



Risk Management Considerations for Off-Leash Dog Parks

Many municipalities have been approached by groups in the community to establish off-leash or leash-free parks within public areas. While these parks may provide exercise and socialization opportunities for Fido, they expose municipalities to considerable risk.

Risk Management Considerations

Although your municipality would be able to rely on any dog owners legislation applicable in your province that requires dog owners to maintain control of their animals at all times (such as the *Dog Owners Liability Act* in Ontario), there is a potential for liability because you are the occupier permitting the existence of the leash-free zone. It is foreseeable that injuries could occur in the off-leash parks.

For example, you might see:

- A child or adult being attacked by an unleashed dog.
- A conflict between two or more unleashed dogs.
- An injury to a dog owner trying to protect their dog from another.

Due to the likelihood of these incidents and the lack of viable risk controls to serve in the municipality's defence, some percentage of fault would likely be attached to the municipality permitting off-leash zones.

The municipality has a duty of care to implement controls that mitigate risk.

Rules should be posted on municipal websites and signs at and around the park. Signs should use simple language and should note fines for not following park rules:

- All visitors use the park at their own risk.
- State the hours of the park.
- Warn users and others that it is an off-leash park.
- Advise that children should be supervised at all times.
- Puppies under four months old and aggressive dogs should not use the park.
- No food or glass containers are allowed.
- Owners must clean up after their dog and properly dispose of waste.

- Remind dog owners of their responsibility to keep their animal under control at all times.
- Choke collars or collars with spikes are not allowed.
- If a dog digs a hole, the owner is responsible for filling it prior to their departure.
- Limit the number of dogs per person to two.
- Professional dog walkers cannot enter the park with more than two dogs.

The park should be physically separate from the general public. It shouldn't be located around playgrounds, sports fields, public pathways or schools.

The municipality must conduct inspections to monitor the use of the off-leash dog park.

Remove or repair hazards as soon as they are reported.

Ensure that there are waste receptacles placed around the park.

Instruct owners that their pets must be licensed and have up to date vaccinations, including rabies.

Consider working with a dog group in the community. Members are likely to be regular visitors to the off-leash dog park and will have a vested interest in its upkeep. Ask them to be vigilant in reporting misbehaviour, aggression or irresponsibility on behalf of dogs and/or their owners.

Thoroughly inspect the park on a regular basis. There have been several cases recently where poison has been left around the park and dogs have ingested toxic material. In one instance antifreeze was injected into cupcakes. They were left by trees for dogs to find and eat. This reinforces why a "no food" rule is important. It allows out of the ordinary objects to be located quickly.