisdiction.

In addition, closing hours for parks are proposed to be changed from 9 p.m. – 7 a.m. to 10 p.m. – 6 a.m to reflect current patterns of usage.

The proposed ordinance provides that the City Manager will be responsible for the administration and enforcement of the provisions of Chapter 24, and may disseminate rules for the regulations of the Parks described in the chapter.

On March 5, 2019, the City Council adopted the first reading of the attached ordinance with a modification to the section 5-24.06(b), Animals in City Parks. Failure to clean up after the dog(s) will constitute an infraction, instead of a misdemeanor. This modification is incorporated into the attached ordinance.

### CEQA Analysis

Adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to section 15061(b)(3) of the State CEQA Guidelines because it can be seen with certainty that there is no possibility that the adoption of this Ordinance may have a significant effect on the environment.

### **FISCAL IMPACT**

There will be minimal fiscal impact, anticipated to be staff time and some updated signage.

### **STAFF COMMUNICATION WITH THE PUBLIC**

The Parks and Recreation Committee met on January 28, 2019 to review the proposed amendments and made recommendations to the City Council that are reflected in the proposed ordinance.

### **CONCLUSION**

Staff recommends that the City Council adopt the second reading of the proposed ordinance.

**PREPARED BY:** Pedro Jimenez, Community Services Director

**APPROVED AND FORWARDED TO THE  
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



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Christine Daniel, City Manager

### **ATTACHMENTS**

- Draft Ordinance