

AN ACT

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District of
Columbia
Official Code

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Animal Control Act of 1979 to authorize the establishment of off-leash dog exercise areas, to be known as “dog parks”, on District-owned parkland, to permit off-leash dogs within dog parks, and to permit the Mayor to promulgate rules regarding the operation, maintenance, and use of dog parks.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may cited as the “Dog Park Establishment Amendment Act of 2005”.

Sec. 2. The Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1801 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 8-1801(a)) is amended as follows:

Amend
§ 8-1801

(1) Paragraph (1) is amended by designating the existing text as subparagraph (A) and adding a new subparagraph (B) to read as follows:

“(B) The term “at large” does not include a dog in a dog park that is under the verbal command of a responsible adult.”.

(2) New paragraphs (3A) and (3B) are added to read as follows:

“(3A) The term “District-owned parkland” means outdoor property within the possession and control of the government of the District of Columbia.

“(3B) The term “dog park” means an officially established off-leash dog exercise area on District-owned or federal parkland.”.

(b) Section 9(e) (D.C. Official Code § 8-1808(e)) is amended by striking the phrase “public recreation area” and inserting the phrase “public recreation area, other than a dog park,” in its place.

Amend
§ 8-1808

(c) A new section 9a is added to read as follows:

“Sec. 9a. Dog parks.

“(a) The Mayor is authorized to establish dog parks on District-owned parkland in which a dog under the verbal command of a responsible adult may exercise off-leash.

“(b) A dog park shall be completely enclosed by a fence and gate, both no less than 5 feet in height.

“(c) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code 2-501 *et seq.*), shall issue rules to implement the provisions of this section. The rules shall:

“(1) Establish procedures for selecting a site for establishment of a dog park, which shall include notice to the public and an opportunity for public comment; and

“(2) Establish procedures for the operation, maintenance, and use of a dog park, which shall include a process for enforcement of the rules and for monitoring and addressing health and environmental safety concerns.”.

Sec. 3. Section 2 of Article 18 of the Police Regulations of the District of Columbia, effective October 12, 1961 (C.O. 61-1734; 24 DCMR § 900.3), is amended by striking the phrase “shall permit the dog to be on any public space in the District, unless such dog is secured by a substantial lease” and inserting the phrase “shall permit the dog to be on any public space in the District, other than a dog park established by section 9a of the Animal Control Act of 1979, passed on 2nd reading on September 20, 2005 (Enrolled version of Bill 16-28), unless the dog is secured by a substantial lease” in its place.

DCMR

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia