

RECORD OF ORDINANCES

Ordinance No. _____ Passed _____, 20__

ORDINANCE ESTABLISHING ANIMAL REGULATIONS

WHEREAS, the Council of the Village of Ashley, Ohio, has determined that it is necessary to update the Codified Ordinances of the Village in order to better protect the general health, safety, and welfare of the citizens of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ASHLEY, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1. The Village of Ashley hereby adopts as part of its Codified Criminal Code the following new Chapter:

Chapter 4 - Animals

Section 1: Definitions

As used in this chapter:

- (A) Animal means any live, vertebrate creature, domestic or wild.
- (B) Domesticated means any animal which is accepted by the general public as tamable and bred as a tamed animal for the purposes of man.
- (C) Exotic means any animal which is not traditionally domesticated and is generally not native by birth to the local community.
- (D) Harbor means to feed or shelter an animal for three or more consecutive days.
- (E) Owner means any person, firm, or corporation owning, keeping, or harboring one or more animals.
- (F) Livestock means any cattle, sheep, horses, goats, and other domestic animals ordinarily raised or used on a farm; excluding fowl.
- (G) Companion animal has the same meaning as in Section 959.131 of the Ohio Revised Code.

Section 2: Harboring Animals

- (A) No household shall be permitted to own or board or harbor more than five (5) dogs that are ten (10) weeks of age or older on the premises of the household. If a household is grandfathered in with more than five (5) dogs, they do not need to get rid of any dogs above that number, but as they pass they cannot be replaced until the total number present is below five (5).
- (B) No household shall be permitted to own or board or harbor more than five domesticated cats that are ten (10) weeks of age or older on the premises. If a household is grandfathered in with more than ten (10) cats, they do not need to get rid of any cats above that number, but as they pass they cannot be replaced until the total number present is below ten (10).
- (C) No person shall own, keep, or harbor any exotic animal within the village corporation limits.
- (D) No person shall own, keep, or harbor any venomous snake or other venomous animal within

the village corporation limits.

(E) No person shall own or harbor any livestock within the village limits except when kept on a farm that is wholly or partially located within the village corporation.

(F) Exceptions:

(1) Touring animal exhibitions or circuses.

(2) Veterinarians or veterinarian clinics that treat exotic animals or other medical facilities that harbor or keep animals for the purposes of medical treatment.

(3) Educational or medical research facilities.

(4) Companies or organizations that board or house animals.

(5) Assistance Dog (must be registered as such in accordance with Ohio Revised Code 955.011).

Section 3: Animals to be Confined or Restrained

(A) Domesticated animals are to be kept confined upon the property of the owner by means of a structure, fencing, enclosure, pen, tether, leash, or other reasonable means to ensure the domesticated animals remain on the property of the owner.

(B) Domesticated animals must be restrained by a leash no more than 6' long and under the reasonable control of the owner or person who has charge of the animal while the animal is not on the owner's property, excluding fowl; except and unless the animal is being transported in a crate or other portable secure enclosure.

(C) An owner may not stake or tether an animal outside in inclement weather conditions.

Inclement weather conditions are defined as any time when the temperature is below freezing or above 90 degrees Fahrenheit.

Section 4: Animal Sanitation

(A) No owner or person charged with the care of a domestic animal or livestock, shall fail to keep said pen, enclosure, structure, or fenced area clean and clear of animal droppings, leavings, feces, soiled bedding material, or other unsanitary or unsightly animal leavings.

(B) No owner or person charged with the care of a domestic animal or livestock whose animals defecate on any public street, alleyway, public park, public right-of-way, or any other private property not belonging to or under the immediate control of the animals' owner or person charged with the care of said animal, shall fail to collect and remove said defecation.

Section 5: Animals in the Park

(A) No person shall allow any horse, cattle, goat, swine, or dog of any kind to run at large in any Village park.

(B) No person shall bring any dog into the park unless the same is held by a leash of not more than six (6) feet in length.

(C) No person shall stake or tether any animal to any park play equipment, picnic table, fence, building, shelter house, or any other apparatus within park boundaries.

Section 6: Penalty

(A) Whoever violates section 2, 3 or 4 of this ordinance is guilty of a minor misdemeanor on the first offense; and is guilty of a misdemeanor of the 4th degree on any subsequent offense occurring within a 12 month period.

(B) Whoever violates section 5 of this ordinance is guilty of a misdemeanor of the 4th degree on the first offense; and is guilty of a misdemeanor of the 3rd degree on any subsequent offense occurring within a 12 month period.

(C) Each day of continued violation(s) is considered a new violation for the purposes of enforcement.

(D) The Court shall order that an animal found to be in violation of Section 2(C) or 2(D) of this ordinance, be removed from the Village or be humanely destroyed by a licensed veterinarian the Delaware County Dog Warden, the Delaware County Humane Society, or a County or Village law enforcement officer.

1st Reading _____

2nd Reading _____

3rd Reading _____

VOTE: TO ADOPT: _____ YEA _____ NAY

APPROVED: _____
MAYOR

ATTEST: _____
FISCAL OFFICER

POSTED: _____