

CHAPTER 505

ANIMALS AND FOWL

505.01 PURPOSE AND INTENT

The purpose of this chapter is to protect the public health, safety, and welfare of the residents of the Municipality by establishing reasonable regulations regarding the keeping, control, care, treatment, and ownership of animals and fowl, consistent with applicable provisions of Ohio Revised Code Chapters 901, 935, 951, 955, and 959 and Village Codified Ordinance Chapter 1105.

The Village recognizes the importance of agricultural education and youth development programs, including 4-H, FFA, school agricultural education programs, county fair projects, and similar educational activities. It is the intent of this chapter to reasonably accommodate such programs while protecting neighboring properties and preserving public health, safety, and welfare.

505.02 DEFINITIONS

For purposes of this chapter, the following words and phrases shall have the meanings set forth below unless otherwise specifically stated.

(a) Dangerous Dog

“Dangerous dog” shall have the same meaning as provided in Ohio Revised Code Section 955.11 and means a dog that, without provocation:

1. Has caused injury, other than serious injury, to any person;
2. Has killed another dog; or
3. Has been the subject of three or more violations of this chapter relating to dogs running at large.

A police dog acting in the performance of official duties shall not be considered a dangerous dog.

(b) Vicious Dog

“Vicious dog” shall have the same meaning as provided in Ohio Revised Code Section 955.11 and means a dog that, without provocation, has killed or caused serious injury to a person.

(c) Nuisance Dog

“Nuisance dog” shall have the same meaning as provided in Ohio Revised Code Section 955.11 and means a dog that, without provocation and while off the premises of its owner, keeper, or harbinger:

1. Chases or approaches a person in a menacing fashion or apparent attitude of attack; or
2. Attempts to bite or otherwise endanger any person.

(d) Menacing Fashion

“Menacing fashion” means behavior that would cause a reasonable person to believe the dog may cause physical injury.

(e) At Large

“At large” means off the premises of the owner or keeper and not under physical control by leash, fence, enclosure, tether, or direct supervision.

(f) Farm

Any parcel of land containing at least five (5) acres which is used for gain in the raising of agricultural products, livestock, poultry and dairy products. It includes necessary farm structures within the prescribed limits and the storage of equipment used. It excludes the raising of fur-bearing animals, riding academies, livery or boarding stables, and dog kennels. Codified 1129.02 (31)

(g) Fowl

“Fowl” includes chickens, ducks, geese, turkeys, and other domesticated birds commonly raised for eggs, meat, or exhibition.

(h) Wolf-Dog Hybrid

“Wolf-dog hybrid” means any animal that is the offspring of a wolf and a domestic dog, or any animal represented by its owner to contain wolf ancestry.

(i) Feral Cat

“Feral cat” means an unsocialized free-roaming cat that is not owned, confined, or regularly controlled by a person.

(j) Livestock

Domesticated animals commonly raised or maintained for agricultural, breeding, production, exhibition, or commercial purposes, including but not limited to cattle, horses, ponies, mules, donkeys, sheep, goats, swine, llamas, alpacas, poultry, rabbits, and other similar farm animals. Livestock shall not include dogs, cats, or other animals commonly maintained solely as household pets.

(k) Serious Injury

“Serious injury” shall have the same meaning as provided in Ohio Revised Code Section 955.11.

505.03 ABANDONMENT, CRUELTY, AND NEGLECT

(a) No person shall abandon any domestic animal.

(b) No person shall torture, torment, cruelly beat, poison, unnecessarily injure, deprive of necessary food or water, or otherwise neglect any animal.

(c) All animals shall be provided:

1. Adequate food and potable water;
2. Proper shelter from heat, cold, rain, snow, and excessive sunlight;
3. Veterinary care when reasonably necessary to prevent suffering.

(d) Violations of this section shall be prosecuted in accordance with Ohio Revised Code Chapter 959.

505.04 ANIMALS RUNNING AT LARGE

(a) No owner, keeper, or harbinger of any animal or fowl, including but not limited to cattle, horses, swine, sheep, goats, chickens, ducks, geese, turkeys, dogs, cats, or other domestic animals, shall permit such animal or fowl to run at large upon:

1. Any public street, alley, sidewalk, park, or public grounds;
2. Any unenclosed property; or
3. The property of another without permission.

(b) No owner, keeper, or harbinger of a dog shall fail to keep the dog under reasonable control by leash, fence, adequate enclosure, tether, or direct supervision.

(c) No owner, keeper, or harbinger of a female dog in heat shall permit the dog to leave the premises unless securely leashed.

(d) The running at large of any animal or fowl shall be prima facie evidence of a violation of this section.

(e) Any police officer, animal control officer, or authorized official may impound any animal found in violation of this section.

(f) Violations of this section shall be punished as provided by Ohio Revised Code Sections 951.99 and 955.99, as applicable.

505.05 NUISANCE CONDITIONS

(a) No person shall keep any animal or fowl in a manner that creates:

1. Excessive odor;
2. Excessive noise;
3. Unsanitary conditions;
4. Infestation by insects or rodents; or
5. Any condition detrimental to public health, safety, or welfare.

(b) No owner or person in control of a dog shall permit the dog to defecate on public or private property not owned by the person unless the feces are immediately removed and disposed of in a sanitary manner.

(c) Each day a nuisance condition exists shall constitute a separate offense.

(d) A violation of this section is a minor misdemeanor.

505.06 DOG AND CATS

Dog registration and Vaccination

(a) All dogs over three months of age shall be licensed and registered as required by Ohio Revised Code Chapter 955.

(b) All dogs and cats required by law to receive rabies vaccinations shall be vaccinated and maintained in compliance with the requirements of the Lorain County General Health District and Ohio law.

Barking or Howling Dogs

(a) No person shall keep or harbor a dog **outside** that habitually or repeatedly barks, howls, or yelps in a manner that unreasonably disturbs the peace and quiet of the neighborhood.

(b) Any person who regularly feeds, shelters, or houses a dog shall be presumed to be harboring the dog.

Animal Bites and Quarantine

(a) Any person having knowledge of an animal bite to a human shall report the bite to the local health department within twenty-four (24) hours.

(b) Any dog or cat that bites a person shall be quarantined in accordance with the requirements of the local health department and Ohio law.

(c) No person shall fail to comply with a quarantine order or rabies control order lawfully issued by the health department.

Assistance dogs

(a) Persons with disabilities accompanied by assistance dogs shall have the rights and protections provided by Ohio Revised Code Sections **955.021** and 955.43.

(b) No person shall deny lawful access to a person accompanied by a service or assistance dog as provided by law.

(c) A violation of this section shall be punished as provided by Ohio law.

Feral Cats

(a) No person shall intentionally maintain or harbor a colony of feral cats in a manner that creates a nuisance, health hazard, or danger to the public.

(b) Any person feeding feral cats shall:

1. Maintain the feeding area in a clean and sanitary condition;
2. Remove excess food and waste daily;
3. Take reasonable measures to prevent odor, insects, rodents, or property damage.

(c) No person shall permit feral cats to accumulate in numbers that create excessive noise, offensive odors, property damage, or unsanitary conditions.

(d) The Municipality may coordinate with animal control agencies, humane societies, or trap-neuter-return programs to address feral cat populations.

(e) Nothing in this section shall prohibit humane trap-neuter-return programs conducted in compliance with applicable law.

(f) A violation of this section is a minor misdemeanor.

505.07 LIVESTOCK AND AGRICULTURAL ANIMALS

Quartering of domestic livestock

(a) The quartering of domestic livestock shall be permitted only so long as the owner of such livestock owns pastureland of not less than five (5) acres in area to accommodate such stock, adequately fenced to contain same.

Agricultural Education Exception

Animals otherwise classified as livestock may be kept within the Village when they are part of a bona fide agricultural education program, including 4-H, FFA, school agricultural education, or county fair projects, provided that:

1. The animal is owned or supervised by a participating student.
2. The project is conducted for educational purposes.
3. The animal is housed and cared for in a manner that does not create a public health hazard or nuisance.
4. All applicable zoning, animal welfare, and sanitation requirements are met.
5. The Village may require proof of participation in the educational program.

505.08 CHICKENS AND FOWL

(a) Chickens may be kept within the Municipality only in compliance with this section.

(b) No person shall keep roosters within the Municipality unless they are in an A-R Agricultural Residential District as defined in codified 1129.01 (31) and 1133.01.

(c) All chickens and other permitted fowl shall be confined within a secure coop, enclosure, fenced run, or other structure sufficient to prevent the animals from roaming onto neighboring property or public areas.

- (d) Free-range chickens or other free-range fowl are prohibited.
- (e) Chicken coops and runs shall be maintained in a clean and sanitary condition so as not to create odors, insects, rodents, or other nuisance conditions.
- (f) No slaughtering of chickens or fowl shall occur outdoors or in a manner visible to the public.
- (g) No person shall keep chickens or fowl in a manner that creates excessive noise, offensive odors, unsanitary conditions, or otherwise interferes with the reasonable enjoyment of neighboring property.
- (h) A violation of this section shall constitute a minor misdemeanor, and each day a violation continues shall constitute a separate offense.

505.09 DANGEROUS DOGS

- (a) Owners, keepers, or harborers of dangerous dogs shall comply with all requirements of Ohio Revised Code Section 955.22.
- (b) Dangerous dogs shall be securely confined when on the owner's property and shall be leashed and controlled when off the property.
- (c) The owner of a dangerous dog shall immediately notify the Dog Warden if:
 - 1. The dog escapes or becomes unconfined;
 - 2. The dog bites a person; or
 - 3. The dog attacks another animal.
- (d) The owner of a dangerous dog shall maintain any liability insurance required by court order or Ohio law.
- (e) Violations of this section shall be punished in accordance with Ohio Revised Code Section 955.99.

505.10 WOLF-DOG HYBRIDS

- (a) No person shall own, keep, harbor, breed, or maintain a wolf-dog hybrid within the Municipality unless all of the following requirements are met:
 - 1. The animal is lawfully possessed under Ohio law;
 - 2. The owner maintains homeowner's, renter's, or specialty liability insurance providing coverage of not less than one hundred thousand dollars (\$100,000.00) for bodily injury or property damage caused by the animal;

3. Proof of insurance is provided to the Municipality upon request;
4. The animal is securely confined at all times in a manner that prevents escape and protects the public.

(b) No wolf-dog hybrid shall be permitted to run at large.

(c) The Municipality may require removal of any wolf-dog hybrid determined to present a danger to public safety or maintained in violation of this section.

(d) Each day a violation continues shall constitute a separate offense.

(e) A violation of this section is a **misdemeanor of the first degree**.

505.11 DANGEROUS WILD ANIMALS AND RESTRICTED SNAKES

(a) No person shall possess, harbor, transport, or maintain any dangerous wild animal or restricted snake in violation of Ohio Revised Code Chapter 935.

(b) All required warning signs, microchips, registrations, and enclosures required by Ohio law shall be maintained.

(c) No dangerous wild animal or restricted snake shall be permitted to roam off the property where confined.

(d) Violations of this section shall be punished in accordance with Ohio Revised Code Section 935.99.

505.12 ANIMAL FIGHTS

(a) No person shall engage in, promote, conduct, attend, or participate in animal fighting, including dog fighting or cockfighting.

(b) No person shall train or possess an animal for purposes of fighting.

(c) Violations of this section shall be prosecuted under Ohio Revised Code Chapter 959.

505.13 HUNTING PROHIBITED

(a) No person shall hunt, trap, kill, or attempt to kill any animal or fowl within the Municipality by firearm, bow, air rifle, or other weapon, except as otherwise permitted by law.

(b) This section shall not prohibit lawful law enforcement activities or authorized animal control activities.

(c) A violation of this section is a minor misdemeanor.

505.14 IMPOUNDING OF ANIMALS

(a) Any animal found running at large or otherwise in violation of this chapter may be impounded by law enforcement, the Dog Warden, animal control personnel, or other authorized officials.

(b) Notice of impoundment shall be provided in accordance with applicable Ohio law.

(c) An impounded animal may be redeemed by the owner upon payment of all applicable fees, costs, and proof of licensing or vaccination where required.

(d) Records of impounded animals shall be maintained by the impounding authority.

505.99 PENALTY

Unless otherwise specifically provided in this chapter or by the Ohio Revised Code, violations of this chapter shall be punishable as minor misdemeanors.

Each day a violation continues shall constitute a separate offense.
