

## **Dog Off Leash Area (DOLA) Administrative Policy**

### **Purpose**

The purpose of this policy is to outline DOLA rules and regulate the use of the ongoing DOLA program at Jollyman Park.

### **Hours**

- Seven days a week
- One hour before sunset to one hour after sunset

### **Incidents and Injuries**

- If there is an emergency, please immediately call 9-1-1
- Violation of posted rules and regulations can be reported to
  - Code Enforcement (408) 777-3128 or
  - Non-emergency Sheriff (408) 299-2311
- Report dog bites/incidents immediately to
  - San Jose Animal Care and Services (408) 794-7297

### **DOLA Rules**

Dog owners are required to follow the City's rules for off-leash use during designated hours, including:

- Dogs must have current licenses and vaccinations [M.C. 8.03.050]
  - Licenses must be on the dog's collar
  - Collar must be on the dog
- All dogs must be on leash at all times except when in the designated DOLA during permitted times [M.C. 13.04.130]
- Respect other park users
  - Stop bothersome behavior immediately
  - Owners are responsible for proper disposal of trash [M.C. 13.04.140]
- Owners must be in control of their dogs at all times
  - Dogs with known history of dangerous behavior are not allowed
  - Leaving dogs unsupervised is prohibited
- Cleaning up after your dog is mandatory
- Consumption of food and the use of glass containers not allowed during DOLA hours
- Dogs in heat are not allowed
- No puppies less than four months of age allowed
- Owners must provide their own drinking bowls
- Owners must stop their dogs from digging and fill any holes caused by their dogs

***Owners are legally responsible and liable for the action of their dogs and injuries, or damage caused by their dogs. The City of Cupertino assumes no liability for the users of the DOLA.***

## Violations [M.C. 1.12.010]

- A. It is unlawful for any person to perform any act that is prohibited, made, or declared to be unlawful or an offense by the code, or to violate any provision or fail to comply with any of the requirements of this code. A violation of any provision or failing to comply with any of the mandatory requirements of the code shall constitute a misdemeanor, except where the violation is specifically declared to be an infraction.
- B. Notwithstanding the above, any violation constituting a misdemeanor may, in the discretion of the City Attorney, be charged and prosecuted as an infraction.
- C. When a violation of a provision of this code which otherwise constitutes an infraction continues to occur and the violator has been charged with a violation of the same provision as an infraction on at least four separate occasions and within one year has forfeited bail on each such occasion, in that event, the City Attorney, in his or her discretion, may charge a violation of any such provision as a misdemeanor.
- D. Unless otherwise specified by this code, an infraction is punishable by:
  - a. A fine not to exceed \$100 for the first violation of a code provision.
  - b. A fine not to exceed \$200 for a second violation of the same code provision within one year; and
  - c. A fine not to exceed \$500 for each subsequent violation of the same code provision within one year.
- E. Unless otherwise specified by this code, a misdemeanor is punishable by a fine not to exceed \$1,000, imprisonment for a term not exceeding six months, or by both such fine and imprisonment.
- F. Notwithstanding the foregoing and unless otherwise specified by this code, a code violation of § [8.01.030](#), Animals Running at Large, § [8.01.030](#), Public Nuisance, § [8.03.010](#), Restraint of Dogs, § [13.04.130D](#), Behavior of Persons in Parks, and § [13.04.130P](#), Feeding Waterfowl Prohibited, shall be subject to a maximum fine as follows:
  - a. Fifty dollars for the first violation of a code provision.
  - b. One hundred dollars for the second violation of the same code provision within one year; and
  - c. Two hundred dollars for each subsequent violation of the same code provision within one year.

(Ord. 20-2203, § 5, 2020; Ord. 12-2101, § 1 (part), 2013; Ord. 09-2043, 2009; Ord. 1886, (part), 2001; Ord. 1697, (part), 1995; Ord. 1497, § 1, 1989; Ord. 1179, § 1, passed 1982; Ord. 854, (part), 1978; Ord. 829, (part), 1977; Ord. 692, § 1, 1975; Ord. 500, § 1, 1971)