

(O-99-90)

ORDINANCE NUMBER O-18642 (NEW SERIES)

ADOPTED ON APR 26 1999

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER VI, ARTICLE 3, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 63.0102 RELATING TO REGULATING THE USE OF PUBLIC PARKS AND BEACHES.

WHEREAS, there are currently five (5) designated dog exercise and training [Leash-Free] areas in the City of San Diego; and

WHEREAS, based on community interest and input, a designation process for establishing future Leash-Free areas is underway; and

WHEREAS, it is expected that additional Leash-Free areas will be designated in the future; and

WHEREAS, on January 20, 1999, the Land Use and Housing Committee recommended amending the San Diego Municipal Code to provide for an implied consent and indemnification principle applicable to individuals using designated Leash-Free areas;

WHEREAS, the City Council concurs with the recommendation of the Land Use and Housing Committee; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter VI, Article 3, Division 1, of the San Diego Municipal Code is amended by amending Section 63.0102, to read as follows:

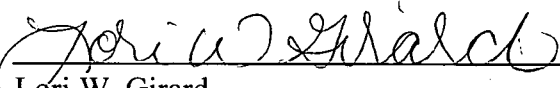
SEC. 63.0102 Use of Public Parks and Beaches Regulated

- (a) [No change.]
- (b) [No change.]
- (1) [No change.]
- (2) [No change.]
- (a) [No change.]
- (b) [No change.]
- (c) Dogs which are in special areas of parks designated and posted by the Park and Recreation Director as dog exercise and training areas and so long as the regulations of the Park and Recreation Director with respect to the use of such areas are followed.
 - (i) Implied Consent. The presence of a dog in a designated dog exercise and training area shall constitute implied consent of the person either owning or controlling the dog to the regulations imposed by the Park and Recreation Director.
 - (ii) Liability and Indemnification. The presence of a dog in a designated dog exercise and training area shall constitute a waiver of liability, on behalf of the person either owning or controlling the dog, to the City of San Diego, as well as an agreement and undertaking to protect, indemnify, defend, and hold harmless the City of San Diego for any injury or damage caused by the dog.
- (3) through (28) [No change.]

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By 
Lori W. Girard
Deputy City Attorney

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Or.Dept:Pk.&Rec.
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