

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:

February 7, 2011

AN ORDINANCE ENTITLED AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED
PARKS AND RECREATION

Be it ordained by the City Council of the City of Newburyport as follows:

Chapter 11	Parks and Recreation
Article 3	Recreation Areas
Section 11-51	Rules and Regulations

Delete: (1)

Add:

(1) Dogs must be leashed and animal waste cleaned up and disposed of pursuant to chapter 3, article 2 of the Code of Ordinances; provided, however, that pursuant to sections 3-26(d) and 3-26(e) of article 2, dogs are allowed off leash at Cashman Park, Moseley Woods, and March's Hill, subject to both the exclusions and restrictions, off leash hours and seasonal restrictions in the "Table of Designated Off Leash Areas" and the "Rules" as set forth in sections 3-26(d) and 3-26(e) of article 2, respectively.

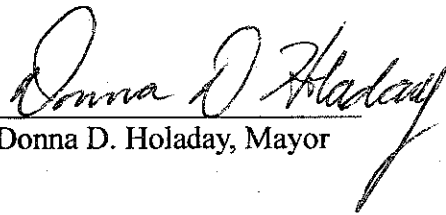

Councillor Alf B. Herzog

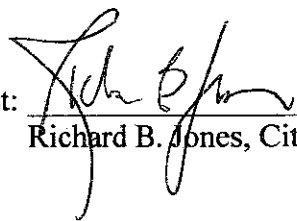
In City Council April 11, 2011

Motion to remove from committee by Councillor Herzog, seconded by Councillor Heartquist. So voted.
Motion to approve first reading and order published by Councillor Herzog, seconded by Councillor
Heartquist. 7 yes, 4 no (Cronin, Derrivan, Hutcheson, O'Brien), so voted.

In City Council April 25, 2011

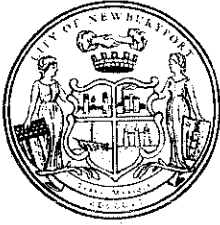
Motion to approve by Councillor Jones, seconded by Councillor Earls. 6 yes, 5 no (Connell, Cronin, Derrivan, Hutcheson, O'Brien). So voted.

Approve: 
Donna D. Holaday, Mayor

Attest: 
Richard B. Jones, City Clerk

Date: 4/29/11

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Date:

April 11, 2011

AN ORDINANCE ENTITLED AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED ANIMALS

Be it ordained by the City Council of the City of Newburyport as follows:

Chapter 3 Animals
Article 2 Dogs
Section 3-26 Leash required

Add:

(d) Notwithstanding the provisions of subsection (a), for the seven (7) months following the effective date of this subsection, dogs are allowed off leash at Cashman Park, Moseley Woods, and March's Hill, subject to the exclusions and restrictions, off leash hours, and seasonal restrictions set forth in the following Table of Designated Off Leash Areas and subject to the Rules set forth in subsection (e), respectively, below.

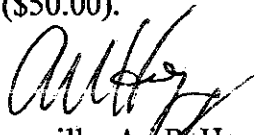
Table of Designated Off Leash Areas			
Designated off leash area	Exclusions and restrictions	Off leash hours	Seasonal restrictions
Cashman Park	Excluding: playground, basketball court, tennis court, baseball field & soccer field and walkways	7:30 a.m. – 9:00 a.m. and 4:00 p.m. - 7:00 p.m.	Year round
Moseley Woods	Excluding: playground, pavilion & picnic areas	7:30 a.m. - 10:30 a.m. and 4:00 p.m. - 7:00 p.m.	Year round

March's Hill	Excluding: basketball court	7:30 a.m. - 10:30 a.m. and 4:00 p.m. - 7:00 p.m.	No off leash dogs allowed at times when children are sledding
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(e) The following Rules apply to the use of Designated Off Leash Areas:

Owners, per the below Rules, define persons with direct care, custody, and control of a dog while in a designated off leash area.

- (1) Dogs must be licensed and vaccinated as required by applicable law and ordinance (this is the case for both leashed and off leash dogs) and have no contagious conditions, diseases or parasites.
- (2) Dogs must be leashed when entering and when exiting a designated off leash area.
- (3) Dogs with a history of dangerous or aggressive behavior, e.g. history of dog fights or aggression toward people as determined by the Animal Control Officer, are prohibited from designated off leash areas during designated off leash times.
- (4) Dogs younger than four months of age are not allowed off leash as all inoculations are incomplete at this age.
- (5) Intact unleashed male dogs must be supervised closely and immediately removed or leashed if interfering with other dogs.
- (6) Female dogs in season/heat are not allowed off leash in designated off leash areas.
- (7) Owners must immediately remove from designated off leash areas dogs who are exhibiting aggressive behavior towards people, other dogs or wildlife.
- (8) While in designated off leash areas, owners must remain with and monitor their dogs.
- (9) Owners must carry a leash, one leash per dog is required.
- (10) Owners must have in their possession an adequate number of bags, or other appropriate device, e.g. a pooper scooper, in their possession for removal of their dogs' waste.
- (11) Owners must clean up after their dogs, owners who fail to do so are subject to a fine in accordance with applicable law and ordinances. This is the case for both leashed and off leash dogs.
- (12) No digging is allowed. Owners must fill in any holes dug by their dogs.
- (13) No owner shall have more than two unleashed dogs in a designated off leash area at any one time.
- (14) Off leash dogs are not allowed in playgrounds, tennis courts, basketball courts and athletic fields.
- (15) Owners in violation of above Rules shall be subject to a fine of fifty dollars (\$50.00).


 Councillor Arne B. Herzog

In City Council April 11, 2011:

Councillor Earls motioned to suspend the Council Rules and to allow the first reading, seconded by Councillor Hutcheson. 10 yes, 1 no (O'Brien) so voted. Councillor Earls motioned to approve and to order published seconded by Councillor Hutcheson. 6 yes, 5 no (Connell, Cronin, Derrivan, Hutcheson, O'Brien) so voted.

In City Council April 25, 2011:

Motion to approve by Councillor Earls, seconded by Councillor Cameron. 6 yes, 5 no (Connell, Cronin, Derrivan, Hutcheson, O'Brien). So voted.

Approve: Donna D. Holaday
Donna D. Holaday, Mayor

Attest: Richard B. Jones
Richard B. Jones, City Clerk

Date: 4/29/11