



CITY of NOVI CITY COUNCIL

Agenda Item 6
July 7, 2014

SUBJECT: Approval of an ordinance 14-113.05 to amend the City of Novi Code of Ordinances, at Chapter 25, Parks and Recreation, in order to revise existing regulations relating to the leash requirement for dogs to create an exception for the City's dog park and to provide for the adoption of rules governing conduct in the dog park – **FIRST READING**.

SUBMITTING DEPARTMENT: Parks, Recreation and Cultural Services

CITY MANAGER APPROVAL: *[Signature]*

BACKGROUND INFORMATION: The City has established a dog park in an area east of Novi Road, south of Ten Mile, near the Novi Ice Arena. The park is approximately 3 acres in area and is designed to provide a location where dogs can run off leash, while still supervised by their owners/attendants. The City will be allowing use of the park by both Novi residents and residents of Northville/Northville Township. The use of the park is to be subject to rules adopted by the City Council. Entrance into the park will be governed by issuing passes to dog owners who have taken an appropriate online class regarding the use of the park area and the rules for use, and whose animals have been properly documented as fully vaccinated and licensed by the City.

The attached ordinance amends the existing requirement that any dog or other pet in a City park be kept on a leash not more than six (6) feet in length and kept under the immediate control of the owner or person having custody of the animal. Also, the ordinance refers to the rules to be adopted by the City Council for the dog park and requires compliance with those rules while in the park.

The proposed rules are also attached. They were written in conjunction with Northville and Northville Township and are based on the operational history of their two parks which opened in 2003 and 2006. The City of Novi intends to have users sign an appropriate membership application and release of liability form. In addition, use of the park will be monitored through a key fob access system and users of the park will assist with reporting rule violations.

RECOMMENDED ACTION: Approval of an ordinance 14-113.05 to amend the City of Novi Code of Ordinances, at Chapter 25, Parks and Recreation, in order to revise existing regulations relating to the leash requirement for dogs to create an exception for the City's dog park and to provide for the adoption of rules governing conduct in the dog park – **FIRST READING**.

	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Fischer				

	1	2	Y	N
Council Member Markham				
Council Member Mutch				
Council Member Wrobel				

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 14-113.05

AN ORDINANCE TO AMEND THE CITY OF NOVI CODE OF ORDINANCES, AT CHAPTER 25, "PARK AND RECREATION," ARTICLE IV, "PARKS AND RECREATION PROTECTION," DIVISION 1, "GENERALLY," SECTION 25-61, "ANIMALS," IN ORDER TO ADD AN EXEMPTION TO THE LEASH REQUIREMENT FOR DOGS IN PARKS FOR DOG PARKS AND TO REQUIRE COMPLIANCE WITH ADOPTED RULES AND REGULATIONS FOR THE DOG PARK.

THE CITY OF NOVI ORDAINS:

PART I. That Chapter 25, "Park and Recreation," Article IV, "Parks and Recreation Protection," Division 1, "Generally," Section 25-61, "Animals," of the City of Novi Code of Ordinances is hereby amended to read as follows:

Sec. 25-61. Animals.

- (a) It shall be unlawful for any person to:
 - (1) Take any dog or other pet into any park except when kept on a leash not more than six (6) feet in length and kept under the immediate control of the owner or person having custody of the animal;
 - (2) Take any animal on public beaches, in public buildings or other park areas posted so as to prohibit the presence of animals; or
 - (3) Fail to remove any animal excrement deposited in a park by any dog or pet taken into a park by such person.
- (b) This section shall not apply to guide dogs.
- (c) This section shall not apply to dogs within a City of Novi dog park; provided, however, that any dog within such park shall, and the person on control of the dog shall, at all times comply with any rules or regulations for such City dog park as the City Council may adopt and amend from time to time. Failure to comply with such rules or regulations shall be a misdemeanor.

PART II. Severability. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

PART III. Savings Clause. The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

PART IV. Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PART V. Effective Date. The provisions of this Ordinance are ordered to take effect following publication in the manner prescribed by the Charter of the City of Novi.

PART VI. Adoption. This ordinance is hereby declared to have been adopted by the Novi City Council in a meeting thereof duly held and called on the ___ day of _____, 2014, in order to be given publication in the manner prescribed by the Charter of the City of Novi.

Moved by _____ and supported by _____.

Robert J. Gatt, Mayor

Maryanne Cornelius, City Clerk

Certificate of Adoption

I hereby certify that the foregoing is a true and complete copy of the ordinance adopted at the regular meeting of the Novi City Council held on the _____ day of _____, 2014.

Maryanne Cornelius, City Clerk



Novi Dog Park

Rules 2014

Novi Dog Park: 42390 Nick Lidstrom Drive - Use Novi Road entrance to Park, access through Novi Ice Arena parking lot.

**Operational Hours: M-F 8:00 a.m. – 9:00 p.m. or dusk, whichever is earlier
Saturday/Sunday 8:00 a.m. – 9:00 p.m. or dusk, whichever is earlier**

1. Pass holders are responsible for compliance with the Novi Dog Park rules at all times and are legally responsible for their dogs and any injuries caused by their dogs.
2. Use of the Novi Dog Park is at the pass holder's own risk.
3. Only pass holders and their approved dogs are allowed to use the Novi Dog Park.
4. Dogs must wear their current dog license when inside the Novi Dog Park.
5. Pass holders must remain with their dog inside the Novi Dog Park at all times.
6. Pass holders may bring the number of registered dogs into the Novi Dog Park that they can adequately control without endangering other park users, up to a maximum of three dogs.
7. Dogs must be accompanied by individuals 16 years of age or older.
8. Children age five or younger are not allowed in the Novi Dog Park at any time.
9. Pass holders must clean up their dog's waste and dispose of it in the receptacles provided.
10. The following conditions are not allowed in the Novi Dog Park: dogs under the age of four months, dogs in heat, dogs with contagious diseases or internal or external parasites, dogs that are not registered with the dog park or whose license or vaccination has expired.

11. No food (people or dog treats), glass containers of any kind, alcoholic beverages, cigarettes or cigars are allowed inside the Novi Dog Park.
12. Pinch, prong or spiked dog collars are not allowed in the Novi Dog Park.
13. Digging is not allowed at the Novi Dog Park.
14. Dogs exhibiting aggressive behavior must be removed from the Novi Dog Park immediately.
15. Dog fighting is not allowed in the Novi Dog Park. Pass holders must immediately remove any dog exhibiting hostile, fighting or aggressive behavior. Pass holder shall bear all risks of their involvement in disengagement or separation of dogs engaged in said behavior. The City of Novi and/or the Novi Parks, Recreation and Cultural Services Department shall not be responsible for intervention of dogs engaged in said behavior and are not responsible for the behavior or suitability of any dog brought to the Novi Dog Park.
16. The Novi Dog Park is a designated off leash area. Do not let your dog run off leash from your car to the gate.
17. Please refrain from any laptop / tablet use while in the park. Also please limit any phone conversation to 2 minutes to ensure that your dog is properly watched.

Administrative

18. **Passes are revocable at the sole and absolute discretion of the City of Novi Parks, Recreation and Cultural Arts Services Department. For the first reported violation, members will be required to repeat the education session. Passes will be revoked if a second violation occurs. The park will be monitored by random patrols that will enforce the rules. To report a rule violation, please contact the Novi Parks, Recreation and Cultural Services Department at (248) 347-0400, or by e-mail at wduvall@cityofnovi.org. Please note the day, date, and time of violation.**

This process for a rules violation is in addition to any tickets or complaints that may be issued and prosecuted in the event of incidents involving violations of City ordinances or Michigan statutes, and enforcement of the above steps shall not be deemed to waive or release an offender from prosecution for same.

Michigan Penal Code 750.66: Persons 18 and older must provide name and address when the dog under their control has bitten another person. A pass holder must provide vaccination information and remain at the scene of the bite until all of the above information is provided.

19. Dog Park passes are not transferable and may only be used by the issued household.
20. Only adults (18 years and older) may apply for a pass. Applicants may be required to provide proof of age.
21. Pass applicants must provide a copy of current dog license and a copy of current vaccinations of rabies, DHLPP and bordatella for each dog registered. A parasite preventative is recommended.