

**Public Health  
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**GOVERNING  
OFF-LEASH ENCLOSURES**



Approvals

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Chair, Board of Public Health and Environment

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Executive Director, Department of Public Health and Environment

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Date of Executive Director's Signature

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Attorney for the City & County of Denver

# **RULES AND REGULATIONS GOVERNING OFF-LEASH ENCLOSURES**

## Statement of Basis and Purpose

These rules and regulations are adopted pursuant to Chapter 8, Article II, Section 8-16 of the Denver Revised Municipal Code (“D.R.M.C.”).

The regulation and control of Off-Leash Enclosures is necessary to protect public health and safety. The purpose of these rules and regulations is to define the operational standards for Off-Leash Enclosures on private property, including minimum standards for occupancy requirements, use limits, sanitation, and fencing requirements.

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## 1.0 Definitions

- A. “Accessory Use” means a subordinate use, clearly incidental and related to the primary use of land, and, unless otherwise permitted by the Denver zoning regulations, located on the same zone lot as that of the primary use.
- B. “Attack” means violent or aggressive physical contact with a person or animal, or violent or aggressive behavior that confines the movement of a person, including, but not limited to, chasing, cornering or encircling a person.
- C. “Board” means the Board of Public Health and Environment.
- D. “City” means the City and County of Denver.
- E. “Department” means the City and County of Denver Department of Public Health and Environment.
- F. “Executive Director” means the Executive Director of the City and County of Denver Department of Public Health and the Environment or the Executive Director’s designee.
- G. “Off-Leash Enclosure” is an Accessory Use comprised of a designated outdoor area, located on private property, limited in usage to an exclusive set of persons (e.g., only residents of an apartment complex or patrons of a commercial business), and where dogs may run off-leash. Outdoor areas located on a dog owner’s private property as part of a residential dwelling unit (e.g., a home’s back yard) shall not constitute an Off-Leash Enclosure subject to these Rules.
- H. “Operator” means the person or persons who operate an Off-Leash Enclosure on private property.
- I. “Owner” means the person or persons who own the property on which the Off-Leash Enclosure is located.
- J. “Size of Area” means the area of the enclosed space reported in square feet.

## 2.0 Off-Leash Enclosure Application and Approval Process

- A. Submit Off-Leash Enclosure Application. Prior to constructing, owning, or operating an Off-Leash Enclosure, the Owner or Owner’s designee must submit an application to the Department providing the following:
  - 1. The name and contact information of the person who will own the proposed Off-Leash Enclosure;

2. The name and contact information of the person who will operate the proposed Off-Leash Enclosure;
3. The location of the Off-Leash Enclosure and Buffer Zone and its proximity to any public right-of-way, public park or open space, residential building, or commercial building;
4. A depiction of the Off-Leash Enclosure and Buffer Zone clearly demarcating the total square footage of the Off-Leash Enclosure, the height and materials of the perimeter fencing, the location of the Buffer Zone in relation to the Off-Leash Enclosure, the location of the access gates to and from the Buffer Zone and Off-Leash Enclosure, and the Size of Area of the enclosure in square feet; and
5. A copy of the signage, which shall be located at each entry to the proposed Off-Leash Enclosure.

B. Department Review of Application. The Department will review an applicant's Off-Leash Enclosure application and will notify the applicant whether the application has been approved or denied. The Department's approval of an Off-Leash Enclosure application does not waive the applicant's obligation to comply with all applicable laws (e.g., zoning permits may be required for the Off-Leash Enclosure use and perimeter fence).

C. Final Decision. The Department's decision will be considered a final decision of the Executive Director.

### 3.0 **Off-Leash Enclosure Access Requirements**

A. Dogs Only. No animals other than dogs are permitted in Off-Leash Enclosures.

B. Restrictions on Certain Dogs. The following dogs are not permitted in an Off-Leash Enclosure:

1. Dangerous dogs as defined in Section 8-52 of the Denver Revised Municipal Code;
2. Female dogs currently in estrus;
3. Dogs that do not have current rabies vaccination tags; or
4. Dogs too young to be vaccinated against rabies.

C. Restrictions on Persons. The following restrictions shall apply to persons within an Off-Leash Enclosure:

1. Any person younger than ten (10) years of age is not permitted in an Off-Leash Enclosure.
  2. Any person eleven (11) to fifteen (15) years of age must be accompanied by an adult eighteen (18) years of age or older.
  3. Every dog must be accompanied by a person who is sixteen (16) years of age or older.
  4. A person may not bring more than two (2) dogs at a time to an Off-Leash Enclosure.
- D. Days and Hours of Operation of Off-Leash Enclosure. Dogs are not permitted in an Off-Leash Enclosure when the Off-Leash Enclosure is closed. Dogs are not permitted in the Off-Leash Enclosure when the Off-Leash Enclosure is dark and unlighted.

#### 4.0 **Requirements for Owners and Operators of Off-Leash Enclosures**

- A. Perimeter Barrier. The Owner or Operator of an Off-Leash Enclosure shall construct and maintain a fence or other such barrier with a minimum height of five (5) feet along the entire perimeter of the Off-Leash Enclosure and Buffer Zone. An illustration is provided at Attachment A. The location of the Off-Leash Enclosure, as well as construction of the required fence or barrier, shall be constructed and maintained in compliance with all laws, including but not limited to the Denver zoning regulations. An Owner or Operator of an Off-Leash Enclosure constructed prior to the date in which these Rules and Regulations were adopted by the Board shall not be required to comply with this Perimeter Barrier height requirement.
- B. Buffer Zone. The Owner or Operator of an Off-Leash Enclosure shall construct and maintain a zone (“Buffer Zone”) for safe entry to and exit from the Off-Leash Enclosure. The Buffer Zone shall contain two (2) gates and an area where a person may unleash and leash his or her dog(s) upon entry to and exit from the Off-Leash Enclosure. See Attachment A. Off-Leash enclosures constructed prior to the date in which these Rules and Regulations were adopted by the Board shall have a grace period of sixty (60) days to construct a Buffer Zone.
- C. Off-Leash Enclosure Occupancy Limit. The Owner or Operator of an Off-Leash Enclosure shall be responsible for ensuring that there is no more than one (1) dog for every forty (40) square feet of space within the Off-Leash Enclosure.
- D. Cleaning Off-Leash Enclosures. The Owner or Operator of an Off-Leash Enclosure shall be responsible for ensuring that all dog excrement, and trash are picked up, and waste containers are emptied within the Off-Leash Enclosure and Buffer Zone; and the Off-Leash Enclosure and Buffer Zone, and the perimeter barrier are cleaned or rinsed depending on the surface to reduce accumulation of dog urine and feces. Cleaning of the enclosure will be done in such a manner as to prevent the accumulation of dog urine

and feces residue. On any non-porous surface, cleaning with soap and water is acceptable as long as the surface is then allowed to dry or is rinsed clean with water before allowing animals back in the enclosure. Cleaning of the Off-Leash Enclosure shall take place a minimum of once per day.

- E. Excrement Bags. The Owner or Operator of an Off-Leash Enclosure shall at all times provide dog excrement bags and covered waste containers within the Off-Leash Enclosure.
- F. Food and Beverages Restriction. The Owner and Operator shall prohibit the consumption of food and beverages within the Off-Leash Enclosure and Buffer Zone.
- G. Posted Rules. The Owner or Operator of an Off-Leash Enclosure shall post and maintain signage located at each entry to an Off-Leash Enclosure indicating that it is a designated Off-Leash Enclosure and listing the rules for use of the Off-Leash Enclosure. The signage shall comply with the language contained in Attachment B. Signs required under these rules may require a zoning permit prior to placement on the property.

#### 5.0 **Off-Leash Enclosure Use Requirements**

- A. Conduct in Off-Leash Enclosure. Each dog owner, or person who possesses or keeps a dog on behalf of a dog owner, must be able to exercise control of the dog at all times. “Exercise control” means the ability to exert voice or whistle command over the dog. Dogs must be in view of the dog owner or person possessing or keeping the dog at all times.
- B. Leash Requirement. A person bringing a dog to an Off-Leash Enclosure must have a leash available at all times. A dog entering an Off-Leash Enclosure from outside must be kept on a leash until it is inside the Buffer Zone. A dog exiting an Off-Leash Enclosure must be placed on a leash within the Buffer Zone before exiting the area.
- C. Dog Excrement. A dog owner, or person who possesses or keeps a dog on behalf of a dog owner, must promptly dispose of any excrement deposited in an Off-Leash Enclosure by the dog.
- D. Posted Rules. Dog owners and persons who possess or keep a dog on behalf of a dog owner in an Off-Leash Enclosure must comply with all posted laws, rules and regulations.

#### 6.0 **Variances**

The Board may grant variances from these Rules and Regulations in accordance with Chapter 24, Article I of the D.R.M.C., and Part III of the City’s Rules Governing Hearings Before the Board of Environmental Health.

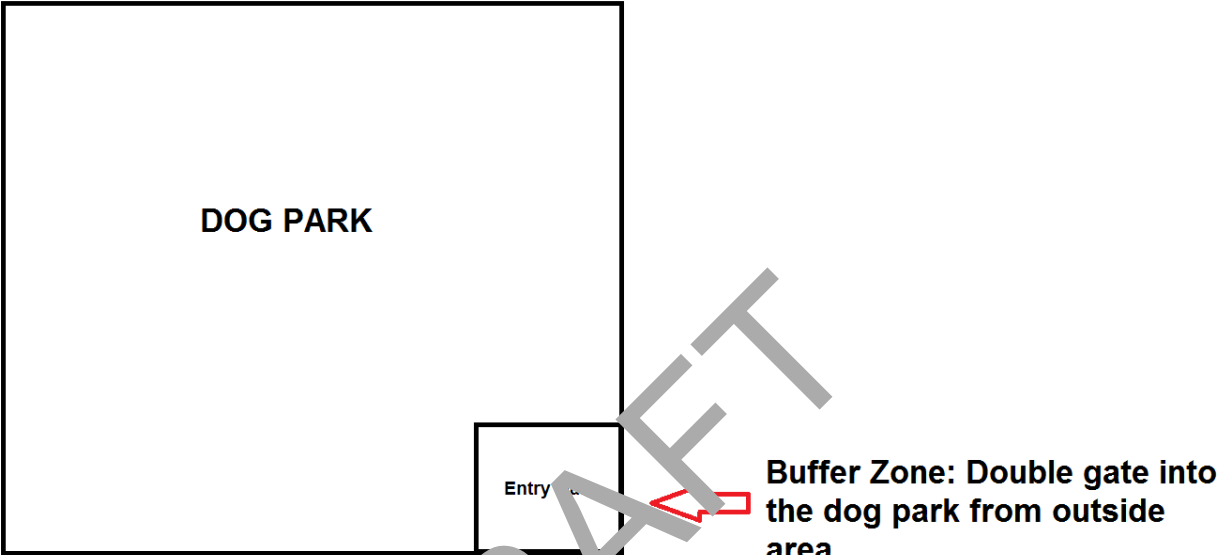
7.0 **Violations**

- A. Any Owner or Operator of an Off-Leash Enclosure who violates these rules may face a maximum penalty of \$999.00 per violation and the Department may revoke its written approval authorizing Owner or Operator to operate an Off-Leash Enclosure.
- B. Any dog owner, or person who possesses or keeps a dog on behalf of a dog owner, who violates these rules may face a maximum penalty of \$999.00 per violation.

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ATTACHMENT A:  
DEPICTION OF OFF-LEASH ENCLOSURE AND BUFFER ZONE



ATTACHMENT B:  
OFF-LEASH ENCLOSURE SIGNAGE REQUIREMENTS

- Children under 10 years of age are not permitted in the Off-Leash Enclosure.
- Children 11 to 15 years of age must be accompanied by an adult (18 years or older).
- Any person in charge of a dog must be 16 years of age or older.
- Any one person may not be in charge of more than 2 dogs at a time.
- Enter at your own risk.
- You assume full responsibility for your dog(s) and injury to any other person or dog.
- Dogs must be leashed when entering and exiting the Off-Leash Enclosure.
- A leash must be available at all times.
- While off leash, your dog(s) must be under your control and within view at all times.
- Dog excrement must be cleaned up immediately and disposed of properly by the dog owner.
- Dogs without a current rabies vaccination tag, female dogs in estrus, and dangerous dogs are prohibited.
- For your safety, human food in the Off-Leash Enclosure is prohibited.
- (Size of Area in square feet)

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