

Dog Exercise Area FAQs

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1. What is a dog exercise area?

A dog exercise area is an expanse established by a municipality in which dogs can be exercised off leash.

2. Why is the Town considering having a dog exercise area?

At the May 2018 Town Council meeting a group of residents presented a petition, signed by over 300 Town residents, requesting that the Council consider installing a dog exercise area. The petitioners estimate the Town dog population to be 600 or more and note the importance of adequate exercise for dog health. Because there is no dog exercise area within the Town, some Town residents now use the Lawton Center tennis courts and the Chevy Chase Elementary School grounds to exercise their dogs off leash. Using any of the County's six existing dog exercise areas is often not feasible because reaching them requires driving.

3. Do any of our neighboring communities have dog exercise areas?

Yes. Gazebo Park in Chevy Chase Section 3 is a half-acre park that is used as a dog exercise area for 1 and a half hours in the morning and 1 and a half hours each evening. During the rest of the day it is used as a multi-purpose recreational area. The half-acre Brookville Road Park in Chevy Chase Village has just been renovated to include a dog exercise area that is open from 7 a.m. to sunset. The Brookville Road dog exercise area covers 7,800 square feet with an inner dog run of 3,780 square feet. While these dog exercise areas are open to all, residents of the Town would need to drive to them and parking at them is problematic.

4. Doesn't the County have dog exercise areas?

The County has dog exercise areas located in six county parks: Black Hill Regional Park, Cabin John Regional Park, Ellsworth Urban Park, Olney Manor Park, Ridge Road Recreational Park, and Wheaton Regional Park. The County dog exercise areas are large and well designed, usually having a separate area for smaller dogs. But none are close by and only one, Ellsworth Urban Dog Park, is located within the Beltway.

5. Why is Zimmerman Park being considered as the location for a possible dog exercise area?

Zimmerman Park was identified as the location for a possible dog exercise area because it is the only Town owned open space that is large enough. The portion of Zimmerman Park, between Lynn Drive and East-West Highway, has over 30,000 square feet of open grassy area, this includes the Town and SHA right-of-way along Maple Avenue and East West Highway respectively. The portion of the Park closest to East-West Highway which contains the widest grassy area and is over 17,000 square feet, is best suited for a dog exercise area.

6. How big would the dog exercise area be?

There is no standard or ideal size for a dog exercise area. Nationally, they range from about 5,000 square feet to 70 acres in size. Large active dogs benefit from larger areas than small, old, or infirm dogs and puppies. The size of the possible dog exercise area is open for discussion. Initially, three different sizes are being considered: about 4,400 square feet, about 5,800 square feet, and about 9,300 square feet. For reference, the two Lawton Center tennis courts used by some residents as an unofficial off-leash dog exercise area comprise a total of 5,616 square feet. There are pros and cons for each of the dog exercise area sizes.

7. What are the advantages and disadvantages of the small dog exercise area?

Keeping the dog exercise area small would not only preserve a substantial percentage of the grassy area at the north end of the Park, but would preserve a large open grassy area suitable for general recreational uses. This would allow the dog exercise area to be used exclusively (from 7 a.m. to sunset) for off-leash dog exercise which would be more convenient for dog owners and would not require enforcement of off-leash hours. An exclusive dog exercise area could be surfaced with bark chips (or some other non-grass material) which would have a lower annual maintenance cost than a grassy area. The small area could not accommodate as many dogs at any one time as the large area, but if open all day long could accommodate more dogs overall. The small area would offer the least amount of running space.

8. What are the advantages and disadvantages of the medium dog exercise area?

The advantages and disadvantages of the medium-sized exercise area are similar to those of the small exercise area. Like the small exercise area, the medium area would preserve a useable segment of the open grassy area at the north end of the Park for general recreational use so the medium exercise area could be used exclusively for off-leash dog exercise. The 7 a.m. to sunset hours would be more convenient for dog owners than limited morning and evening hours and would not require enforcement of off-leash hours. An exclusive dog exercise area could be surfaced with bark chips (or some other non-grass material) which would have a lower annual maintenance cost than a grassy area. The medium area could accommodate more dogs at a given time than the small area, but fewer than the large area; it could accommodate more dogs during the course of a day than either the small or large areas. The medium area would offer more running space than the small area, but less than the large area.

9. What are the advantages and disadvantages of a large dog exercise area?

The large dog exercise area would leave less open space outside the area for general recreational use (much of the grassy area would be narrow bands surrounding the dog exercise area). Therefore, a large dog exercise area would most likely be surfaced with grass and off-leash dog hours would be limited to early morning and late afternoon so that during the rest of the day the area could be used for general recreational purposes. A larger area would accommodate more dogs at one time and enable them to run further, but the restricted hours would limit the number of dogs that could use the space on any one day. Because the area would be enclosed, it could provide a safer recreational area, with no danger of children running out to East-West Highway. Annual maintenance costs for the grassy surface would be higher than those for the non-grassy surface (running dogs tend to tear up grass, particularly after a rain). Measures to enforce the limited off-leash dog hours would be needed.

10. How much open green space would be left in Zimmerman Park if a dog exercise area is put there?

The amount of open space left would be a function of the size of the dog exercise area. A large area of over 8,000 sq. ft. would leave only small pieces of unenclosed open space in the central grass area (though it would create a large enclosed grassy area which would be available for general recreational uses). A small dog exercise area of around 4,000 sq. ft. would leave a large part of the central grass area unenclosed.

11. What would the surface of the dog exercise area be?

There are three surface materials used in the dog exercise areas located near the Town. Chevy Chase Section 3 uses grass in their Gazebo Park. They limit the hours of use and the park is closed if it rains. They resurface the grass sometimes twice a year. The Chevy Chase Village has recently upgraded its park on Brookville Road for dog exercise. They are using a fine crushed stone in the central exercise area. The County park in Silver Spring on Ellsworth Drive uses wood chips. Each material has pros and cons in terms of cost and maintenance.

12. What kind of fencing would be used for the dog exercise area?

Chevy Chase Section 3 uses a four-foot-high wooden picket fence to enclose their Gazebo Park. There is a single latched gate for entering and exiting the park. Chevy Chase Village uses six-foot wood posts with an open wire mesh stretched between the posts to enclose their Brookville Road Park dog exercise area. This is in addition to picket fencing that was part of the original park. The entrance uses a double gated vestibule that helps to limit the possibility of dogs running onto Brookville Road. Ellsworth Urban Park also uses a double gated vestibule to help prevent dogs from running onto Colesville Road. Some of the County dog exercise areas use coated chain link fencing. Other fencing materials that provide open views of the interior of the dog exercise area can be considered.

13. Are there any environmental concerns?

The only potential environmental concern is stormwater run-off from the dog exercise area entering Coquelin Run. Coquelin Run flows under Zimmerman Park in a 60-inch diameter concrete storm drain pipe with several inlets in the park. Given the topography of the area and the location of the inlets, it is unlikely that stormwater run-off from the dog exercise area would be able to enter Coquelin Run. Nonetheless, the Town may wish to install a bioretention swale along the low end of the dog exercise area to catch and filter run-off. The County does not have any special requirements for dog exercise areas in terms of controlling runoff. It has not found that runoff from the exercise areas leads to significant increases in pollutants in waterways but regardless has installed bioretention systems at the downgradient edge of all dog exercise areas.

14. What hours would the dog exercise area be available for use by dogs?

Chevy Chase Section 3 limits off-leash dog use of Gazebo Park to 90 minutes in the morning and evening. For the remainder of the day the park is available for other recreational uses. They also allow residents to reserve the park for special events. Chevy Chase Village's Brookville Road Park is open from 7 a.m. to sunset. The County's Ellsworth Urban Park is open from dawn to dusk. The hours when off-leash dog exercise would be allowed in a Town dog exercise area is up for discussion and will most likely depend on the size of the dog exercise area and resident wishes. Of course, the hours of use could be changed at any time in response to resident needs.

15. How would the dog exercise area be kept clean?

Dog owners would be responsible for picking up and properly disposing of their dog's feces. Disposal bags and Doggie Depots would be provided for this purpose. Compliance may be improved if dog owner's request noncompliant dog owner dispose of feces. A It is likely that one of the maintenance costs of the dog exercise area will be removal of feces that dog owner's fail to clean up

16. Will parking be available?

Most of the parking near Zimmerman Park is by permit only due to pressure from commuter parking. It is likely that a few parking spaces would be made available for visitors to the Park. To prevent commuters from monopolizing these spaces, it's likely there would be a time limit of 30 minutes. It is hoped that most Town residents will choose to walk to the Park.

17. What measures would be taken to ensure that dogs do not get loose and run into East-West Highway?

Several measures can contribute to safety. The fence enclosing the dog exercise area must be high enough that dogs cannot jump over it. The entrance to the dog exercise area must be designed to minimize escapes. Dog owners must keep their dogs on leash when entering and exiting the dog exercise area and be mindful of where other dogs are before opening the gates.

A fence height of 5 to 6 feet generally is considered sufficient to prevent dogs from jumping out of an enclosed area. Many dog exercise areas use a double gate entrance area or vestibule; one gate must be closed before the next one is opened. Dogs should be on a leash when in the vestibule and only one dog owner should be using the vestibule. In addition, trees and bushes are often planted around the perimeter of the dog exercise area to slow the escape of a dog that gets loose.

18. What would the Town's liability be?

The County and local municipalities with dog exercise areas all have statements posted notifying dog owners that they are legally and financially responsible for any damage or injury inflicted by their dogs. Montgomery County law requires dogs over four months old to be licensed with the County and to be current with vaccinations against the rabies virus. Rules for municipal dog exercise areas often reiterate these county regulations.

The Town's liability insurance would provide the Town with further coverage. The Town's insurance company does not require any special features be in place for the dog exercise area or stipulate specific rules for the area and the Town's insurance costs would not increase if a dog exercise area is established.

19. What would the rules of use be?

The Town would need to determine the rules of use. It might want to base these on the Rules adopted by Chevy Chase Village for its Brookville Road Park dog exercise area:

The owner/custodian of the dog(s) entering the Dog Exercise Area is responsible to abide by these rules. Please take time to read and understand them completely.

THIS AREA IS NOT SUPERVISED.

OWNERS/HANDLERS ARE LEGALLY RESPONSIBLE FOR THEIR DOGS AT ALL TIMES.

CHEVY CHASE VILLAGE ASSUMES NO RESPONSIBILITY OR LIABILITY

FOR THE CONDUCT OF DOGS OR THEIR HANDLERS.

Anyone found in violation of the below Dog Exercise Area Rules and Regulations is subject to removal, including the removal of the dog from the Dog Exercise Area and/or issuance of a \$100 citation per violation. Violators may also be banned permanently from using the Dog Exercise Area.

- All dog owners/handlers must comply with these rules and regulations at all times when accessing the dog exercise area.
 - All dogs must be accompanied by responsible owners/handlers who are physically able to exercise effective restraint of the dog(s), and who will restrain their dogs if necessary.
- Owners/handlers must remain in the Dog Exercise Area with their dogs and must keep their dogs in sight and under their control at all times.
- Please observe the Dog Exercise Area hours of operation, which are 7:00 a.m. until sunset daily. No person shall use the facility other than during the Village's designated hours of usage.
- Individual owners/handlers may bring no more than two (2) dogs into the Dog Exercise Area at any one time.
- Owners/handlers must immediately leash and remove from the Dog Exercise Area any dog showing aggression towards people or other dogs. Dogs with a known history of aggressive or dangerous behavior and/or dogs that have been deemed "Potentially Dangerous" or "Dangerous" by any State, County or Village municipality are prohibited and are not permitted to enter the Dog Exercise Area.
- Any dog barking continuously or uncontrollably must be removed from the Dog Exercise Area.
- No female dogs in estrus (in heat) are permitted in the Dog Exercise Area at any time.

- Any dog with a transmissible, communicable disease may not enter the Dog Exercise Area.
- All dogs entering the Dog Exercise Area must be currently licensed by an authorized jurisdiction and must be currently vaccinated against the rabies virus. All dogs are required to wear a current rabies vaccination tag when using the facility.
- Puppies using the Dog Exercise Area must be four (4) months of age or older.
- Dogs must be immediately leashed and restrained when advised to do so by a Village staff member/police officer, and any person and their dog must leave the Dog Exercise Area when ordered to do so by a Village staff member/police officer.
- Eating and smoking are not permitted inside the Dog Exercise Area.
- No dog food treats or toys, except tennis balls, are permitted in the Dog Exercise Area.
- No bare feet are permitted in the Dog Exercise Area.
- Owners/handlers shall carry a leash at all times, and dogs must be leashed when entering and leaving the Dog Exercise Area. "Spiked" dog collars are not permitted inside the Dog Exercise Area.
- Owners/handlers are legally responsible for the behavior of their dogs and remain legally responsible for any injuries or damage caused by their dogs.
- Owners/handlers are responsible for securely closing and latching all gates as they enter or exit the Dog Exercise Area.
- Owners/handlers must pick up and properly dispose of their dog's feces. Disposal bags are provided for this purpose.
- Dogs must not be allowed to dig. Any holes created by a dog shall be immediately corrected and filled by the dog's owner/handler.
- Children under the age of eleven (11) must be accompanied at all times by a responsible adult who will be accountable for the behavior and wellbeing of the child. Children should be discouraged from approaching or playing with unfamiliar dogs.
- Owners/handlers are not permitted to groom or bathe their dogs inside the Dog Exercise Area.
- Professional dog services such as, but not limited to, training, behavior modification and grooming are prohibited inside the Dog Exercise Area.
- Upon a finding that a dog is dangerous, potentially dangerous or a public nuisance as defined in Chapter 5 of the Montgomery County Code, or that a dog has bitten a

person or another dog without provocation, the Village Chief of Police may ban the dog from accessing the dog exercise area. Appeals from that finding will be made to the Village Manager.

20. How much would it cost to install the dog exercise area?

The size of the exercise area, the type of material used to surface the area as well as the type of fencing chosen would all influence the cost. Citizen input regarding the size, surface material and fencing will all help to determine the cost.

21. What would the annual maintenance costs be for the dog exercise area?

The primary maintenance cost of a dog exercise area is renewing the surface material. Grass is the most expensive material to renew. Crushed stone and wood chips are less expensive to renew. Another maintenance cost would be keeping the area clear of feces and emptying the Doggie Depots. The annual costs, mostly renewal of the surface material would be a function of the size of the dog exercise area. Note that the Town currently incurs maintenance costs for the Park.

22. Could some of the annual maintenance costs be covered by charging an annual use fee?

Some dog exercise areas outside Montgomery County charge a usage fee. Rollin Park in Baltimore charges an annual fee and issues a small license tag that the dog must wear while in the park. The park is open to residents and non-residents. The fee is used to offset maintenance costs.

23. Who could use the dog exercise area?

The dog exercise areas in Montgomery County parks are open to all, as are Chevy Chase Section 3's Gazebo Park and Chevy Chase Village's Brookville Park. Any dog exercise area within Zimmerman Park would also be open to everyone because of a covenant on the deed which conveyed the Park to the Town. Some dog exercise areas, like Rollin Park in Baltimore limit use to those who pay an annual fee. The Town could implement a fee based approach as long as it was available to Town residents as well as non-Town residents.

24. What amenities would the dog exercise area have?

Many dog exercise areas include water spigots. Zimmerman Park has several spigots that would be reconfigured to ensure that they automatically shut off when not in use. Benches to allow dog owners to sit while their dogs run also may be installed within the dog exercise area. There would also be one or two "doggie depot" stations to make it easy for people to clean up after their dogs.

25. What is the process for determining if the Town will install a dog exercise area?

The Town is posting information about a possible dog exercise area on the Town's web site, publishing a notice in the September Town Forecast, and sending out Town Crier notices so that residents are informed that this is under consideration. A public forum will be held on September 26, 2018 at 7 p.m. in the Town Hall. During the forum information will be presented about installing a dog exercise area. Residents will have an opportunity to ask questions and provide general comments. Residents who cannot attend the forum are encouraged to send comments to the Town. The Town will incorporate feedback from Town residents to develop a proposal for installation of a dog exercise area. A public hearing on this proposal will be held later in the fall, possibly in November. Following the public hearing, the Town Council will decide whether to proceed with development of the dog exercise area.