

City of Utica  
Department of Legislation  
In Common Council

Sponsored by: Councilmembers Meola, Williamson

September 6, 2023

**Ordinance Adding Article V to Chapter 2-5 of the Utica City Code of Ordinances**

**ORDAINED**, that Chapter 2-5, of the Utica Code of Ordinances shall be amended by adding Article V , entitled “Dog Parks”, to read as follows:

**ARTICLE V Dog Parks**

**Section 2-5-58 Access; application; hours.**

- a) Entry to, and use of, the dog parks are restricted to City approved applicants, by permit only. All dogs must be properly licensed with the City.
- b) Entry to the dog park is gained by proper use of a City-issued key fob/magnetic access card. Any permit issued shall not be transferred to another applicant. Permits must be carried at all times while using the park.
- c) Persons seeking an application to use the dog park can do so by contacting the City Clerk’s Office.
- d) All permits issued under this article shall expire on March 31. Permits can be renewed in the City Clerk’s Office.

**Section 2-5-59 Fees**

- a) The annual fee for each dog park permit issued by the City Clerk’s Office are as follows:

**City Residents**

Single Dog	\$35
Multi Dog	\$60
Senior (60+) w/ Single Dog	\$30
Senior (60+) w/ Multi Dog	\$50
3 day pass	\$10

**Non-residents**

Single Dog	\$70
Multi Dog	\$120
Senior (60+) w/ Single Dog	\$60
Senior (60+) w/ Multi Dog	\$110

- b) Any fees required under this section received by the City Clerk or dog control officer shall be paid to the City Comptroller and shall be used for the expenses for the dog park expenses and maintenance.

### **Section 2-5-60 Dog park hours and capacity.**

- a) April 15 through November 15: 6:00 a.m. to 9:00 p.m. (weather permitting)
- b) November 15 through April 15: 6:00 a.m. to 7:00 p.m. (weather permitting).
- c) The City of Utica Parks and Recreation Department reserves the right to close the dog park area for maintenance and repairs. Park may not be maintained during the winter, as such access may be limited.
- d) Maximum capacity shall not exceed posted signs.

### **Section 2-5-61 Dog park rules and regulations.**

- a) Persons making use of the dog park do so at their own risk of injury to themselves, children and dogs.
- b) Persons making use of the dog park shall be responsible for damage, injuries and illness caused by their dogs to itself, other dog(s), other persons or self and shall hold the City of Utica harmless for same.
- c) Persons making use of the dog park must be 18 years of age or older, and dogs must be at least four months old, properly licensed with the state, with proper vaccinations for rabies. Parvo/distemper and bordatella vaccinations are recommended.
- d) No entry will be permitted without a City permit, dog license tag, and rabies identification tag attached to the dog collar. Permit must be carried at all times while using the dog park. Dogs must wear a collar with identification at all times.
- e) Allowing unauthorized individuals to utilize a dog park or to give access to unregistered dogs will result in immediate suspension of privileges. Permit holders may not share key fobs with anyone.
- f) No choke, prong or spike collars, as these can injure dogs during play.
- g) The permit holder must clean up after their dog(s). Waste disposal bags and trash cans are provided.
- h) No animals other than dogs may be brought into the dog park.
- i) Dogs must never be left unattended. The dog owner/permit holder must keep an eye on his or her dog(s) at all times and keep a leash available at all times.
- j) Dogs must be leashed at all times when not in the dog park.
- k) Dogs may not be brought into the park if they are less than four months old, sick or unhealthy, have a history of aggressiveness, have been adjudicated as dangerous by a court of law, or are females in heat.
- l) If aggressive action is observed, the permit holder must leave the park immediately with the aggressive dog.
- m) Children under 12 years of age must be closely supervised at all times. It is strongly urged that, for their own safety, young children not be brought to the dog park; if they are, the children must be close enough to hold an adult's hand at all times.
- n) No food, treats, rawhide chews, alcoholic beverages, glass containers, strollers, bicycles, skateboards, roller blades or toys will be allowed in the dog park area. Littering and smoking is prohibited.
- o) No more than three beings (dogs and/or small children) per handler will be allowed.
- p) Dog owners must immediately fill any holes their dogs dig.
- q) Professional dog trainers/behaviorists and dog walkers are not permitted to use the dog park to conduct their business
- r) Dogs, permit holders and park users creating a disturbance or violating rules must immediately leave the off-leash area if requested by law enforcement personnel, park personnel or their designated agents.
- s) No large dogs will be allowed in the small-dog area and vice versa.
- t) All gates must be closed at all times after entering or leaving.

- u) All dog bites must be reported to the City of Utica Animal Control Department. If a bite occurs, the dog's owner must exchange his or her name and phone number with the other dog owner.

**Section 2-5-62 Enforcement.**

Enforcement of the above rules and regulations is under the immediate supervision of the City of Utica Animal Control Officer, Police Department and Codes Department.

Violators of dog park rules and regulations will be subject to one or more of the following:

- a) Removal from the park; and/or
- b) Suspension of park privileges; and/or
- c) Revocation of dog park permit; and/or
- d) A fine of \$200 per violation.

FURTHER ORDAINED, that this Ordinance shall take effect immediately.

**Yeas: Aiello, Burmaster, Friend, Meola, Ervin, Betrus, Williamson, Colosimo-Testa, DiBrango – 9**

**Nays: 0**

**Adopted.**

STATE OF NEW YORK, CITY OF UTICA )  
City Clerk's Office ) ss.

) I hereby certify that I have compared the foregoing copy of an Ordinance of the Common Council with the record of proceedings of the Common Council of said City of Utica, duly made and on file in this office, and that same is a correct transcript therefrom and of the whole of said Ordinance.

In TESTIMONY WHEREOF, I hereunto affix the Corporate Seal of said City, and subscribe my name, this 7<sup>th</sup> day of September, 2023

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Melissa R. Sciortino, *City Clerk*