

CHAPTER 505

City of Willoughby: Animals and Fowl

- [505.01](#) Dangerous, nuisance and vicious dogs; dogs and other animals running at large.
- [505.02](#) Impounding and disposition. (Repealed)
- [505.03](#) Annual registration of dogs; tags required.
- [505.04](#) Abandoning animals.
- [505.05](#) Killing or injuring animals.
- [505.06](#) Poisoning animals.
- [505.07](#) Cruelty to animals generally.
- [505.071](#) Cruelty to companion animals.
- [505.072](#) Tethering animals.
- [505.08](#) Nuisance conditions prohibited.
- [505.09](#) Barking or howling dogs.
- [505.10](#) Animal bites; reports and quarantine.
- [505.11](#) Hunting and fishing.
- [505.12](#) Coloring rabbits or baby poultry; sale or display of poultry.
- [505.13](#) Use of animals for the defense of property.
- [505.14](#) Harboring of bees; abatement.
- [505.15](#) Report of escape of exotic or dangerous animal.
- [505.16](#) Feeding of wildlife.
- [505.99](#) Penalty.

CROSS REFERENCES

- See section histories for similar State law
- Power to restrain and impound animals - see Ohio R.C. 715.23
- Owner or keeper liable for damages - see Ohio R.C. 951.10
- Dog registration - see Ohio R.C. 955.01

505.01 DANGEROUS, NUISANCE AND VICIOUS DOGS; DOGS AND OTHER ANIMALS RUNNING AT LARGE.

(a) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

(1) "Dangerous dog". A dog that, without provocation, has done any of the following:

- A. Caused injury, other than killing or serious injury, to any person;
- B. Killed another dog;
- C. Been the subject of a third or subsequent violation of Division (C) of Section 955.22 of the Ohio Revised Code.

"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 dog is being used to assist law enforcement officers in the performance of their official duties.

(2) "Menacing fashion". A dog that would cause any person being chased or approached to reasonably believe that the dog will cause physical injury to that person.

(3) "Nuisance dog". A dog that without provocation and while off the premises of its owner, keeper, or harbinger has chased or approached a person in either a menacing fashion or an apparent attitude of attack or has attempted to bite or otherwise endanger any person. "Nuisance dog" does not include a police dog that while being used to assist law enforcement officers in the performance of their official duties has chased or approached a person in either a menacing fashion or an apparent attitude of attack or has attempted to bite or otherwise endanger any person.

(4) "Police dog". 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".

- 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 prolonged or intractable pain.

(6) "Vicious dog".

- A. A dog that without provocation and subject to Division B. of this definition has killed or caused serious injury to any 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 dog is being used to assist law enforcement officers in the performance of their official duties;
 - 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". A dog acts "without provocation" when it was not teased, tormented, or abused by a person, or it 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) A person who is the owner or has charge of any animal shall not permit it to run at large in the public road, highway, street, lane, or alley, or upon unenclosed land, or permit them to go upon any private yard, lot, or enclosure without the consent of the owner of the yard, lot, or enclosure.

(c) No person shall cause animals to be herded, kept, or detained for the purpose of grazing on premises other than those owned or occupied by the owner or keeper thereof without the consent of the owner of the premises.

(d) The running at large of such animal in or upon any of the places mentioned in Divisions (b) or (c) above is prima facie evidence that it is running at large in violation of this section.

(e) No owner, keeper, or harbinger of any female dog shall permit it to go beyond the premises of the owner, keeper, or harbinger at any time the dog is in heat unless the dog is properly in leash.

(f) Except when a dog is lawfully engaged in hunting and accompanied by the owner, keeper, harbinger, or

handler of the dog, no owner, keeper, or harbinger of any dog shall fail at any time to do either of the following:

(1) Keep the dog physically confined or restrained upon the premises of the owner, keeper, or harbinger by a leash, tether, adequate fence, supervision, or secure enclosure to prevent escape;

(2) Keep the dog under the reasonable control of some person.

(g) Except when a dangerous dog is lawfully engaged in hunting or training for the purpose of hunting and is accompanied by the owner, keeper, harbinger, or handler of the dog, no owner, keeper, or harbinger of a dangerous dog shall fail to do either of the following:

(1) While the dog is on the premises of the owner, keeper, or harbinger, securely confine it at all times in a locked pen that has a top, locked fenced yard, or other locked enclosure that has a top.

(2) While the dog is off the premises of the owner, keeper, or harbinger, keep the dog on a chain-link leash or tether that is not more than six (6) feet in length and additionally do at least one of the following: keep the dog in a locked pen that has a top, locked fenced yard, or other locked enclosure that has a top; 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 a person in close enough proximity to that dog so as to prevent it from causing injury to any person; or muzzle that dog.

(h) No person who has been convicted of or pleaded guilty to three or more violations of subsection (f) hereof involving the same dog and no owner, keeper, or harbinger of a dangerous dog shall fail to do the following:

(1) Obtain liability insurance with an insurer authorized to write liability insurance in this State providing coverage in each occurrence because of damage or bodily injury to or death of a person caused by the dangerous dog if so ordered by a court and provide proof of that liability insurance upon request to any law enforcement officer, County Dog Warden, or public health official charged with enforcing this section;

(2) Obtain a dangerous dog registration certificate from the County Auditor, affix a tag that identifies the dog as a dangerous dog to the dog's collar and ensure that the dog wears the collar and tag at all times;

(3) Notify the local Dog Warden immediately if any of the following occurs:

A. The dog is loose or unconfined;

B. The dog bites a person, unless the dog is on the property of the owner of the dog, and the person who is bitten is unlawfully trespassing or committing a criminal act within the boundaries of that property;

C. The dog attacks another animal while the dog is off the property of the owner of the dog;

(4) If the dog is sold, given to another person, or dies, notify the County Auditor within ten (10) days of the sale, transfer, or death.

(i) No person shall do any of the following:

(1) Debark or surgically silence a dog that the person knows or has reason to believe is a dangerous dog;

(2) Possess a dangerous dog if the person knows or has reason to believe that the dog has been debarked or surgically silenced;

(3) Falsely attest on a waiver form provided by the veterinarian under division (j) of this section that the person's dog is not a dangerous dog or otherwise provide false information on that written waiver form.

(j) Before a veterinarian debarks or surgically silences a dog, the veterinarian may give the owner of the dog a written waiver form that attests that the dog is not a dangerous dog. The written waiver form shall include all of the following:

(1) The veterinarian's license number and current business address;

(2) The number of the license of the dog if the dog is licensed;

(3) A reasonable description of the age, coloring, and gender of the dog as well as any notable markings on the dog;

(4) The signature of the owner of the dog attesting that the owner's dog is not a dangerous dog;

(5) A statement that division (F) of Ohio R.C. 955.22 prohibits any person from doing any of the following:

A. Debarking or surgically silencing a dog that the person knows or has reason to believe is a dangerous dog;

B. Possessing a dangerous dog if the person knows or has reason to believe that the dog has been debarked or surgically silenced;

C. Falsely attesting on a waiver form provided by the veterinarian under division (G) of Ohio R.C.

955.22 that the person's dog is not a dangerous dog or otherwise provide false information on that written waiver form.

(k) It is an affirmative defense to a charge of a violation of Division (i) of this section that the veterinarian who is charged with the violation obtained, prior to debarking or surgically silencing the dog, a written waiver form that complies with Division (j) of this section and that attests that the dog is not a dangerous dog.

(l) Whoever violates Divisions (b) or (c) of this section is guilty of a misdemeanor of the fourth degree. (ORC 951.99)

(m) (1) Whoever violates Divisions (e) or (f) of this section that involves a dog that is not a nuisance dog, dangerous dog, or vicious dog shall be fined not less than twenty-five dollars (\$25.00) or more than one hundred dollars (\$100.00) on a first offense; and on each subsequent offense shall be fined not less than seventy-five dollars (\$75.00) or more than two hundred fifty dollars (\$250.00) and may be imprisoned for not more than thirty (30) days.

(2) In addition to the penalties prescribed in Division (m)(1) above, if the offender is guilty of a violation of Division (e) or (f) of this section that involves a dog that is not a nuisance dog, dangerous dog, or vicious dog, 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.

(n) (1) Whoever commits a violation of Division (f) of this section that involves a nuisance dog 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 Division (f) of this section involving the same dog, the court shall require the offender to register the involved dog as a dangerous dog.

(2) In addition to the penalties prescribed in Division (n)(1) above, if a violation of Division (f) of this section involves a nuisance dog, 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 to do both.

(o) Whoever commits a violation of Division (f) or (g) of this section that involves a dangerous dog, 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. Additionally, the court may order the offender to personally supervise the dangerous dog that the offender 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 division (h) of this section. 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. With respect to a violation of Division (f) of this section that involves a dangerous dog, until the Court makes a final determination and during the pendency of any appeal of a violation of that division and at the discretion of the Dog Warden, the dog shall be confined or restrained in accordance with Division (g) of this section or at the County Dog Pound at the owner's expense.

(p) Whoever commits a violation of division (f) of this section that involves a vicious dog is guilty of one of the following:

(1) A misdemeanor of the first degree if the dog causes serious injury to a person. 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.

(2) A felony of the fourth degree if the dog kills a person. 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.

(q) Whoever violates Division (h) (1),(3), or (4) of this section is guilty of a minor misdemeanor.

(r) Whoever violates Division (h)(2) of this section is guilty of a misdemeanor of the fourth degree.

(s) Whoever violates Division (i) of this section is guilty of a felony of the fourth degree to be prosecuted under appropriate state law. Additionally, the Court shall order that the dog involved in the violation be humanely destroyed by a licensed veterinarian, the County Dog Warden, or the County Humane Society.

(Ord. 2012-103. Passed 10-2-12.)

505.02 IMPOUNDING AND DISPOSITION. (REPEALED)

(EDITOR'S NOTE: Former Section [505.02](#) was repealed by Ordinance 1987-172, passed September 1, 1987.)

505.03 ANNUAL REGISTRATION OF DOGS; TAGS REQUIRED.

(a) Except for guide, leader or listener dogs, or dogs in training to become guide, leader or listener dogs, registered under Ohio R.C. 955.011, and dogs kept by an institution or organization for teaching and research purposes under Ohio R.C. 955.16, no owner, keeper or harbinger of a dog more than three months of age, nor owner of a dog kennel, shall fail to file an application for registration required by Ohio R.C. 955.01, nor shall he or she fail to pay the legal fee therefor.

(ORC 955.21)

(b) Whoever violates this section shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for a first offense. For each subsequent offense, such person shall be fined not less than seventy-five dollars (\$75.00) nor more than two hundred fifty dollars (\$250.00) and may be imprisoned for not more than thirty days.

(ORC 955.99(E)(1))

505.04 ABANDONING ANIMALS.

(a) No owner or keeper of a dog, cat or other domestic animal shall abandon such animal. (ORC 959.01)

(b) Whoever violates this section is guilty of a misdemeanor of the second degree on a first offense and a misdemeanor of the first degree on each subsequent offense.

(ORC 959.99)

505.05 KILLING OR INJURING ANIMALS.

(a) No person shall maliciously, or willfully, and without the consent of the owner, kill or injure a farm animal, dog, cat, or other domestic animal that is the property of another. This section does not apply to a licensed veterinarian acting in an official capacity, or to trespassing animals as set forth in Ohio R.C. 959.04. (ORC 959.02; Adopting Ordinance)

(b) Except as otherwise provided herein, whoever violates this section is guilty of a misdemeanor of the first degree.

(Ord. 1999-8. Passed 1-5-99.)

505.06 POISONING ANIMALS.

(a) No person shall maliciously, or willfully and without the consent of the owner, administer poison, except a licensed veterinarian acting in such capacity, to a farm animal, dog, cat, poultry or other domestic animal that is the property of another; and no person shall, willfully and without the consent of the owner, place any poisoned food where it may be easily found and eaten by any such animals, either upon his or her own lands or the lands of another. This section does not apply to trespassing animals as set forth in Ohio R.C. 959.04.

(ORC 959.03; Adopting Ordinance)

(b) Whoever violates this section is guilty of a misdemeanor of the first degree.
(Ord. 1999-8. Passed 1-5-99.)

505.07 CRUELTY TO ANIMALS GENERALLY.

(a) No person shall:

(1) 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 the confinement with a sufficient quantity of good wholesome food and water;

(2) Impound or confine an animal without affording it, during the confinement, access to shelter from wind, rain, snow, or excessive direct sunlight. "Shelter" means an artificial enclosure, windbreak, sunshade, or natural windbreak or sunshade that is developed from the earth's contour, tree development, or vegetation. The shelter shall be appropriate to the animal's size, weight, and other characteristics, with sufficient space to allow the animal to turn about freely and lie in a normal position;

(3) Keep any animal in a place that is unsanitary, including any place where there is an accumulation of feces or other waste, or foul odor, or insect or rodent infestation;

(4) Carry or convey an animal in a cruel or inhuman manner;

(5) Keep animals other than cattle, poultry or fowl, swine, sheep, or goats in an enclosure without wholesome exercise and change of air, nor feed cows on food that produces impure or unwholesome milk;

(6) Detain livestock in railroad cars or compartments longer than 28 hours after they are so placed without supplying them with necessary food, water, and attention, nor permit the stock to be so crowded as to overlie, crush, wound, or kill each other.

(b) Upon the written request of the owner or person in custody of any particular shipment of livestock, which written request shall be separate and apart from any printed bill of lading or other railroad form, the length of time in which the livestock may be detained in any cars or compartment without food, water, and attention may be extended to 36 hours without penalty therefor. This section does not prevent the dehorning of cattle.

(ORC 959.13)

(c) Whoever violates this section is guilty of a misdemeanor of the first degree. In addition, the court may order the offender to forfeit the animal or livestock and may provide for its disposition, including, but not limited to, the sale of the animal or livestock. If an animal or livestock is forfeited and sold pursuant to this subsection, the proceeds from the sale first shall be applied to pay the expenses incurred with regard to the care of the animal from the time it was taken from the custody of the former owner. The balance of the proceeds from the sale, if any, shall be paid to the former owner of the animal.

(Adopting Ordinance; Ord. 1999-8. Passed 1-5-99; Ord. 2015-56. Passed 6-9-15.)

505.071 CRUELTY TO COMPANION ANIMALS.

(a) As used in this section:

(1) "Companion animal" means any animal that is kept inside a residential dwelling and any dog or cat regardless of where it is kept, including a pet store as defined in Ohio R.C. 956.01. "Companion animal" does not include livestock or any wild animal.

(2) "Cruelty", "torment" and "torture" have the same meanings as in Ohio R.C. 1717.01.

(3) "Residential dwelling" means a structure or shelter or the portion of a structure or shelter that is used by one or more humans for the purpose of a habitation.

(4) "Practice of veterinary medicine" has the same meaning as in Ohio R.C. 4741.01.

(5) "Wild animal" has the same meaning as in Ohio R.C. 1531.01.

(6) "Federal animal welfare act" means the "Laboratory Animal Act of 1966", Pub. L. No. 89-544, 80 Stat. 350 (1966), 7 U.S.C.A. 2131 et seq., as amended by the "Animal Welfare Act of 1970", Pub. L. No. 91-579, 84 Stat. 1560 (1970), the "Animal Welfare Act Amendments of 1976", Pub. L. No. 94-279, 90 Stat. 417 (1976), and the "Food Security Act of 1985", Pub. L. No. 99-198, 99 Stat. 1354 (1985), and as it may be subsequently amended.

(7) "Dog kennel" means an animal rescue for dogs that is registered under Ohio R.C. 956.06, a boarding kennel or a training kennel.

(b) No person shall knowingly torture, torment, needlessly mutilate or maim, cruelly beat, poison, needlessly kill, or commit an act of cruelty against a companion animal.

(c) No person who confines or who is the custodian or caretaker of a companion animal shall negligently do any of the following:

(1) Torture, torment or commit an act or cruelty against the companion animal;

(2) Deprive the companion animal of necessary sustenance, or confine the companion animal without supplying it during the confinement with sufficient quantities of good, wholesome food and water, if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result of or due to the deprivation or confinement;

(3) Impound or confine the companion animal without affording it, during the impoundment or confinement, with access to shelter from heat, cold, wind, rain, snow, or excessive direct sunlight if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result of or due to the lack of adequate shelter.

(d) No owner, manager or employee of a dog kennel who confines or is the custodian or caretaker of a companion animal shall negligently do any of the following:

(1) Torture, torment, or commit an act of cruelty against the companion animal;

(2) Deprive the companion animal of necessary sustenance, or confine the companion animal without supplying it during the confinement with sufficient quantities of good, wholesome food and water, if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result of or due to the deprivation or confinement;

(3) Impound or confine the companion animal without affording it, during the impoundment or confinement, with access to shelter from heat, cold, wind, rain, snow or excessive direct sunlight if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result of or due to the lack of adequate shelter.

(e) Subsections (b), (c) and (d) of this section do not apply to any of the following:

(1) A companion animal used in scientific research conducted by an institution in accordance with the federal animal welfare act and related regulations;

(2) The lawful practice of veterinary medicine by a person who has been issued a license, temporary permit, or registration certificate to do so under Ohio R.C. Chapter 4741;

(3) Dogs being used or intended for use for hunting or field trial purposes, provided that the dogs are being treated in accordance with usual and commonly accepted practices for the care of hunting dogs;

(4) The use of common training devices, if the companion animal is being treated in accordance with usual and commonly accepted practices for the training of animals;

(5) The administering of medicine to a companion animal that was properly prescribed by a person who has been issued a license, temporary permit, or registration certificate under Ohio R.C. Chapter 4741.

(ORC 959.131)

(f) (1) Whoever violates subsection (b) hereof is guilty of a misdemeanor of the first degree on a first offense. On each subsequent offense such person is guilty of a felony and shall be prosecuted under appropriate State law.

(2) Whoever violates subsection (c) hereof is guilty of a misdemeanor of the second degree on a first offense and a misdemeanor of the first degree on each subsequent offense.

(3) Whoever violates subsection (d) hereof is guilty of a misdemeanor of the first degree.

(4) A. A court may order a person who is convicted of or pleads guilty to a violation of this section to forfeit to an impounding agency, as defined in Ohio R.C. 959.132, any or all of the companion animals in that person's ownership or care. The court also may prohibit or place limitations on the person's ability to own or care for any companion animals for a specified or indefinite period of time.

B. A court may order a person who is convicted of or pleads guilty to a violation of this section to reimburse an impounding agency for the reasonably necessary costs incurred by the agency for the care of a companion animal that the agency impounded as a result of the investigation or prosecution of the violation, provided that the costs were not otherwise paid under Ohio R.C. 959.132.

(5) If a court has reason to believe that a person who is convicted of or pleads guilty to a violation of this section suffers from a mental or emotional disorder that contributed to the violation, the court may impose as a community control sanction or as a condition of probation a requirement that the offender undergo psychological evaluation or counseling. The court shall order the offender to pay the costs of the evaluation or counseling.

(ORC 959.99)

505.072 TETHERING ANIMALS.

- (a) "Tethering" means a rope, chain, cord, dog run or pulley, or similar restraint for holding an animal in place, allowing a radius in which it can move about.
- (b) The tethered animal shall be:
- (1) Provided a house or shelter that will provide shade, protection from snow, rain, or other inclement weather.
 - (2) Provided adequate water and food on a daily basis. Water shall be provided on an "as needed" basis.
 - (3) Attached by a tether that is a minimum of twenty feet (20') in length.
 - (4) Provided access to a surface of grass, properly drained, with enough area to permit the animal to freely move about without risk of entanglement or to cause injury.
- (c) The tethered animal shall not:
- (1) Be allowed to continuously bark or make other noise that can be heard on the surrounding property.
 - (2) Enter the property of another.
 - (3) Have a tether attached with a prong type, pinch type, or choke type collar, or a collar that will cause injury to the animal.
- (d) No animal will be tethered if a law enforcement officer requests that the tether not be used as a result of this section.
- (e) Whoever violates this section is guilty of a minor misdemeanor on the first offense, a misdemeanor of the fourth degree on the second offense, and a misdemeanor of the first degree on the third or any subsequent offense. Notwithstanding the foregoing penalties, if an animal becomes sick or injured as a result of a violation of this section, then whoever violates this section is guilty of a misdemeanor of the first degree. (Ord. 2015-56. Passed 6-9-15.)

505.08 NUISANCE CONDITIONS PROHIBITED.

(a) No person shall keep or harbor any animal or fowl in the Municipality so as to create noxious, or offensive odors or unsanitary conditions which are a menace to the health, comfort or safety of the public.

(b) Whoever violates this section is guilty of a minor misdemeanor. If the offender has previously been convicted of an offense under this section or Section [505.09](#), the penalty shall be a misdemeanor of the fourth degree.

(Ord. 1987-200. Passed 9-15-87.)

505.09 BARKING OR HOWLING DOGS.

(a) No person shall keep or harbor any dog within the Municipality which, by frequent and habitual barking, howling or yelping, creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the Municipality. Any person who shall allow any dog habitually to remain, be lodged or fed within any dwelling, building, yard or enclosure, which he or she occupies or owns, shall be considered as harboring such dog.

(b) Whoever violates this section is guilty of a minor misdemeanor. If the offender has previously been convicted of an offense under this section or Section [505.08](#), the penalty shall be a misdemeanor of the fourth degree.

(Ord. 2003-20. Passed 2-4-03.)

505.10 ANIMAL BITES; REPORTS AND QUARANTINE.

(a) Whenever any person is bitten by a dog or other animal, report of such bite shall be made to the Health Commissioner within twenty-four hours. Whenever it is reported to the Health Commissioner that any dog or cat has bitten a person, that dog or cat shall be quarantined under an order issued by the Health Commissioner. The dog or cat shall be quarantined by its owner or by a harbinger, or shall be quarantined in a pound or kennel. In all cases, such quarantine shall be under the supervision of the Health Commissioner and shall be at the expense of the owner or harbinger. Quarantine shall continue until the Health Commissioner determines that the dog or cat is not afflicted with rabies. The quarantine period hereby required shall not be less than ten days from the date on which the person was bitten. If at any time during the quarantine, the Health Commissioner requires the dog or cat to be examined for symptoms of rabies, then the examination shall be by a licensed doctor of veterinary medicine. The veterinarian shall report to the Health Commissioner the conclusions reached as a result of the examinations. The examination by a veterinarian shall be at the expense of the owner or harbinger. No dog or cat shall be released from the required quarantine unless and until it has been properly vaccinated against rabies.

No person shall fail to comply with the requirements of this section or with any order of the Health Commissioner made pursuant thereto, nor fail to immediately report to the Health Commissioner any symptoms or behavior suggestive of rabies.

(b) Whoever violates this section is guilty of a minor misdemeanor.

505.11 HUNTING AND FISHING.

(a) No person shall hunt or trap upon any lands, pond or lake, or shoot, shoot at, catch, kill, injure or pursue a wild bird, wild waterfowl or other wild animal within the City.

(Ord. 1953-82. Passed 11-23-53.)

(b) No person shall fish from any portion of any dam, bridge, viaduct or other structure spanning the Chagrin River or any tributaries thereof within the City.

(Ord. 1969-80. Passed 9-22-69.)

(c) Whoever violates this section is guilty of a minor misdemeanor.

505.12 COLORING RABBITS AND BABY POULTRY; SALE OR DISPLAY OF POULTRY.

(a) 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.

(ORC 925.62)

(b) Whoever violates this section is guilty of a misdemeanor of the fourth degree on a first offense; each subsequent offense is a misdemeanor of the third degree.

(ORC 925.99(B))

505.13 USE OF ANIMALS FOR THE DEFENSE OF PROPERTY.

(a) No person shall use or employ specially trained attack dogs or any other animal capable of attacking or inflicting physical harm to human beings in the protection of any property or premises within the City without first having registered the premises so protected with the Department of Public Safety.

(b) All persons using or employing a dog or other animal for the purposes set forth in subsection (a) hereof shall register the same with the Police Division on forms to be furnished by the Division. A conspicuous notice and warning of the employment or of the use of such dog or animal shall be placed at the front or main entrance or doorway to the premises by the person using or employing such dog or animal.

(c) Whoever violates or fails to comply with any of the provisions of this section is guilty of a minor misdemeanor on a first offense; on each subsequent offense such person is guilty of a misdemeanor of the fourth degree.

(Bill 1974-137. Passed 5-6-74.)

505.14 HARBORING OF BEES; ABATEMENT.

(a) It is hereby declared a nuisance for any person to keep or harbor bees which cause damage to the person or property of others.

(b) Upon complaint being made, the Director of Public Safety be, and he hereby is, authorized and directed to notify the owner or keeper of the bees to abate the nuisance and to remove the hives or other contrivances where the bees are kept or harbored within ten days after being notified thereof.

(c) Whoever violates any of the provisions of this section is guilty of a minor misdemeanor. After the notification in subsection (b) hereof and the expiration of ten days, each day such nuisance continues shall be a separate offense.

(Ord. 1983-57. Passed 3-15-83.)

505.15 REPORT OF ESCAPE OF EXOTIC OR DANGEROUS ANIMAL.

(a) The owner or keeper of any member of a species of the animal kingdom that escapes from his or her custody or control and that is not indigenous to this State or presents a risk of serious physical harm to persons or property, or both, shall, within one hour after he or she discovers or reasonably should have discovered the escape, report it to:

(1) A law enforcement officer of the Municipality and the sheriff of the county where the escape occurred; and

(2) The Clerk of the Municipality Legislative Authority.

(b) If the office of the Clerk of the Legislative Authority is closed to the public at the time a report is required by subsection (a) hereof, then it is sufficient compliance with subsection (a) hereof if the owner or keeper makes the report within one hour after the office is next open to the public.

(c) Whoever violates this section is guilty of a misdemeanor of the first degree.

(ORC 2927.21)

505.16 FEEDING OF WILDLIFE.

(a) No person shall feed any wild animal, bird, or other wildlife in the front yard setback as defined in Section [1131.06\(a\)](#) of the Codified Ordinances.

(b) No person shall feed any wild animal, bird, or other wildlife in the side yard setback as defined in Section [1131.06\(b\)](#) of the Codified Ordinances.

(c) No person shall feed any wild animal, bird, or other wildlife other than in suitable containers for food elevated at least forty-eight inches above the ground level and of such design and construction as to minimize the potential for food and/or seed from spilling or dropping to the ground.

(d) After such feeding, such food shall not be allowed to remain where it is accessible to rodents, insects, or other animals.

(e) Such feeding shall be allowed so long as it does not create a nuisance or interfere with another's property. Such nuisance activity shall include, but not be limited to: excessive animal noise; excessive amount of animal droppings; attracting enough animals to burden neighboring properties; and garbage left where it may attract wildlife or debris that may provide a nesting area.

(f) Upon complaint being made, the Chief Building and Zoning Inspector is hereby authorized and directed to investigate whether a nuisance exists. If the feeding activity is at such a level to constitute a nuisance, the Chief Building and Zoning Inspector or his duly authorized designee, shall notify the owner of the property in violation of this Section to abate the nuisance within ten (10) days after being notified thereof.

(g) Whoever violates any of the provisions of this section is guilty of a minor misdemeanor. After the notification in subsection (d) hereof and the expiration of ten (10) days, each day such nuisance continues shall be a separate offense.

(Ord. 2004-36. Passed 3-16-04.)

505.99 PENALTY.

(EDITOR'S NOTE: See Section [501.99](#) for penalties applicable to any misdemeanor classification.)