



Guidelines for Permanent Dog Off Leash Areas

Leash Free Markham Committee

An umbrella volunteer group (“Leash Free Markham”) shall be formed to represent the groups in establishing, organizing and maintaining Dog Off Leash Areas on Town land in accordance with this policy and the criteria established herein. Leash Free Markham shall consist of a minimum of 3 members chosen from the community at large and one co-ordinator chosen from each approved Dog Off Leash Group. A Town Staff representative would attend meetings as a liaison between Leash Free Markham and the Town.

Leash Free Markham shall have the overall responsibility for the Dog Off Leash Areas within the Town, including:

1. oversee the operation of all Dog Off Leash Areas in the Town
2. review all proposals for new Dog Off Leash Areas based on these approved guidelines
3. responsible for issues relating to the cost, establishment, operation and maintenance of Town approved Dog Off Leash Areas, which include but are not limited to the following issues:
 - a) develop a feasible proposal to pay down debt for fencing and other amenities installed at the expense of the Town;
 - b) provide education for dog and non-dog owners regarding etiquette and responsibilities while in Dog Off Leash Areas; and
 - c) act as the representative for the local Dog Off Leash Groups when liaising with Town Staff and Council regarding Dog Off Leash issues.
4. responsible for organizing and attending annual events which promote the Dog Off Leash initiatives to the community
5. guide new volunteer groups through the application process for the creation of new sites, and
6. foster volunteer participation.

Leash Free Markham must have a constitution and operating guidelines which establish a democratic framework within which the groups will operate and which shall include the following issues:

1. the manner in which the group will dispose of any assets in its possession at the time of its dissolution; establishing an elected Board of Directors or executive of not less than three;
2. membership must be determined through a set process which may include the payment of membership fees;

3. membership must be open to all Markham residents and shall be comprised of a minimum of 80% Markham residents;
4. all members shall be eligible to vote; and
5. the group must hold an annual general meeting at which time the Board of Directors is to be elected from the general membership.

Dog Off Leash Groups

Dog Off Leash Groups must be established for each proposed Dog Off Leash Area. The Dog Off Leash Groups shall be responsible for the installation, maintenance and operation of their individual Dog Off Leash Areas and shall assume responsibility for fundraising all of the costs which includes the repayment of any up-front funding provided by the Town through the Leash Free Markham Committee. The Dog Off Leash Groups shall be comprised of a minimum of 15 members and shall appoint one member to act as a co-ordinator who shall sit on the Leash Free Markham Committee for the group. The co-ordinator shall act as the liaison between Leash Free Markham and the group. The co-ordinator and each member of the Dog Off Leash Group who participates in the installation, maintenance and operation of the areas shall be required to execute a Volunteer Agreement prepared by the Town.

Guidelines for Dog Off Leash Locations

The following guidelines for establishing Dog Off Leash Areas shall be applied to all applications for new Dog Off Leash Areas on Town land:

1. Dog Off Leash Area boundaries must be located a minimum of 120m (400ft) from all residential and commercial property lines.
2. Dog Off Leash Areas shall be a minimum of 0.5 hectares (1.2 acres) in size.
3. A local Dog Off Leash Group must be established and shall be required to adopt the designated off-leash area for the operation, maintenance and friendly policing of the site. A representative from the local Dog Off Leash Group shall be designated as a contact person for the Town and for the Leash Free Markham Committee.
4. Standard components for Dog Off Leash Areas shall include:
 - (a) adequate parking for a minimum of 12 cars;
 - (b) accessibility for regular maintenance;
 - (c) signs must be posted outlining the Dog Off Leash Area Rules of Conduct;
 - (d) all areas are to be fenced (1.2m foot high wire farm fence minimum) to delineate the Dog Off Leash Area;

- (e) areas must include a double gated chain link fence enclosure (minimum of 2mx3m) where dog owners may safely unleash their dogs upon entering the park and re-leash their dogs before leaving the park. This area will also prevent Dog Off Leashes from escaping the area.
5. Dog Off Leash Areas may be considered on Town Lands that meet all the above requirements and which do not have playgrounds, sports fields or facilities, or any other conflicting amenities or uses.

Dog Off Leash Area Rules of Conduct

The following rules shall apply to all Dog Off Leash Groups, volunteers and users of each Dog Off Leash Area:

1. Every dog must be under the supervision and full control of an adult. Dogs may not be left unattended in the Off-Leash Area.
2. As required by Town of Markham Bylaw 2005-254, dog owners are responsible to clean up after their pets on all municipal properties, including Dog Off Leash Areas and failure to do so may result in a fine.
3. All dogs must have a current dog licence and shall be up to date on all vaccinations and shots, including those for Bordatella.
4. No dogs “in heat” allowed in the Dog Off Leash Area.
5. All dogs must be kept on a leash and the owner must have physical control of the leashed dog until inside the Off-Leash Area.
6. All dogs which are off-leash in the area must be within sight of their owner and under voice control at all times.
7. The owner shall promptly leash their dog if confrontation with humans or other dogs arise in the off-leash area.
8. All users are advised to closely supervise children within the Off-Leash Area.
9. All users are encouraged to spay or neuter their dogs if using the Off-Leash Area.
10. All users must respect these rules within the off-leash area or they will not be permitted to use the site.
11. All users of the site shall comply with all Town by-laws, including the Town of Markham Animal Control By-law 2005-254, and all applicable legislation.
12. A pitbull or any dog that has bitten or attacked a person or animal or is a menace to the safety of persons or animals in accordance with the *Dog Owners Liability Act* are not permitted to be off-leash in the area.

Process for Establishing Dog Off Leash Areas

The following five-step process shall be followed for establishing new Dog Off Leash Areas.

Step 1: Initial Proposal

Residents who are interested in establishing a Dog Off Leash Area should contact the Leash Free Markham Committee. A written proposal and application form must be submitted to the Leash Free Markham Committee outlining the area chosen, and confirming that this area meets all criteria as set out in the guidelines contained in this policy.

The group should also note what amenities are required to install the Dog Off Leash Area, the cost of construction of these amenities, whether they are requesting up-front funding approval from the Town, and if so a proposal outlining a reasonable plan to fundraise to reimburse the Town if up-front funding is approved and a plan to support the cost for future maintenance of the site. A Dog Off Leash Group must be established for each location with a minimum of 15 members who agree to:

- a) choose a co-ordinator from their membership as a liaison person to sit on the Leash Free Markham Committee.
- b) provide friendly policing, operate the site and educate any users on the rules of conduct and appropriate use of the area.
- c) organize and conduct area clean-ups within the Dog Off Leash Area a minimum of four times per year or as required by the Town.
- d) consult with Town By-law Enforcement Officers, Animal Control, or Police as required for issues related to animal control or to deal with confrontation while using the site.
- e) maintain the Dog Off Leash Areas to the satisfaction of the Town which includes but is not limited to grass cutting, garbage collection, snow removal, clean up and removal of animal feces, inspection of fences and gates and any other equipment or amenities installed in the area to ensure that they are in safe and in good working order;
- f) be responsible for fundraising for all costs required to install, repair and maintain all parking lots, fencing, signage and other amenities necessary to establish the Off-Leash Areas; and
- g) sign a Volunteer Agreement with the Town to the satisfaction of the Town Solicitor.

Step 2: Review of the Proposal

Leash Free Markham Committee will review each application and proposal against the Council approved guidelines. If the proposal does not meet these guidelines, the local Dog Off Leash Group will be notified of the deficiencies and the proposal will not be considered until these deficiencies are resolved to the satisfaction of the Leash Free Markham Committee. Once the guidelines are met, the Leash Free Markham Committee will forward a copy of the proposal to the local Ward Councillor and Town staff for their information.

Step 3: Community Consultation

Once endorsed by the Leash Free Markham Committee, a petition (Attachment “1”) must be circulated by members of the Dog Off Leash Group to all residents who reside within 120 m (400 ft) of the perimeter of the Town lands where the proposed Dog Off Leash Area is to be located. Seventy percent (70%) of residents petitioned must agree to the installation of the Dog Off Leash Area in order for the application to be considered to Town staff for review.

Once Town staff have reviewed the application, a public meeting will be held to confirm Community support for the proposed Dog Off Leash Area.

Step 4: Town Review of the Proposal

If the request meets the guidelines and public consultation requirements then the application is submitted to Town staff. Town staff may approve and process the request once they confirm that all requirements have been met. Town staff will also review and determine whether to approve the amenities to be installed by the Dog Off Leash Group. If further review is required the application will be sent back to the Leash Free Markham Committee.

Once Town staff have reviewed the request, financial implications are then considered. If there are no financial implications with the application (i.e. group does not require up- front funding from the Town), then staff provides final approval and a memo is sent to Council to confirm that the proposal has been approved and returned to the Leash Free Markham Committee to implement.

If there are financial implications, the Parks Department will prepare a report for Council outlining the up-front funding costs involved in constructing/opening the proposed Dog Off Leash Area. If funding is not approved, the application is sent back to the Leash Free Markham Committee. If the funding is approved then the request is returned to the Leash Free Markham Committee to implement. Limits on Town resources may restrict the level of funding, if any, that may be provided by the Town. Leash Free Markham will be required to enter into the appropriate agreement with the Town.

Step 5: Implementation, Monitoring & Enforcement

Should the request be successful, Town staff will proceed as follows:

a) Implementation

Parks Department will work with the Dog Off Leash Group in determining the construction of amenities as requested by the Group and as approved by the Town. The group will be responsible for installation of all works as approved by the Town. Signage will be posted by the Dog Off Leash Group to the satisfaction of the Town to clearly to indicate the area is an Off-Leash Area that is operated by a volunteer group, setting out the Rules of Conduct for the area, advising users to use the site at their own risk, and outlining stoop and scoop by-law

requirements and fines and providing contact information for the Leash Free Markham Committee and the individual Dog Off Leash Group.

b) Monitoring

Should problems arise, a review will be done with the Leash Free Markham Committee, the Ward Councillor and appropriate Town Staff to determine what action is to be taken to resolve the problem. If the problem is not resolved, a report will be submitted to Council upon completion of the review by Town staff including recommendation to either continue, amend, or close the off-leash area.

c) Enforcement

Town of Markham By-Law Enforcement and Licensing Department, Animal Control and the York Region Police Department will assist as required when contacted by the Leash Free Markham Committee, the community Dog Off Leash Group or Town staff.