

**ATTACHMENT I: CHAPTER VII-PARK FEATURES-PROTECTION
§ 801, ATTACHMENTS A AND B OF
EAST BAY REGIONAL PARK DISTRICT ORDINANCE 38**

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CHAPTER VII - PARK FEATURES - PROTECTION

SECTION 800. ANIMAL PROTECTION, HUNTING AND FISHING.

- 800.1 **General.** No person shall hunt, molest, disturb, injure, trap, take, net, poison, harm, or kill any kind of wild animal whether living or dead, nor remove, destroy or in any manner disturb the natural habitat of any animal. No person shall molest, disturb, harass, harm, remove or kill any farm animal or in any manner damage or destroy the corrals or pens that contain them, or release farm animals from their pens or corrals.
- 800.2 **Exception.** Subsection 800.1 or this section does not apply to the taking of fin fish (fin fish does not include crawfish or frogs) from any water area of the District, except within the boundaries of any designated swimming area or any other such restricted area as may be designated and posted by the Board, and such fishing shall be in accordance with the rules and regulations established by the Board, provided, however, that no person shall utilize a spear or arrow while fishing in the District.
- 800.3 **License.** Except as otherwise posted, a valid State of California fishing license and a valid District fishing permit shall be required for all persons over the age of 16 years. Every person while engaged in taking any fish, amphibian or reptile, shall display their State Fishing License and District fishing permit by attaching them to their outer clothing at or above the waistline so that they are plainly visible. All State Fish and Game laws and regulations which are applicable shall apply. (Fish and Game Code, Section 7145.)
- 800.4 **Restriction Following Fish Plants.** No person shall fish within the posted fish planting area for a two-hour period following a fish plant, or as otherwise posted.

SECTION 801. ANIMALS - PET RESTRICTIONS.

- 801.1 **Prohibited Areas.** No dog, cat, or other animal, even if securely leashed, shall be permitted at any swimming pool, bathing beach, designated nature study area, wetland or marsh area, golf course, or any other area specifically designated from time to time by the Board as so restricted.
- a. Attachment "A" is the current list of Parks or Areas of Parks where dogs are currently prohibited.
 - b. Service dogs trained to assist disabled persons and whose presence is reasonably necessary are exempt from this section.

Attachment "A"
Specific Parks Or Areas Of Parks Where Dogs Are Prohibited *
 (September 19, 2000)

Bathing Beaches or Swimming Pools

Contra Loma Beach/Swim Area	Crown Beach/Swim Area	Cull Canyon Swim Lagoon /Beach
Del Valle Beaches/Swim Area	Don Castro Lagoon/Beach	Lake Anza Beach/Swim Area
Lake Temescal Beach/Swim Area	Miller Knox - Keller Beach	Roberts Pool
Castle Rock Pool	Little Hills Pool	Shadow Cliffs Beach/Swim Area
Quarry Lakes Beach/Swim Area		

Wetlands, Marshes, or Designated Nature Study Areas

Briones - Posted Lagoons	Crown - Crab Cove Reserve	Crown - Pond Wetlands
Crown - Roemer Marsh	Don Castro - Shady Canyon Pond	Hayward Shore - all marsh areas, Cogswell, and Oro Loma marshes
Pt. Isabel - Hoffman Marsh	Huckleberry Preserve (except for Skyline National Trail)	M. L. King Marshes - Doolittle Pond, Arrowhead, etc.
Martinez Shore Marshes	Oyster Bay Wetlands and Natural Areas	Pt. Pinole - all marsh areas
Waterbird - McNabney Marsh	Tilden Nature Area	Big Break Wetlands.
Brooks Island	Browns Island	All other Marsh and Wetland Areas whether named or not herein
Coyote Hills - all marsh areas		

Wildlife Protection Areas- For Listed Species At Risk

Brushy Peak Preserve	Vasco Caves Preserve	Round Valley Preserve
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Golf Courses, Public Buildings and Major Fishing Piers

Tilden Golf Course	Willow Park Golf Course	Antioch/Oakley Pier
Carquinez - Eckley Pier	Point Pinole Pier	All Food Concessions
All Visitor Centers	All Kiosks	All other Public Buildings

Other Parks or Areas of Parks with Specific Reasons for Prohibiting Dogs

Ardenwood Preserve	Overnight at Ohlone Wilderness and Sunol Backpack Camps	Redwood Stream Protection Area - as fenced or posted
All District tot lots and children play structures	Las Trampas Stables	Redwood Arena

District Lakes where Dog Swimming is Prohibited

Lake Chabot	Lake Del Valle - Oak Point North to East Marina	Contra Loma Lake
Shadow Cliffs- Main Lake	Quarry Lake Lakes	Temescal Lake

- 801.2 Leash Required Areas (Developed Areas). No person shall bring into, or permit any dog, cat, or animal, to enter any Developed Area, unless such animal is securely leashed and under control of that person.
- a. Developed Areas are defined as any public road open to vehicular traffic, lawn or play field, deck, parking lot, picnic area, campground, concession area, equestrian center, archery facility, gun range, paved multi-use Regional Trail, or any other area specifically designated from time to time by the Board as so restricted.
 - b. Other Leash Required Areas may be designated from time to time by the Board or the General Manager or his/her designee. Attachment "B" is the current list of areas of Parks where dogs are currently required to be on leash.
 - c. Leash Required Areas designated by the General Manager or his/her designee shall be subject to Board approval within 60 days of the designation.
 - d. The number of dogs shall not exceed three per person, except as permitted in 801.11.
 - e. An animal is leashed within the meaning of this section when such animal is securely tied, or otherwise attached, to one end of a chain, rope, or other type of leash or restraining device, or such animal is otherwise physically restrained (excluding electronic collars).
 - f. Such leashes or devices shall be no longer than six feet, the other end of which is either securely attached to a stationary object or retained in the possession of a person capable of exercising control.
 - g. Extendable leashes are permissible providing they are not extended beyond 6 feet in leash-required areas.
 - h. No dog, cat, or other animal may be left unattended (if not contained) at any parkland.
 - i. At campgrounds, dogs, cats, or other animals must be attended and either leashed, or contained within a vehicle, tent or other type of physical confinement.

Attachment "B"
Specific Parks Or Areas Of Parks Where Dogs Must Be On Leash *
(September 19, 2000)

All Developed Areas listed in 801.2 (a)

All (Board Designated) posted and paved Multi-Use Regional Trails**	All Public Roads Open to Vehicular Traffic	All Lawns or Play Fields
All Decks or Patios	All Parking Lots or Staging Areas	All Picnic Areas
All Campgrounds	All Concession Areas and Facilities	All Equestrian Centers - unless posted for no dogs
All Archery Ranges	All Gun or Marksmanship Ranges	All posted Dog on Leash Areas

On all Trails that cross or enter into lands owned by others, dog owners are to comply with the other agency's rules and regulations.

East Bay Municipal Utility District Lands	San Francisco Public Utility Lands	Mount Diablo State Park
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Specific Trails that the Board has designated as Dog On Leash Required Areas

California Riding and Hiking Trail - Crystal Ranch/ Galindo Creek riparian section	Posted Sections of the Bay Trail in or near wildlife sensitive areas	Stream & Bridal Trails in Redwood Park along the Stream
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*** Under Authority of Ordinance #38 Section 801.2**

****CURRENT (Board Designated) PAVED MULTI-USE REGIONAL TRAILS**

- Alameda Creek Regional Trail (South side)
- Big Break Regional Trail
- Briones to Las Trampas Regional Trail (Paved Sections)
- Briones to Mt. Diablo Regional Trail (Paved Sections)
- Contra Costa Canal Regional Trail
- Coyote Hills to Ardenwood Regional Trail (Paved and Sidewalk Sections)
- Coyote Hills Bay View Trail to S.F. Bay Wildlife Refuge
- Crown Shoreline Regional Trail
- Delta DeAnza Regional Trail
- Iron Horse Regional Trail
- Lafayette-Moraga Regional Trail
- Marsh Creek Regional Trail (Paved Section)
- M. L. King (San Leandro Bay) Shoreline Regional Trail
- Point Isabel to Miller Knox Regional Trail
- San Leandro to Hayward Shoreline Regional Trail
- San Pablo Bay Regional Trail
- Shadow to Del Valle Regional Trail
- Skyline National Recreation Trail (Nimitz and other Paved Sections)
- Wildcat Creek Regional Trail

- 801.3 Leash Optional Areas (Undeveloped Areas). A dog may run at large under the control of its owner or handler within undeveloped areas of the District, provided, however, that the owner or handler shall have a leash in his/her possession and keep the dog under control at all times.
- a. This Leash Option provision does not apply in areas regulated under subsections 801.1 and 801.2 above.
 - b. For the purpose of this subsection, a dog is considered under control when the owner or handler is aware of its conduct and when it returns to the owner or handler when called.
 - c. Dogs are presumed to not be under control when:
 - i. They threaten, harass, chase or harm other animals (except for play chase) or wildlife.
 - ii. They display threatening behavior.
 - iii. They physically harm people directly or indirectly by their actions.
 - iv. They run at large in leash-required areas or enter dog-prohibited areas.
 - v. They touch or jump on other park users who have not invited or engaged in interaction with the dog.
 - d. The number of dogs shall not exceed three per person, except as permitted in 801.11.

- 801.4 Responsibility to Report Dog Bites or other Injuries. It is the responsibility of the owner or handler of any dog that has bitten or otherwise caused physical injury to a person or animal to, if requested, provide the requestor with the biting dog's license number (if available), and the handler's name and address.
- a. Injury is defined as any bite however slight the injury that breaks the flesh of a person or another dog or animal.
 - b. If more serious injuries are involved and either party desires medical treatment or police assistance, the owner or handler must report the incident to park staff or emergency responders as soon as possible and provide the staff/responders with their identification and the dog's license and rabies shot status.
 - c. If such injury requires immediate medical treatment, the owner or handler may leave the scene to seek medical treatment, but must notify the Public Safety Department of the incident and their identity within 24 hours.

- 801.5 Dog Licenses and Tags. Any unaccompanied dog found with or without a license or identification tag, may be seized and impounded by members of the District's police force, or any other authorized District employee holding the animal for the police or animal control.

801.6 Dogs: (In Packs). Any dog found roaming unattended or in packs may be seized and impounded when found:

- a. Chasing cattle.
- b. Interfering with, bothering, or harassing park users.
- c. Chasing animals, or wildlife.

In the event that any such dog is found to create a danger to the life or limb of park users, other animals or wildlife, and cannot be seized or impounded, the dog as a last resort may be killed by a District police officer.

801.7 Dangerous Animals. No person shall bring into or permit any dangerous animal to enter or remain on District parklands or any part thereof. For purposes of this subsection, a dangerous animal is defined as any animal which is declared a dangerous animal by a County or City, an exotic animal, or an animal which demonstrates any of the following behavior:

- a) An attack which requires a defensive action by any person to prevent bodily injury and/or property damage.
- b) An attack on another animal, domestic or wild, or livestock.
- c) An attack that results in a injury to a person.
- d) Any behavior that constitutes a physical threat of bodily harm to a person.

801.8 Pt. Isabel Exception. As an exception to the provisions in subsection 801.2, dogs, may be taken off leash at Pt. Isabel Regional Shoreline. Any person allowing their animal to be off leash must:

- a) carry a leash;
- b) keep their dog or other animal under voice control and within sight at all times;
- c) clean up feces deposited by their dog or other animal and place feces in provided and marked containers or garbage cans;
- d) immediately leash any dog or other animal showing aggressiveness toward people or other dogs or animals; and
- e) prevent dogs or other animals from digging or damaging park resources.

801.9 Attack Dog Training. No person shall train dogs for attack or any other form of dog and human contact which simulates attack.

801.10 Removal or Clean Up of Dog Feces. Any person bringing a dog onto park property shall immediately remove the excrement deposited by such animal on any trail, developed area, or any area so posted. Animal wastes may be placed in garbage cans or removed from the park.

801.11 **Commercial and Non-Profit Dog Walkers (1)*.** Any person who walks or exercises a dog or pet for a fee or who wants to walk more than three (3) personal pets must obtain and have in their possession a revocable annual permit from the General Manager or his/her designee to use designated District lands for this use. Such permits shall contain:

- a. Provisions that limit the number of dogs that can be walked either on or off leash at any one time.
- b. The permit fee to be charged by the District.
- c. The areas and trails where dogs can be exercised under the permit.
- d. Appropriate insurance and hold harmless provisions.
- e. Any other conditions that the General Manager may find applicable.

SECTION 802. Abandoned Animals. No person shall abandon a dog, cat, fish, fowl, or other animal within the District parklands. Any abandoned animals will be live-trapped and relocated, or turned over to Animal Control, or otherwise be removed in compliance with adopted Board policy.

SECTION 803. Feeding Restriction for Feral (Domestic or Non-Native Animals), Wild Animals, And Farm Animals. No person shall feed farm animals when so posted, or feral or wild animals at any time on District parklands.

SECTION 804. Plants. No person shall damage, injure, collect or remove any plant or tree or portion thereof, whether living or dead, including but not limited to flowers, mushrooms, bushes, vines, grass, turf, cones and dead wood located on District parklands. In addition, any person who willfully or negligently cuts, destroys or mutilates vegetation shall be arrested or issued a citation pursuant to Penal Code Section 384a.

SECTION 805. Geological Features. No person shall damage, injure, collect or remove earth, rocks, sand, gravel, fossils, minerals, features of caves, or any article or artifact of geological interest or value located on District parklands.

SECTION 806. Archaeological Features. No person shall damage, injure, collect or remove any object of paleontological, archaeological or historical interest or value located on District parklands. In addition, any person who willfully alters, damages, or defaces any object of archaeological or historical interest or value or enters a fenced and posted archaeological or historical site shall be arrested or issued a citation pursuant to Penal Code Section 622-1/2.

SECTION 807. Special Permission. Special permission (Section 103) may be granted to remove, treat, disturb, or otherwise affect plants or animals or geological, historical, archaeological, or paleontological materials for research, interpretive, educational, or park operational purposes.

SECTION 808. Property. No person shall cut, carve, paint, mark, paste, or fasten on any tree, fence, wall, building, monument, or other property in the District, any

bill, advertisement, directional or informational signs, or inscription whatsoever.

SECTION 809. Exit Spikes.

No person shall tamper with, insert objects into, or place objects on any exit spikes installed to prevent access to parklands.