

City of Akron: Chapter 92 - ANIMALS

**Sections:**

92.01 - Running at large.

A. For the purpose of this chapter:

1. "At large." Off the premises of the owner and not under restraint by leash, cord, wire, strap, chain, or similar device or fence or secure enclosure adequate to contain the animal.
2. "Stray." An animal running at large without identification.
3. "Identification." A valid registration tag issued by the county of registration or, if registration of the animal is not required by law, identification shall mean a collar, tag or microchip worn by the animal at the time the animal is apprehended, which either includes the current name, address and telephone number of the owner, keeper or harbinger, or refers to a national registration database designated or approved by the City of Akron, which database includes the current name, home address and telephone number of the owner, keeper or harbinger.

B. No person being the owner, keeper or harbinger of or having charge of horses, mules, cattle, sheep, goats, swine, dogs, cats, geese, or other fowl or animals shall permit the same, except homing pigeons bearing official bands, to run at large on any public way or on any public ground or upon the private property of another.

C. No owner, keeper or harbinger of any female dog shall permit such dog to go beyond the premises of such owner or keeper at any time such dog is in heat, unless such dog is properly in leash. The owner or keeper of every dog shall at all times keep such dog either confined upon the premises of the owner or keeper, or under reasonable control of some person.

D. The running at large of any such animal in or on any of the places mentioned in this section is prima facie evidence that it is running at large in violation of this section. Penalty, see § 92.99. (R.C. §§ 951.02, 955.22)

(Ord. 109-2004; Ord. 332-2002; Ord. 728-1973; Ord. 231-1973; Ord. 721-1957)

92.02 - Abandoning animals.

No owner or keeper of a dog, cat or other domestic animal shall abandon such animal. Penalty, see § 92.99. (R.C. § 959.01)

(Ord. 728-1973)

92.03 - Killing or injuring animals.

No person shall maliciously, or willfully and without the consent of the owner, kill or injure any animal that is the property of another. This section does not apply to a licensed veterinarian acting in an official capacity or an animal warden or dog warden acting pursuant to this chapter or provisions of the Ohio Revised Code. Penalty, see § 92.99. (R.C. § 959.02)

(Ord. 728-1973)

92.04 - Poisoning animals.

No person shall maliciously, or willfully and without the consent of the owner, administer poison, except a licensed veterinarian acting in such capacity, to any 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 of such animals, either on his own lands or the lands of another. Penalty, see § 92.99. (R.C. § 959.03)

(Ord. 728-1973)

#### 92.05 - Cruelty to animals.

- A. For the purpose of this section, "shelter" shall mean a man-made enclosure, windbreak, or sunshade or a natural wind break or sunshade that is developed from the earth's contour, tree development, or vegetation.
- B. 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 such confinement with a sufficient quantity of good wholesome food and water;
  - 2. Impound or confine an animal without affording it, during such confinement, access to shelter from heat, cold, wind, rain, snow or excessive direct sunlight if it can reasonably be expected that the animal would otherwise become sick or in some other way suffer. This subsection does not apply to animals impounded or confined prior to slaughter;
  - 3. Carry or convey an animal in a cruel or inhumane manner; or
  - 4. Keep animals, other than cattle, poultry, or fowl, swine, sheep or goats, in an enclosure without wholesome exercise and change of air, or feed cows on food that produces impure or unwholesome milk. Penalty, see § 92.99
- C. In addition to the penalty provided for in § 92.99, the Court may order the offender to forfeit the animal.

(R.C. § 959.13)

(Ord. 95-2015)

#### 92.051 - Neglect of animals.

- A. No owner or keeper of a dog, cat, or other domestic animal shall cause any condition that may lead to permanent injury, death, or harm to such animal, including confining an animal in a motor vehicle under any conditions that may endanger the well being of the domestic animal.
- B. No person shall 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.
- C. No person who owns or keeps an animal shall fail to provide the animal all of the following needs:
  - 1. Clean, potable drinking water at all times, and suitable food, of sufficient quality and quantity as to ensure normal growth and the maintenance of normal body weight;
  - 2. Food and water receptacles that are kept clean and disinfected, and located so as to avoid contamination by feces or other wastes;
  - 3. Regular exercise sufficient to maintain the animal's good health;
  - 4. Necessary veterinary care;
  - 5. Shelter from the elements, including heat, cold, wind, rain, snow or excessive direct sunlight. If the animal is housed outside, a structure for shelter and protection must be provided that is suitable for the species, age, condition, size, and type of that animal. The structure must be

completely enclosed and insulated, having a single entrance/exit secured with a flap or door or similar device. The structure shall be moisture-resistant, wind-resistant, and of suitable size and type to allow the animal to stand, turn about freely, lie in a normal position, and regulate proper body temperature. The structure shall be made of a durable material with a solid, moisture-proof floor and a floor raised at least two (2) inches from the ground. Suitable drainage shall be provided so that water cannot be reasonably expected to gather and stand within ten (10) feet of the structure, and so the animal has access to a dry area at all times. Proper bedding of straw or similar material, that remains dry, must be utilized inside the structure. All structures required by this section shall be subject to all building and zoning regulations.

- D. No person who shelters an animal from the elements by means of an animal shelter, a cage, or a pen shall fail to conform it to the following requirements:
  - 1. The shelter, cage or pen 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;
  - 2. The shelter, case or pen shall provide sufficient shade to allow the animal to escape the direct rays of the sun at all times;
  - 3. The shelter, cage or pen shall be regularly cleaned and sanitized.
- E. No owner of a domestic animal shall fail to bring that animal indoors, into the habitable, temperature-controlled portion of the residence, if either of the following have been issued by the national weather service or a local or state authority:
  - 1. Heat or cold advisory; or
  - 2. Severe weather warning.

(Ord. 95-2015)

#### 92.052 - Tethering animals.

- A. No person shall tether an animal in any of the following circumstances:
  - 1. For more than six (6) hours total in a twenty-four (24) hour period or for more than three (3) consecutive hours with less than a one (1) hour period between tetherings;
  - 2. Between the hours of 10:00 p.m. and 6:00 a.m.;
  - 3. If a heat or cold advisory has been issued by a local or state authority or the national weather service;
  - 4. If a severe weather warning has been issued by a local or state authority or the national weather service;
  - 5. If the length of the tether is less than five times the length of the animal;
  - 6. If the tether allows the animal to touch the fence or cross the property line or cross onto public property;
  - 7. If the tether is attached by means of a pinch-type, prong-type, or choke-type collar or if the collar is unsafe or is not properly fitted;
  - 8. If the tether may cause injury or entanglement;
  - 9. If the animal is not provided with its needs as identified in Division (C) of Section 92.051;
  - 10. If the tether is made of a material that is unsuitable for the animal's size and weight or that causes any unnecessary discomfort to the animal;
  - 11. If no owner or occupant is present at the premises.

- B. As used in this section, "tether" 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.

(Ord. 95-2015)

92.06 - Coloring rabbits and baby poultry—Sale or display.

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. Penalty, see § 92.99. (R.C. § 925.62)

(Ord. 728-1973)

92.07 - Animal fights.

No person shall engage in or be employed at dogfighting, cockfighting, bear-baiting, pitting an animal against another or cruelty to animals; no person shall receive money for the admission of another to a place kept for such purpose; no person shall use, train or possess a dog or other animal for seizing, detaining or mistreating a domestic animal. Any person who knowingly purchases a ticket of admission to such place, or is present thereat or witnesses such spectacle, is an aider and abettor. Penalty, see § 92.99. (R.C. § 959.15)

(Ord. 728-1973)

92.08 - Registration of dogs required.

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 R.C. § 955.01, nor shall he fail to pay the legal fee therefor. Penalty, see § 92.99. (R.C. § 955.21)

(Ord. 728-1973)

92.09 - Hindering capture of unlicensed dog.

No person shall obstruct or interfere with anyone lawfully engaged in capturing an unlicensed dog or making an examination of a dog wearing a tag. Penalty, see § 92.99. (R.C. § 955.24)

(Ord. 728-1973)

92.10 - Unlawful tags.

No person shall own, keep or harbor a dog wearing a fictitious, altered or invalid registration tag or a registration tag not issued by the County Auditor in connection with the registration of such animal. Penalty, see § 92.99. (R.C. § 955.25)

(Ord. 728-1973)

92.11 - Vaccination for rabies—Quarantine.

- A. The owner, keeper or harbinger of any dog licensed or unlicensed shall procure a vaccination for rabies by a licensed veterinarian within thirty days after the dog has reached the age of three months.
1. Every dog initially vaccinated must be revaccinated one year later and thereafter at not more than thirty-six month intervals based on the type of vaccine being used, the nature of the rabies in the community or the current *Compendium of Animal Rabies Vaccines* prepared by the National Association of State Public Health Veterinarians, Inc.
  2. Unvaccinated dogs acquired or moved into the corporate limits of the City must be vaccinated within thirty days after purchase, acquisition or arrival unless under the age of three months.
  3. Each veterinarian who vaccinates or revaccinates a dog against rabies shall complete a certificate of rabies vaccination. The certificate shall include the following:
    - a. Description of dog;
    - b. Names and address of owner, keeper or harbinger;
    - c. Date of vaccination or revaccination;
    - d. Type of vaccine administered;
    - e. Rabies vaccination tag number; and
    - f. Veterinarian's name and address.
  4. Each veterinarian who vaccinates or revaccinates a dog shall, without delay, distribute a copy of certificate to the dog owner and to the Summit County Animal Control Warden's office. A copy shall be retained by the veterinarian.
  5. Each veterinarian who vaccinates or revaccinates a dog shall issue a durable rabies vaccination tag. The rabies vaccination tag should conform in shape and color to the recommendation of the *Compendium of Animal Rabies Vaccines* prepared by the National Association of State Public Health Veterinarians, Inc. The rabies vaccination tag shall be securely fastened to the collar or harness of the dog.
- B. No person shall violate a rabies quarantine order issued under R.C. § 955.26. Penalty, see § 92.99. (R.C. § 955.39)

(Ord. 253-1992; Ord. 231-1973)

92.12 - Dogs with blind, deaf or mobility impaired persons.

- A. When a blind, deaf or mobility impaired person is accompanied by a dog which serves as or is in training to become a guide, leader, listener or support dog for him, and he can show proof by certificate or other means that the dog leading him, listening for him or providing support or assistance for him has been or is being trained for that purpose by a non-profit special agency engaged in such work, the person is entitled to the full and equal accommodations, advantages, facilities and privileges of all public conveyances, hotels and lodging places, all places of public accommodation, amusement or resort, and other places to which the general public is invited, and may take the dog into such conveyances and places, subject only to the conditions and limitations applicable to all persons not so accompanied, except that:
1. The dog shall not occupy a seat in any public conveyance.
  2. The dog shall be on a leash while using the facilities of a common carrier.
  3. Any dog in training to become a guide, leader, listener or support dog shall be covered by a liability insurance policy provided by the nonprofit special agency engaged in such work

protecting members of the public against personal injury or property damage caused by the dog.

- B. No person shall deprive a blind, deaf or mobility impaired person of any of the advantages, facilities or privileges provided in subsection A of this section, nor charge the blind, deaf or mobility impaired person a fee or charge for the dog. Penalty, see § 92.99. (R.C. § 955.43)

(Ord. 728-1973)

#### 92.13 - Damaging public or private property—Removal of fecal waste.

- A. No person shall permit any dog or cat to scratch, dig or defecate on any lawn, tree, shrub, plant, building or other public or private property, other than the property of the owner or person in charge of or control of such animal.
- B. Where the owner or person in charge or control of such dog or cat immediately and forthwith removes all feces deposited by such dog or cat and disposes of such fecal matter in a sanitary manner, such nuisance shall be considered abated. Penalty, see § 92.99.

(Ord. 332-2002; Ord. 231-1973)

#### 92.14 - Barking dogs.

- A. No person shall keep, harbor or maintain within the City any dog which, by loud, frequent or habitual barking, yelping, or howling, disturbs the peaceful living of any person or makes such a noise as is likely to cause inconvenience or annoyance to persons of ordinary sensibilities.
  - 1. It is prima facie unlawful for a person to keep, harbor or maintain a dog in a predominantly residential area or on premises zoned U-1 or U-2 pursuant to Chapter 153, regardless of existing non-conforming use or variance, where the dog is out of doors; and
    - a. Between the hours of 8:00 p.m. and 7:00 a.m. of the following day the dog barks, howls or yelps for more than ten minutes substantially uninterrupted; or
    - b. Between the hours of 7:00 a.m. and 8:00 p.m. of the same day the dog barks, howls or yelps for more than twenty minutes substantially uninterrupted.
- B. None of the provisions of subsection A of this section shall apply to owners, operators or employees of duly licensed veterinary hospitals; owners, operators or employees of duly licensed kennels or animal boarding establishments maintained in conformance with Chapter 153; and blind persons when the dog serves as a guide or leader. Penalty, see § 92.99.

(Ord. 703-1990; Ord. 1568-1967)

#### 92.15 - Duties of Animal Control Warden.

- A. It shall be the duty of the City Animal Control Wardens to apprehend any dog or cat found running at large and impound such dog or cat at the County Shelter or other designated facilities equipped to provide a suitable place for kenneling animals, make proper provision for the feeding and care of the same and provide humane devices and methods for destroying animals. The Animal Control Wardens shall make a complete registry entering the breed, color and sex of the dog or cat including the license number or microchip number, if known.
- B. Animal Control Wardens shall check every animal apprehended for running at large for identification. Animal Control Wardens may request that the County Shelter or such other facility designated pursuant to this chapter check any animal delivered to the facility for identification.

- C. The Animal Control Wardens shall attempt to notify the owner of each animal apprehended if the animal bears identification. Such notice shall be given in a manner to be determined by the Customer Service Administrator and within twenty-four hours after such animal is impounded and shall inform the owner of the reason for impounding the animal and the requirements to permit release of the animal.
- D. The Animal Control Wardens shall charge the owner of each animal apprehended pursuant to this section a fee of ten dollars for the cost of returning the animal. This charge is in addition to any impoundment fees or penalties a court may assess pursuant to § 92.99.

(Ord. 109-2004; Ord. 332-2002; Ord. 701-1992; Ord. 721-1957)

#### 92.151 - Humane investigation—Seizing and kenneling animals.

- A. The City may provide for training for Animal Control Wardens to assume the duties of humane investigation and enforcement of the provisions of Chapter 92 of this code and any state laws applicable to animals within the city.
- B. In addition to any other duties of Animal Control Wardens, the Animal Control Wardens are authorized to:
  - 1. Interfere to prevent the perpetration of any act of cruelty to animals in their presence and to take possession of any animal to prevent cruelty;
  - 2. Take possession of any animal when necessary to protect the animal from neglect;
  - 3. Exercise any authority granted to the Ohio Humane Society or to a county humane society as necessary to the enforcement of this chapter or R.C. Chapter 959, as amended from time to time;
  - 4. Take possession of any animal lawfully seized by any agent or officer of the city.
- C. Any animal not running at large and which is not a stray, taken into possession by the city, its officers or agents, acting pursuant to law shall be delivered to the County Shelter or to other designated facilities equipped to provide a suitable place for kenneling animals, make proper provision for the feeding and care of same and provide humane devices and methods for destroying animals. The City may provide reasonable compensation to the County Shelter or other designated facilities for these services.

(Ord. 109-2004; Ord. 390-1996)

#### 92.152 - Disposition of animals.

- A. Animals that have been taken into possession or seized by the City and impounded shall be kept, housed and fed for that period required by state law or, if not required by state law, for such period as is determined to be appropriate by the County Shelter or other designated facility, for the purpose of redemption, unless any of the following applies:
  - 1. Immediate humane destruction is necessary because of obvious disease/injury;
  - 2. Immediate humane destruction of the animal is permitted pursuant to state law or pursuant to the terms of an impound and care policy adopted by the County Department of Animal Control;
  - 3. The owner, keeper or harbinger signs a release form permitting humane disposition of the animal; or
  - 4. The owner, keeper or harbinger, if known, has been contacted in accordance with this chapter or state law and has requested that an animal remain in the designated facility or facilities until the

owner, harborer or keeper redeems the animal and the County Shelter or other designated facilities have agreed to extend the redemption period.

5. The animal is the subject of a pending court order, served on the City and the appropriate shelter, or other facility prohibiting humane destruction of the animal. An animal that is the subject of pending court order may be disposed of pursuant to this section upon conclusion of the court action or pursuant to judicial order.
- B. Any animal not redeemed within the applicable redemption period may, at the option of the County Shelter or other designated facilities, be retained by the County Shelter or other designated facilities and placed for adoption at no cost to the city. In the alternative, any animal not redeemed within the applicable period may be disposed of as provided by state law.
- C. A record of all animals impounded, the disposition of the animals, the owner's name, identifying characteristics of the animal, including breed, color and sex, license number or microchip number, if known, and address of owner, if known, and a statement of costs assessed against the animal shall be kept by the designated animal facility or facilities. The designated animal facility or facilities shall forward this information to the Director of Finance monthly via the Department of Public Service, Customer Service Office.

(Ord. 109-2004; Ord. 390-1996)

#### 92.153 - Costs.

Costs shall be assessed against every animal impounded under this chapter. Costs may include reasonable costs for impounding, kenneling, feeding and disposing of an animal, reasonable administrative costs and cost of veterinary care. The costs shall be a valid claim in favor of the City or designated animal facility against the owner, keeper or harborer of an impounded animal, and may be recovered by the City or designated animal facility in a civil action against the owner, keeper or harborer.

(Ord. 390-1996)

#### 92.154 - Redemption of animals.

Any animal impounded pursuant to the provisions of this chapter, except an animal which is the subject of a pending court action, may be redeemed by its owner, keeper or harborer at any time prior to the expiration of the applicable redemption period. No animal shall be redeemed except upon payment, as requested by the designated animal facility or facilities, of all costs assessed against the animal, and payment of any fee assessed by the City pursuant to the provisions of this chapter, and upon providing the animal with a valid registration tag if it has none and obtaining a rabies vaccination for the animal within seven days of acquiring the redeemed animal.

(Ord. 109-2004; Ord. 390-1996)

#### 92.155 - Microchipping.

- A. The City shall create and maintain a database containing information about cats and dogs that are identified by microchip and belong to Akron City residents who comply with subsection B of this section.
- B. Residents of the City who choose to microchip their cats or dogs may register the owner's name, address, telephone number and the microchip number of each cat or dog that is identified by microchip with the city. It is the duty of the cat or dog owner to notify the City and the microchip manufacturer of any change in registry information, such as a change in telephone number or address.

- C. The database containing the information about microchipped cats and dogs shall be available to Animal Control Wardens at any time they are performing animal control duties.

(Ord. 109-2004)

92.16 - Impoundment—Disposal.

- A. The owner, keeper or harbinger of any licensed dog or cat, or wildlife may request the City Animal Warden to pick up the dog or cat, or wildlife for the purpose of having it destroyed.
- B. The following charges shall apply:

1. Seizing and delivering:	\$20
2. Housing and feeding, per day:	\$10
3. Dog and cat disposal:	\$15
4. Wildlife disposal:	\$20
5. Puppy and kitten fee:	\$10 per animal, not to exceed \$15 per litter.
6. Miscellaneous disposal:	\$15
7. Extraordinary service: seizing and delivery:	\$35 per hour plus \$.31 per mile and all applicable fees.

(Ord. 493-1996; Ord. 49-1992; Ord. 828-1989; Ord. 311-1985; Ord. 721-1957)

92.17 - Injuring or molesting police dogs.

No person shall purposely or knowingly torture, molest, torment, beat, kick, strike, mutilate, injure, disable or kill any dog used by the Police Division in the performance of its functions, nor shall any person interfere with or meddle with any dog while being used by the Police Division or any officer or member thereof in the performance of any of the functions or duties of the division or of such officer or member. Penalty, see § 92.99.

(Ord. 694-1967)

92.18 - Restricting certain animals.

- A. Fowl. No person shall keep chickens or other poultry in any dwelling or within one hundred feet thereof.
- B. Rabbits. No person shall keep rabbits in any dwelling or within twenty-five feet thereof.
- C. Hogs. No person shall keep hogs within the city, except that:

1. No more than one miniature potbellied pig may be kept in a single-family dwelling as defined in § 153.14 of this code.
  - a. A miniature potbellied pig is defined as one which meets the requirements of and is registered with the Potbelly Pig Registry Service, Inc. of Lakeville, Indiana and/or the International Potbelly Pig Registry Service of Pescadero, California;
  - b. Each miniature potbellied pig shall be a pet, that is to be kept for personal enjoyment and not kept or raised for human consumption;
  - c. The maximum weight of a miniature potbellied pig shall not exceed sixty-five pounds. If the weight exceeds sixty-five pounds, the miniature potbellied pig shall be removed;
  - d. Miniature potbellied pigs shall not be bred within the city;
  - e. Miniature potbellied pigs must be spayed or neutered if three months or older;
  - f. If a miniature potbellied pig is taken off its owner's property, it shall be on a secure leash that is not more than six feet in length which is held in the hand of a person who is of suitable age and discretion;
  - g. Waste from miniature potbellied pigs must be removed in an appropriate manner to prevent health and odor problems;
  - h. Miniature potbellied pigs shall reside in the residence of the owner as a house pet and shall not be kept in an outside pen; and
  - i. If a miniature potbellied pig becomes a nuisance, disturbs the tranquility of the surrounding neighborhood, or becomes a health problem, the Director of Public Health shall have the authority to order and have the miniature potbellied pig removed from the city;
  - j. Any person found guilty of violating the provisions of this section shall pay all expenses, including shelter, food, and veterinary expenses necessitated by the seizure of any miniature potbellied pig pursuant to § 92.26(C).

D. Other Hoofed Animals.

1. No person shall keep, harbor or maintain any horse, pony, cow, calf, goat or other hoofed animal other than hogs in the city, except that the keeping, harboring or maintaining of any such animals may be authorized by the Director of Health for the City by permit duly issued therefore, provided that such animals are located on lots or parcels of one acre or more. This prohibition and conditions do not apply when not more than one spayed or neutered pygmy goat, defined as meeting the requirements of the National Pygmy Goat Association located in Mendon, Massachusetts, is kept as a pet in single-family dwelling. However, any owner or keeper of a pygmy goat shall:
  - a. Keep the pygmy goat, when it is outdoors, in an area enclosed by a fence at least four feet in height;
  - b. Provide suitable shelter to protect the pygmy goat from the elements; and
  - c. Promptly remove and dispose of all goat droppings.
2. Such permits may be issued by the Director on written application therefor in such form as the director requires, and shall specify any restrictions, limitations, conditions, or prohibitions which the Director deems reasonably necessary to protect any person or any neighboring use from unsanitary conditions, unreasonable noise or odors, or other annoyance, or to protect the public health or safety. All such animals kept in connection therewith shall be located no closer than fifty feet to any building used or designed for human habitation.
3. The Director shall investigate or cause to be investigated the keeping of any such hoofed animals and shall report the results of such investigation to the Health Commission. The Commission may, at its discretion, conduct a public hearing on the manner and extent of keeping or maintaining such hoofed animals and, following such public hearing, may impose

such limitations, restrictions, conditions, or prohibitions on the keeping or maintaining of any such hoofed animals on the premises as, in its sound judgment, are reasonably necessary to protect any person or any neighboring use from unsanitary conditions, unreasonable noise or odors, or other annoyance, or to protect the public health or safety.

E. Pigeons.

1. No person shall keep or harbor the common Asiatic pigeon. Racing and banded pigeons, banded with a seamless, numbered leg band, issued by an active pigeon club, raised solely for the purpose of showing and/or racing may be raised in lofts constructed and maintained in strict compliance to existing zoning and building regulations for secondary buildings. Lofts should be constructed to allow freedom of movement for the birds, usually five square feet of open bottom wire floor space per pair with rodent- and vermin-proof walls and closures.
2. The keeper of racing and/or banded pigeons is required to comply with all standards and requirements of the American Pigeon Fancier's Council (APFC).
3. The Director of Health shall investigate or cause to be investigated any complaints related to the raising of racing or banded pigeons. If unsanitary conditions, unreasonable noise or odors are not corrected in a reasonable period of time, the Director shall order the loft disbanded until such time as the required corrections are made to the satisfaction of the Director. Penalty, see § 92.99.

(Ord. 242-1998; Ord. 716-1992; Ord. 514-1992; Ord. 94-1989; Ord. 290-1969; Ord. 289-1969; Ord. 239-1969)

92.19 - Horses on sidewalks prohibited.

No person shall ride, drive or lead a horse upon any of the sidewalks of the City or in any way impede the free use of sidewalks by pedestrian traffic. This section shall not apply to members of law enforcement engaged in the discharge of their duties. Penalty, see § 92.99.

(Ord. 17-2004; Ord. 324-1970)

92.20 - Mink farms.

- A. For the purpose of this section, "mink farm" shall mean the maintenance of one or more minks on any premises.
- B. No person shall establish or maintain a mink farm within the corporate limits of the City unless such mink farm is established on a farm containing an area of one or more acres unless otherwise prohibited. No mink shall be kept within two hundred feet of any residence except the residence located on the one acre.
- C. Mink farms shall be kept and maintained in a sanitary manner and the operators thereof shall take special precautions to control the fly nuisance. The feeding of minks shall be made on platforms constructed so that food particles cannot fall on the ground, and all mink enclosures shall be screened to prevent flies from entering the feeding compartments. No mink food shall be allowed to accumulate on the ground and all excess food shall be removed daily. Feed shall be covered at all times so that flies shall not have access thereto. Penalty, see § 92.99.

92.21 - Pigeons.

The common Asiatic pigeon is declared to be a public nuisance. No person shall keep or harbor such pigeon. Harborage shall be considered to include the feeding of large flocks of common Asiatic pigeons creating a public nuisance and/or failure of a property owner to maintain structures and buildings in such a manner that would exclude their entrance by pigeons. Penalty, see § 92.99.

(Ord. 95-1989; Ord. 100-1955)

92.22 - Use of multiple dwelling or lot as stable.

No multiple dwelling or the lot or premises thereto shall be used as a stable. Penalty, see § 92.99.

92.23 - Hunting.

No person shall hunt any wild animal, fowl or other game within the corporate limits of the city. The provisions of this section shall apply regardless of the weapon, instrument or other device used. This section does not apply where a local government agency has received authorization from the Ohio Department of Natural Resources to conduct a hunt for the purpose of managing wildlife populations where the Department has set the limits on the time, place and manner of the hunt and designated agencies to supervise and conduct the hunt. Penalty, see § 92.99.

(Ord. 17-2004; Ord. 133-1956)

92.24 - Keeping dangerous animals—Permit—Fees.

- A. For the purpose this section, "dangerous animal" shall mean and include any mammal, amphibian, reptile, or fowl which is of a species which is wild by nature, and of a species which, due to size, vicious nature, or other characteristic is dangerous to human beings. Such animals shall include, but not be limited to, lions, tigers, leopards, panthers, bears, wolves, apes, gorillas, monkeys of a species whose average adult weight is twenty pounds or more, foxes, elephants, rhinoceroses, alligators, crocodiles, and all forms of venomous or poisonous reptiles. The term "dangerous animal" as used in this chapter shall not include gerbils, hamsters, guinea pigs, miniature potbellied pigs that meet the requirements of § 92.18, mice, or rabbits.
- B. No person shall possess, keep, or maintain within the corporate limits of this city, any dangerous animal unless a special animal permit therefor is first obtained from the Director of Health. Such permit shall be renewed annually on or before the anniversary date of the original permit issuance.
- C. The Director of Health shall issue a special permit for the keeping or maintenance of a dangerous animal if he finds that:
  1. The animal is at all times kept or maintained in a safe manner and that it is at all times confined securely so that the keeping of such animal will not constitute a danger to human life or the property of others.
  2. Adequate safeguards are made to prevent unauthorized access to such animal by members of the public.
  3. The health or well being of this animal is not in any way endangered by the manner of keeping or confinement.
  4. The keeping of such animal does not constitute a nuisance and will not disturb the tranquility of the surrounding neighborhood.
  5. The keeping of such animal will not create or cause offensive odors or constitute a danger to public health.
  6. The quarters in which such animal is kept or confined are adequately lighted and ventilated and are so constructed that they may be kept in a clean and sanitary condition.
  7. The applicant for such special permit proves his ability to respond in damages in a single limit amount of five hundred thousand dollars for bodily injury to or death of any person or for damage to property owned by any other person which may result from the ownership, keeping, or maintenance of such animal. Proof of liability to respond in damages may be given by filing with the Director of Health a certificate of insurance from an insurance company authorized to

do business in the state stating that the applicant is, at the time of his application, and will be during the period of such special permit, insured against liability to respond in such damages, or by posting with the Director of Health a surety bond conditioned on the payment of such damages during the period of such special permit. Such certificate of insurance or bond shall provide that no cancellation of the insurance or bond will be made unless ten days written notice is first given to the Director of Health.

- D. The Director of Health, in investigating any applicant for a permit under this section or in the enforcement of this section, is authorized to consult with and seek the advice of the Society for Prevention of Cruelty to Animals, the Animal Protective League, the Humane Society, or any other individual, agency, organization, or society which may be able to provide information and advice concerning the keeping of dangerous animals.
- E. The Director of Health shall renew such special permit only on an inspection of the subject premises and a finding that all criteria listed in subsections (C)(1) through (7) of this section are met. Should the Director of Health determine during any such inspection that any of the conditions therein specified are being violated, he shall refuse to renew any such special permit, or he shall revoke such special permit in the event that such violation is not corrected within such period of time as he directs.
- F. A separate permit is required for the keeping of each dangerous animal.
- G. The provisions of this section shall not apply to the keeping of dangerous animals in the following cases:
  - 1. The keeping of such animals in zoos, bona fide education or medical institutions, museums, or any other place where they are kept as live specimens for the public view, or for the purpose of instruction or study.
  - 2. The keeping of such animals for exhibition to the public of such animals by circus, carnival, or other exhibit or show.
  - 3. The keeping of such animals in a bona fide, licensed veterinary hospital for treatment.
  - 4. The keeping and offering for sale of such animals by a bona fide commercial pet shop establishment.
- H. No permit or renewal of a permit shall be issued for the keeping of dangerous animals unless all provisions of this section are complied with and a fee of fifty dollars is paid to the Director of Health. Permit fees shall be paid annually on or before the start of the permit year. Penalty, see § 92.99.

(Ord. 514-1992; Ord. 643-1980)

#### 92.25 - Control of dogs.

- A. For the purpose of this section, the following words and phrases shall have the following meanings ascribed to them:

"American Bulldog." Any American Bulldog or Old Country Bulldog, or any mixed breed of dog which contains, as an element of its breeding, the breed of American Bulldog or Old Country Bulldog as to be identifiable as partially of the breed of American Bulldog or Old Country Bulldog.

"At large." Off the premises of the owner.

"Canary Dog." Any Canary Dog or Perro de Presa Canario, or any mixed breed of dog which contains, as an element of its breeding, the breed of Canary Dog or Perro de Presa Canario as to be identifiable as partially of the breed canary dog or Perro de Presa Canario.

"Muzzle." A leather, wire, or device that, when fitted over an animal's snout, prevents biting and eating.

"Owner." Any person owning, keeping, possessing, harboring, maintaining, or having the care, custody, or control of an animal.

"Premises which are not exclusively controlled by the owner." Any real property or part thereof that:

1. The owner of the dog does not hold the title to in fee simple or by leasehold; or
2. Another, other than an immediate family member of the owner of the dog, holds an easement or right-of-way on said property or part thereof; or
3. An owner or leaseholder of the real property has given access to the subject property to a person other than the owner of the dog who is not a member of the owner of the dog's immediate family; or
4. Is part of the public rights-of-way owned by the City of Akron whether or not the right-of-way is improved with streets, sidewalks, paving or other improvements; or
5. The owner of the dog does not otherwise have exclusive control over.

"Pit Bull." Any Staffordshire Bull Terrier, American Pit Bull Terrier, or American Staffordshire Terrier Breed of dog, or any mixed breed of dog which contains, as an element of its breeding, the breed of Staffordshire Bull Terrier, American Pit Bull Terrier, or American Staffordshire Terrier as to be identifiable as partially of the breed of Staffordshire Bull Terrier, American Pit Bull Terrier or American Staffordshire Terrier.

"Unsecured." Not securely confined indoors, or not securely restrained by means of a collar and chain, pen, fence or similar physical device, and in such a manner which effectively prevents the dog from going beyond the premises of the owner.

"Vicious dog." Any dog that is the subject of a violation of §§ 92.25(B)(2) through (6), and is found by a court to be a continuing threat or danger to the public.

B. Any person owning, keeping, possessing, harboring, maintaining, or having the care, custody or control of a dog shall be strictly liable if such dog is found to:

1. Be at large within the City unless securely attached upon a leash held in the hand of a person in a manner which continuously controls the dog.
2. Snap at or attempt to bite or attempt to cause physical harm to any other person, domestic animal or feline, while the dog is off the premises of the owner, or while on premises which are not exclusively controlled by the owner.
3. Cause physical harm to the property of another while the dog is off the premises of the owner, or while on premises which are not exclusively controlled by the owner.
4. Bite or otherwise cause physical harm to any person, domestic animal, or feline, while the dog is off the premises of the owner, or while on premises which are not exclusively controlled by the owner.
5. Bite or otherwise cause physical harm to mail carriers, utility workers, City of Akron employees, delivery persons, or any police or emergency persons while the dog is on the premises of the owner or the premises under the control of the owner.
6. Cause serious physical harm to any person, unless the dog:
  - a. Was being teased, tormented or abused by a person, or
  - b. Was coming to the aid or defense of a person who was not engaged in illegal or criminal activity and who was not using the dog as a means to carry out illegal or criminal activity;
  - c. Caused serious physical harm to any person while such person was committing or attempting to commit a criminal trespass or other criminal offense on the premises of the owner, keeper, or harbinger of the dog.

C. Defenses.

1. It shall be an affirmative defense to a violation of § 92.25(B) that the dog was:
    - a. Securely confined in an automobile or cage which was adequately ventilated.
    - b. Being exhibited at a public dog show, zoo, museum, or public institution.
  2. No public law enforcement agency or member thereof, or a licensed private law enforcement agency or member thereof, shall be convicted of any violation of this section where the dog is owned by the agency and being utilized for law enforcement purposes.
- D. No person shall own, keep, possess, harbor, maintain, or have the care, custody, or control of a dog within the City when such dog has been ordered by a court to be banned from the City or destroyed.
- E. Any person owning, keeping, possessing, harboring, maintaining, or having the care, custody, or control of a Pit Bull, Canary Dog or American Bulldog or vicious dog shall:
1. Identify the dog by having the dog wear, at all times, a fluorescent green collar available upon payment of a fee, from Customer Service;
  2. Post on the premises, in a conspicuous place where the dog is kept, at least one city-issued warning sign available, upon payment of a fee, from Customer Service. The sign shall be visible and capable of being read from the public highway or street;
  3. Identify the dog by having the dog tattooed with a code number provided by the Customer Service Division;
  4. Notify the Customer Service Division within twenty-four hours if the Pit Bull, Canary Dog or American Bulldog or vicious dog has died or has been sold or donated, and provide the Customer Service Division with the name, address, and telephone number of the new owner;
  5. Keep the dog secured at all times by one of the following means:
    - a. Keep the dog inside the owner's home;
    - b. Keep the dog in a locked enclosure which has a top, and has a concrete base with the fencing securely attached or anchored to the concrete perimeter to a depth of six inches;
    - c. Keep the dog muzzled and on a chain-link leash that is not more than six feet in length which is held in the hand of a person who is of suitable age and discretion and is outside with the dog.
  6. Pay a fee and annually, between January 2 and January 20, and whenever a dog is newly obtained, register the dog with the Customer Service Division; at the time of registration provide proof of 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 fifty thousand dollars because of damage or bodily injury to or death of a person caused by the dog and shall provide a certificate of insurance to Customer Service at the time the collar required by § 92.25(E)(1) is obtained;
  7. Ensure that the dog does not go unconfined on the premises of another or be at large within the city;
  8. Annually license the dog, if the dog is more than three months of age, with the County Auditor. Failure of any dog at any time to wear a valid license tag shall be prima facie evidence of lack of licensing;
  9. Vaccinate the dog against rabies by a licensed veterinarian at least once every three years; a tag indicating that said dog has been vaccinated against rabies must be worn by the dog at all times. Failure of any dog at any time to wear the rabies vaccination tag issued by the licensed veterinarian who administered the vaccine shall be prima facie evidence of the dog's lack of vaccination against rabies;

10. Provide two color photos of the dog to Customer Service at the time the collar required by § 92.25(E)(1) is obtained. Provide one color photo of dog showing the tattoo number after the dog has been tattooed.
- F. In order to prevent annoyance or injuries to the public health, safety, repose or comfort, subsections B, D, and E of this section are strict liability offenses.

(Ord. 614-2003; Ord. 722-1999; Ord. 132-1998; Ord. 23-1994; Ord. 87-1991; Ord. 30-1991; Ord. 656-1989; Ord. 294-1989; Ord. 33-1989; Ord. 763-1987)

#### 92.26 - Seizure.

- A. In the event that an animal warden or law enforcement agent has probable cause to believe that a vicious dog is being harbored or cared for in violation of this chapter, or that a pit bull is being harbored or cared for in a manner that violates § 92.25(E), the warden or agent may petition a court of competent jurisdiction to order the seizure and impoundment of the vicious dog or pit bull pending trial.
- B. In the event that a warden or agent has probable cause to believe that a vicious dog is running at large, then the warden or agent may seize and impound the dog without seeking prior court order.
- C. Nothing within this section shall be construed to limit the authority of the warden or his deputy from otherwise seizing any animal maintained in violation of this code which presents an immediate risk of physical harm to any person or property.

(Ord. 855-1990; Ord. 33-1989; Ord. 763-198)

#### 92.27 - Reporting escape of certain animals required.

- A. The owner or keeper of any member of a species of the animal kingdom that escapes from his 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 discovers or reasonably should have discovered the escape, report it to:
1. A law enforcement officer of the City and the sheriff of the county where the escape occurred; and
  2. The Clerk of the Council where the escape occurred.
- B. If the office of the Clerk of Council is closed to the public at the time a report is required by subsection A of this section, then it is sufficient compliance with subsection (A)(2) of this section if the owner or keeper makes the report within one hour after the office is next open to the public. Penalty, see § 92.99. (R.C. § 2927.21)

#### 92.28 - Restrictions on kennels.

- A. For the purpose of this section, "kennel" shall mean and include any pack or group of dogs over the amount of four and over the age of six months kept together for any purpose.
- B. No person shall operate a kennel within the corporate limits of the City unless said kennel is permitted under Chapter 153. Penalty, see § 92.99.

(Ord. 176-1990)

#### 92.29 - Beekeeping.

- A. No person shall place or keep a beehive in the City of Akron without first obtaining a permit therefor from the Director of Health.
  - 1. Permit applications shall be accompanied by a nonrefundable annual fee of five dollars for each apiary to help defray the costs of processing the application.
- B. The Director of Health shall issue a permit for an apiary if he finds that:
  - 1. The apiary does not constitute a nuisance; and
  - 2. The apiary does not disturb the tranquility of the surrounding neighborhood; and
  - 3. The apiary does not endanger the public health; and
  - 4. The apiary is placed and maintained in a manner approved by the Director of Health and the following restrictions may be required:
    - a. The back of the beehive may be no less than six feet from any adjoining residential property or to any public road or public right-of-way.
    - b. The side of the beehive may be no less than fifteen feet from any adjoining residential property or to any public road or public right-of-way.
    - c. The front of the beehive may be no less than twenty-five feet from any residential property or to any public road or public right-of-way.
    - d. The front or entrance of a beehive shall not directly face residences of adjoining property owners.
    - e. No person shall place or keep an apiary, or cause or allow an apiary to remain on land not owned or possessed by such person, without first obtaining the written permission to do so of the owner or person lawfully in possession of such land.
    - f. Every person owning, possessing, or controlling an apiary shall maintain within ten feet of each apiary a supply of water with a backflow prevention device which shall be equipped with a float valve or similar device which assures an adequate accessible and usable supply of water for the bees.

(Ord. 583-1991)

#### 92.30 - Public exhibition of animals.

- A. Definitions:
  - 1. "Petting zoo." Temporary or permanent events, open farms or premises where contact is permitted between animals and members of the public, whether a fee is charged or not, including but not limited to animal nurseries, zoos, wildlife parks, wildlife sanctuaries, nature education centers, traveling farms, animal troupes, circuses, agricultural shows, field days, mini-farms at schools, and animal exhibits at shopping centers, and includes animal areas.
  - 2. "Person." An individual, partnership, association, syndicate, company, firm, trust, corporation, government corporation, department, bureau, agency or any entity recognized by law.
  - 3. "Animal area." All structures, pens, coops or yards wherein animals are kept or permitted to be kept.
  - 4. "Animal." All organisms commonly classified in the Animal Kingdom, excluding humans, and including, but not limited to: mammals, reptiles, amphibians, birds, insects, spiders, and scorpions.
  - 5. "Educational demonstration." Presenting an animal or group of animals for the purpose of describing the characteristics, habits, or traits of the animal(s) during which there is no physical contact between the audience and the animal(s).

B. Prohibitions:

1. No person shall operate a petting zoo without notifying the Department of Health, Environmental Division in writing at least five days before the event. This written notification must contain the name and telephone number of the operator or other responsible person, the date, time, location, and duration of the petting zoo, the number and species of animals that will be present, number and species of any animals that have been immunized for rabies, proof of insurance and proof of any applicable USDA license. A sketch of the petting zoo shall also be provided depicting the physical layout of the petting zoo, including locations of exhibits, barriers, eating areas, entrance(s) to and exit(s) from the petting zoo, hand-washing stations, and distances between such items.
2. No person who has obtained a mobile petting zoo license pursuant to Section 111.621 shall operate a petting zoo without first notifying the Department of Health, Environmental Division in writing, at least forty-eight hours before the event of the date, time, and location of the petting zoo.
3. No person shall operate a petting zoo without providing a sufficient number of hand-washing stations to serve members of the public at the busiest time of the petting zoo. At least two such hand-washing stations must be visible, easily accessible, and operating at all times the petting zoo is open to the public. In no instance shall the distance between hand-washing stations and a petting zoo exceed one hundred feet, although a maximum distance of twenty-five feet is recommended. Hand-washing stations shall provide running water, soap, towels or hand dryers, and trash receptacles.
4. No person shall operate a petting zoo without providing an adequate barrier which prevents visitors from entering the animal area. The barrier shall be sanitized at least once daily by a method that is approved by the Akron Health Department, unless directed to sanitize the barrier more frequently by the Director of Health, and any visible soilage cleaned as necessary.
5. No person shall operate a petting zoo without providing an adequate barrier which prevents visitors from touching animals that are not available for touching or that should not be touched. The barrier shall be constructed to prevent direct human contact with such animals.
6. No person shall operate a petting zoo without providing appropriate informational and educational materials to advise the public of the dangers associated with eating in animal areas and hand-to-mouth contact without hand-washing after contact with animals. At a minimum, this information should consist of signs and brochures. Signs should contain pictures, arrows, or other graphics, in addition to words, such that the intended message can reasonably be expected to be conveyed to people who cannot read.
7. No person shall operate a petting zoo without providing a first aid kit for treatment of accidental biting, scratching, or other injury to the public. All animal bites and escapes must be reported pursuant to state and local law.
8. Eating areas shall be separated from animal areas, and animals shall not be permitted in eating areas.
9. No person operating a petting zoo shall allow contact between people and nonhuman primates, lions, tigers, ocelots, wolves/wolf-hybrids, bears, bats, raccoons, skunks, foxes, coyotes, and any other animal of a similar nature, that due to its strength, unpredictability, venom, or other pathogens it might carry, presents a risk of harm upon contact with people, including venomous or toxic insects, arachnids, amphibians, or reptiles.
10. No person operating a petting zoo shall fail to maintain animals in a healthy environment, free of stress and overcrowding. Only healthy animals shall be displayed or permitted to have contact with the public.
11. No person operating a petting zoo shall fail to cover animal areas with straw or an approved absorbent material. The animal area must be regularly sanitized in a manner approved by the

Akron Health Department and cleaned of feces and other wastes at least once daily, unless the Director of Health directs that it be cleaned and sanitized more frequently.

12. Any location used temporarily for a petting zoo must be cleaned and sanitized after the animals are removed and before the location returns to its normal usage.
13. No person shall operate a petting zoo without a license obtained from the City of Akron License Clerk pursuant to § 111.621.
14. Nothing in this section shall be construed to relieve a petting zoo operator from compliance with other applicable laws, such as those regulating zoning, buildings, or fire prevention.

C. Exempted Exhibits.

"Petting Zoo" shall not include animal exhibits at hospitals which are used for the purpose of treatment, pet stores engaged in selling animals where the animal exhibit occurs on the premises of the pet store, and animal exhibits presented in the context of theatrical performances, educational demonstrations or religious ceremonies.

D. Notice and Order to Remedy.

1. When the Director of Health, after inspection of the Petting Zoo, is satisfied that the premises are improperly constructed or liable, from overcrowding or filth, to become infected with infectious, pestilential, or dangerous disease, do not conform to the requirements of this section, or have other conditions that constitute a nuisance or health hazard, the Director shall serve a written notice to the owner, agent, lessee, occupant, operator, or other person in charge of the premises, to correct or remove the nuisance or objection therein named, or otherwise correct the condition. The notice and order shall be served on the person personally, or by certified mail and regular mail to the person's residence, regular place of business or last known address, or posted at the premises in a conspicuous place.
2. Whenever the Director of Health finds that an emergency exists which requires immediate action to protect the public health, he may, without notice or hearing, issue an order stating the existence of such an emergency and requiring that such action be taken as he deems necessary to meet the emergency. The order shall be effective immediately. Any person to whom the order is directed shall comply therewith immediately, but, on petition to the Director of Health, shall be afforded a hearing as soon as possible. After the hearing, depending on his finding as to whether or not the emergency condition has been abated, the Director of Health shall continue the order in effect or modify or revoke it.

(Ord. 446-2006, § 1)

92.99 - Penalty.

- A. Whoever violates any provision of §§ 92.02, 92.06, 92.08, 92.09, 92.10, 92.13, 92.14, 92.18 through 92.22, or 92.29 shall be guilty of a minor misdemeanor.
- B. Whoever violates any provision of §§ 92.03, 92.24, 92.25(B)(4), 92.25(D), or 92.27 is guilty of a misdemeanor of the first degree.
- C. Whoever violates any provision of §§ 92.05 or 92.25(B)(6) shall be guilty of a misdemeanor of the first degree.
- D. Whoever violates any provision of § 92.051 is guilty of neglect of animals, a misdemeanor of the first degree.
- E. Whoever violates any provision of § 92.052 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 any provision of § 92.052, then whoever violates that provision is guilty of a misdemeanor of the first degree.

- F. Whoever violates any provision of §§ 92.01, 92.11 or 92.25(B)(1) is guilty of a minor misdemeanor for a first offense; for each subsequent offense such person is guilty of a misdemeanor of the fourth degree.
- G. Whoever violates any provision of §§ 92.17, 92.23, 92.28 or 92.30 is guilty of a misdemeanor of the third degree.
- H. Whoever violates any provision of §§ 92.04 92.07, 92.12, 92.25(B)(2), 92.25(B)(3), or 92.25(B)(5) is guilty of a misdemeanor of the fourth degree.
- I. Whoever violates any provision of §§ 92.25(E)(1) through (10) is guilty of a misdemeanor of the third degree, and shall be subject to a mandatory nonsuspendable fine of five hundred dollars. If the Court finds that the dog presents a continuing threat or danger to the public, the Court shall order that the dog be humanely destroyed.
- J. Any person found guilty of violating the provisions of this chapter shall make restitution to City of Akron Customer Service Division for all expenses and fees including shelter, food and veterinary expenses necessitated by the seizure, impoundment or destruction of any dog or cat that is the subject of the violation.
- K. Upon a conviction or guilty plea for a violation of §§ 92.25(B)(2) through (6), the Court shall make a determination as to whether the dog which is the subject of the violation presents a continuing threat or danger to the public. If the Court finds that the dog does present a continuing threat or danger to the public, the Court shall order that the dog either be humanely destroyed or kept in a manner that meets all the requirements of §§ 92.25(E)(1) through (10).
- L. Any dog which has been banned from the city, and is found to be within the City shall be seized and upon Court order be humanely destroyed. Any dog which is the subject of a violation of § 92.25(D), or a second violation of §§ 92.25(E)(1) through (10) shall be ordered by the Court to be humanely destroyed. (R.C. § 2927.21(C))

(Ord. 446-2006, § 2; Ord. 109-2004; Ord. 722-1999; Ord. 13-1999; Ord. 132-1998; Ord. 294-1989)

(Ord. 95-2015)