

**WCIA Liability Resource Manual**  
**PAR.19**  
**OFF-LEASH DOG PARKS**

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**POSSIBLE EXPOSURES:**

Several exposures need to be taken into consideration when developing and managing off-leash dog parks. Safety to humans and other dogs, noise generated from a concentration of barking dogs and sanitation problems could trigger potential claims or lawsuits. Failure to maintain an existing park or improper design of a new park can also lead to incidents giving rise to increased exposure to losses.

**RECOMMENDED CONTROLS:**

Regular maintenance, proper selection of park location and design, as well as good signage posted conspicuously about the park is strongly recommended. Keeping the lines of communication open between the Member and the community is also recommended as a tool by which to address issues before they become major problems. Establishment of a Dog Park Club may assist the Member with communication, maintenance and problem dog issues.

**SAFETY:**

1. Overtly aggressive, assertive, unruly and under- socialized dogs should be discouraged from visiting off-leash dog parks.
2. If possible, the dog park should be separated into two sections by a six foot fence. One section should be designated for small, timid and/or elderly dogs.
3. Handlers should be discouraged from bringing young puppies or fearful dogs to parks as they may be made more fearful by highly assertive dogs. A fearful dog may snap or bite as a way of defending itself.
4. Handlers should have their dogs under voice control.
5. Double gated entries should be provided to allow handlers to unleash dogs in a safe location prior to entering the off-leash dog park.
6. If children are allowed, they should always be closely supervised by a responsible adult.
7. Handlers should carry a leash for each of their dogs with them at all times.
8. Members should recommend against handlers using head phones while in the off leash dog park.
9. A survey of the vegetation should be taken prior to the dog park being established to determine what species may be harmful or toxic to dogs. Thorny plants, those containing burs, poison ivy and other known poisonous plants should be removed.

**NOISE:**

1. Dog parks should not be established immediately adjacent to residential property lines.

2. If a dog park must be located immediately adjacent to residential property lines, the creation of a sound buffer is recommended. Plants, fencing and earthen berms all provide some degree of sound buffering.
3. If an established park shares a border with residential property lines, moving the area of heaviest usage away from that boundary is recommended.

#### **SANITATION:**

1. Plan and budget for an appropriate maintenance and cleaning schedule, done by the Member or organization managing the dog park.
2. Place signage stating the rules at the entrance(s) to the park, as well as within the park, emphasizing the rule that handlers must pick up after their dogs.
3. Provide an adequate number of plastic bags and refuse cans conveniently located throughout the park for feces disposal.

#### **LOCATION:**

1. The size of the park should be as large as can be reasonably developed and properly maintained; however, the Member will need to take staffing and budget into consideration when deciding how large the park will be. The average size of dog parks is one to five acres.
2. The entire off-leash area should be surrounded by a six foot tall secure fence, with double entrance gates.
3. Parks should not be built on a steep incline or within a flood plain. Adequate drainage should be a consideration while selecting a site for placement of the dog park.
4. Locate the park so that it is not directly adjacent to residential property lines to help decrease the chance of actual and perceived problems between park users and neighbors. The park should also be close enough to residential areas so that dog owners will utilize the facility and not allow the dogs off leash elsewhere.
5. Provide adequate parking for the users. In addition, the parking should be located as close to the off leash area as possible to discourage handlers allowing their dogs off leash between the dog park and parking lot.
6. Accessibility requirements of the Americans with Disabilities Act (ADA) should be adhered to.

#### **MAINTENANCE:**

1. Plan and budget for appropriate maintenance and cleaning, which should include filling of holes that are dug by dogs, proper maintenance of the substrate, sanitation procedures and proper maintenance of the fencing and amenities.
2. All maintenance should be properly documented and the documentation retained in accordance with government retention requirements. If a dangerous condition is documented, it should be immediately addressed. If a fix cannot be quickly accomplished, the condition should be barricaded and/or conspicuously marked.

## **SUBSTRATE:**

1. **Turf:** This is a good substrate if the location is appropriate and the Member is able to undertake fairly intensive maintenance. If turf is planted, it must be adequately maintained to help prevent degeneration into dirt or mud, which includes irrigation, mowing and weeding. Use of turf may also require periodic closure of the facility to allow for re-seeding/re-sodding of the grass.
2. **Decomposed Granite:** As with wood chips, this is a relatively easy to maintain substrate. The material needs to be replenished periodically. If deep enough and graded well, it allows adequate drainage. Fecal material is easily detected and removed. Maintenance of holes dug by dogs should be factored into the maintenance plan.
3. **Bark or Wood Chips:** This substrate is easily maintained but needs to be replenished periodically. If deep enough and graded well, it allows for adequate drainage. Fecal matter is easily detected and removed.
4. **Sand:** This is the natural substrate in parks at the water front or on the beach. There is no worry about refilling holes dug by dogs, unless they are extremely large. It is difficult to maintain and keep clean, often requiring specialized equipment. Sand may become too hot for paws during warm weather.
5. **Heavily Compacted Base Rock:** This may be the only option available, depending on the location. If used there are precautions to observe. Pavement may get very hot if in direct sunlight. Dogs could develop abrasions on the pads of their paws if they are not accustomed to spending time on this substrate.
6. **Multiple Different Substrates Used Together:** Turf, bark and asphalt trails may be used in multiple locations within a park. This offers dogs the opportunity to encounter and choose different types of footing. Trails encourage park users to walk with their dogs, therefore decreasing the density of dogs in one particular area.

## **RULES:**

1. Rules should be posted in several visible locations. Signage should be well maintained.
2. Hours of operation and emergency contact information should be included in the rules.
3. Rules should emphasize the user's responsibility for clean-up, sanitation, their dogs' behavior, and assumption of the inherent risks of the park.
4. It should be explicit that this is a "recreational facility."
5. The number of dogs per adult should be limited. Consider no more than 3 per adult user.
6. Park users must have their dogs under voice control.
7. Dogs that are aggressive to other dogs and people should be prohibited in the park.
8. Unsupervised children under the age of 12 should not be allowed in the park for safety reasons.
9. Leash laws should be enforced in the areas surrounding the dog park.
10. Owners/handlers should be required to have their dogs licensed and current on their vaccines.
11. Animals, other than dogs are prohibited, except for service animals.
12. No fees of any kind should be charged to park users.