

Memo to the Board
November 10, 1999

ACTION - 2.

OFF-LEASH DOG AREA TASK FORCE RECOMMENDATIONS (COUNTYWIDE).

ISSUE:

Approval of "Standards For Fairfax County Off-Leash Dog Areas", "Off-Leash Dog Area Survey and Evaluation" and "Memorandum of Understanding" documents developed by the Off-Leash Dog Area Task Force, formed by Fairfax County Park Authority Board. **(This item was reviewed by the Park Operations Committee on September 29, 1999 and approved for submission to the Park Authority Board.)**

RECOMMENDATION:

I recommend the Park Authority approve the Off-Leash Dog Area Task Force recommendations contained in the documents "Standards For Fairfax County Off-Leash Dog Areas", "Off-Leash Dog Area Survey and Evaluation" and "Memorandum of Understanding" which have been endorsed by the Off-Leash Dog Area Task Force.

TIMING:

Immediate.

BACKGROUND:

On December 1, 1998 the Fairfax County Park Authority held a public hearing at Luther Jackson Middle School to solicit public comments on:

- Amending the master plan for Blake Lane Park to include an off-leash dog area
- Draft criteria for off-leash dog areas in Fairfax County Parks

Following the 30-day public response period, the Park Authority amended the Blake Lane Park master plan to include an off-leash dog area. An Off-Leash Dog Area Task Force was created to further develop the information received at the public hearing and provide a final recommendation to the Fairfax County Park Authority on issues such as design, sponsorship, management and operation of these facilities, as well as criteria to evaluate them. The Task Force has been meeting since February 23, 1999.

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The completed documents include:

- Standards For Fairfax County Off-Leash Dog Areas: This document establishes procedures for the creation, sponsorship, management and operation of the Off-Leash Dog Areas.
- Off-Leash Dog Area Survey and Evaluation: This document contains the criteria by which the pilot and subsequent Off-Leash Dog Areas will be reviewed and evaluated.
- Memorandum of Understanding: This document is an agreement between the FCPA and the sponsor of an Off-Leash Dog Area that sets forth the responsibilities, policies, procedures and conditions under which an Off-Leash Dog Area will be operated.

On September 29, 1999 the Park Operations Committee approved the recommendations of the Task Force and approved the draft documents for submission for approval by the full Board following review by the Office of the County Attorney. The Office of the County Attorney has reviewed the draft documents developed by the Task Force. The Task Force has endorsed the final documents, including changes made by the Office of the County Attorney.

Revisions to the Code of the County of Fairfax to allow for the designation of park areas as off-leash dog exercise areas remains to be completed. Staff is working with the Office of the County Attorney on language that will be recommended to the Board of Supervisors for consideration in the code change. The Board of Supervisors is required to hold a public hearing on any code changes and it is anticipated that staff would seek authorization to hold the public hearing by February 2000.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I - Standards For Fairfax County Off-Leash Dog Areas
Attachment II - Off-Leash Dog Area Survey and Evaluation
Attachment III - Memorandum of Understanding
Attachment IV - Task Force Membership

STAFF:

Paul L. Baldino, Director
Michael A. Kane, Deputy Director
Timothy K. White, Director, Park Operations Division

STANDARDS FOR FAIRFAX COUNTY OFF-LEASH DOG AREAS
July 1999

Introduction & Definitions

CHANGING THE STANDARDS

These Standards for Fairfax County Off-Leash Dog Areas shall be considered a living document and therefore are subject to change by way of alterations, additions, and deletions at any time. Any member of the Board of Supervisors, the FCPA Board, the Dog Park Monitoring/Advisory Committee or *citizen* may recommend changes or exceptions to these Standards, however all changes and exceptions must be approved by the FCPA Board.

DEFINITIONS

To provide consistency in this document, the following terms will apply throughout:

- **HANDLER(S):** The person(s) in control of any dog(s) at the time at which they enter the Off-Leash Dog Area enclosure.
- **OFF-LEASH DOG AREA:** An enclosed area upon any property under the control of the FCPA so designated, defined, and approved as an Off-Leash Dog Area by the Board of Supervisors.
- **COUNTY:** The Fairfax County Board of Supervisors and/or Fairfax County
- **FCPA:** Fairfax County Park Authority Board and/or staff
- **MOU (Memorandum of Understanding):** The accepted agreement to fulfill certain defined responsibilities between the Off-Leash Dog Area sponsor(s) and the FCPA
- **SPONSOR:** An individual(s), group(s) of residents or combinations thereof and/or Off-Leash Dog Area users, who sign an MOU agreement with the FCPA.
- **OLDAMAC:** Off-Leash Dog Areas Monitoring/Advisory Committee

OFF-LEASH DOG AREAS MONITORING/ADVISORY COMMITTEE

The Off-Leash Dog Areas Monitoring/Advisory Committee shall serve as an all-volunteer, non-staffed adjunct to the FCPA Board and its staff. It shall meet on an as needed basis. Its purpose and responsibilities are as outlined throughout these Standards. The committee shall strive to seek consensus on issues before it, and make recommendations to the FCPA Board. The committee may not vote on issues that come before it but rather must seek consensus among themselves. The committee and its individual members shall serve at the pleasure and under the direction of the FCPA Board. The FCPA shall appoint all members of the OLDAMAC, however the OLDAMAC is free to recommend to the Board any individual it feels would make a contribution to the committee.

The committee shall ideally be composed of the following:

- One or more members of the FCPA staff. Other FCPA staff may, at the discretion of the Board, serve as floating members of the committee.
- A veterinarian active in canine health as either an attending member of the committee or serving as an unpaid consultant.

- A recognized canine behaviorist. This person need not be so certified but must display sufficient background in the subject. This person ideally will serve as an attending member of the committee but may serve as an unpaid consultant.
- Five sponsor representatives of existing or potential Off-Leash Dog Areas.
- A representative of any county dog or animal group who might wish to serve.
- Members of the Board of Supervisors and the FCPA Board or their designated representative may attend and serve at any OLDAMAC meeting.
- Ideally the Animal Care & Control Committee shall designate someone to attend and serve at all OLDAMAC meetings.

Any OLDAMAC meeting that will be addressing the establishment or evaluation of an Off-Leash Dog Area shall also include on the committee the member of the Board of Supervisors and FCPA Board or their designees for the District in which the Off-Leash Dog Area is to be located.

SET-UP AND EVALUATION

INITIAL REQUESTS FOR NEW OFF-LEASH DOG AREAS

Every Off-Leash Dog Area shall be required to have a Sponsor(s). Any Sponsor wishing to establish an Off-Leash Dog Area on property under the control of the FCPA shall submit a request to the Director of the FCPA. The request to the FCPA Director shall be in writing and include the projected location, size, probable utilization, the impact the Off-Leash Dog Area may have on adjacent neighbors and other park users, as well as a statement that the Sponsor has read and understood the "Off-Leash Dog Area Standards" and accepts the sponsorship responsibility.

FCPA staff will review the request, follow-up on any questions and issues as would be necessary to provide full consideration and provide a recommendation to the FCPA Board for their consideration. The FCPA Board will determine the disposition of the request, inform the requesting group in writing of that disposition and proceed as appropriate.

SHARED RESPONSIBILITIES – MAINTENANCE/MANAGEMENT

Upon receiving a favorable disposition of their request, the Sponsor(s) must agree to enter into a formal agreement (MOU) with the FCPA to share responsibility for maintaining, managing, and evaluating the Off-Leash Dog Area. Until such time as an MOU is executed between the parties, no action shall be taken regarding the establishment of an Off-Leash Dog Area. The FCPA and Sponsor recognize that after the MOU is executed changes to the MOU may be necessary to effect the proper operation of the Off-Leash Area. Both parties must agree in writing to changes to the MOU. Until such time as an MOU is executed between the parties, no action shall be taken regarding the establishment of an Off-Leash Dog Area.

Any improvements or fixtures made to the land become the property of the FCPA.

EVALUATION

Off-Leash Dog Area evaluations shall be performed every year for the first three years of the area's existence and every three years thereafter. In addition to the annual and tri-annual evaluations, an evaluation may be held at any time, if users, the Sponsor, a neighborhood association, the County, the FCPA, or OLDAMAC determines that conditions warrant an interim review.

Off-Leash Dog Area evaluations shall be conducted by the OLDAMAC. At a minimum, an evaluation should include critical appraisal of the sponsors, possible environmental impacts, utilization, condition of the grounds and physical property, and community and fiscal impacts. The evaluation should also include a satisfaction survey of users and neighbors, and consider the number, severity, and resolution of complaints and issues raised during the evaluation period, especially regarding complaints for which the Fairfax County Police and/or Animal Control have responded.

The primary purpose of the Off-Leash Dog Area evaluation is to measure the success of the Area with regard to the dogs and their owners, the surrounding community and citizens, and the sponsor and the FCPA. These groups will be surveyed and the Task Force and the FCPA will summarize the surveys and make recommendations based on the results. These recommendations will be incorporated into the planning and establishment of future Off-Leash Dog Areas in the County. Surveys will be sent out nine months after the opening of an Off-Leash Dog Area so that results can be compiled by the first anniversary, and any necessary changes/improvements can be scheduled prior to the start of the Area's second year.

A sample survey is attached.

Upon completion of each evaluation, the OLDAMAC shall report its findings and any recommendations to the FCPA, after which the FCPA may take whatever action it deems appropriate.

The Standards for Fairfax County Off-Leash Dog Areas shall be subject to annual review by the FCPA.

SIZE

The minimum size of an Off-Leash Dog Area shall be 10,000 square feet. Ideally, wherever possible, Off-Leash Dog Areas will be at least 27,780 square feet (half acre). Maximum size shall be limited only by that space the FCPA Board may allow.

USE

Off-Leash Dog Area hours shall be consistent with that of the Park in which it resides, and may be restricted in an effort to mitigate any noise or parking issue(s). The area may closed as the Sponsors and/or FCPA so deems necessary.

CARRYING CAPACITY

The carrying capacity for an Off-Leash Dog Area will be one dog for every 700 square feet. Each Off-Leash Dog Area will post the carrying capacity. Users are expected to enforce the carrying capacity. The carrying capacity is considered to be the maximum number of dogs that can be in the Off-Leash Dog Area at any one time without:

- Adversely impacting the surrounding park activities and neighborhood
- Causing ongoing conflicts due to overcrowding
- Causing detriment to the surrounding environment
- Causing irreparable damage to ground cover

The capacities will be monitored and maintained by the Sponsor and subject to review by the FCPA.

CONTAINMENT

Off-Leash Dog Areas shall be fully enclosed. A fence will be employed except perhaps where existing features of the site provide the same level of enclosure as that provided by a fence. Fencing shall be the FCPA approved galvanized chain link type (coated fence recommended) and shall be five (5) feet in height. The chain links shall be crimped at both the top and bottom to assure safety to both dogs and people. The chain link portions shall be adequately entrenched or appropriately anchored to assure that no dog may burrow under. Double gated entryways shall be provided for safety and to provide a neutral zone for dogs to be leashed/unleashed.

Ideally these neutral zones shall be more than adequate in size to contain handlers and dogs. Single, large, gated openings will be needed to allow access to mowing and maintenance vehicles.

During fence installation, every reasonable effort will be taken to ensure that wildlife will not be entrapped within the enclosure.

GROUND COVER

The preferred ground cover for Off-Leash Dog Areas is grass (turf). It will be acceptable to the FCPA for an Off-Leash Dog Area to consist partially or in whole of only dirt, provided the OLDAMAC finds as a result no negative environmental or aesthetic impact to the surrounding area and its human activities. Employment of ground cover other than grass, or that already present, must be approved by the OLDAMAC and FCPA.

The FCPA and sponsors shall develop a turf management program for the Off-Leash Dog Area. Off-Leash Dog Area grass surfaces may be maintained at a lesser standard and appearance than other FCPA grounds. The turf management program may consist of:

- Research and development opportunities
- Maintenance and renovation schedules
- Environmental partnerships with businesses and/or academia
- Off-Leash Dog Area rotating use/non-use schedules
- Long-term plans to fund and implement resources

OPERATIONS

COMPLAINTS

A point of contact for complaints and/or concerns arising over the Off-Leash Dog Area shall be posted at each area. The sponsors shall act as liaison between Off-Leash Dog Area users and others, such as neighbors, associations, and organized groups using adjoining park areas. Likewise, the sponsors shall act as liaison between the Off-Leash Dog Area users themselves. Should a complaint first come to the attention of the County, FCPA or OLDAMAC, it must be referred back to the sponsors, or at least the sponsor must be kept apprised of its resolution.

If after 30 days the complaint and/or concern has not been resolved satisfactorily by the Sponsor, the Sponsor and complainant will meet with whomever the FCPA may designate to mediate the situation to solution. The sponsors shall maintain a full and complete record of all complaints and concerns, including anonymous complaints and present such records during their next sponsor-evaluation process. The sponsors shall record all details regarding any time which the police and/or animal control have been summoned to the Off-Leash Dog Area (this is not to include routine patrols.)

It shall be the responsibility of the Sponsor to notify the Police whenever they are made aware that a dangerous situation exists in the Off-Leash Dog Area.

TRASH RECEPTACLES

Trash receptacles should be in appropriate quantity and of the type with self-closing lids which will prevent insect and rodent access. They must be lined with plastic trash bags. Receptacles will be emptied on a schedule timely enough to mitigate any resultant odors and/or flies or other insects.

RULES

1. The Off-Leash Dog Area is for dogs , their handlers and those accompanying them. No other use is allowed .
2. All dogs must be legally licensed and vaccinated, and shall wear a visible dog license
3. No dogs under four months of age
4. No female dogs in heat
5. Dogs must be on leash when entering or exiting the off-leash dog area
6. Dogs must be under the control of their handler and in view of their handler at all times
7. No spiked collars
8. Children 8 and under are not allowed in the off-leash dog area
9. Children under 16 must be accompanied by an adult.
10. Handlers must be 16 years of age or older
11. Handlers must have possession of the dog leash at all times
12. Maximum of two dogs per handler
13. Handlers must "Scoop The Poop"
14. Handlers must fill all holes dug up by the dog(s) under their control
15. No food and no drinks in glass containers – training treats are allowed
16. Dogs must be removed from the off-leash dog area at the first sign of aggression
17. No animals other than dogs shall be permitted in the area
18. Handlers are responsible for any injuries caused by the dog(s) under their control
19. Users of this facility do so at their own risk. Neither the County nor the FCPA shall be liable for any injury or damage caused by any dog in the Off-Leash Area.

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Off-Leash Dog Area Survey and Evaluation

Attachment II

The Fairfax County Park Authority (FCPA) is in the process of evaluating the Off Leash Dog Area at _____. The Authority is soliciting comments from the community, the park users, and the Sponsor. Please print or type your responses to the survey questions and mail the survey to _____ at _____ by MM/DD/YY.

All surveys must have a name, address and phone number. Surveys without this information will not be included in the evaluation process.

Please circle either "acceptable" or "unacceptable" in response to the following issues. Briefly comment on any issues you circle "unacceptable." Thank you for your cooperation.

Traffic

Pedestrian	Acceptable	Unacceptable
Vehicular	Acceptable	Unacceptable
Comments: _____		

Parking

Parking Availability	Acceptable	Unacceptable
Comments: _____		

Noise

People	Acceptable	Unacceptable
Dog	Acceptable	Unacceptable
Comments: _____		

Litter

People	Acceptable	Unacceptable
Dog Waste/Litter	Acceptable	Unacceptable
Trash Can Odor	Acceptable	Unacceptable
Comments: _____		

Turf

Condition of turf in the park	Acceptable	Unacceptable
Comments: _____		

Design/Fencing

Size of the off-leash dog area	Acceptable	Unacceptable
Fencing	Acceptable	Unacceptable
Volume of dogs in the park	Acceptable	Unacceptable
Rules and regulations as posted	Acceptable	Unacceptable
Comments: _____		

Utilization/Capacity

Amount of use of the off-leash dog area	Acceptable	Unacceptable
Hours of operation	Acceptable	Unacceptable
Cleanliness and maintenance	Acceptable	Unacceptable
Comments: _____		

Behavior Management

People	Acceptable	Unacceptable
Dogs	Acceptable	Unacceptable
Comments: _____		

Location

Compatibility with other facilities	Acceptable	Unacceptable
Proximity to homes and businesses	Acceptable	Unacceptable
Comments: _____		

Overall Comments:

Name:

Address:

City/State/Zip:

Phone: ()

Homeowners Association (if applicable):

Memorandum of Understanding

Attachment III

This Memorandum of Understanding (MOU) between the Fairfax County Park Authority (FCPA) and _____ (Sponsor) shall govern the operation of the _____ Off-Leash Dog Area located at _____
Park Name

The following sets forth the mutually agreed policies, procedures and conditions to permit the use of the FCPA park as an off-leash, fenced dog exercise area.

Article I – Ownership and Funding

A. Ownership

The Off-Leash Dog Area is owned by the Fairfax County Park Authority. FCPA permits the Sponsor to improve the Off-Leash Dog Area and assist with the maintenance and operation of the Off-Leash Dog Area subject to the approval of FCPA. No additions or changes to the Off-Leash Dog Area shall occur without written approval from the FCPA. All improvements to and fixtures upon the Off-Leash Dog Area become the property of the Fairfax County Park Authority.

B. Funding

The Sponsor shall obtain funding for fencing, bulletin boards, and other amenities approved for the Off-Leash Dog Area. FCPA shall provide funding for grass maintenance and/or maintenance of other ground cover, to include application of pesticides, lime, and other required treatments.

Article II – Sponsor Responsibility

The Sponsor agrees to be responsible for the following:

1. Ensure that the Off-Leash Dog Area is free of animal feces and all litter, at all times.
2. Act as a liaison between users and local residents. Address complaints from park users, with a written copy of all complaints and written response or resolution sent to the FCPA within 30 days. In the event that a mutually agreeable solution is not established within 30 days, the Sponsor and complainant will meet with FCPA or its designee, to bring about a solution.
3. Provide education on park rules and regulations to users. FCPA has the right to review and approve all materials prior to distribution.
4. Report maintenance needs to FCPA.
5. Act as liaison with FCPA, Fairfax County Police, and Animal Control on all issues related to use of the Off-Leash Dog Area.
6. Monitor the facility as necessary to ensure proper utilization and operation of the facility.

Article III – FCPA Responsibility

1. Ensure that grass is mowed on a regular basis.
2. Maintain fencing, benches and other amenities.
3. Place signs with rules & regulations in locations deemed appropriate by FCPA and the Sponsor.
4. Maintain contact with the Sponsor, Police, and Animal Control on issues relating to the use or operation of the Off-Leash Dog Area.
5. Any actions to be taken by the FCPA shall be dependent upon available funding.

Article IV – Use and Evaluation

1. The use of the Off-Leash Dog Area by the Sponsor and others shall be conducted in a manner consistent with applicable Fairfax County codes and laws, and laws of the Commonwealth of Virginia.
2. This agreement shall be reviewed by the FCPA every year for the first three years and every third year thereafter. Criteria used for evaluations shall include but not be limited to community feedback, use by dog owners, environmental impact, and fiscal impact.
3. FCPA reserves the right to terminate this agreement at any time and/or terminate the use of the Off-Leash Dog Area.

Article V – Conditions of Agreement

1. This MOU may only be amended by mutual consent of the parties in writing.
2. Neither the Sponsor nor any of its members or volunteers shall be deemed to be officers, agents, volunteers, or employees of FCPA or Fairfax County.
3. Neither the County nor the FCPA shall be liable for any injury or damage caused by any dog in any Off-Leash Dog Area.

Director, Fairfax County Park Authority

Sponsor Members

Date

Attachment IV

REPRESENTATIVE

ORGANIZATION

Candy Adams	Lee District Dog Park Coalition
Brian Davidson	Reston Dog Park Coalition
Nancy Despaux	Herndon Area Dog Coalition
Linda Douglas	FCPA Board
Bob Fowler	Bushman Drive Kennel Club
Judy Green	Arlington Dogs
Michael Herd	Blaklee HOA
Jeanine Larsen	Fairfax County Animal Shelter
Bob Maida	Dog Trainer
Joanne Malone	FCPA Board
Timothy K. White	FCPA

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