

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors

AGENDA NO. **5.A.**

FROM: John F. Weigold, IV, General Manager
Carlos Mendoza, Facilities & Resources Manager
Timothy Carmel, District Counsel

Meeting Date: September 8, 2022 Subject: Discussion and Consideration of
Introduction of Ordinance 01-2022
Adding Chapter 7.17 to the Cambria
Community Services District Municipal
Code Regarding Dogs on the Fiscalini
Ranch Preserve

RECOMMENDATIONS:

It is recommended that the Board of Directors discuss and consider, introduce by title only and waive further reading, Ordinance 01-2022 adding Chapter 7.17 to the Cambria Community Services District Municipal Code to create a leash requirement for dogs at the Fiscalini Ranch Preserve.

FISCAL IMPACT:

There is no fiscal impact as a result of this item.

DISCUSSION:

There has been an ongoing problem with dogs not being leashed on the Fiscalini Ranch Preserve. The San Luis Obispo County Code provides as follows regarding its Leash Law:

San Luis Obispo County Dog Ordinance 9.08.020 - Leash law.

(a)It is unlawful for any person to suffer or permit any dog owned, harbored, or controlled by him to be on any public street, alley, lane, park or place of whatever nature open to and used by the public in the unincorporated area of the county unless such dog is securely leashed and the leash is held continuously in the hand of a responsible person capable of controlling such dog, or unless the dog is securely confined in a vehicle, **or unless the dog is at "heel" beside a person and obedient to that person's command.** (emphasis added)

The provision that creates an exception for dogs at "heel" has been problematic and there have been numerous incidents at the Ranch as a result of unleashed dogs. The Friends of Fiscalini Ranch Preserve's Board of Directors has requested that a rule be adopted to require that dogs be leashed.

In addition, Chapter 3, Section A1, Allowable Uses, of the Public Access and Resources Management Plan for the Fiscalini Ranch Preserve (the "Ranch Management Plan") provides that, "Dogs must be under the control of their owner on all parts of the Ranch. The Ranch Manager has the authority to require leashes on any trail for safety purposes." Also, Chapter 8, Section F.2., User Conflicts, of the Ranch Management Plan provides that:

...many potential conflicts arise from off-leash dogs: dogs may chase wildlife (which is in conflict with the resource protection objectives of the Plan), dogs may chase cattle (which can be dangerous to hikers), dogs may frighten or attack other people, and finally, dogs may attack other dogs (on a leash) beyond the control of their owners. In order to meet the safety objectives of this Plan, the Ranch Manager may restrict dogs to leashes or prohibit dogs on any or all of the Ranch trails.

The District operates park and recreation facilities, including the Fiscalini Ranch Preserve, in accordance with the authority in Government Code Section 61100(e). Government Code section 61060(b) gives the District the authority, "To adopt, by ordinance, and enforce rules and regulations for the administration, operation, and use and maintenance of the facilities and services listed in Part 3 (commencing with Section 61100)."

In order to make such a dogs on leash rule effective and enforceable, District Counsel has advised that it should be adopted by ordinance and made a part of the CCSD's Municipal Code, under the foregoing statutory authority. Accordingly, the attached Ordinance has been prepared for consideration by the Board of Directors. It will add a new Chapter 7.16 to the Code that will required dogs be leashed while on the Fiscalini Ranch, with the exception of the dog park. It also makes violations infractions pursuant to the penalty provisions in the Code. Provisions have also been included to provide for signage of the leash requirements, as well as advising that any person violating this requirement will be subject to citation/and or ejection.

Attachment: Ordinance No. 01-2022