

## DOG LEASH RULES MOTION TAB FOR BOARD

22 NOV 2022

**ISSUE:** There have been multiple dog bites and attacks in Lake Holiday within the last couple of months.

**BACKGROUND:** Virginia does not have a state-wide leash law and allows municipalities to enact their own. PRP 2, Common Area Use references rules for the use of the Dog Park; and therefore, enacting rules to have dogs restrained by leashes in common areas should be addressed in this PRP. A Tab was submitted in Oct recommending changes to PRP 2 instituting Dog Leash rules for Lake Holiday; however, the Board elected to table the motion to this month so the Compliance Committee could weight in. The Committee reviewed, discussed and provided the attached recommended language for PRP 2, Common Area Use.

**RECOMMENDATION/ MOTION:** Recommend the Board approve the recommended changes to PRP 2 concerning leashing of dogs in Lake Holiday common areas.

**SPONSOR:**

Pat Majewski  
President, LH Board

## SECTION F DOG ~~PARK~~-RULES & REGULATIONS IN LAKE HOLIDAY

### 1. DOGS IN LAKE HOLIDAY

a. ~~Each dog must wear a collar with a current license tag, a current rabies vaccination tag and be on a leash when off the property of the owner.~~

~~4.b.~~ The owner of a dog has a duty to keep that dog under reasonable control at all times, and to keep that dog from running at large. A dog is considered to be running at large if it is off the premises of its owner and not under the control of the owner or some other person.

~~2.c.~~ Dogs are not permitted to run at large in Lake Holiday except while in the dog park or within 10 feet of or in the water at Beach III. They must be appropriately confined at all times, ~~either by a leash when off the property~~ or other means to keep them within an owner's property.

~~3.d.~~ If an owner or handler/keeper permits a dog to run at large, and the dog bites someone, the owner or handler/keeper is not only subject to civil liability but can also be fined. The only defense is when the victim teased, tormented, or abused the dog.

e. Dog owners and handlers/keepers are liable for all damages caused by dogs that are permitted to run at large.

4.f. Owners or handlers must clean up after their dogs in common areas.

~~5.g.~~ Guide dogs must be on a leash when out in public and wearing a harness or an orange-colored leash that makes it identifiable as a guide dog.

### 2. USE OF THE DOG PARK

a. ~~1-~~Users of the dog park do so at their own risk. LHCC does not provide supervision of dog park visitors and shall not be held liable for any injury or damage caused by any person or any dog on or off leash. Dog owners and handlers are legally and financially responsible for the consequences of their dog's behavior and must comply with all applicable ordinances, regulations, and laws governing dogs. Violators of these Rules and Regulations are subject to immediate removal from the dog park.

b. ~~2-~~The dog park will be open from dawn to dusk. Occupancy at any other time is prohibited. The dog park will be closed during periods of routine maintenance or when LHCC determines that hazardous conditions exist or that a health issue is present that may be hazardous to people or dogs.

~~3. Each dog must wear a collar with a current license tag and a current rabies vaccination tag.~~

c. ~~4-~~A handler must use a leash when transitioning a dog to and from the dog park and when in the entrance/egress areas of the dog park. Dogs must be off leash while within the dog park. A handler may have a maximum of 2 dogs within a dog park area, must carry a leash for each dog, and must maintain visual contact and voice control over each dog at all times.

d. ~~5-~~The small dog area is for dogs weighing less than 30 lbs. and the large dog area is for dogs weighing 30 lbs. or more.

e. ~~6-~~Dogs must be removed immediately from the dog park by leash at first sign of aggression, unruly behavior, or rough play. Report unmanaged aggressive behavior by a dog or person to the LHCC office.

- f. ~~7.~~ Aggressive dogs, dogs in heat, dogs under 4 months of age, or dogs with communicable diseases are prohibited from the dog park. Dogs declared potentially vicious or dangerous by Frederick County Animal Control are prohibited from the dog park.
- g. ~~8.~~ For the safety of children and dogs, no one under the age of 16 years old is permitted in the dog park without a parent or adult 18 years or older.
- h. ~~9.~~ No prong, training, shock, or choker collars are allowed when dogs are within the park.
- i. ~~10.~~ Digging is prohibited. If digging occurs, please fill and compact holes.
- j. ~~11.~~ Bones, dog treats, and dog toys of any type are prohibited.
- k. ~~12.~~ Smoking, food, glass containers, exposed sharp objects, alcohol and drugs are prohibited in the dog park.
- l. ~~13.~~ Handlers should provide water for their dogs.
- m. ~~14.~~ Handlers must clean up their dog's solid waste. Waste disposable bags are provided at waste station. Dispose of the bags in the provided container

## SECTION F DOG RULES & REGULATIONS IN LAKE HOLIDAY

### 1. DOGS IN LAKE HOLIDAY

- a. Each dog shall wear a collar or harness with a current license tag, a current rabies vaccination tag and be on a leash when off of the dog owner's deeded lot. Dogs that belong to visitors of the owner of that deeded lot must follow the same rules.
- b. The owner of a dog has a duty to keep that dog under reasonable control at all times, and keep that dog from "running at large". A dog is considered to be running at large if it is off the owner's deeded lot and not under the control of the owner or some other person (handler) by being on a leash.
- c. Dogs are not permitted to run at large in Lake Holiday except while in the dog park or in the water at Beach III. They must be appropriately confined at all times or on a leash.
- d. If an owner or handler permits a dog to run at large, and the dog bites someone, the owner or handler is not only subject to civil liability but can also be cited for a compliance violation.
- e. Members shall report a dog leash violation by contacting the LHCC office and providing photos, if available, or any other necessary documentation sufficient to allow the dog owner to be cited for a compliance violation.
- f. Dog owners and handlers are liable for all damages to persons and property caused by dogs that are permitted to run at large.
- g. Dogs are not permitted in LHCC common areas except for roadways (on leash), walking trails in Country Club Park (on leash), the dog park, and on Beach III (on leash except when in the water).
- h. Owners or handlers shall clean up after their dogs in common areas.
- i. Guide dogs shall be on a leash when out in public and wearing a harness or an orange-colored leash that makes it identifiable as a guide dog.

### 2. USE OF THE DOG PARK

- a. Users of the dog park do so at their own risk. LHCC does not provide supervision of dog park visitors and shall not be held liable for any injury or damage caused by any person or any dog on or off leash. Dog owners and handlers are legally and financially responsible for the consequences of their dog's behavior and must comply with all applicable ordinances, regulations, and laws governing dogs. Violators of these Rules and Regulations are subject to immediate removal from the dog park.
- b. The dog park will be open from dawn to dusk. Occupancy at any other time is prohibited. The dog park will be closed during periods of routine maintenance or when LHCC determines that hazardous conditions exist or that a health issue is present that may be hazardous to people or dogs.
- c. A handler must use a leash when transitioning a dog to and from the dog park and when in the entrance/egress areas of the dog park. Dogs must be off leash while within the dog park. A handler may have a maximum of 2 dogs within a dog park area, must carry a leash for each dog, and must maintain visual contact and voice control over each dog at all times.
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- e. Dogs must be removed immediately from the dog park by leash at first sign of aggression, unruly behavior, or rough play. Report unmanaged aggressive behavior by a dog or person to the LHCC office.
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