

**ORDINANCE NO. 1292**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF TILLAMOOK,  
TITLE IX, CHAPTER 92 RELATING TO PROHIBITED CONDUCT IN PARKS**

**WHEREAS**, Ordinance 1289 adopted the Code of the City of Tillamook (CCT); and

**WHEREAS**, the Beautification Committee discussed and the use of the southern grassy portion of Carnahan Park for an off-leash dog-friendly park; and

**WHEREAS**, the City's insurer recommends any dog-designated areas be adequately fenced and guidelines posted; and

**WHEREAS**, the Tillamook City Council discussed changes to the language related to prohibited conduct in parks in Title IX, Chapter 92 of the Code of the City of Tillamook.

**NOW THEREFORE**, the City of Tillamook ordains as follows:

**Section 1: Amendment of Title IX, Chapter 92.05(E).**

The CCT, Title IX, Chapter 92.05(E) is amended as follows:

(E) *Animals in parks.* It shall be unlawful for the owner, possessor or keeper of any animal to permit the same to enter upon or to roam at large in any city **park that has not been consigned to third party control. Notwithstanding the above, dogs are permitted in Carnahan Park. Dogs shall remain on leash at all times except within the boundaries of an identified, fenced-in, off-leash dog area. While in the off-leash identified fenced-in area, dogs shall remain under voice control at all times by the accompanying owner, possessor or keeper of the dog. Owners, possessors, or keepers of any dog are subject to the Animal Code as set forth in Title IX, Chapter 90 of the CCT.**

**Notwithstanding the above, dogs may also be allowed in city-owned wayside(s) as approved by the City. City wayside(s) not approved shall be signed appropriately to indicate no dogs allowed. Dogs in approved city wayside(s) shall always be on a leash except when secured in a vehicle.**

Owners of dogs or other animals damaging and destroying park property will be held liable for the full value of the property damaged or destroyed in addition to any penalties that may be imposed for violation for this section. Animal(s) remaining in vehicle(s) are exempt from this section. **Notwithstanding the above, service animals are exempt from this provision when accompanied by their handler.**

**Section 2: Fencing.**

The designated dog-friendly area shall be fenced-in with a double-gated entrance for safety of owners and dogs, as recommended by the City’s insurer.

**Section 3: Guidelines for use of dog-friendly area.**

Guidelines regarding the use of the dog-friendly area are adopted as set forth in the attached “Exhibit A,” and shall be posted at the entrance of the gated area. Guidelines may be amended by a Resolution of the City Council.

**Section 4. Codification.** Provisions of this Ordinance shall be incorporated in the Code of the City of Tillamook, Title IX, Chapter 92, and the word “ordinance” may be changed to “code”, “article”, “section”, “chapter” or another word and the sections of the Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 4-5) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

**Section 5: Effective Date.**

This Ordinance shall be in effect 30 days from the date of passage, *and* after all required provisions as set forth in Sections 2 and 3 are met.

**PASSED FIRST READING** by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2014.

**PASSED SECOND READING** by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2014.

**ADOPTED** by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2014.

**APPROVED** by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST:

\_\_\_\_\_  
Suzanne Weber, Mayor

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Abigail Donowho, City Recorder