



**INFORMATION PACKET  
MEMORANDUM**

**To:** Members of City Council

**From:** Jane S. Brautigam, City Manager  
Paul J. Fetherston, Deputy City Manager  
Michael D. Patton, Director of Open Space and Mountain Parks  
Mark D. Gershman, Environmental Planning Supervisor  
Stephen B. Armstead, Environmental Planner

**Date:** June 18, 2013

**Subject: Information Item: Enhancements to the Voice and Sight Tag Program**

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**EXECUTIVE SUMMARY**

The Voice and Sight Tag (Tag) Program was included in the Visitor Master Plan (VMP) in 2005 as a trial program. The purpose of the Tag Program was to increase dog guardians' awareness of the requirements of voice and sight control and proper dog management. A monitoring component was included to inform program assessments and adaptive management.

Enhancement options for the Tag Program in 2012 were evaluated for several reasons:

- City Council, in response to concerns about the long-term sustainability of Open Space and Mountain Parks (OSMP) services and resources, identified the Tag Program among a number of overarching issues for review,
- The Open Space Board of Trustees (OSBT) has recommended that potential enhancements to the Tag Program be examined, and
- Monitoring concluded that compliance with the requirements of the Tag Program were lower than standards set in the VMP.

In addition to coordinating with the Parks and Recreation, Finance, Municipal Courts and the Police departments, OSMP and the OSBT extensively reviewed potential program enhancements and provided a variety of opportunities for community input. The process has included two community open houses, four study sessions and three public hearings with the OSBT and a study session and public hearing with City Council.

Modifications to proposed enhancements to the Tag Program have been prepared to integrate the input provided by City Council on May 21, 2013. Staff will begin preparing ordinance changes to capture program revisions.

## **COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

- Economic – Overall economic impacts on the business community are unknown. Businesses and organizations providing dog training services may benefit from dog guardians seeking training services to improve their ability to meet the voice and sight control requirements.
- Environmental – The Tag Program was identified in the VMP as a way to reduce adverse effects to OSMP ecological and agricultural resources by increasing the level of compliance with voice and sight requirements. Compliance with the Tag Program requirements has likely contributed to some environmental protection since more dogs are being kept on leash. The recommended enhancements to the Tag Program are specifically intended to change behaviors to benefit environmental sustainability of the city's open space resources.
- Social – Open space and park areas in neighboring communities (including Boulder County) require dogs to be leashed almost everywhere dogs are allowed (except in dog parks). The trails and areas on city lands for off-leash voice and sight control opportunities are highly valued as the only options available for many dog guardians. The Tag Program initially reduced dog-related conflicts; however, the reduction was not sustained. Enhancements to the Tag Program are intended to both support enduring changes that will sustain a high-quality visitor experience retaining valued voice and sight control opportunities and reduce behaviors that contribute to visitor conflict. A reduced rate program fee is included for households meeting specific low-income requirements.

## **OTHER IMPACTS**

- Fiscal – Non-personnel program costs are estimated at \$202,000 for the first two years and then \$25,000 annually thereafter. Increased registration fees coupled with a requirement for periodic renewal are likely to generate program revenues to cover program costs. For details please see the Analysis section.
- Staff time – While much of the work associated with the proposed program enhancements will be accomplished with existing staff and contracted services, OSMP proposes hiring additional seasonal staffing for education and monitoring. A total time commitment of 8.4 full time equivalents (FTEs) (\$532,000), including both standard and seasonal, will be needed over the first two years during implementation. Of those, 4.5 FTEs (\$196,000) are new seasonal positions. Thereafter, 1.8 FTEs (ca. \$110,000) will be needed which includes 1.0 FTE seasonal employee. The Analysis section provides greater detail about how OSMP proposes to staff the program.

## **BOARD AND COMMISSION FEEDBACK**

The OSBT held public hearings on Oct. 10, 2012, April 10, 2013 and May 8, 2013 to recommend program changes to City Council. The Parks and Recreation Advisory Board (PRAB) was updated and provided its feedback on May 20, 2013.

Staff recommended program enhancements to City Council on May 21, 2013. Council members provided feedback on the recommendations indicating support for several enhancements and

identifying others that require modification. Council’s feedback has been integrated into a revised package of recommendations.

## **PUBLIC FEEDBACK**

OSMP has received over 300 responses from the public about the Tag Program. These include both general comments and comments specifically about program enhancement options.<sup>1</sup> OSMP held two open houses (May 24 and 30, 2012) and five public hearings for community members to provide input on the evaluation and program enhancement options. Information, meetings and a project timeline have been posted on the OSMP Website to keep community members informed of the process.

## **BACKGROUND**

In 2005, the Tag Program was included in the VMP as a trial program, the purpose of which was to increase dog guardians’ awareness of and compliance with the requirements of voice and sight control and proper dog management etiquette. The VMP predicted that an increased awareness of requirements would improve compliance, thereby reducing conflicts and resource impacts as well as reducing the likelihood that such problems would increase in the future.

In response to City Council and OSBT direction, along with monitoring results showing voice and sight compliance below standards set in the VMP, OSMP staff has worked with community members including the OSBT and City Council to evaluate enhancements to the Tag Program.

The enhancements to the program proposed by staff on May 21, 2013 include:

1. *Information Session*—Require Tag Program participants to attend an information session ensuring greater awareness of the program requirements, goals and objectives.
2. *Proof of rabies vaccination*—Require current rabies vaccination as a requirement for a dog’s participation in the Tag Program and require City of Boulder residents to provide a valid Boulder dog license as proof of vaccination and compliance with the city’s license requirement.
3. *Education and Outreach Strategies*—Implement education and outreach strategies to encourage compliance with the program requirements and share information about how guardians can successfully manage dogs under voice and sight control.
4. *Modifications to Fines and Violations Causing Privilege Suspension*
  - a. Increase fines for failure to have a voice and sight tag on an off-leash dog and for voice and sight and off-leash dog violations.
  - b. Specify dog-related violations that contribute to the loss of Tag Program privileges including violations that cause suspension of privileges after one or two convictions.
  - c. Clarify the process for reinstatement after privileges have been suspended.
5. *Participant Registration and Renewal Fees*—Revise program fees including different fees for those residing outside of the City of Boulder and Boulder County and the addition of an annual renewal fee to cover program costs.

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<sup>1</sup> The compendium of comments is lengthy and was not included in the packet. It is available on the OSMP Website at [http://www.bouldercolorado.gov/files/openspace/pdf\\_VMP/overarching/12-1113\\_Council\\_Study\\_Session\\_Compndium.pdf](http://www.bouldercolorado.gov/files/openspace/pdf_VMP/overarching/12-1113_Council_Study_Session_Compndium.pdf).

Council members generally supported the core changes proposed and provided feedback on violations that are important to link with the suspension of privileges and violations that should only have fine consequences. Additionally, council members provided suggestions on modifications to the proposed reinstatement process. Council member feedback has been integrated into a revised package of program enhancements (Attachment A). Attachment B summarizes how City Council feedback was integrated into the recommendation.

**ANALYSIS**

**Violations Causing Suspension of Voice and Sight Control Privileges**

Suspension of voice and sight privileges does not mean that a guardian cannot bring a dog to OSMP. A guardian with suspended privileges may continue to visit OSMP with his/her dog(s) leashed unless otherwise restricted by court order.

*1. Single Conviction Violations*

Staff discussed with council a modification to the Tag Program that recommended three violations that cause privilege suspension after *one* conviction. Council members seemed supportive of one conviction for aggressive dogs or dogs harassing or injuring wildlife or livestock suspending privileges as they are of serious nature and directly involve problematic dog behavior.

Based on input at the council study session, staff proposed including dog-related wildlife protection, on-leash as well as dog prohibited rule violations of seasonal or temporary closures or wildlife preserves as more serious violations applicable to suspension after *one* conviction. City Council members did not seem to support this recommendation at the public hearing and appeared to suggest that these violations were more associated with human behavior and more appropriate to consider for suspension after two violations. Table 1 lists the recommended violations where one conviction causes loss of privileges.

**Table 1:** Recommended One Conviction Violations

Convictions Required for Suspension	Aggressive Animal Prohibited B.R.C. 6-1-20 (city-wide)	Failure to Protect Wildlife B.R.C. 8-3-5 (city-wide)
1	Yes	Yes

*2. Two Conviction Violations*

Under *existing* regulations, a person with *three* convictions within two years is subject to the loss of Tag Program privileges. The existing rule applies to all violations of the ordinance prohibiting “Dogs Running at Large” Boulder Revised Code (B.R.C) 6-1-16 which includes both off-leash as well as voice and sight control violations.

Council members expressed support that voice and sight privileges should be suspended after *two* rather than three convictions of offenses specifically related to the dog behavior inconsistent with voice and sight control. Council member feedback seemed to indicate a greater level of support for fines, and lesser support for suspension as the consequence of violations related more

with human behavior. Thus, council members did not appear to support the OSBT and staff recommendation of adding several additional violations such as failure to remove dog excrement to offenses that cause suspension.

Additionally, some council members seemed to indicate that several of the current voice and sight control requirements might be reduced to fines only but not suspension. Dog Running at Large (B.R.C. 6-1-16) convictions include both having a dog off leash where voice and sight control is not allowed and violations of the conditions that demonstrate voice and sight control. These violations comprise 6-1-16:

- 1) Dog off leash where required to be on leash
- 2) Dog at large, no guardian/keeper present
- 3) *Dog out of sight of guardian/keeper*
- 4) *No leash in possession*
- 5) *More than two dogs under voice and sight control*
- 6) *Failing to come to and stay with guardian or keeper immediately upon command*
- 7) *Dog charges, chases, displays aggression to people, wildlife, dogs, or livestock*

Items 3 through 7 establish whether or not a guardian has voice and sight control. The failure to demonstrate *any* of these conditions is currently a violation of voice and sight control. Item 1 addresses the situation where a dog is off leash where voice and sight control is *not* allowed. Item 2 deals with the situation when a dog is at large with no guardian present.

Some council members indicated a preference that violations of voice and sight control involving a dog's behavior should be cause for suspension while violations associated with human behavior are more appropriately enforced through fines. Staff suggests that the voice and sight control requirements that are most related to dog behavior are items 3, 5, 6 and 7. Council members appeared to support including these among the violations that contribute to loss of privileges. Council members also seemed to support the requirement that guardians violating these components (3, 5, 6 and 7) of 6-1-16 twice in two years would need to successfully complete a skill demonstration test before Tag Program privileges could be reinstated.

Item 4 is more associated with human behavior. Some City Council members opposed the idea that this element should contribute toward suspension, preferring instead fines as an appropriate consequence.

Items 1 and 2 are intended to address serious violations of voice and sight dog management. Allowing a dog to be off leash where it is not allowed on OSMP (item 1) is often more disruptive to wildlife and other visitors than not having adequate control of an off-leash dog where voice and sight is allowed. Areas where dogs are required to be on leash are likely to be so designated to address safety, habitat /wildlife protection or visitor conflict concerns. Allowing a dog to be off leash and unaccompanied by a guardian (item 2) departs significantly from expected behaviors of participants in the Tag Program, and also has potentially serious consequences for resources and visitor safety and enjoyment as well as that of the dog. Including the potential suspension of privileges is important to dissuade guardians from allowing dogs off leash where voice and sight is not allowed or allowing dogs to travel at large in the absence of a guardian.

There was not clear agreement by council members that offenses of administrative rules established strictly for wildlife protection may be appropriate for suspension after two violations in two years. It was also unclear whether council intended to include only violations that occurred when a dog is off leash or for offenses regardless if a dog is on or off leash. Staff proposes that violations involving a dog off leash where a rule prohibits dogs or requires them to be leashed *specifically for wildlife protection* be included among the offenses that contribute to suspension after two violations over two years. See [Attachment C](#) for a list of administrative rules specifically established for wildlife protection.

A summary of the dog-related violations and whether or not they are proposed for suspension after two convictions are listed in Table 2.

**Table 2:** Proposed Two Conviction Violations

Item	Boulder Revised Code #	Violation <i>(OSMP lands and other voice and sight areas)</i>	Two Convictions for Suspension
1	6-1-16	Dog at large, no guardian/keeper with the dog	Yes
2	“	Dog off leash where required to be on leash	Yes
3	“	Dog charges, chases, displays aggression to people, wildlife, dogs, livestock	Yes
4	“	Dog out of sight of guardian/keeper	Yes
5	“	Failing to come to and stay with guardian or keeper immediately upon command	Yes
6	“	More than two dogs under voice and sight control	Yes
7	8-3-3	City Manager’s Rules —Violations of administrative rules by a guardian with an off-leash dog established specifically for wildlife protection (see Attachment C)	Yes
8	6-1-16	No leash in possession	No
9	6-13-2	Visibly wearing a voice and sight control evidence tag	No
10	8-3-3	City Manager’s Rules —Administrative rules except those that are requiring dogs on leash for wildlife protection	No
11	6-1-18	Failing to remove dog excrement	No

**Reinstatement of Voice and Sight Control Privileges**

There was interest by some council members to have a description of the principles of the reinstatement demonstration test. The Tag Program has included a process for guardians to reinstate suspended privileges by completing a demonstration test, the Voice and Sight Evaluation Test (VSET). The purpose of the evaluation test is to have a guardian and dog successfully demonstrate abilities to meet voice and sight control standards.

The VSET is conducted by a third party evaluator. The test is designed to determine a dog's ability to be under voice or hand signal control in off-leash situations. The primary components of the test include a demonstration of the following skills:

- Walking under voice/hand control
- Meet and greet a dog
- Meet and greet a person
- Coming when called
- Reaction to wildlife

The test is on a pass/fail basis and the dog and guardian must complete the entire test and pass each skill to successfully pass the test.

### **Chronic Offenders**

Council appeared supportive of changing the proposal that chronic offenders would automatically lose privileges for five years and to the court determining whether to suspend Tag Program privileges for chronic offenders and the duration of that suspension. Staff also proposes that the fine amount be established through court proceedings under the general fine structure of the Boulder Revised Code.

### **Program Cost Estimate and Fees**

Implementation of the Tag Program enhancements will occur over a two-year period (2013-2014) at a cost of \$734,000. During 2013, staff will develop systems to administer the new program features. The first year of operating with the new program enhancements will be 2014. Substantial staff time has (already) been required to plan, coordinate and implement the recommended Tag Program changes. Estimates of OSMP staff time necessary for implementing the program changes over the two-year timeframe are approximately 8.4 FTEs or \$532,000 of standard and seasonal staff time. This estimate includes approximately 4.4 FTEs (\$295,000) to prepare program changes in 2013 and 4.0 FTEs (\$237,000) for first year administration of the revised program. Additional program cost estimate details are available in Attachment D.

Ongoing program costs are estimated at \$135,000 with approximately \$25,000 (materials and services) and 1.8 FTEs (\$110,000) of staff time to manage the program each year. Annual personnel expenses include both standard staff time dedicated to administer the program and seasonal positions for education.

### **Tag Program Monitoring Review**

Staff began the process of public outreach regarding the development of a process for ongoing monitoring of the success of the Tag program. An email requesting feedback on monitoring was sent to all program participants and several public outreach e-mail lists maintained by OSMP, as well as through the e-mail lists of the most involved stakeholder groups. This information will be reviewed, summarized and made available to the general public. In addition, OSMP has invited a number of stakeholder representatives to participate in conversations about ways to improve monitoring. Representatives of the Friends of Boulder Open Space, Boulder County Nature Association and the Humane Society of the Boulder Valley have indicated their interest and availability to meet. Friends Interested in Dogs and Open Space (FIDOS) declined staff's invitation, providing a written statement of their recommendations (Attachment E).

Once the stakeholder group has had the opportunity to identify feasible actions that would improve the current situation (bearing the concerns of FIDOS in mind without the group's direct participation), a proposal will be developed for consideration by the OSBT and City Council.

**ATTACHMENTS:**

- A: Revised Tag Program Enhancement Recommendation
- B: Integration of Council Feedback into Recommendations
- C: Administrative Rules Specific for Wildlife Protection
- D: Voice and Sight Tag Program Cost Estimate
- E: Statement from FIDOS regarding Tag Program Effectiveness Monitoring

**ATTACHMENT A**

**Revised Tag Program Enhancement Recommendation**

#	Enhancement Recommendation
1	Require all program participants attend an information session. New program participants must attend a session before they can register in the program. During the first calendar year (2014), existing participants may remain active in the program and will have until Dec. 31, 2014 to complete the information session. The information session must be repeated every five years.
2	<p>Require proof of current rabies vaccination for all dogs to be registered in the program. City of Boulder residents are required to provide a valid City of Boulder dog license as proof of current rabies vaccination.</p> <p>Require that all dogs on OSMP lands display a valid rabies vaccination tag.</p>
3	<p>Implement the following education and outreach strategies:</p> <ul style="list-style-type: none"> <li>a) Increase outreach and education about training opportunities</li> <li>b) Support stakeholder efforts</li> <li>c) Revise and update the voice and sight video</li> <li>d) Create refresher videos on requirements, etiquette or issues that will be phased in based on time and cost</li> <li>e) Use traditional and social media to provide instructive educational information to participants</li> <li>f) Provide educational walks for dogs and dog guardians on a trial basis</li> <li>g) Improve clarity and information on signs</li> <li>h) Distribute palm cards explaining the Tag Program</li> <li>i) Increase outreach and education to visitors without dogs about voice and sight control and what to expect</li> <li>j) Consider under specific conditions and on well-suited OSMP properties, opportunities for special voice and sight control training events</li> <li>k) Encourage dog guardians to become volunteer Trail Guides and provide additional training for outreach with a dog</li> <li>l) Participate in more dog-related outreach events; consider organizing another “Tag Wag” type event</li> <li>m) Promote information on dog-prohibited trails and add this information on the OSMP Website</li> <li>n) Train all staff on the new regulations for informal educational opportunities</li> </ul>

**ATTACHMENT A**

#	Enhancement Recommendation
4	<p>Increase fines for Voice and Sight Evidence Tag Required (B.R.C. 6-13-2) and Dog at Large violations (B.R.C. 6-1-16) to \$100 (maximum), \$200 (maximum), and \$300 (minimum) for first, second and third or more convictions respectively. Provide mechanism for dismissal of tickets for lawful participants who inadvertently failed to display tag.</p> <p>The bond amount for dog-related City Manager’s Rule violations (B.R.C. 8-3-3) will be increased to \$100.</p> <p>Encourage courts to order such additions to fines as watching the voice and sight video, attending the voice and sight information session, dog training, and/or demonstration testing for egregious or repeat dog-related violations consistent with the nature of the violation. Community service for dog waste violations may be particularly appropriate.</p>
5	<p>Revocation of program privileges will occur after <u>one</u> conviction of the following violations involving a dog:</p> <ul style="list-style-type: none"> <li>• Aggressive Animal Prohibited (B.R.C. 6-1-20),</li> <li>• Failure to Protect Wildlife (or livestock) (B.R.C. 8-3-5), and</li> </ul> <p>Convictions of Aggressive Animal Prohibited and Failure to Protect Wildlife violations on OSMP and other lands under the jurisdiction of the City of Boulder will be cause for revocation.</p>
6	<p>Revocation of program privileges will occur after <u>two</u> convictions in two years by a single guardian. The following violations apply:</p> <ul style="list-style-type: none"> <li>• Dog at Large (B.R.C. 6-1-16) except for voice and sight control violations where the guardian doesn’t possess a leash.</li> <li>• Violations of City Manager’s Rule (B.R.C. 8-3-3) involving wildlife protection and a dog being off leash.</li> </ul> <p>Revocation of program privileges applies to the preceding violations on all OSMP lands and other City of Boulder properties where voice and sight privileges are recognized.</p>
7	<p>A guardian with two revocations in three years or three revocations will lose privileges for a period of time determined by the courts and may thereafter apply for reinstatement.</p>
8	<p>Require a minimum fine of \$300 and a minimum one-year revocation period for a guardian with revoked privileges having a dog off leash.</p>
9	<p>Program privileges may be reinstated after successful completion of a reinstatement process. Reinstatement from revocation must include successful completion of the voice and sight evaluation test by the revoked guardian and dog and the retaking of the information session by the revoked guardian. Reinstatement will include payment of fees for the voice and sight evaluation test and payment of a reinstatement fee.</p>

ATTACHMENT A

#	Enhancement Recommendation
10	<p>The program registration and annual renewal fees will include a graduated fee structure for residents of the City of Boulder, residents of Boulder County outside the City of Boulder, and noncounty residents.</p> <p>Program registration fees:</p> <ul style="list-style-type: none"><li>• City of Boulder Residents (\$13),</li><li>• Boulder County residents outside the City of Boulder (\$33),</li><li>• Non-Boulder County residents (\$75), and</li><li>• The registration fee includes one guardian and one dog; the fee for each additional guardian in a household is (\$5) and the fee for each additional dog in a household is (\$10).</li></ul> <p>Annual household renewal fee:</p> <ul style="list-style-type: none"><li>• City of Boulder Residents (\$5),</li><li>• Boulder County residents outside the City of Boulder (\$20), and</li><li>• Non-Boulder County residents (\$30).</li></ul> <p>The additional guardian and dog registration fees will be waived for City of Boulder households who meet income criteria consistent with the City of Boulder Food Tax Rebate Program or the Parks and Recreation Reduced Rate Program.</p>

**ATTACHMENT B**

**OSBT Tag Program Recommendation and Proposed Revisions**

#	OSBT October 10, 2012 Recommendation	Proposed Revision <b>Text</b> — Revision	Comments	Ordinance Needed (B.R.C. #)
<b>1</b>	<p>Require all program participants attend an information session. New program participants must attend a session before they can register in the program. During the first calendar year (2014), existing participants may remain active in the program and will have until Dec. 31, 2014 to complete the information session. The information session must be repeated every five years.</p>	NA	<ul style="list-style-type: none"> <li>City Council members were supportive of this recommendation</li> </ul>	Yes
<b>2</b>	<p>Require proof of current rabies vaccination for all dogs to be registered in the program. City of Boulder residents are required to provide a valid City of Boulder dog license as proof of current rabies vaccination.</p> <p>Require that all dogs on OSMP lands display a valid rabies vaccination tag.</p>	NA	<ul style="list-style-type: none"> <li>City Council members were supportive of this recommendation</li> </ul>	Yes
<b>3</b>	<p>Implement the following education and outreach strategies:</p> <ol style="list-style-type: none"> <li>Increase outreach and education about training opportunities</li> <li>Support stakeholder efforts</li> <li>Revise and update the voice and sight video</li> <li>Create refresher videos on requirements, etiquette or issues that will be phased in based on time and cost</li> <li>Use traditional and social media to provide instructive educational information to</li> </ol>	NA	<ul style="list-style-type: none"> <li>City Council members were supportive of this recommendation</li> </ul>	Yes

**ATTACHMENT B**

#	OSBT October 10, 2012 Recommendation	Proposed Revision <b>Text</b> — Revision	Comments	Ordinance Needed (B.R.C. #)
	<p>participants</p> <ul style="list-style-type: none"> <li>f) Provide educational walks for dogs and dog guardians on a trial basis</li> <li>g) Improve clarity and information on signs</li> <li>h) Distribute palm cards explaining the Tag Program</li> <li>i) Increase outreach and education to visitors without dogs about voice and sight control and what to expect</li> <li>j) Consider under specific conditions and on well-suited OSMP properties, opportunities for special voice and sight control training events</li> <li>k) Encourage dog guardians to become volunteer Trail Guides and provide additional training for outreach with a dog</li> <li>l) Participate in more dog-related outreach events; consider organizing another “Tag Wag” type event</li> <li>m) Promote information on dog-prohibited trails and add this information on the OSMP Website</li> <li>n) Train all staff on the new regulations for informal educational opportunities</li> </ul>			

**ATTACHMENT B**

#	OSBT October 10, 2012 Recommendation	Proposed Revision <b>Text</b> — Revision	Comments	Ordinance Needed (B.R.C. #)
<b>4</b>	<p>Increase fines for Voice and Sight Evidence Tag Required (B.R.C. 6-13-2) and Dog at Large violations (B.R.C. 6-1-16) to \$100 (maximum), \$200 (maximum), and \$300 (minimum) for first, second and third or more convictions respectively. Provide mechanism for dismissal of tickets for lawful participants who inadvertently failed to display tag.</p> <p>The bond amount for dog-related City Manager's Rule violations (B.R.C. 8-3-3) will be increased to \$100.</p> <p>Encourage courts to order such additions to fines as watching the voice and sight video, attending the voice and sight information session, dog training, and/or demonstration testing for egregious or repeat dog-related violations consistent with the nature of the violation.</p> <p>Community service for dog waste violations may be particularly appropriate.</p>	<p align="center">NA</p>	<ul style="list-style-type: none"> <li>City Council members were supportive of this recommendation</li> </ul>	<p align="center">Yes</p>

**ATTACHMENT B**

#	OSBT October 10, 2012 Recommendation	Proposed Revision <b>Text</b> — Revision	Comments	Ordinance Needed (B.R.C. #)
<b>5</b>	<p>Revocation of program privileges will occur after <u>one</u> conviction of the following violations involving a dog:</p> <ul style="list-style-type: none"> <li>• Aggressive Animal Prohibited (B.R.C. 6-1-20),</li> <li>• Failure to Protect Wildlife (or livestock) (B.R.C. 8-3-5), and</li> <li>• Violations of City Manager’s Rule (B.R.C. 8-3-3) involving wildlife protection.</li> </ul> <p>Convictions of Aggressive Animal Prohibited and Failure to Protect Wildlife violations on OSMP and other lands under the jurisdiction of the City of Boulder will be considered for revocation.</p>	<p>Revocation of program privileges will occur after <u>one</u> conviction of the following violations involving a dog:</p> <ul style="list-style-type: none"> <li>• Aggressive Animal Prohibited (B.R.C. 6-1-20),</li> <li>• Failure to Protect Wildlife (or livestock) (B.R.C. 8-3-5), and</li> <li>• <del>Violations of City Manager’s Rule (B.R.C. 8-3-3) involving wildlife protection.</del></li> </ul> <p>Convictions of Aggressive Animal Prohibited and Failure to Protect Wildlife violations on OSMP and other lands under the jurisdiction of the City of Boulder will be <del>considered</del> <b>cause</b> for revocation.</p>	<p>City Council members were supportive of including aggressive animals and failure to protect wildlife (livestock) as single conviction violations for revocation.</p> <ul style="list-style-type: none"> <li>• Violations of administrative rules (City Manager’s Rules) that were established specifically for wildlife protection have been moved to the two convictions for loss of privileges category.</li> </ul>	Yes

**ATTACHMENT B**

#	OSBT October 10, 2012 Recommendation	Proposed Revision <b>Text</b> — Revision	Comments	Ordinance Needed (B.R.C. #)
6	<p>Revocation of program privileges will occur after <i>two</i> convictions in two years by a single guardian. The following violations involving a dog apply:</p> <ul style="list-style-type: none"> <li>• Dog at Large (B.R.C. 6-1-16)</li> <li>• Failure to remove excrement (B.R.C. 6-1-18)</li> <li>• Guardians not displaying a tag on off-leash dogs (B.R.C. 6-13-2)</li> <li>• Violations of City Manager's Rule (B.R.C. 8-3-3) not involving wildlife protection.</li> </ul> <p>Revocation of program privileges applies to the preceding violations on all OSMP lands and other City of Boulder properties where voice and sight privileges are recognized.</p>	<p>Revocation of program privileges will occur after <u>two</u> convictions in two years by a single guardian. The following violations <del>involve a dog</del> apply:</p> <ul style="list-style-type: none"> <li>• Dog at Large (B.R.C. 6-1-16) <b>except for voice and sight control violations where the guardian doesn't possess a leash.</b></li> <li>• <del>Failure to remove excrement (B.R.C. 6-1-18)</del></li> <li>• <del>Guardians not displaying a tag on off-leash dogs (B.R.C. 6-13-2)</del></li> <li>• <del>Violations of City Manager's Rule (B.R.C. 8-3-3) not involving wildlife protection.</del></li> <li>• Violations of City Manager's Rule (B.R.C. 8-3-3) involving wildlife protection and a dog being off leash.</li> </ul> <p>Revocation of program privileges applies to the preceding violations on all OSMP lands and other City of Boulder properties where voice and sight privileges are recognized.</p>	<p>Removed violations that are not specific to a dog being off a leash and voice and sight control violations where a guardian does not possess a leash.</p> <ul style="list-style-type: none"> <li>• Added violations that pertain to administrative rules established singularly for the protection of wildlife and involve an off-leash dog. These regulations include but may not be limited to the following violations listed below.</li> </ul> <p><u>Dog on-leash areas and trails:</u></p> <ul style="list-style-type: none"> <li>• Seasonal and temporary on-leash areas for wildlife protection (bear, coyote, mountain lion and ground-nesting bird activity)</li> </ul> <p><u>Dog prohibited areas:</u></p> <ul style="list-style-type: none"> <li>• Prairie dog preserves including Dry Creek and McKenzie properties</li> <li>• Seasonal and temporary area closures: <ul style="list-style-type: none"> <li>○ Areas closed for temporary wildlife protection (bear, coyote and mountain lion activity)</li> <li>○ Seasonal grassland-nesting bird closures</li> <li>○ Seasonal nesting raptor closures</li> <li>○ Seasonal roosting bat closures</li> </ul> </li> </ul>	<p>Yes</p>
7	<p>A guardian with two revocations in three years or three revocations will lose his/her voice and sight privileges for five years and may thereafter apply for reinstatement.</p>	<p>A guardian with two revocations in three years or three revocations <del>will lose his/her voice and sight</del> will lose privileges for a period of time determined by the courts <del>five years</del> and may thereafter apply for reinstatement.</p>	<p>Revision includes the removal of the five year revocation period and the addition of a court-determined suspension period.</p>	<p>Yes</p>

**ATTACHMENT B**

#	OSBT October 10, 2012 Recommendation	Proposed Revision <b>Text</b> — Revision	Comments	Ordinance Needed (B.R.C. #)
<b>8</b>	<p>Require a minimum fine of \$300 and a minimum one-year revocation period for a guardian with revoked privileges having a dog off leash.</p>	<p>Require a minimum fine of \$300 and a minimum one-year revocation period for a guardian with revoked privileges having a dog off leash.</p>	<ul style="list-style-type: none"> <li>City Council members were supportive of this recommendation</li> </ul>	<p align="center">Yes</p>
<b>9</b>	<p>Program privileges may be reinstated after successful completion of a reinstatement process. Reinstatement from revocation due to a conviction of aggressive dog or failure to protect wildlife violations must include successful completion of the voice and sight evaluation test by the revoked guardian and dog and the retaking of the information session by the revoked guardian. Reinstatement from all other revocations will at least include the retaking of the information session by the revoked guardian; and at the discretion of the courts may require successful completion of the voice and sight evaluation test or other actions. Reinstatement will include payment of fees for the information session, the voice and sight evaluation test (if required) and payment of a reinstatement fee.</p>	<p>Program privileges may be reinstated after successful completion of a reinstatement process. Reinstatement from revocation <del>due to a conviction of aggressive dog or failure to protect wildlife violations</del> must include successful completion of the voice and sight evaluation test by the revoked guardian and dog and the retaking of the information session by the revoked guardian. <del>Reinstatement from all other revocations will at least include the retaking of the information session by the revoked guardian; and at the discretion of the courts may require successful completion of the voice and sight evaluation test or other actions.</del> Reinstatement will include payment of fees for <del>the information session</del>; the voice and sight evaluation test <del>(if required)</del> and payment of a reinstatement fee.</p>	<ul style="list-style-type: none"> <li>City Council members were supportive of requiring a demonstration test of the dog and guardian for the reinstatement of privileges.</li> <li>Violations causing revocation have been changed to reflect modifications to other recommendations and the alternative reinstatement process has been removed.</li> </ul>	<p align="center">Yes</p>

**ATTACHMENT B**

#	OSBT October 10, 2012 Recommendation	Proposed Revision <b>Text</b> — Revision	Comments	Ordinance Needed (B.R.C. #)
<b>10</b>	<p>The program registration and annual renewal fees will include a graduated fee structure for residents of the City of Boulder, residents of Boulder County outside the City of Boulder, and noncounty residents.</p> <p>Program registration fees:</p> <ul style="list-style-type: none"> <li>• City of Boulder Residents (\$13),</li> <li>• Boulder County residents outside the City of Boulder (\$33),</li> <li>• Non-Boulder County residents (\$75), and</li> <li>• The registration fee includes one guardian and one dog; the fee for each additional guardian in a household is (\$5) and the fee for each additional dog in a household is (\$10).</li> </ul> <p>Annual household renewal fee:</p> <ul style="list-style-type: none"> <li>• City of Boulder Residents (\$5),</li> <li>• Boulder County residents outside the City of Boulder (\$20), and</li> <li>• Non-Boulder County residents (\$30).</li> </ul> <p>The additional guardian and dog registration fees will be waived for City of Boulder households who meet income criteria consistent with the City of Boulder Food Tax Rebate Program or the Parks and Recreation Reduced Rate Program.</p>	NA	<ul style="list-style-type: none"> <li>• City Council members were supportive of this recommendation</li> </ul>	Yes

## ATTACHMENT C

### **OSMP Seasonal, Temporary and Ongoing Rules Enacted to Specifically Protect Wildlife**

City Manager's Rules (B.R.C. 8-3-3 administrative rules) for the Open Space and Mountain Parks (OSMP) are posted on the department's Website at:

[http://www.bouldercolorado.gov/index.php?option=com\\_content&view=article&id=18083&Itemid=418](http://www.bouldercolorado.gov/index.php?option=com_content&view=article&id=18083&Itemid=418)

#### Dog on-leash areas and trails

- Seasonal and temporary on-leash areas for wildlife protection (bear, coyote, mountain lion activity, and grassland-nesting birds)

#### Dog prohibited areas

- Dry Creek, McKenzie, Axelson, Lore, and Boulder Valley Ranch prairie dog preserves
- Seasonal and temporary area closures:
  - Areas closed for temporary wildlife protection (bear, coyote and mountain lion activity)
  - Seasonal grassland-nesting bird closures
  - Seasonal nesting raptor closures
  - Seasonal roosting bat closures

**ATTACHMENT D**

**Voice and Sight Tag Program Cost Estimates**

**Table 1: Voice and Sight Tag Program Cost Estimate Summary**

Cost	Implementation				Ongoing	
	2013		2014		Standard	Seasonal
	Standard	Seasonal	Standard	Seasonal		
<b>New Positions</b>		\$87,000		\$109,000		\$44,000
<b>Existing Positions</b>	\$207,000		\$128,000		\$66,000	
<b>Total Staff Time</b>	\$295,000		\$237,000		\$110,000	
<b>Material &amp; Services</b>	\$148,000		54,000		\$25,000	
<b>Total Cost</b>	\$443,000		\$291,000		\$135,000	
<b>Implementation (2013-2014)</b>	<b>\$734,000</b>					
<b>Ongoing</b>	<b>\$135,000</b>					

**ATTACHMENT D**

Table 2: Tag Program Cost Estimate Detail

<b>Enhanced Voice and Sight Tag Program Cost Estimate</b>									
	<b>Implementation-2 years</b>						<b>Ongoing</b>		
	<b>Project startup</b>		<b>1st Year</b>		<b>2015</b>		<b>2015</b>		<b>2015</b>
	<b>2013</b>	<b>2013</b>	<b>2014</b>	<b>2014</b>	<b>Standard</b>	<b>Seasonals</b>	<b>Standard</b>	<b>Seasonals</b>	<b>Seasonals</b>
	<b>Standard FTEs</b>	<b>Seasonals</b>	<b>Standard FTEs</b>	<b>Seasonals</b>	<b>Standard</b>	<b>Seasonals</b>	<b>Standard</b>	<b>Seasonals</b>	<b>Seasonals</b>
<b>Program Planning and Implementation</b>									
<b>Staffing</b>									
Project management and coordination	0.75		0.25						
Monitoring	0.15	0.5	0.08						
Signs	0.5	1	0.5	2				1	
Community Outreach	0.25	0.5	0.25	0.5	0.5		0.5		
Administrative	0.08		0.275				0.275		
Finance	0.5		0.1						
Resource Information Services	0.15								
Rangers	0.05		0.05						
Communications and Public Process									
<b>Personnel (Standard and Seasonal)</b>	<b>\$207,296</b>	<b>\$87,360</b>	<b>\$128,084</b>	<b>\$109,200</b>	<b>\$66,092</b>	<b>\$43,680</b>			
<b>Total Personnel Costs</b>	<b>\$294,656</b>		<b>\$237,284</b>		<b>\$109,772</b>				
<b>Full Time Equivalents (FTEs)</b>	<b>2.4</b>	<b>2.0</b>	<b>1.5</b>	<b>2.5</b>	<b>0.8</b>	<b>1.0</b>			
<b>Total FTEs</b>	<b>4.4</b>		<b>4.0</b>		<b>1.8</b>				
<b>Implementation (2013) and 1st Year (2014) FTEs</b>	<b>8.4</b>		<b>Ongoing:</b>		<b>1.8</b>				
<b>Implementation (2013) and 1st Year (2014) Staffing</b>	<b>\$531,940</b>		<b>\$109,772</b>						
<b>Materials and Services</b>									
Revised program annual supplies and services	\$34,150		\$19,150		\$19,150		\$19,150		
Information session space and materials			\$30,000		\$3,750		\$3,750		
Record management system	\$100,000								
<b>Total Materials and Services</b>	<b>\$134,150</b>		<b>\$49,150</b>		<b>\$22,900</b>		<b>\$22,900</b>		
Contingency 10%	\$13,415		\$4,915		\$2,290		\$2,290		
<b>Total Material and Services Costs</b>	<b>\$147,565</b>		<b>\$54,065</b>		<b>\$25,190</b>		<b>\$25,190</b>		
<b>Implementation (2013) and 1st Year (2014) Costs:</b>	<b>\$733,570</b>								
<b>Ongoing:</b>	<b>\$134,962</b>								

**ATTACHMENT D**

**Table 3: Tag Program Material and Services Cost Estimate**

Item	Implementation		Ongoing
	2013	2014	
<b>Tags:</b> ~20,000/year	\$2,000	\$2,000	\$2,000
<b>Mailings</b> , postage, paper, envelopes	\$12,000	\$12,000	\$12,000
<b>Online</b> payment service	\$650	\$650	\$650
<b>Service contract</b> for record management system	\$1,500	\$1,500	\$1,500
<b>Brochures</b>	\$5,000	\$1,000	\$1,000
<b>Signs</b>	\$8,000	\$2,000	\$2,000
<b>Video Revision</b>	\$5,000		
<b>Information Sessions</b>		\$30,000	\$3,750
<b>Record Management System</b>	\$100,000		
<b>Subtotal</b>	\$134,150	\$49,150	\$22,900
<b>Contingency 10%</b>	\$13,415	\$4,915	\$2,290
<b>Total</b>	<b>\$147,565</b>	<b>\$54,065</b>	<b>\$25,190</b>

**ATTACHMENT E**  
**Statement from FIDOS Regarding Tag Program Effectiveness Monitoring**

**From:** jim illg [<mailto:jimillg@hotmail.com>]  
**Sent:** Monday, May 27, 2013 8:01 PM  
**To:** Paschall, Dean  
**Subject:** RE: Voice and Sight Monitoring program development.

Hello Dean,

Thank you for your repeated attempts to contact me. As you know I was out of town hence the delay in responding to your calls and emails. I will be out of the country for the proposed date of the meeting for developing a new monitoring program. The FIDOS' board has given serious thought to what level of participation we should engage in for this effort and have collectively decided that we will not be represented at the upcoming meeting and our involvement will be limited at this time to the following statement.

Best Regards,  
-Jim

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*It's the opinion of the FIDOS Board that the best measure of compliance with the City of Boulder's Voice and Sight Green Tag Program is the actual number of confirmed violations for dogs harassing wildlife, for dogs behaving aggressively towards humans or other dogs, and for unleashed dogs on leash only designated trails, etc, that have been substantiated by OSMP staff and the courts. In short, there is no substitute metric for the effectiveness of the Green Tag Program other than actual violations for Green Tag dogs. (Violations by non-GT authorized dogs are irrelevant to monitoring compliance and should be compiled separately.)*

*Relying upon subjective observations of staff, or worse yet unsubstantiated complaints from members of the public that may want the Tag Program discontinued, is prone to error at best and prone to bias at worst. FIDOS can only recommend that Green Tag Program compliance be measured by means of the concrete evidence of confirmed Green Tag violations.*

*Finally, FIDOS highly recommends that the true impacts of both dogs and people be objectively studied by measuring the health and prevalence of wildlife species on Open Space. The vitality of wildlife species on Open Space is the primary concern, whereas monitoring compliance by dogs or people is a secondary issue.*

*Thank you for this opportunity for FIDOS to provide input toward compliance monitoring.*