

**CITY AND BOROUGH OF SITKA**

**ORDINANCE NO. 2013-18**

**AN ORDINANCE OF CITY AND BOROUGH OF SITKA AMENDING SITKA  
GENERAL CODE SECTION 23.30.020 ENTITLED "CONDITIONS FOR USE OF PARK  
AND RECREATION FACILITIES" BY ADDING PROVISIONS TO PROHIBIT NON-  
SERVICE DOGS FROM BEING ON CERTAIN DESIGNATED SPORT FIELDS  
AND MUNICIPAL PLAYGROUNDS AND SUBJECTING THE DOG KEEPER  
AND/OR CUSTODIAN TO A FINE**

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code.

2. **SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. **PURPOSE.** The purpose of this ordinance is to address problems with dogs defecating on school sport fields and municipal playgrounds. The goal is to create a healthier recreational environment for the Sitka community including children playing on sport fields and playgrounds while allowing for limited use by responsible dog keepers and/or custodians.

This ordinance amends SGC 23.30.020 entitled "Conditions for use of parks and recreation facilities" by amending subsection G to list City and Borough playgrounds and sport fields where non-service dogs are prohibited. Such sport fields and playgrounds will be posted with signs stating the ban of non-service dogs and the fine schedule for violations. In addition, two new subsections are added: subsection H is added to provide the fine schedule for violations of SGC 23.30.020G and subsection I is added to provide definitions of municipal playgrounds and sport fields.

Only service dogs will be permitted on Baranof, Lower Moller multi-use field and Kimsham Recreational Complex Ball Field Two ("Krueger field"), Three and Four or on municipal playgrounds. Dogs will continue to be permitted on leash on the Lower Moller track and on designated off-leash areas specified in SGC 8.04.032. Existing animal ordinance requires that dog keeper and/or custodian have a leash and a means of cleaning up after their pet whenever in public areas.

This ordinance was recommended by the Parks and Recreation Committee on February 7, 2013 by majority vote 4-0 and by the Police and Fire Commission on March 13, 2013 by a 4-1 vote.

4. **ENACTMENT, NOW, THEREFORE, BE IT ENACTED** by the Assembly of the City and Borough of Sitka that SGC 23.30.020 entitled "Conditions for use of park and recreation facilities" are modified to read as follows (new language underlined; deleted language stricken):

**23.30.020 Conditions for use of park and recreation facilities.**

\* \* \*

C. Dogs and other pets must be on a leash around developed facilities, with the exception of the Tom Young Memorial Cabin and off-leash areas designated in SGC 8.04.032. Pets are to be under control at all times. Pet owners are required to clean up after pets.

\* \* \*

G. Notwithstanding any other provisions of this section, no dog is allowed on inside the following designated sport fields or municipal playgrounds except off-leash areas listed in SGC 8.04.032, Moller Park ball field fenced area, except service dogs with the dog keeper and/or custodian. owner with s "Service dogs" is as defined by Section 8.04.010P.180 or state and federal laws. Designated sport Moller Park ball fields and municipal playgrounds where non-service dogs will not be allowed, including the following: will be posted with signs regarding the ban on non-service dogs and the fine.

1. Moller Park fenced ball field;
2. Lower Moller and Kimsham (Krueger) Multiuse Fields;
3. Sport fields at Kimsham Recreational Complex except fenced Kimsham Field One, Baranof, Vilandre and Keet Gooshi Heen ball fields as listed as "off-leash areas" under SGC 8.04.032; and
4. Municipal playgrounds to include Crescent Harbor Park and Moller Park East and West.

~~The dog owner shall be fined three hundred dollars, in addition to any other applicable fine or other charges for violating any other code provisions, including for defecation or off-leash, of any non-service dog on this ball field.~~

H. Designated areas listed in subsection G will be posted with signs regarding the ban on non-service dogs and fines. In addition to applicable fines or charges for violating other code provisions, including defecation or off-leash offenses, fines for violating SGC 23.30.020G is as follows:

1. Three hundred dollars for violating SGC 23.30.020G.1. Moller Park fenced ball field;
2. One hundred dollars for designated areas in SGC 23.30.020G.2 and 4; and
3. One hundred dollars for a non-service dog on fenced Kimsham Field One, Baranof, Vilandre and Keet Gooshi Heen ball fields as listed as "off-leash areas" during scheduled sports events, school activities or when the area is in use by students or players.

I. Definitions. For purposes of this section, the terms shall have the following meaning:

"Ball field" or "Sports field" means an area used by schools or organized teams recognized by the City and Borough of Sitka for regulation play of sports including baseball, soccer, football, and softball. "Ball field" or "Sports field" does not include the following areas: parking lots; roads; bleacher and concession areas; walkways or track adjacent to the ball field.


"Municipal playgrounds" means municipal property used for outdoor play or recreation, especially by children, containing recreational equipment such as swings and slides.

**5. EFFECTIVE DATE.** This ordinance shall become effective within 30 days after passage by the Assembly of the City and Borough of Sitka.

**PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka, Alaska this 23rd day of April, 2013.

  
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Mim McConnell, Mayor

ATTEST:

  
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Colleen Ingman, MMC  
Municipal Clerk