

ORDINANCE NO. 888

AN ORDINANCE AMENDING TROUTDALE MUNICIPAL CODE CHAPTER 13.20 PERTAINING TO DOGS IN CITY PARKS

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Current Municipal Code Chapter 13.20 prohibits dogs and other domestic animals, on or off leash, from entering all Parks & Greenways in The City of Troutdale.
2. Respondents to a community survey conducted in 2023 in the drafting of the Parks Master Plan chose “parks that allow dogs” as the highest-ranking response to the question “what is missing or needed most” in Troutdale Parks.
3. Dogs and other domestic animals should remain prohibited in City parks, generally.
4. It is the purview of the City Council to select and designate certain City parks where dogs or other domestic animals are generally permitted on-leash.
3. The permission of dogs into Troutdale parks, if any, warrants updates to the Municipal Code to establish basic rules for handlers and allow City staff and Police the authority to reasonably enforce applicable rules.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. Chapter 13.20 is amended as set forth in Attachment A, attached hereto as if fully set forth.

Section 2. This ordinance will be effective 30 days after approval.

YEAS: 6

NAYS: 0

ABSTAINED: 0



Randy Lauer, Mayor

Date: December 13, 2023



Sarah Skroch, City Recorder

Adopted: December 12, 2023

Title 13 - STREET TREES, PARKS AND RECREATION AREAS

13.20.020 Definitions

As used in this chapter, unless the context requires otherwise:

"City" means the incorporated areas of the city of Troutdale, Oregon.

"Council" means the city council of the city.

"Director" means the Director of Public Works for the city and the Director's authorized representatives.

"Dog Handler" or "Handler" means any person that brings a dog or other domestic animal into a park.

"On-leash" means that an animal is securely tethered to the handler with a leash, tether, or other physical control device not exceeding eight feet in length and that the handler is capable of maintaining physical control and restraint of the animal and capable of maintaining compliance with this chapter.

"On-leash Park" means a City park where dogs and other domestic animals are generally permitted on-leash by Council Resolution.

"Off-leash" means any animal that is not On-leash as defined in this chapter.

"Park" means a forest, reservation, playground, beach, recreation center or any other area in the city, owned or used by the city and devoted to active or passive recreation.

"Person" means an individual, partnership, company, association, corporation or any other legal entity.

"Vehicle" means any wheeled conveyance, whether motor-powered, animal-drawn or self-propelled, including a bicycle and includes any trailer in tow of any size, kind or description, but does not include baby carriages and vehicles in the service of the city parks.

13.20.160 - Domestic animals.

- A. The Council may, by Resolution, designate On-leash Parks where dogs or other domestic animals are generally permitted on-leash. On-leash Parks shall be clearly posted at public park entrances indicating that dogs or other domestic animals are permitted on-leash.
- B. Except as provided in paragraph A, no person shall bring a dog or other domestic animal into a park, on or off-leash, except within designated pet areas specifically designated by the Council.
- C. Designated pet areas within parks shall be appropriately signed by the city to identify the boundaries of the area and to identify rules of etiquette for public safety and sanitation.
- D. The Director may designate and post areas within On-leash Parks where dogs or other domestic animals are prohibited upon a reasonable determination that such prohibition is necessary for the protection of ecologically sensitive areas.
- E. Paragraphs A-C of this Section notwithstanding, dogs and other domestic animals are prohibited in the following areas within parks:
 - 1. Within 25' of a play structure.
 - 2. Within the bounds of a storm water quality treatment facility.
 - 3. Upon a sports field unless allowed by written permit from the Director or City Manager.
 - 4. An area within a park that is clearly posted to indicate dogs and/or other domestic animals are prohibited.
- F. A Handler is responsible for promptly collecting all feces of their animal, and for disposing of such feces in appropriate solid waste receptacles.
- G. A Handler shall not allow their dog or other domestic animal On-leash to approach within 6' of another person that by word or action clearly indicates an intent to avoid contact with the animal.
- H. A Handler shall not allow their dog or other domestic animal On-leash to approach within 6' of a dog or domestic animal of another Handler when that other Handler by word or action clearly indicates an intent to avoid contact between the animals.
- I. A Handler shall not allow their dog or other domestic animal to approach, attack, menace, or harass wildlife within a park.
- J. A person shall not attack, menace, or harass a Handler nor their dog or other domestic animal when the Handler and their dog or other domestic animal is in compliance with this chapter.
- K. A Handler is responsible for diligently complying with the Duties of Owners provided in the Multnomah County Animal Services code, and with ORS Chapter 167, to the extent applicable to the activities of the Handler and/or the animal in a park.
- L. A Handler is responsible for reporting to the City any and all damage to City property caused by their animal and for the cost of repairing any such damage.
- M. Service animals as defined by the Americans with Disabilities Act are exempt from the prohibitions of this chapter.

- N. The Director may establish reasonable and appropriate rules of etiquette, safety, and sanitation for dogs or domestic animals in parks in addition to the rules provided herein. Any such rules shall be posted in applicable areas. Any violation of rules so established shall constitute a violation of this chapter.
- O. The Director may post some or all of the rules established in this Chapter in summary and/or in plain language in applicable areas.
- P. The Director may delegate authorities provided in this chapter to authorized representatives.

13.20.380 - Authority to eject and exclude.

The Director, the Director's authorized representatives and city police shall each have the authority to eject from any or all city parks any person acting in violation of this chapter, any city ordinances, or the laws of the state. A person that is ejected shall be excluded from the park for a minimum of thirty days. Any person that has been ejected from any park at least one time in the past twelve months may be excluded from any and all parks for up to twelve months.

13.20.390 - Enforcement—Seizure of property.

The Director and any of the Director's authorized representatives shall have the authority to seize and confiscate any property, thing or device in the park used in violation of this chapter.

The above provisions of this section notwithstanding, the Director and the Director's authorized representatives shall not have the authority to seize a dog or other domestic animal for violation of this chapter.

Furthermore, the city police shall not have the authority to seize a dog or other domestic animal for violation of this chapter unless such seizure is authorized by and pursuant to the Multnomah County Animal Services Code or ORS 167.
