

ORDINANCE No. 121313

COUNCIL BILL No. 114717

# The City of Seattle--Legislative

## REPORT OF COMMITTEE

AN ORDINANCE relating to off-leash areas; adding a new off-leash area at Regrade Park to the list of designated off-leash areas in Subsection 18.12.080 B of the Seattle Municipal Code and amending Subsection 18.12.080 D in connection therewith and to correct a typographical error.

Honorable President:

Your Committee on \_\_\_\_\_

to which was referred the within Council Bill No. \_\_\_\_\_ report that we have considered the same and respectfully recommend that the same

*3-0 JN, JD, PS*  
*10-13-03 Passed 9-0*

### COMPTROLLER FILE No.

Introduced: SEP 29 2003	By: STEINBRUECK
Referred: SEP 29 2003	To: Parks, Education & Libraries Committee
Referred:	To:
Referred:	To:
Reported: 10-13-03	Second Reading:
Third Reading: 10-13-03	Signed: 10-13-03
Presented to Mayor: 10-13-03	Approved: 10/23/03
Returned to City Clerk: 10/23/03	Published: Full 389
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

*Law Department*

Committee Chair



*Mc*

*Peter Steinbrink*

# The City of Seattle--Legislative Department

## REPORT OF COMMITTEE

Date Reported and Adopted \_\_\_\_\_

Honorable President:

Your Committee on \_\_\_\_\_

to which was referred the within Council Bill No. \_\_\_\_\_  
report that we have considered the same and respectfully recommend that the same:

3-0 JN, JD, PS  
10-13-03 Passed 9-0

*Final note  
C  
Revisions made to  
NO tables  
Committee  
Final text locked*

*Law Department*

Committee Chair

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ORDINANCE 12/3/3

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2 AN ORDINANCE relating to off-leash areas; adding a new off-leash area at Regrade Park to the  
3 list of designated off-leash areas in Subsection 18.12.080 B of the Seattle Municipal Code  
4 and amending Subsection 18.12.080 D in connection therewith and to correct a  
5 typographical error.

6 WHEREAS, Ordinance 118099 established off-leash areas for dogs in City of Seattle Parks; and

7 WHEREAS, there are currently no off-leash areas available within densely populated downtown  
8 neighborhoods; and

9 WHEREAS, the Belltown community requested that the Department of Parks and Recreation  
10 consider allowing off-leash use at Regrade Park; and

11 WHEREAS, the Department of Parks and Recreation held a public meeting allowing public input  
12 on this change of use; NOW, THEREFORE,

13 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

14 Section 1. Effective October 25, 2003, Subsection 18.12.080B of the Seattle Municipal  
15 Code is amended by adding a new subsection thereto as follows:

16 **18.12.080 Animals running at large prohibited.**

17 \*\*\*

18 B. Dogs may be allowed to run at large only in the following areas hereby designated as  
19 off-leash areas:

20 \*\*\*

21 13. That portion of Regrade Park depicted on Exhibit 18.12.080 T.

22 Section 2. Attachment 1 to this ordinance is hereby added to Section 18.12.080 and is to  
23 be labeled Exhibit 18.12.080 T.

24 Section 3. Subsection 18.12.080D of the Seattle Municipal Code is amended as follows



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1 **18.12.080 Animals running at large prohibited**

2 \*\*\*

3 D. The Superintendent shall review the impacts of off-leash activities at sites described  
4 in subsections B7 through ~~((B12))~~ B13 of this section after eighteen (18) months of operations at  
5 each site. In the case of nonpark sites, this review shall include consultation with the City  
6 department with authority over the site. If, based on this review, the Superintendent finds  
7 significant problems that cannot be practically corrected, the Superintendent may close the site to  
8 off-leash use. In addition to any action taken pursuant to the review described above, the  
9 Superintendent is authorized to close to off-leash dog use any area described under subsection B  
10 of this section on a temporary or permanent basis if significant problems arise which cannot be  
11 resolved jointly by the Department of Parks and Recreation, Seattle Animal Control, and COLA,  
12 and if the Superintendent determines that such closure is necessary for the preservation and  
13 protection of the natural environment, public health or safety. Prior to closing any off-leash area,  
14 the Superintendent shall consult with the Director of Executive Administration. The  
15 Superintendent shall state in writing his ~~((other))~~ or her reasons for closure.

16  
17  
18  
19 Prior to any permanent closure, the Superintendent shall give thirty (30) days written  
20 notice, to be posted at the site, stating the reason(s) for the closure and shall conduct one (1) or  
21 more public hearings on the proposed closure.

22  
23 Moreover, the Superintendent is authorized to manage all off-leash sites and this authority  
24 shall include, but not be limited to, the authority to make minor alterations to site boundaries after  
25 reasonable notice to the public, impose operating hours and curtail use at sites as necessary for  
26 renovation, repair or for other operational reasons.



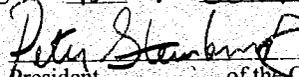
NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE  
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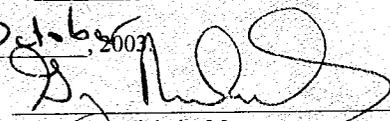
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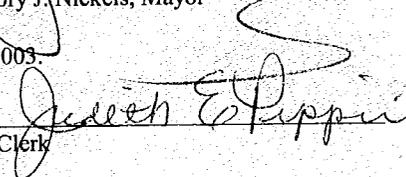
Section 4. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 5. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 13<sup>th</sup> day of October, 2003, and signed by me in open session in authentication of its passage this 13<sup>th</sup> day of October, 2003.

  
\_\_\_\_\_  
President of the City Council

Approved by me this 23 day of October, 2003.  
  
\_\_\_\_\_  
Gregory J. Nickels, Mayor

Filed by me this 23<sup>rd</sup> day of October, 2003.  
  
\_\_\_\_\_  
City Clerk

(Seal)

Attachment 1: Regrade Park Designated Off-Leash Area



SEATTLE PARKS  
AND RECREATION

Attachment 1  
Regrade Park  
Designated Off-Leash  
Area

LEGEND

Denny Regrade Park  
Pavement edge



Scale 1:600



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accompany this product

Orthophoto source  
Triathlon July 1999  
Map date August 28 2003



# City of Seattle

Gregory J. Nickels, Mayor

## Office of the Mayor

September 23, 2003

Honorable Peter Steinbrueck  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

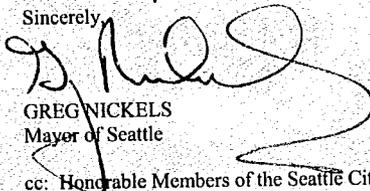
Dear Council President Steinbrueck:

The attached ordinance establishes an off-leash area in Regrade Park, which supports the Downtown Residents Council's proposal to convert Regrade Park to an off-leash area for dog owners who live downtown, specifically, in the Belltown neighborhood. The Department of Parks and Recreation began a formal public process in April 2003, which received broad community support including a letter of encouragement from the Belltown Community Council. The Board of Park Commissioners subsequently conducted a public hearing on the proposal and recommended that the Department proceed with establishing a trial off-leash area in Regrade Park.

Per Ordinance 118099, the off-leash area will be established with a scheduled evaluation after eighteen months of operation. If there is continued broad community support and no significant environmental impacts, Regrade Park will remain an off-leash area.

Thank you for your consideration of this legislation. Should you have questions, please contact Kerry Lasko, Parks and Recreation Manager, at 684-0796.

Sincerely,



GREG NICKELS  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

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600 Fourth Avenue, 12<sup>th</sup> Floor, Seattle, WA 98104-1873

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E-mail: mayors.office@ci.seattle.wa.us

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**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Parks and Recreation	Kerry Lasko, 684-0796	Marilynne Gardner, 233-5109

**Legislation Title:**

AN ORDINANCE relating to off-leash areas; adding a new off-leash area at Regrade Park to the list of designated off-leash areas in Subsection 18.12.080 B of the Seattle Municipal Code and amending Subsection 18.12.080 D in connection therewith and to correct a typographical error.

• **Summary of the Legislation:**

This legislation establishes an off-leash area for dogs at Regrade Park, effective October 25, 2003. The off-leash area will be managed by the Department of Parks and Recreation (DPR).

The legislation authorizes this use to provide recreation opportunities for dogs and their owners and to improve the utilization of Regrade Park by reserving a portion of the park as an off-leash area. Currently, there are no off-leash areas in the downtown core, and the use is strongly supported by many community members. The impacts of off-leash activities will be reviewed after eighteen months of operation. The evaluation will consider if the use of the park increases, and whether the perception of safety by park visitors increases. Due to the small area that will be dedicated to this purpose, the park will require a higher level of maintenance than parks of comparable size or larger off-leash areas.

• **Background:**

In the spring of 2003, the Downtown Residents Council proposed that Regrade Park be converted to an off-leash area for dog owners who live downtown, specifically in the Belltown neighborhood. The idea received support in the community, and DPR began a formal public process to provide opportunities for public comment. This process culminated with a public hearing conducted by the Board of Park Commissioners. The Board recommended to the Superintendent of Parks and Recreation that a trial off-leash area be established at Regrade Park.

In accordance with Ordinance 118099, the off-leash area will be evaluated after eighteen months of operation. If there continues to be broad community support for keeping the off-leash area and there are no significant environmental impacts, Regrade Park will remain an off-leash area.

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- Please check one of the following:

**This legislation does not have any financial implications.** (Stop here and delete the remainder of this document prior to saving and printing.)

**This legislation has financial implications.** (Please complete all relevant sections that follow.)

**Appropriations:** (Please only reflect the dollar amount actually appropriated by this legislation.)

The proposed legislation does not request additional appropriation. While the off-leash area is scheduled to open in October 2003, the Department will use budget savings to fund the \$5,000 in operations and maintenance costs to be incurred in 2003.

Fund Name and Number	Department	Budget Control Level*	2003 Appropriation	2004 Anticipated Appropriation
Park and Recreation Fund (10200)	Parks and Recreation	Park Cleaning, Landscaping and Recreation	0	\$20,000
Parks and Recreation Fund (10200)	Parks and Recreation	Facility and Structure Maintenance	0	\$2,250
<b>TOTAL</b>			<b>0</b>	<b>\$22,250</b>

\* This is line of business for operating budgets, and program or project for capital improvements

Notes:

**Anticipated Revenue/Reimbursement (in \$1,000s) Resulting From This Legislation:**

Fund Name and Number	Department	Revenue Source	2003 Revenue	2004 Revenue
<b>TOTAL</b>				

Notes: There will be no revenues collected in conjunction with this off-leash area. However, the community has stated intent to contribute to improvements to the off-leash area. Donations are not estimated at this time, as the community won't develop a fundraising plan until the use is approved. Contributions will be deposited in a designated subfund managed by the Queen Anne Community Center Advisory Council until a new Downtown Parks Advisory Council is chartered in early 2004.



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**Total Regular Positions Created Or Abrogated Through This Legislation, Including FTE Impact:** Not applicable, intermittent only.

Position Title*	Part-Time/ Full Time	2003 Positions	2003 FTE	2004 Positions**	2004 FTE**
<b>TOTAL</b>					

- **Fund Name and Number:** \_\_\_\_\_
- **Department:** \_\_\_\_\_

\* List each position separately  
 \*\* 2004 positions and FTE are total 2004 position changes resulting from this legislation, not incremental changes from 2003.

- **Do positions sunset in the future?:** N/A

**Spending/Cash Flow:**

Fund Name and Number	Department	Budget Control Level*	2003 Expenditures	2004 Anticipated Expenditures
Park and Recreation Fund (10200)	Parks and Recreation	Park Cleaning, Landscaping and Recreation	0	\$20,000
Parks and Recreation Fund (10200)	Parks and Recreation	Facility and Structure Maintenance	0	\$2,250
<b>TOTAL</b>			<b>0</b>	<b>\$22,250</b>

\* This is line of business for operating budgets, and program or project for capital improvements

**Notes:** DPR expects intense usage of this off-leash area (OLA) based on the amount of inquiry and support from Belltown and other downtown neighborhood residents. The maintenance plan for the OLA includes daily cleaning and removal of dog excrement for health and odor reasons and daily washing of existing hard surfaces (current schedule is once every 1-2 weeks). In addition, the Department is planning to replenish chips, sand, and other porous materials on a weekly basis for health and odor reasons, which accounts for much of the non-labor budget. Citizens for Off-Leash Areas will identify park stewards who will be responsible for monitoring the OLA, educating users, replenishing doggie bags, and organizing volunteer work parties; but not responsible for routine maintenance. DPR has included \$9,872 in its 2004 Proposed Budget to fund an additional 0.21 FTE intermittent laborer and \$10,128 for associated operating equipment and supplies. New costs in 2003 will be absorbed in the Department's 2003 budget.

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Michele Finnegan  
September 2, 2003  
Regrade Park OLA  
Version #:5

- **What is the financial cost of not implementing the legislation?**

There would be no additional financial costs if this legislation is not implemented. DPR would not be able to accommodate the community's request to establish an off-leash area at this site.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**

None.

- **Is the legislation subject to public hearing requirements?**

Following the initial proposal, a public meeting was held in the Belltown neighborhood to inform the community of the proposal and allow public input. A public hearing was then held before the Board of Park Commissioners on April 24, 2003. On May 8, 2003, the Board of Park Commissioners recommended the Department proceed with establishing an off-leash area at Regraue Park.

- **Other Issues:**

None.

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STATE OF WASHINGTON - KING COUNTY

-- ss.

164576  
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

**Affidavit of Publication**

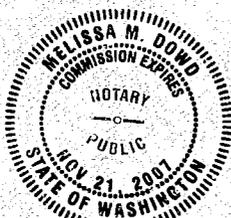
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT-121313 ORD IN FULL

was published on:

10/28/2003



Affidavit of Publication

*Jerome Patzer*

Subscribed and sworn to before me on

10/28/2003

*Melissa Dowd*

Notary Public for the State of Washington,  
residing in Seattle

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State of Washington, King County

City of Seattle

ORDINANCE 181318

AN ORDINANCE relating to off-leash areas; adding a new off-leash area at Regrade Park to the list of designated off-leash areas in Subsection 18.12.080 B of the Seattle Municipal Code and amending Subsection 18.12.080 D in connection therewith and to correct a typographical error.

WHEREAS, Ordinance 118099 established off-leash areas for dogs in City of Seattle Parks; and

WHEREAS, there are currently no off-leash areas available within densely populated downtown neighborhoods; and

WHEREAS, the Belltown community requested that the Department of Parks and Recreation consider allowing off-leash use at Regrade Park; and

WHEREAS, the Department of Parks and Recreation held a public meeting allowing public input on this change of use; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Effective October 28, 2003, Subsection 18.12.080 B of the Seattle Municipal Code is amended by adding a new subsection therein as follows:

18.12.080 Animals running at large prohibited.

\*\*\*

B. Dogs may be allowed to run at large only in the following areas hereby designated as off-leash areas:

\*\*\*

18. That portion of Regrade Park depicted on Exhibit 18.12.080 A.

Section 2. Attachment I to this ordinance is hereby added to Section 18.12.080 and is to be labeled Exhibit 18.12.080 A.

Section 3. Subsection 18.12.080 D of the Seattle Municipal Code is amended as follows:

18.12.080 Animals running at large prohibited.

\*\*\*

D. The Superintendent shall review the impacts of off-leash activities at sites described in subsections B through (D)(4) of this section after eighteen (18) months of operations at each site. In the case of new park sites, this review shall include consultation with the City Department with authority over the site. If, based on this review, the Superintendent finds significant problems that cannot be reasonably corrected, the Superintendent may close the site to off-leash use. In addition to any action taken pursuant to the review described above, the Superintendent is authorized to close to off-leash dog use any area described under subsection B of this section on a temporary or permanent basis if significant problems arise which cannot be resolved jointly by the Department of Parks and Recreation, Seattle Animal Control, and COLA, and if the Superintendent determines that such closure

is necessary for the preservation and protection of the natural environment, public health or safety. Prior to closing any off-leash area, the Superintendent shall consult with the Director of Executive Administration. The Superintendent shall state in writing his (she) or her reasons for closure.

Prior to any permanent closure, the Superintendent shall give thirty (30) day written notice, to be posted at the site, stating the reasons for the closure and shall conduct one (1) or more public hearings on the proposed closure.

Moreover, the Superintendent is authorized to manage all off-leash sites and this authority shall include, but not be limited to, the authority to make minor alterations to site boundaries after reasonable notice to the public, impose operating hours and curtail use at sites as necessary for renovation, repair or for other operational reasons.

Section 4. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 5. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 13th day of October, 2003, and signed by me in open session in authentication of its passage this 13th day of October, 2003.

PETER STEIN, Mayor  
President of the City Council  
Approved by me this 23rd day of October, 2003.

GREGORY J. NICKELS, Mayor  
Filed by me this 23rd day of October, 2003.  
(Seal) JUDITH PIPPIN, City Clerk

Attachment I: Regrade Park, Designated Off-Leash Area  
Publication ordered by Judith Pippin, City Clerk.

See City Clerk for Attachments.  
Date of publication in the Seattle Daily Journal of Commerce, October 28, 2003.  
10/28/03(4678)

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