

ORDINANCE NO. 2023-04 (As Amended)  
INTRODUCED BY: Mayor Bodnar

**AN ORDINANCE AMENDING MAYFIELD VILLAGE CODIFIED ORDINANCE  
CHAPTER 505 ANIMALS AND FOWL**

**WHEREAS**, Mayfield Village adopted Chapter 505 Animals and Fowl of the Codified Ordinances in order to regulate animals and fowl within Mayfield Village; and

**WHEREAS**, it has become necessary to amend Chapter 505 Animals and Fowl in order to provide additional clarity to the regulations and increase the criminal and civil penalties to owners of dogs who cause harm to other people and animals; and

**WHEREAS**, the Mayfield Village Council deems it in the best interest and for the health, safety and welfare of Mayfield Village and its residents to amend Chapter 505 Animals and Fowl of the Codified as set forth below.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of Mayfield Village, Cuyahoga County, State of Ohio, that:

SECTION 1. Chapter 505 Animals and Fowl of the Village's Codified Ordinances is amended to read as fully set forth in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION 2. Any sections of the Codified Ordinances in conflict herewith are hereby and herein repealed and amended accordingly. All other provisions of the Village Codified Ordinances not inconsistent herewith shall remain in full force and effect.

SECTION 3. The Clerk of Council is authorized and directed to forward a certified copy of this Ordinance to the Codifier of Mayfield Village.

SECTION 4. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council and that deliberations of this Council and of its committees, resulting in such formal action, took place

in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance shall take effect after adoption and at the earliest time allowed by law.



STEPHEN SCHUTT  
Council President

First Reading: March 20, 2023  
Second Reading: April 17  
May 15 (Amended), 2023  
Third Reading: Suspended, 2023  
PASSED: May 15, 2023



BRENDA T. BODNAR, Mayor

APPROVED AS TO FORM:



DIANE A. CALTA, ESQ.  
Director of Law

ATTEST: Mary E. Betts  
MARY E. BETSA, MMC  
Clerk of Council

**EXHIBIT A**

**CHAPTER 505 – ANIMALS & FOWL**

**505.01 DEFINITIONS.**

(a) "Owner" means any person, firm, association or corporation owning, keeping, harboring, handling or having charge of any animal or fowl.

(b) "Animal" means a dog, cat, caged bird, hamster, gerbil, fish or other animal commonly considered domestic, including potbellied pigs, but excluding lions, tigers, panthers or other animals considered exotic. In addition, farm animals and fowl shall be defined as follows:

(i) "Farm Animal" means any farm animal, other than an Animal, including but not limited to a horse, mule, cow, pig, goat, sheep, alpaca, and llama.

(ii) "Fowl" means any goose, turkey, duck, chicken and other similar type of animal. (Fowl does not include a rooster which is prohibited under Section 505.14(e) of this Chapter).

(c) "Police dog" means a dog that has been trained and is being used to assist one or more law enforcement officers in the performance of their official duties.

(d) "At large" means either of the following:

(1) An animal that is off the premises of the owner and not under the control of the owner by a leash, cord, chain or other device of restraint; or

(2) An animal that is on the premises of the owner and outside the perimeter of an enclosed area, electronically fenced area or building while not under the control of the owner or not restrained by a leash, cord, chain, electronic fence or similar device of restraint.

(e) "Menacing fashion" describes an animal behaving in a way that would cause a reasonable person being chased or approached to believe that the animal is likely to cause physical injury to that person or another.

(f) "Without provocation" means an animal acts despite not being teased, tormented or abused by a person.

(g) "Serious injury" means any of the following:

(1) Any physical harm that carries a substantial risk of death;

(2) Any physical harm that involves a permanent incapacity, whether partial or total, or a temporary substantial incapacity;

(3) Any physical harm that involves a permanent disfigurement or a temporary, serious disfigurement; or

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(4) Any physical harm that involves acute pain of a duration that results in substantial suffering or any degree of prolonged or intractable pain.

(h) "Nuisance dog" means a dog that is not a police dog which, without provocation and while at large, has chased or approached a person in a menacing fashion or has attempted to bite or otherwise endanger any person or animal or has been the subject of a third or subsequent violation of Section 505.08 and as is further defined under Section 505.08(c) or (d).

(i) "Dangerous dog" means a dog that is not a police dog which, without provocation, has done any of the following:

- (1) Caused injury, other than killing or causing serious injury, to any person;
- (2) Seriously injured or killed another dog or animal; or
- (3) Been the subject of a third or subsequent violation of 505.09 (At Large); or
- (4) As defined under 505.08(e).

(j) "Vicious dog" means a dog that is not a police dog which, without provocation, has killed or caused serious injury to any person. "Vicious dog" does not include a dog that has killed or caused serious injury to any person while that person was committing or attempting to commit a trespass or other criminal offense on the property of the owner of the dog.

**505.02 DOG LICENSE AND REGISTRATION REQUIRED.**

All dogs kept, harbored or maintained by their owners in the Municipality shall be licensed and registered in accordance with the laws of the State, if over three (3) months of age.

**505.03 ANIMAL WARDEN.**

(a) Office Established. The part-time position of Animal Warden is established within the Department of Public Service. In the alternative, the Municipality may staff this position under a contract with an appropriate individual or entity.

(b) Appointment. The Animal Warden shall be appointed by the Mayor, subject to approval by a majority of the members elected to Council, to serve for a term of three (3) years. If the position is filled by contract, the individual or entity shall be selected by the Mayor, subject to the approval by a majority of the members elected to Council, to serve for the term of the contract.

(c) Compensation. The compensation of the Animal Warden shall be determined by the Council from time-to-time. If the position is filled by contract, the compensation shall be as determined by Council pursuant to the terms of the contract.

(d) Powers and Duties. It shall be the duty of the Animal Warden to enforce the provisions of this chapter and the laws of the State relative to the licensing, impounding, boarding and disposition of animals within the Municipality. The Animal Warden shall have complete police power to enforce the provisions of this chapter and the laws of the State and to make arrests for any violations thereof. In addition, any police officer or other officer of this Municipality, charged with the responsibility of enforcing the ordinances of this Municipality and the laws of the State shall have concurrent responsibility.

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(e) If the Animal Warden is a part-time position in the Public Service Department, the Animal Warden shall be provided with a badge designating his office and authority and such other uniforms, vehicles and equipment necessary to carry out his or her duties. If the position is filled by contract, the Animal Warden shall be required to obtain his or her own badge and such other uniforms, vehicles and equipment necessary to carry out his or her duties.

**505.04 ANIMAL SHELTER.**

The Animal Warden whether part-time or filled by contract shall provide or have access to a suitable place, either within or without the corporate limits of the Municipality, for the keeping of impounded animals in a humane manner, and the making of proper provision for the feeding and caring of such animals.

**505.05 IMPOUNDING ANIMALS.**

(a) It shall be the duty of the Animal Warden or any police officer to apprehend any animal, including any dog, found at large and to impound or cause to be impounded such animal in the animal shelter or other suitable place. The Animal Warden, upon receiving any animal, shall make a complete registry, entering as applicable the breed, color and sex of such animal and whether licensed. If licensed, the Animal Warden shall enter the name and address of the owner and the number of the license tag.

(b) As soon as is possible, but in no event later than two (2) days after the impounding of any animal, the owner shall be notified, or if the owner of the animal is unknown, notice shall be posted for three (3) days on the Municipality's website describing the animal and the time and place of taking. The owner of any animal so impounded may reclaim such animal upon presentation of a license or proof of a license and upon the payment an impounding fee. If the animal was unlicensed or untagged, the owner will have to provide identifying information or other proof of ownership.

(c) Animals which have been seized by the Animal Warden and impounded shall be kept, housed and fed for three (3) days. At the expiration of such time, unless previously redeemed by the owner thereof, such animal shall be surrendered to the Cuyahoga County Animal Shelter.

(d) A record of all animals impounded, the disposition of same, the owner's name and address, if known, and a statement of impounding fees and costs assessed against such owner shall be kept by the Animal Warden and a copy thereof shall be furnished to the Director of Finance together with all moneys received as a result of such impounding fees and costs.

**505.06 QUARANTINE OF ANIMALS.**

(a) Whenever it is established that any dog or other animal has bitten any person, or shows signs of being infected with rabies, the owner of such animal, upon order of the Animal Warden or Chief of Police, shall quarantine such animal in the Cuyahoga County Animal Shelter or in a veterinarian's kennels for a period of ten (10) days from date of such order, at the cost and expense of the owner of such animal.

(b) In the event that the owner of such animal fails to comply with the order provided for in subsection (a) hereof, within six (6) hours after such order has been issued and served upon such owner, the Animal Warden or any police officer of the Municipality may take such animal into custody and place the same in quarantine at the expense of the owner.

**505.07 DAMAGING PROPERTY; HEALTH NUISANCE.**

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(a) No person who is the owner of an animal shall permit such animal to damage, destroy or deface any publicly owned property or the premises of another, or permit such animal to urinate or defecate thereon.

(b) No person shall throw or deposit or permit to be thrown or deposited any animal defecation in any street, lane, alley, tree lawn or sidewalk or other public ground or place within the Municipality.

(c) No person shall cause or knowingly permit a nuisance by keeping or harboring any animal in the Municipality so as to create offensive odors, excessive noise or unsanitary conditions which are a menace to the health, comfort or safety of the public, or otherwise permit the commission or existence of a nuisance.

(d) No person, being an owner, tenant, agent, occupant, or person in control of any property, shall cause or knowingly permit a nuisance by providing food for feeding any stray dog, cat or other wildlife, including but not limited to skunks, deer or coyotes.

(e) Whoever violates any provision of this section shall be guilty of a minor misdemeanor.

**505.08 FAILURE TO CONTROL.**

(a) No owner or person in charge or control of a dog, or owner or person in charge of a premises on which a dog is located, shall fail to control a dog within the Municipality.

(b) For the purposes of this section, each of the following constitutes an instance of failure to control:

(1) A dog which unreasonably and without provocation causes any unreasonable annoyance, alarm or a noise disturbance to any person or neighborhood by barking, whining, screeching, howling, or other like sounds which may be heard beyond the boundary of the owner's property;

(2) A dog which scratches or digs in, or defecates upon, any lawn, tree, shrub, plant, or any other public or private property, other than the property of the dog's owner or the property of a person in charge or control of the dog, unless the owner or person in control of the dog takes immediate action to repair any damage or remove any waste;

(3) A dog which otherwise causes damages to any public or private property other than the property of a person in charge or control of the dog;

(4) A dog, without provocation, while at large, has chased or approached a person in a menacing fashion or has attempted to bite or otherwise endangers a person or animal; or

(5) A dog, without provocation, that bites or otherwise inflicts injury to a person or that bites or otherwise inflicts serious injury or has killed another dog or animal.

(6) A dog, without provocation, has killed or caused serious injury to any person.

(c) Whoever violates section (a) resulting from an instance under (b)(1-3) of this section is guilty of a minor misdemeanor on the first offense and a misdemeanor of the fourth degree on a second and third offense. On the third offense the dog shall be considered a nuisance dog.

(d) Whoever violates section (a) resulting from an instance under (b)(4) of this section shall be considered a nuisance dog and is guilty of a misdemeanor of the fourth degree on a first offense and a misdemeanor of the second degree on a second and subsequent offenses.

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(e) Whoever violates section (a) resulting from an instance under (b)(5) of this section shall be considered a dangerous dog and is guilty of a misdemeanor of the first degree.

(f) Whoever violates section (a) resulting from an instance under (b)(6) of this section shall be considered a vicious dog and is guilty of a misdemeanor of the first degrees if a serious injury results and felony of the fourth degree if a dog, without provocation kills any person and shall be prosecuted under appropriate State law. (O.R.C. 955.99(H)(1)(a)).

(g) In addition to the penalties provided herein, and any other rights provided by law, in any civil action to recover damages against the owner of any dog who has violated section (b)(5) or (6) above, the injured party may recover three times the amount of the actual economic damages, as economic loss may be defined in Ohio R.C. 2315.18(A)(2).

#### **505.09 AT LARGE.**

(a) No person being the owner of or having charge of any dog or any other animal shall permit such animal to run at large or to run upon the premises of another without the permission of such other person.

(b) No person being the owner of or having charge of any dog shall permit such dog to go beyond the premises of such owner at any time when the dog is in heat, unless such dog is properly restrained by a leash, cord, chain or similar device. The owner of any dog in heat shall at all times keep such dog either confined upon the premises of the owner or under reasonable control of some person.

(c) An at large animal in or upon any of the places mentioned in this section is *prima facie* evidence that it is an at large animal in violation of this section.

(d) Whoever violates any provision of this section is guilty of a minor misdemeanor on the first offense and a misdemeanor of the fourth degree on each subsequent offense and shall be fined, in accordance with Section 501.99.

(e) If a violation of any provision of this section hereof involves a **nuisance dog**, upon a third violation involving the same dog, the court shall require the offender to register the dog as a dangerous dog and be subject to a fine in accordance with Section 501.99.

(f) Notwithstanding the forgoing penalties, if an animal or person is seriously injured by a dog or other animal without provocation as a result of a violation of this section, then whoever violates this section is guilty of a misdemeanor of the first degree. Additionally, the court shall order the owner to personally supervise the animal, to complete dog or other obedience training within a specified period of time, and require the owner to comply with any applicable provisions of Section 505.10(a) and Section 505.11.

(g) In addition to the penalties provided herein, in any civil action to recover damages against the owner of any dog who has violated section (f) above, the injured party may recover three times the amount of the actual economic damages, as economic loss may be defined in Ohio R.C. 2315.18(A)(2).

#### **505.10 DANGEROUS AND VICIOUS DOGS.**

(a) No owner of a **dangerous or vicious dog** shall fail to do either of the following:

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(1) While the dog is on the premises of the owner, securely confine it at all times in a locked pen which has a top, locked fenced yard or other locked enclosure which has a top, except that a dangerous dog may, in the alternative, be tied with a leash or tether so that the dog is adequately restrained;

(2) While the dog is off the premises of the owner, keep it on a chain-link leash or tether that is not more than six feet in length, controlled by a person who is of suitable age and discretion or securely attach, tie or affix the lease or tether to the ground or a stationary object or fixture so that the dog is adequately restrained and additionally do at least one of the following: (A) Keep that dog in a locked pen which has a top, locked fenced yard or other locked enclosure which has a top; or (B) Muzzle the dog.

(b) If a violation of subsection (a)(1) or (2) hereof involves a **dangerous or vicious dog**, and **does not result** in the serious injury or killing of a person or animal, then, whoever violates that subsection is guilty of a misdemeanor of the fourth degree on a first offense and of a misdemeanor of the third degree on each subsequent offense. In addition to this penalty and the penalty provided in Section 501.99, the court may order the owner to personally supervise the dog, and/or to cause the dog to complete dog obedience training.

(c) If a violation of subsection (a)(1) or (2) hereof involves a **dangerous or vicious dog**, and **does result** in serious injury or killing of a person or animal, then, whoever violates that subsection is guilty of one of the following:

(1) A felony of the fourth degree if the dog causes serious injury or kills a person and punishment shall be as provided in Ohio R.C. 2929.11. Additionally, the court shall order that the dangerous dog be humanely destroyed by a licensed veterinarian, the County Dog Warden or the County Humane Society at the owner's expense.

(2) A misdemeanor of the first degree if the dog causes serious injury to or kills an animal. Prosecution for the misdemeanor shall be under this section and punishment shall be as provided in Section 501.99. Additionally, the court may order the dangerous dog to be humanely destroyed by a licensed veterinarian, the County Dog Warden or the County Humane Society at the owner's expense.

(3) A misdemeanor of the second degree if the dog causes injury, other than killing or serious injury, to any person or any animal. Punishment shall be as provided in Section 501.99.

(d) In addition to the penalties provided herein, in any civil action to recover damages against the owner of any dog who has violated sections (c)(1), (c)(2) or (c)(3) above, the injured party may recover three times the amount of the actual economic damages, as economic loss may be defined in Ohio R.C. 2315.18(A)(2).

**505.11 LIABILITY INSURANCE REQUIRED.**

No owner of a **dangerous or vicious dog** shall fail to obtain liability insurance with an insurer authorized to write liability insurance in this State providing coverage in each occurrence, subject to a limit, exclusive of interest and costs, of not less than two hundred thousand dollars (\$200,000) because of damage or bodily injury to or death of a person caused by the dangerous or vicious dog. Whoever violates this section is guilty of a misdemeanor of the first degree. Punishment shall be as provided in Section 501.99.

**505.12 MAXIMUM NUMBER OF DOGS PERMITTED IN DWELLING.**

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(a) No person shall own, harbor, or have the care or control of more than three (3) dogs, except puppies not over six (6) months old, in any single-family dwelling or in any separate suite in a two-family dwelling or multi-family dwelling within the Municipality. The terms "dwelling" and "suite" as used in this section include the lot or parcel of land on which the house or building is located and all accessory and out buildings located on such lot or parcel.

(b) Whoever violates any provision of this section shall be guilty of a minor misdemeanor on the first offense and a misdemeanor of the fourth degree on each subsequent offense. Each day during which a violation of this section exists shall constitute a separate offense.

**505.13 DOG RUNS.**

Any dog run or similar construction built in order to comply with any provisions of this chapter shall comply with all of the following:

- (a) It shall be at least three (3) feet from any property line.
- (b) It shall have walls or a fenced perimeter at least six (6) feet high.
- (c) It shall not be constructed so as to include any perimeter fence on the property as one or more of its walls or sides.
- (d) It shall remain free of defecation and may include the installation of an underground tank for such purpose.
- (e) All reasonable efforts shall be expended by the owner of the animal to minimize offensive odors and to maintain the dog run in a sanitary condition.

**505.14 KEEPING FARM ANIMALS NEAR DWELLINGS.**

(a) No person shall own, raise, harbor or keep any fowl or farm animal within the Municipality so as to cause a nuisance condition as described in Section 505.07, or as otherwise prohibited by this Chapter.

(b) No person shall be permitted to own, keep, harbor or maintain any horses, mules, cattle or any animal other than an animal as defined in Section 505.01(b) on his or her property if such property is less than two (2) acres. If the property is two (2) acres or larger then, in order to maintain such farm animals, the owner shall construct on the premises, a corral or enclosure for such animals which shall be at least ten (10) feet from any property line and at least two hundred (200) feet from the dwelling, other main building on the premises or any dwelling on any adjacent property.

(c) The owner shall furthermore construct a barn or shed to house such farm animals which barn or shed shall be totally within the corral or enclosure referred to herein above. The floor of such barn or shed shall include channeling to dispose of animal urine by underground piping to an approved sanitary sewer or other approved sanitary disposal facility approved by the Board of Health of Cuyahoga County. The owner shall furthermore be responsible for bagging and disposing of all manure on a daily basis.

(d) There shall be provided a minimum grazing area of one (1) acre for a horse, mule or cow plus an additional 10,000 square feet of grazing for each additional such farm animal.

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(e) In regard to chickens, no person shall harbor or maintain rooster(s) on his or her property. In order to harbor or maintain hens on the property, the owner shall construct a chicken coop on the premises for such animals which shall be at least ten (10) feet from any property line and at least one hundred (100) feet from any dwelling on any adjacent property.

**505.15 ABANDONING ANIMALS PROHIBITED.**

No person shall abandon an animal within the Municipality.

**505.16 KILLING OR INJURING ANIMALS PROHIBITED.**

(a) No person shall maliciously or willfully kill or injure an animal that is their property or the property of another. This section does not apply to a licensed veterinarian acting in his professional capacity.

(b) No person shall maliciously or willfully administer poison to an animal that is their property or the property of another, and no person shall maliciously or willfully place any poisoned food where it may be easily found and eaten by any animal, either upon his own land or the lands of another. This section does not apply to a licensed veterinarian acting in his professional capacity.

**505.17 CRUELTY TO ANIMALS PROHIBITED.**

No person shall overwork, overdrive, overload or torture an animal, deprive one of necessary sustenance, unnecessarily or cruelly beat, needlessly mutilate or kill, or impound or confine an animal without supplying it during such confinement with a sufficient quantity of good wholesome food or water. No person shall carry or convey an animal in a cruel or inhuman manner or keep animals in an enclosure without wholesome exercise and change of air, or feed animals food that is adulterated or unwholesome, or work or abandon to die an old, maimed, sick, infirm or diseased animal.

**505.18 COLORING OF RABBITS OR BABY POULTRY PROHIBITED.**

No person shall dye or otherwise color any rabbit or baby poultry, including, but not limited to, chicks and ducklings. No person shall sell, offer for sale, expose for sale, raffle or give away any rabbit or baby poultry which has been dyed or otherwise colored. No poultry younger than four weeks of age may be sold, given away or otherwise distributed to any person in lots of less than six. Stores, shops, vendors and others offering young poultry for sale or other distribution shall provide and operate brooders or other heating devices that may be necessary to maintain poultry in good health and shall keep adequate food and water available to the poultry at all times.

**505.19 HUNTING AND TRAPPING PROHIBITED.**

The hunting of animals or fowl within the Municipality is hereby prohibited. No person shall hunt, kill or attempt to kill any animal or fowl by the use of firearms or any other means.

**505.20 BIRD SANCTUARY.**

The entire corporate area of the Municipality is hereby designated as a bird sanctuary. No person shall trap or molest in any manner any bird or wild fowl or rob the nest of any bird or wild fowl.

**505.21 ANIMALS PROHIBITED IN FOOD STORES.**

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No person shall take any animal into any store in the Municipality where food products are kept for sale unless otherwise permitted under law.

**505.99 PENALTY.**

Whoever violates any provision of this chapter for which a penalty is not otherwise provided shall be guilty of a misdemeanor of the second degree. In addition to any other fines or costs imposed under this Chapter, an Animal Owner shall be responsible for the payment of all costs incurred by the Village, including but not limited to costs incurred by the Village for boarding an Animal, to the Animal Warden, resulting from a violation of this Chapter. If not paid, the amount thereof may be certified by the Finance Director to the County Auditor to be assessed as a lien against the Owner's real property with general taxes and assessments.

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**CHAPTER 505 – ANIMALS & FOWL**

**505.01 DEFINITIONS.**

~~(a) "Dogs" means both male and female dogs.~~

~~(b)(a) "Owner" means any person, firm, association or corporation owning, keeping, harboring, handling or having charge of any animal or fowl.~~

~~(b) "Animal" means a dog, cat, caged bird, hamster, gerbil, fish or other animal commonly considered domestic, including potbellied pigs, but excluding lions, tigers, panthers or other animals considered exotic. In addition, farm animals and fowl shall be defined as follows:~~

~~(i) "Farm Animal" means any farm animal, other than an Animal, including but not limited to a horse, mule, cow, pig, goat, sheep, alpaca, and llama.~~

~~(ii) "Fowl" means any goose, turkey, duck, chicken and other similar type of animal. (Fowl does not include a rooster which is prohibited under Section 505.14(e) of this Chapter).~~

~~(c) "Police dog" means a dog that has been trained and is being used to assist one or more law enforcement officers in the performance of their official duties.~~

~~(d) "At large" means either of the following:~~

~~ØØ(1) An animal that is off the premises of the owner and not under the control of the owner by a leash, cord, chain or other device of restraint; or~~

~~ØØ(2) An animal that is on the premises of the owner and outside the perimeter of an enclosed area, electronically fenced area or building while not under the control of the owner or not restrained by a leash, cord, chain, electronic fence or similar device of restraint.~~

~~(d) "Domestic animal(e) "Menacing fashion" describes an animal behaving in a way that would cause a reasonable person being chased or approached to believe that the animal is likely to cause physical injury to that person or another.~~

~~(f) "Without provocation" means a-an animal acts despite not being teased, tormented or abused by a person.~~

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(g) "Serious injury" means any of the following:

- (1) Any physical harm that carries a substantial risk of death;
- (2) Any physical harm that involves a permanent incapacity, whether partial or total, or a temporary substantial incapacity;
- (3) Any physical harm that involves a permanent disfigurement or a temporary, serious disfigurement; or
- (4) Any physical harm that involves acute pain of a duration that results in substantial suffering or any degree of prolonged or intractable pain.

(h) "Nuisance dog, cat, caged bird, hamster, gerbil, fish or" means a dog that is not a police dog which, without provocation and while at large, has chased or approached a person in a menacing fashion or has attempted to bite or otherwise endanger any person or animal or has been the subject of a third or subsequent violation of Section 505.08 and as is further defined under Section 505.08(c) or (d).

(i) "Dangerous dog" means a dog that is not a police dog which, without provocation, has done any of the following:

- (1) Caused injury, other animal commonly considered domestic but excluding lions, tigers, panthers than killing or causing serious injury, to any person;
- (2) Seriously injured or killed another dog or animal; or
- (3) Been the subject of a third or subsequent violation of 505.09 (At Large); or
- (4) As defined under 505.08(e).

(j) "Vicious dog" means a dog that is not a police dog which, without provocation, has killed or caused serious injury to any person. "Vicious dog" does not include a dog that has killed or caused serious injury to any person while that person was committing or attempting to commit a trespass or other animals considered exotic criminal offense on the property of the owner of the dog.

#### **505.02 DOG LICENSE AND REGISTRATION REQUIRED.**

All dogs kept, harbored or maintained by their owners in the Municipality shall be licensed and registered in accordance with the laws of the State, if over three (3) months of age.

#### **505.03 ANIMAL WARDEN.**

(a) Office Established.- The part-time position of Animal Warden is established within the Department of Public Service. In the alternative, the Municipality may staff this position under a contract with an appropriate individual or entity.

(b) Appointment.- The Animal Warden shall be appointed by the Mayor, subject to approval by a majority of the members elected to Council, to serve for a term of one year three (3) years. If the position is filled

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~~by contract, the individual or entity shall be selected by the Mayor, subject to the approval by a majority of the members elected to Council, to serve for the term of the contract.~~

(c) Compensation. ~~The compensation of the Animal Warden shall be determined by the Council from time-to-time. If the position is filled by contract, the compensation shall be as determined by Council pursuant to the terms of the contract.~~

(d) Powers and Duties. ~~It shall be the duty of the Animal Warden to enforce the provisions of this chapter and the laws of the State relative to the licensing, impounding, boarding and disposition of animals within the Municipality. The Animal Warden shall have complete police power to enforce the provisions of this chapter and the laws of the State and to make arrests for any violations thereof.~~

~~505.03 ANIMAL WARDEN DUTIES.~~

~~It shall be the duty of the Animal Warden to enforce the provisions of this chapter and the laws of the State relative to the licensing, impounding, boarding and disposition of dogs within the Municipality, provided, however, that no In addition, any police officer or other officer of this Municipality, charged with the responsibility of enforcing the ordinances of this Municipality and the laws of the State shall be relieved of such have concurrent responsibility.~~

~~505.04 ANIMAL WARDEN IDENTIFICATION; UNIFORMS; VEHICLES.~~

~~The (e) If the Animal Warden is a part-time position in the Public Service Department, the Animal Warden shall be provided with a badge designating his office and authority and such other uniforms, vehicles and equipment necessary to carry out his duties or her duties. If the position is filled by contract, the Animal Warden shall be required to obtain his or her own badge and such other uniforms, vehicles and equipment necessary to carry out his or her duties.~~

~~505.05 DOG POUND~~ 04 ANIMAL SHELTER.

The Animal Warden ~~whether part-time or filled by contract~~ shall provide ~~or have access to~~ a suitable place, either within or without the corporate limits of the Municipality, for the keeping of impounded ~~dogs~~ animals in a humane manner, and the making of proper provision for the feeding and caring of such ~~dogs~~ animals.

~~505.06 DOG LICENSE AND REGISTRATION REQUIRED.~~

~~All dogs kept, harbored or maintained by their owners in the Municipality shall be licensed and registered in accordance with the laws of the State, if over three months of age.~~

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**505.0705 IMPOUNDING DOGS/ANIMALS.**

(a) It shall be the duty of the Animal Warden or any police officer to apprehend any animal, including any dog, found ~~running~~ at large and to impound or cause to be impounded such ~~dog/animal~~ in the ~~pond~~animal shelter or other suitable place. The Animal Warden, upon receiving any ~~dog/animal~~, shall make a complete registry, entering as applicable the breed, color and sex of such ~~dog/animal~~ and whether licensed. If licensed, ~~he~~the Animal Warden shall enter the name and address of the owner and the number of the license tag.

**505.08 NOTICE TO OWNER OF IMPOUNDED DOG; REDEMPTION.**

~~Not~~(b) As soon as is possible, but in no event later than two (2) days after the impounding of any ~~dog/animal~~, the owner shall be notified, or if the owner of the ~~dog/animal~~ is unknown, ~~written~~ notice shall be posted for three (3) days on the ~~bulletin board in the lobby of the Civic Center~~Municipality's website describing the ~~dog/animal~~ and the time and place of taking. The owner of any ~~dog/animal~~ so impounded may reclaim such ~~dog/animal~~ upon presentation of a license. ~~if the dog was unlicensed or untagged, or proof of a license~~ and upon the payment an impounding fee ~~of ten dollars (\$10.00).~~ if the animal was unlicensed or untagged, the owner will have to provide identifying information or other proof of ownership.

**505.09 DISPOSITION OF DOGS.**

~~Dogs~~(c) Animals which have been seized by the Animal Warden and impounded shall be kept, housed and fed for three (3) days. At the expiration of such time, unless previously redeemed by the owner thereof, such animal shall be surrendered to the ~~County Dog Pound of Cuyahoga County, Ohio, Animal Shelter.~~

**505.10 IMPOUNDED DOG RECORDS AND RECEIPTS.**

(d) A record of all ~~dogs~~animals impounded, the disposition of same, the owner's name and address, if known, and a statement of impounding fees and costs assessed against such ~~dogs~~owner shall be kept by the Animal Warden and a copy thereof shall be furnished to the Director of Finance together with all moneys received as a result of such impounding fees and costs.

**505.11 DANGEROUS.06 QUARANTINE OF ANIMALS.**

(a) Whenever it is established that any dog or other animal has bitten any person, or shows signs of being infected with rabies, the owner of such animal, upon order of the Animal Warden or Chief of Police, shall quarantine such animal in the Cuyahoga County Animal Shelter or in a veterinarian's kennels for a period of ten (10) days from date of such order, at the cost and expense of the owner of such animal.

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(b) In the event that the owner of such animal fails to comply with the order provided for in subsection (a) hereof, within six (6) hours after such order has been issued and served upon such owner, the Animal Warden or any police officer of the Municipality may take such animal into custody and place the same in quarantine at the expense of the owner.

**505.07 DAMAGING PROPERTY; HEALTH NUISANCE AND VICIOUS DOGS.**

(a) As used in this section:

(1) "Dangerous dog" is defined as follows:

A. "Dangerous" (a) No person who is the owner of an animal shall permit such animal to damage, destroy or deface any publicly owned property or the premises of another, or permit such animal to urinate or defecate thereon.

(b) No person shall throw or deposit or permit to be thrown or deposited any animal defecation in any street, lane, alley, tree lawn or sidewalk or other public ground or place within the Municipality.

(c) No person shall cause or knowingly permit a nuisance by keeping or harboring any animal in the Municipality so as to create offensive odors, excessive noise or unsanitary conditions which are a menace to the health, comfort or safety of the public, or otherwise permit the commission or existence of a nuisance.

(d) No person, being an owner, tenant, agent, occupant, or person in control of any property, shall cause or knowingly permit a nuisance by providing food for feeding any stray dog, cat or other wildlife, including but not limited to skunks, deer or coyotes.

(e) Whoever violates any provision of this section shall be guilty of a minor misdemeanor.

**505.08 FAILURE TO CONTROL.**

(a) No owner or person in charge or control of a dog" means, or owner or person in charge of a premises on which a dog that is located, shall fail to control a dog within the Municipality.

(b) For the purposes of this section, each of the following constitutes an instance of failure to control:

(1) A dog which unreasonably and without provocation, and subject to paragraph (a)(1)B hereof, has done any of the following: causes any unreasonable annoyance, alarm or a noise disturbance to any person or neighborhood by barking, whining, screeching, howling, or other like sounds which may be heard beyond the boundary of the owner's property;

1. Caused injury, other than killing or serious injury, to any person;

2. Killed another dog;

3. Been the subject of a third or subsequent violation of 505-13.

B. "Dangerous dog" does not include a police dog that has caused injury other than killing or serious injury, to any person or has killed another dog while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties.

(2) "Menacing fashion" means that a dog would cause any person being (2) A dog which scratches or digs in, or defecates upon, any lawn, tree, shrub, plant, or any other public or private

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~~property, other than the property of the dog's owner or the property of a person in charge or control of the dog, unless the owner or person in control of the dog takes immediate action to repair any damage or remove any waste;~~

~~(3) A dog which otherwise causes damages to any public or private property other than the property of a person in charge or control of the dog;~~

~~(4) A dog, without provocation, while at large, has chased or approached to reasonably believe that the dog will cause physical injury to that a person:~~

~~(3) A. Subject to division (a)(3)B. of this section, "nuisance dog" means a dog that without provocation and while off the premises of its owner, keeper, or harbinger has chased or approached a person in either in a menacing fashion or an apparent attitude of attack or has attempted to bite or otherwise endanger any endangers a person:~~

~~B. "Nuisance dog" does not include a police dog that while being used to assist one or more law enforcement officers in the performance of official duties has chased or approached a person in either a menacing fashion or an apparent attitude of attack animal; or has attempted to bite or otherwise endanger any person:~~

~~(4) "Police(5) A dog, without provocation, that bites or otherwise inflicts injury to a person or that bites or otherwise inflicts serious injury or has killed another dog or animal.~~

~~(6) A dog" means a dog that has been trained, and may be used, to assist one or more law enforcement officers in the performance of their official duties.~~

~~(5) "Serious injury" means any of the following:~~

~~A. Any physical harm that carries a substantial risk of death:~~

~~B. Any physical harm that involves a permanent incapacity, whether partial or total, or a temporary substantial incapacity:~~

~~C. Any physical harm that involves a permanent disfigurement or a temporary, serious disfigurement:~~

~~D. Any physical harm that involves acute pain of a duration that results in substantial suffering or any degree of proloner or intractable pain:~~

~~(6) A. "Vicious dog" means a dog that, without provocation, and subject to paragraph (a)(6)B. hereof, has killed or caused serious injury to any person.~~

~~(c) Whoever violates section (a) resulting from an instance under (b)(1-3) of this section is guilty of a minor misdemeanor on the first offense and a misdemeanor of the fourth degree on a second and third offense. On the third offense the dog shall be considered a nuisance dog.~~

~~(d) Whoever violates section (a) resulting from an instance under (b)(4) of this section shall be considered a nuisance dog and is guilty of a misdemeanor of the fourth degree on a first offense and a misdemeanor of the second degree on a second and subsequent offenses.~~

~~(e) Whoever violates section (a) resulting from an instance under (b)(5) of this section shall be considered a dangerous dog and is guilty of a misdemeanor of the first degree.~~

~~(f) Whoever violates section (a) resulting from an instance under (b)(6) of this section shall be considered a vicious dog and is guilty of a misdemeanor of the first degrees if a serious injury results and felony of~~

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the fourth degree if a dog, without provocation kills any person and shall be prosecuted under appropriate State law. (O.R.C. 955.99(H)(1)(a)).

(g) In addition to the penalties provided herein, and any other rights provided by law, in any civil action to recover damages against the owner of any dog who has violated section (b)(5) or (6) above, the injured party may recover three times the amount of the actual economic damages, as economic loss may be defined in Ohio R.C. 2315.18(A)(2).

**505.09 AT LARGE.**

(a) No person being the owner of or having charge of any dog or any other animal shall permit such animal to run at large or to run upon the premises of another without the permission of such other person.

(b) No person being the owner of or having charge of any dog shall permit such dog to go beyond the premises of such owner at any time when the dog is in heat, unless such dog is properly restrained by a leash, cord, chain or similar device. The owner of any dog in heat shall at all times keep such dog either confined upon the premises of the owner or under reasonable control of some person.

B. "Vicious dog" does not include either of the following:

1. A police dog that has killed or caused serious injury to any person while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties; or

2. A dog that has killed or caused serious injury to any person while a person was committing or attempting to commit a trespass or other criminal offense on the property of the owner, keeper or harbinger of the dog.

(7) "Without provocation" means that a dog was not teased, tormented or abused by a person, or that the dog was not coming to the aid or the defense of a person who was not engaged in illegal or criminal activity and who was not using the dog as a means of carrying out such activity.

(b) (c) An at large animal in or upon any of the places mentioned in this section is *prima facie* evidence that it is an at large animal in violation of this section.

(d) Whoever violates any provision of this section is guilty of a minor misdemeanor on the first offense and a misdemeanor of the fourth degree on each subsequent offense and shall be fined, in accordance with Section 501.99.

(e) If a violation of any provision of this section hereof involves a **nuisance dog**, upon a third violation involving the same dog, the court shall require the offender to register the dog as a dangerous dog and be subject to a fine in accordance with Section 501.99.

(f) Notwithstanding the forgoing penalties, if an animal or person is seriously injured by a dog or other animal without provocation as a result of a violation of this section, then whoever violates this section is guilty of a misdemeanor of the first degree. Additionally, the court shall order the owner to personally supervise the animal, to complete dog or other obedience training within a specified period of time, and require the owner to comply with any applicable provisions of Section 505.10(a) and Section 505.11.

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~~(g) In addition to the penalties provided herein, in any civil action to recover damages against the owner of any dog who has violated section (f) above, the injured party may recover three times the amount of the actual economic damages, as economic loss may be defined in Ohio R.C. 2315.18(A)(2).~~

**505.10 DANGEROUS AND VICIOUS DOGS.**

~~(a) No owner, keeper or harborer of a dangerous or vicious dog shall fail to do either of the following, except when the dog is lawfully engaged in hunting or training for the purpose of hunting, accompanied by the owner, keeper, harborer or a handler:~~

~~(1) While ~~that~~the dog is on the premises of the owner, ~~keeper or harborer~~, securely confine it at all times in a locked pen which has a top, locked fenced yard or other locked enclosure which has a top, except that a dangerous dog may, in the alternative, be tied with a leash or tether so that the dog is adequately restrained;~~

~~(2) While ~~that~~the dog is off the premises of the owner, ~~keeper or harborer~~, keep it on a chain-link leash or tether that is not more than six feet in length, ~~controlled by a person who is of suitable age and discretion or securely attach, tie or affix the lease or tether to the ground or a stationary object or fixture so that the dog is adequately restrained~~ and additionally do at least one of the following:~~

~~(A.) Keep that dog in a locked pen which has a top, locked fenced yard or other locked enclosure which has a top; or (B) Muzzle the dog.~~

~~(b) If a violation of subsection (a)(1) or (2) hereof involves a dangerous or vicious dog, and does not result in the serious injury or killing of a person or animal, then, whoever violates that subsection is guilty of a misdemeanor of the fourth degree on a first offense and of a misdemeanor of the third degree on each subsequent offense. In addition to this penalty and the penalty provided in Section 501.99, the court may order the owner to personally supervise the dog, and/or to cause the dog to complete dog obedience training.~~

~~(c) If a violation of subsection (a)(1) or (2) hereof involves a dangerous or vicious dog, and does result in serious injury or killing of a person or animal, then, whoever violates that subsection is guilty of one of the following:~~

- ~~(1) A felony of the fourth degree if the dog causes serious injury or kills a person and punishment shall be as provided in Ohio R.C. 2929.11. B. Have the leash or tether controlled by a person who is of suitable age and discretion or securely attach, tie or affix the leash or tether to the ground or a stationary object or fixture so that the dog is adequately restrained and station such a person in close enough proximity to that dog so as to prevent it from causing injury to any person; and/or~~
- ~~C. Muzzle that dog.~~

~~(e) Additionally, the court shall order that the dangerous dog be humanely destroyed by a licensed veterinarian, the County Dog Warden or the County Humane Society at the owner's expense.~~

~~(2) A misdemeanor of the first degree if the dog causes serious injury to or kills an animal. Prosecution for the misdemeanor shall be under this section and punishment shall be as provided in~~

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Section 501.99. Additionally, the court may order the dangerous dog to be humanely destroyed by a licensed veterinarian, the County Dog Warden or the County Humane Society at the owner's expense.

(3) A misdemeanor of the second degree if the dog causes injury, other than killing or serious injury, to any person or any animal. Punishment shall be as provided in Section 501.99.

(d) In addition to the penalties provided herein, in any civil action to recover damages against the owner of any dog who has violated sections (c)(1), (c)(2) or (c)(3) above, the injured party may recover three times the amount of the actual economic damages, as economic loss may be defined in Ohio R.C. 2315.18(A)(2).

**505.11 LIABILITY INSURANCE REQUIRED.**

No owner, ~~keeper or harbinger~~ of a dangerous or vicious dog shall fail to obtain liability insurance with an insurer authorized to write liability insurance in this State providing coverage in each occurrence, subject to a limit, exclusive of interest and costs, of not less than two hundred thousand dollars (\$200,000) because of damage or bodily injury to or death of a person caused by the ~~vicious dog~~ dangerous or vicious dog. Whoever violates this section is guilty of a misdemeanor of the first degree. Punishment shall be as provided in Section 501.99.

~~(d) If a violation of Section 505.13 hereof involves a dog that is not a nuisance dog, dangerous dog, or vicious dog the offender shall be fined not less than twenty-five dollars or more than one hundred dollars on a first offense, and on a subsequent offense shall be fined not less than seventy-five dollars or more than two hundred and fifty dollars any may be imprisoned for not more than thirty days. In addition the court may order the offender to personally supervise the dog that the offender owns, keeps, or harbors, to cause that dog to complete dog obedience training, or to do both.~~

~~(e) If a violation of Section 505.13 hereof involves a nuisance dog, whoever violates that subsection is guilty of a minor misdemeanor on the first offense and of a misdemeanor of the fourth degree on each subsequent offense involving the same dog. Upon a person being convicted of or pleading guilty to a third violation of Section 505.13, involving the same dog, the court shall require the offender to register the dog as a dangerous dog. In addition, the court may order the offender to personally supervise the nuisance dog that the offender owns, keeps, or harbors, to cause that dog to complete dog obedience training, or both.~~

~~(f) If a violation of subsection (b) hereof involves a dangerous dog, then, whoever violates that subsection is guilty of a misdemeanor of the fourth degree on a first offense and of a misdemeanor of the third degree on each subsequent offense. In addition to this penalty and the penalty provided in Section 501.99, the court may order the offender to personally supervise the dangerous dog that he or she owns, keeps or harbors, to cause that dog to complete dog obedience training, or to do both, and the court may order the offender to obtain liability insurance pursuant to subsection (e) hereof. The court, in the alternative, may order the dangerous dog to be humanely destroyed by a licensed veterinarian, the County Dog warden or the County Humane Society at the owner's expense.~~

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~~(g) If a violation of subsection (b) hereof involves a vicious dog, whoever violates that subsection is guilty of one of the following:—~~

~~(1) A felony of the fourth degree if the dog kills a person. Prosecution shall be made under Ohio R.C. 955.22(D) and punishment shall be as provided in Ohio R.C. 2929.11.~~

~~Additionally, the court shall order that the vicious dog be humanely destroyed by a licensed veterinarian, the County Dog Warden or the County Humane Society at the owner's expense.~~

~~(2) A misdemeanor of the first degree if the dog causes serious injury to a person. Prosecution for the misdemeanor shall be under this section and punishment shall be as provided in Section 501.99. Prosecution for the felony shall be under Ohio R.C. 955.22(D) and punishment shall be as provided in Ohio R.C. 2929.11. Additionally, the court may order the vicious dog to be humanely destroyed by a licensed veterinarian, the County Dog Warden or the County Humane Society at the owner's expense.~~

~~(3) A misdemeanor of the first degree if the dog causes injury, other than killing or serious injury, to any person. Punishment shall be as provided in Section 501.99.~~

~~(h) Whoever violates subsection (e) hereof is guilty of a misdemeanor of the first degree. Punishment shall be as provided in Section 501.99.~~

#### **505.12 QUARANTINE.**

~~(a) Whenever it is established that any dog or other animal has bitten any person, or shows signs of being infected with rabies, the owner of such animal, upon order of the Animal Warden or Chief of Police, shall quarantine such animal in the County Dog Kennels of Cuyahoga County or in a veterinarian's kennels for a period of ten days from date of such order, at the cost and expense of the owner of such animal.~~

~~(b) In the event that the owner of such animal fails to comply with the order provided for in subsection (a) hereof, within six hours after such order has been issued and served upon such owner, the Animal Warden or any police officer of the Municipality may take such animal into custody and place the same in quarantine at the expense of the owner.~~

#### **505.13 RUNNING AT LARGE.**

~~(a) No person being the owner of any animal shall permit such animal to run at large or to run upon the premises of another without the permission of such other person.~~

~~(b) No person being the owner of a dog shall permit such dog to go beyond the premises of such owner at any time when the dog is in heat, unless such dog is properly restrained by a leash, cord, chain or similar device. The owner of any dog in heat shall at all times keep such dog either confined upon the premises of the owner or under reasonable control of some person.~~

~~(c) The running at large of any animal in or upon any of the places mentioned in this section is prima facie evidence that it is running at large in violation of this section.—~~

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~~(d) Whoever, subject to Section 505.11(d) and (e) violates any provision of this section is guilty of a minor misdemeanor on the first offense and a misdemeanor of the fourth degree on each subsequent offense.~~

~~**505.131 MAXIMUM NUMBER OF DOGS PERMITTED; PRIOR ACQUISITION NOT AFFECTED IN DWELLING.**~~

(a) No person shall own, harbor, or have the care or control of more than three (3) dogs, except puppies not over six (6) months old, in any single-family dwelling or in any separate suite in a two-family dwelling or multi-family dwelling within the VillageMunicipality. The terms "dwelling" and "suite" as used in this section include the lot or parcel of land on which the house or building is located and all accessory and out buildings located on such lot or parcel.

(b) Whoever violates any provision of this section shall be guilty of a minor misdemeanor on the first offense and a misdemeanor of the fourth degree on each subsequent offense. Each day during which a violation of this section exists shall constitute a separate offense.

~~**505.1413 DOG RUNS.**~~

Any dog run or similar construction built in order to comply with any provisions of this chapter shall comply with all of the following:

- ~~— (a) It shall be at least three (3) feet from any property line.~~
- ~~— (b) It shall have walls or a fenced perimeter at least six (6) feet high.~~
- ~~— (c) It shall not be constructed so as to include any perimeter fence on the property as one or more of its walls or sides.~~
- ~~— (d) It shall remain free of defecation and may include the installation of an underground tank for such purpose.~~
- ~~— (e) All reasonable efforts shall be expended by the owner of the animal to minimize offensive odors and to maintain the dog run in a sanitary condition.~~

~~**505.1514 KEEPING FARM ANIMALS NEAR DWELLINGS.**~~

(a) No person shall own, raise, harbor or keep any domesticfowl or farm animal within the Municipality so as to cause a nuisance condition as described in Section 505.16, 505.07, or as otherwise prohibited by this Chapter.

(b) No person shall be permitted to own, keep, harbor or maintain any horses, mules, cattle or any animal other than a domestician animal as defined in Section 505.01(b) on his or her property if such property is less than two (2) acres. If the property is two (2) acres or larger then, in order to maintain such farm

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animals, the owner shall construct on the premises, a corral or enclosure for such animals which shall be at least ten (10) feet from any property line and at least two hundred (200) feet from the dwelling, other main building on the premises or any dwelling on any adjacent property.

~~-(c)~~ The owner shall furthermore construct a barn or shed to house such farm animals which barn or shed shall be totally within the corral or enclosure referred to herein above. The floor of such barn or shed shall include channeling to dispose of animal urine by underground piping to an approved sanitary sewer or other approved sanitary disposal facility approved by the Board of Health of Cuyahoga County. The owner shall furthermore be responsible for bagging and disposing of all manure on a daily basis.

~~(e)(d)~~ There shall be provided a minimum grazing area of one (1) acre for a horse, mule or cattle/cow plus an additional 10,000 square feet of grazing for each additional such farm animal.

~~(d)(e)~~ In regard to chickens, no person shall harbor or maintain rooster(s) on his or her property. In order to harbor or maintain hens on the property, the owner shall construct a chicken coop on the premises for such animals which shall be at least ten (10) feet from any property line and at least one hundred (100) feet from any dwelling on any adjacent property.

#### **505.16 NUISANCES.**

~~Any animal which, by barking, biting, howling or in any other way or manner injures or disturbs the quiet of any person, or which destroys or damages any lawn, tree, shrub, plant, building or other property, other than the property of the owner or person in charge or control of such animal, by scratching, digging, running, defecating, urinating or otherwise, is hereby declared to be a nuisance. No person being the owner of any such animal shall permit such animal to be of or create a nuisance as herein defined.~~

#### **505.17 COMMON PIGEONS.**

~~The common pigeon is declared to be a menace to health and welfare and a source of damage to persons and property and is therefore declared to be a public nuisance and the Service Department is hereby ordered and directed to dispose of common pigeons found within the boundaries of the Municipality as it sees fit.~~

#### **505.1815 ABANDONING ANIMALS PROHIBITED.**

No person shall abandon a domestic/an animal within the Municipality.

#### **505.1916 KILLING OR INJURING ANIMALS PROHIBITED.**

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(a) No person shall maliciously or willfully kill or injure an animal that is their property or the property of another. This section does not apply to a licensed veterinarian acting in his professional capacity.

**505.20 POISONING.**

(b) No person shall maliciously or willfully administer poison to an animal that is their property or the property of another, and no person shall maliciously or willfully place any poisoned food where it may be easily found and eaten by any animal, either upon his own land or the lands of another. This section does not apply to a licensed veterinarian acting in his professional capacity.

**505.2117 CRUELTY TO ANIMALS PROHIBITED.**

No person shall overwork, overdrive, overload or torture an animal, deprive one of necessary sustenance, unnecessarily or cruelly beat, needlessly mutilate or kill, or impound or confine an animal without supplying it during such confinement with a sufficient quantity of good wholesome food or water. No person shall carry or convey an animal in a cruel or inhuman manner; or keep animals in an enclosure without wholesome exercise and change of air, or feed animals food that is adulterated or unwholesome, or work or abandon to die an old, maimed, sick, infirm or diseased animal.

**505.2218 COLORING OF RABBITS OR BABY POULTRY; ~~SALE OR DISPLAY OF POULTRY PROHIBITED.~~**

No person shall dye or otherwise color any rabbit or baby poultry, including, but not limited to, chicks and ducklings. No person shall sell, offer for sale, expose for sale, raffle or give away any rabbit or baby poultry which has been dyed or otherwise colored. No poultry younger than four weeks of age may be sold, given away or otherwise distributed to any person in lots of less than six. Stores, shops, vendors and others offering young poultry for sale or other distribution shall provide and operate brooders or other heating devices that may be necessary to maintain poultry in good health; and shall keep adequate food and water available to the poultry at all times.

**505.2319 HUNTING AND TRAPPING PROHIBITED; ~~TRAPPING.~~**

The hunting of animals or fowl within the Municipality is hereby prohibited. No person shall hunt, kill or attempt to kill any animal or fowl by the use of firearms or any other means.

**505.2420 BIRD SANCTUARY.**

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The entire corporate area of the Municipality is hereby designated as a bird sanctuary. No person shall trap or molest in any manner any bird or wild fowl or rob the nest of any bird or wild fowl.

**505.2521 ANIMALS PROHIBITED IN FOOD STORES.**

— No person shall take any animal into any store in the Municipality where food products are kept for sale unless otherwise permitted under law.

**505.26 DAMAGING PROPERTY; HEALTH NUISANCE.**

~~(a) No person who is the owner of a dog shall permit such dog to damage, destroy or deface any publicly owned property or the premises of another, or permit such dog to urinate or defecate thereon.~~

~~(b) No person shall throw or deposit or permit to be thrown or deposited any dog defecation in any street, lane, alley, tree lawn or sidewalk or other public ground or place within the Municipality.~~

~~(c) Whoever violates any provision of this section shall be guilty of a minor misdemeanor.~~

**505.99 PENALTY.**

Whoever violates any provision of this chapter for which a penalty is not otherwise provided shall be guilty of a misdemeanor of the second degree. In addition to any other fines or costs imposed under this Chapter, an Animal Owner shall be responsible for the payment of all costs incurred by the Village, including but not limited to costs incurred by the Village for boarding an Animal, to the Animal Warden, resulting from a violation of this Chapter. If not paid, the amount thereof may be certified by the Finance Director to the County Auditor to be assessed as a lien against the Owner's real property with general taxes and assessments.

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