

ORDINANCE NO. 1226

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAUSALITO AMENDING SECTION 6.04.160 C OF THE SAUSALITO MUNICIPAL CODE TO RESTRICT DOGS FROM INSIDE THE FENCED AREA OF THE PLAYGROUND AT MARTIN LUTHER KING JR. PARK

WHEREAS, Chapter 6.04 of the Sausalito Municipal Code establishes various regulations regarding animal control; and

WHEREAS, among other things, Chapter 6.04 provides that it is unlawful to allow dogs to run at large or off leash in any public area; including public parks (with the exception of areas designated by the City Council); and

WHEREAS, in 2006, in order to address safety and sanitary concerns, the City Council adopted Ordinance No. 1183 and there by prohibited dogs, on or off leash, from being in Cazneau Park, Harrison Park, and the fenced children's area of South View Park, or the fenced-in children's area of Robin Sweeny Park; and

WHEREAS, in September 2014 a new playground was opened at Martin Luther King Jr. Park; and

WHEREAS, allowing dogs to be in City playgrounds creates health and safety risks to the citizens of the City and as with other City playgrounds the City Council wishes to restrict dogs, on or off leash, from the fenced children's playground area of Martin Luther King Jr., Park; and

WHEREAS, the City Council finds that the adoption of this Municipal Code amendment is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guideline section 15061(b)(3) as it can be seen with certainty that the action will have no possibility to cause a significant effect on the environment

NOW, THEREFORE, the City Council of the City of Sausalito does hereby ordain as follows:

Section 1. Section 6.04.160 C of Chapter 6.04 of Title 6 of the Sausalito Municipal Code is hereby amended to add the following, underlined language:

"Notwithstanding any other provisions herein to the contrary, no dogs, with the exception of dogs which are "Service Animals" as defined in the American's with Disabilities Act of 1990, whether on or off leash, shall be permitted in Cazneau Park, Harrison Park, the fenced in children's area of Robin Sweeny Park, or the fenced in children's area of South View Park, or the fenced children's area of Martin Luther King, Jr. Park."

Section 2. The adoption of this ordinance is categorically exempt from California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

Section 3. This ordinance shall be liberally construed to achieve its purposes and preserve its validity. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The City Council hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid. To this end the provisions of this ordinance are declared to be severable.

Section 4. This ordinance shall be in full force and effect thirty (30) days after the date of its adoption.

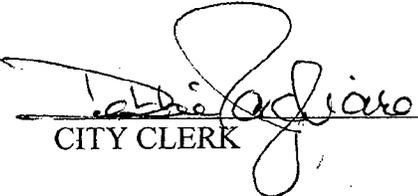
Section 5. This ordinance shall be published once within fifteen (15) days after its passage and adoption in a newspaper of general circulation in the City of Sausalito.

THE FOREGOING ORDINANCE was read at a regular meeting of the Sausalito City Council on the 11th day of November, 2014, and was adopted at a regular meeting of the City Council on the 18th day of November, 2014 by the following vote:

AYES:	COUNCILMEMBER:	Leone, Pfeifer, Theodores, Weiner and Mayor Withy
NOES:	COUNCILMEMBER:	None
ABSENT:	COUNCILMEMBER:	None
ABSTAIN:	COUNCILMEMBER:	None


MAYOR OF THE CITY OF SAUSALITO

ATTEST:


CITY CLERK

Debbie Pagliaro

From: Debbie Pagliaro
Sent: Wednesday, December 17, 2014 10:35 AM
To: 'Laurie Monroe'
Subject: Ordinances for Publishing
Attachments: Ordinance No. 1226 - prohibit dogs in fenced park at MLK.doc; Ordinance No. 1227 - req design review on new comm indust proj.doc

Laurie -

Attached are two ordinances that need to be published in the Scope. Please feel free to split them up into separate editions of the paper if you have a space issue.

As usual, please provide the affidavit of publication.

Thanks,
Debbie

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THE PLAYGROUND AT
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WHEREAS, the City Council finds that the adoption of this Municipal Code amendment is categorically exempt from the California Environmental Quality Act ("pursuant to CEQA Guideline section 15061(b)(3) as it can be seen with certainty that the action will have no possibility to cause a significant effect on the environment **NOW, THEREFORE**, the City Council of the City of Sausalito does hereby ordain as follows:

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AYES: COUNCILMEMBER: Leone, Pfeifer, Theodores, Weiner and Mayor Withy
NOES: COUNCILMEMBER: None

ABSENT: COUNCILMEMBER: None
ABSTAIN: COUNCILMEMBER: None

/s/ R.M. WITHY
MAYOR OF THE CITY OF SAUSALITO

ATTEST:
/s/ DEBBIE PAGLIARO

CITY CLERK
SAUSALITO MARIN
SCOPE
DEC. 24, 2014
#24521