

## ORDINANCE No. 186008

Provide for civil penalties for violation of leash and scoop regulations and authorize Commissioner in Charge to adopt policies and procedures for implementation of civil penalties (Ordinance; amend Code Section 20.12.140)

The City of Portland ordains:

Section 1. The Council finds:

1. Portland Parks & Recreation (PP&R) has operated a comprehensive dog program since 1995 that includes designated off-leash areas, community outreach and education, and routine enforcement of leash and scoop violations.
2. Portland's parks, natural areas and trails are extensively used for all types of recreation, and off-leash dogs and dog waste have significant impacts on the health, safety, and usability of park lands.
3. To keep parks enjoyable for all visitors, PP&R enforces leash and scoop laws. Leash laws ensure that dogs are controlled by their owners at all times, which keeps people and other dogs safe and protects park land and wildlife. Removal of dog waste prevents the spread of disease that waste can carry, and avoids impacts to recreational use, water quality, wildlife, and vegetation.
4. In 2011, PP&R Park Rangers made 3,750 contacts with park users concerning dogs, resulting in 2,126 warnings and/or citations by Park Rangers or Multnomah County Animal Services. Additionally, of the 131 calls related to leash and scoop laws received by PP&R since July 2011, 95 percent requested additional enforcement.
5. Having identified noncompliance as a serious park issue, PP&R worked with a community advisory group to design an effective, sustainable method of gaining compliance with leash/scoop laws. The advisory group recommended an amendment to the City Code to add additional enforcement options, as well as continued education efforts and exploration of improvement opportunities for off-leash areas (OLAs).
6. The code amendment will greatly improve PP&R's efficiency and effectiveness in enforcing leash and scoop laws.

NOW, THEREFORE, The Council directs:

- a. City Code Section 20.12.140 Animals is amended by adding a new subsection as follows:

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- L. Notwithstanding any other provision of this Code, any person violating Subsection 20.12.120 B., E., F. or H. is subject only to a civil penalty not to exceed \$150 for each violation. Any person assessed a civil penalty under this Subsection may appeal the citation to the Code Hearings Officer in accordance with the provisions of Title 22 of this Code.
- b. The Commissioner in Charge is authorized to adopt policies and procedures to implement this subsection, including the adoption of a fine schedule, provided that the maximum fine is not to exceed \$150 for each violation.
- c. The policies and procedures adopted by the Commissioner shall include, at a minimum, a requirement that the alleged violator be given adequate notice of the provision of law the person has violated, of the amount of the civil penalty imposed, and of the right to appeal the issuance of the civil penalty to the Code Hearings Officer in accordance with the provisions of Title 22 of the Code. Any policies and procedures adopted under this subsection are not subject to the appeal process set forth in Section 20.04.040, and no public notice or hearing need be given prior to their adoption.
- d. Any monies collected from civil penalties paid under this subsection shall be deposited into Portland Parks & Recreation's general operating fund.

MAY 01 2013

Passed by the Council:  
Mayor Hales  
Prepared by: Art Hendricks  
Date Prepared: April 10, 2013

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By

Deputy 

Agenda No.  
**ORDINANCE NO. 186008**  
Title

Provide for civil penalties for violation of leash and scoop regulations, and authorize Commissioner in Charge to adopt policies and procedures for implementation of civil penalties (Ordinance; amend Code Section 20.12.140).

**INTRODUCED BY**  
Commissioner/Auditor:  
**Mayor Charlie Hales**

**COMMISSIONER APPROVAL**

Mayor—Finance and Administration - Hales *JA*

Position 1/Utilities - Fritz

Position 2/Works - Fish

Position 3/Affairs - Saltzman

Position 4/Safety - Novick

**BUREAU APPROVAL**

Bureau: Portland Parks & Recreation  
Bureau Head: Mike Abbate *Mike Abbate*

Prepared by: Art Hendricks  
Date Prepared: 04/10/13

Financial Impact & Public Involvement Statement  
Completed  Amends Budget

Portland Policy Document  
If "Yes" requires City Policy paragraph stated in document.  
Yes  No

Council Meeting Date  
**4/24/13**

**City Attorney Approval:**  
required for contract, code, easement, franchise, comp plan, charter *GF*

CLERK USE: DATE FILED APR 19 2013

LaVonne Griffin-Valade  
Auditor of the City of Portland

By: *[Signature]*  
Deputy

**ACTION TAKEN:**

APR 24 2013 PASSED TO SECOND READING MAY 01 2013 2 P.M.

**AGENDA**

**TIME CERTAIN**   
Start time: \_\_\_\_\_

**Total amount of time needed:** \_\_\_\_\_  
(for presentation, testimony and discussion)

**CONSENT**

**REGULAR**   
**Total amount of time needed: 30 min**  
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz ✓	
2. Fish	2. Fish ✓	
3. Saltzman	3. Saltzman ✓	
4. Novick	4. Novick ✓	
Hales	Hales ✓	