

CHAPTER 505
City of Garfield Heights: Animals and Fowl

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CROSS REFERENCES

- See sectional histories for similar State law
- Owner or keeper liable for damages - see Ohio R.C 951.10
- Dog registration - see Ohio R.C. 955.01
- Discharging firearms prohibited - see GEN. OFF. [549.10](#)

505.01 ANIMALS RUNNING AT LARGE.

(a) As used in this chapter, unless the context otherwise indicates:

(1) "Animal" means both male and female.

(2) "Owner" means any person or persons, firm, association or corporation owning, keeping or harboring an animal.

(3) "At large" means off the premises of the owner, and not under the control of the owner or a member of his immediate family, either by leash, cord, chain or otherwise.

(4) "Dog Warden" means any City Service Department member appointed by the Mayor and approved by Council, and/or private Animal Control Service which has entered into contractual agreement with the City of Garfield Heights.

(b) No owner or person in charge or control of any animal, whether licensed or unlicensed, shall permit such animal to run at large upon any public ground or upon the premises of one other than the owner or keeper of such animal, nor shall any owner or person in charge or control of any animal walk or exercise such animal on the public sidewalks, streets or any other public place unless such animal is securely leashed to such person so as to prevent such animal from running loose or free.

(Ord. 91-1994. Passed 1-23-95.)

(c) Whoever violates this section is guilty of a misdemeanor of the fourth degree. Whoever is found guilty of a second offense of violating this section is guilty of a misdemeanor of the fourth degree, and shall be fined two hundred fifty dollars (\$250.00), which fine shall be mandatory and shall not be suspended. (Ord. 90-1991. Passed 7-8-91.)

505.02 IMPOUNDING AND DISPOSITION OF ANIMALS.

(a) The Mayor is hereby authorized and directed to appoint a Dog Warden, subject to approval by Council, whose duty it shall be to establish a City dog pound and enforce the ordinances of the City relating to animals.

(b) (1) The Dog Warden shall apprehend any animal found running at large and to impound such dog in the dog pound or dispose of such animal in a humane fashion. The Dog Warden shall, upon receiving any animal, make a complete registry, entering the breed, color, size and sex of such animal and whether licensed. If licensed, he shall enter the name and address of the owner and the number of the license tag. Licensed animals shall be separated from unlicensed animals. The Dog Warden shall have complete police power to enforce the provisions of this chapter and make arrests for any violations.

(2) The animal as apprehended and impounded shall not be released except upon approval of the Dog Warden and payment of fees by the owner.

(3) Any dangerous, fierce or vicious animal so found at large which cannot be taken up and impounded safely may be destroyed or disposed of in a humane fashion by the Dog Warden or any policeman.

(Ord. 90-1991. Passed 7-8-91.)

(c) No later than three days after the impounding of any animal, the owner shall be notified, or if the owner of any animal is unknown, a written notice shall be posted for three days at the Garfield Heights Civic Center (5407 Turney Rd.) and on the City Website (www.GarfieldHts.org) describing the animal and the place and time of taking. The owner of any animal so impounded may reclaim such animal upon the payment of all costs and charges incurred by the City for impounding and maintenance of the animal. The cost is set at sixty dollars (\$60.00) for the cost of pick-up and ten dollars (\$10.00) per day for each day the animal was impounded. (Ord. 18-2012. Passed 4-9-12.)

(d) The Dog Warden shall keep all animals so impounded for a period of three days. If at the expiration of three days from the date of notice to the owner, or the conclusion of the posting of notice, such animal has not been redeemed, it may be destroyed or disposed of in a humane fashion. Any unlicensed animal required by law to be licensed, or any animal which appears to be suffering from or affected with rabies, mange or other infectious or dangerous disease, shall not be released, but may be forthwith destroyed or disposed of in a humane fashion.

(Ord. 84-1994. Passed 9-26-94.)

505.03 ANNUAL REGISTRATION OF DOGS; TAGS REQUIRED.

(a) Except for guide 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 person shall own, keep or harbor a dog more than three months of age without annually registering such dog with the County Auditor. Failure of any dog at any time to wear a valid registration tag shall be prima-facie evidence of lack of registration and subject such dog to impounding and disposition as provided by Ohio R.C. 955.16.

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

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.

(ORC 959.02)

(b) Whoever violates this section, if the value of the animal killed or the injury done amounts to less than three hundred dollars (\$300.00), is guilty of a misdemeanor of the second degree; if the value of the animal killed or the injury done amounts to three hundred dollars (\$300.00) or more, such person is guilty of a misdemeanor of the first degree.

(ORC 959.99(B))

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 of such animals, either upon his own lands or the lands of another. (ORC 959.03)

(b) Whoever violates this section is guilty of a misdemeanor of the fourth degree. (ORC 959.99(C))

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 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 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 (a)(2) does not apply to animals impounded or confined prior to slaughter. For the purpose of this section, "shelter" means a man-made enclosure, windbreak, sunshade or natural windbreak or sunshade that is developed from the earth's contour, tree development or vegetation;

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

(4) 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;

(5) Detain livestock in railroad cars or compartments longer than twenty- eight hours after they are so placed without supplying them with necessary food, water and attention, nor permit such livestock 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 such livestock may be detained in any cars or compartments without food, water and attention, may be extended to thirty-six 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 second 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. (ORC 959.99(D))

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 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.

(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)

505.08 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.

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 occupies or owns, shall be considered as harboring such dog.

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

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 PROHIBITED.

(a) No person shall hunt, kill or attempt to kill any animal or fowl by the use of firearms, bow and arrow, air rifle or any other means within the corporate limits of the Municipality.

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

505.12 COLORING RABBITS OR 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 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 minor misdemeanor.

505.13 ANIMALS PROHIBITED IN CITY.

(a) No person being the owner or harbinger, or having charge of any horse, mule, cow, sheep, goats, swine, chickens, geese, ducks or any other fowl or animals shall keep, harbor or permit same within the City.

(b) The provisions of this section shall not be applicable to domesticated dogs and cats, which are not permitted to run at large, nor shall such provisions be applicable to mercantile establishments engaged in the sale of fowl, cattle, sheep and swine for human consumption. (Ord. 53-1953. Passed 8-14-53; Ord. 80-1973. Passed 12-10-73.)

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

505.14 REPTILES, SPIDERS AND INSECTS.

(a) No person within the City shall maintain, keep or have in his possession any reptile, spider, insect or any other animal or creature, excepting domesticated dogs and cats, that can fatally bite, maim or in any manner whatsoever injure or cause sickness or discomfort to a person without first observing the following procedures:

(1) Notify the local hospital of the presence of such reptiles, spiders, insects or any other animal or creature so that the hospital may procure, if necessary, and have on hand required anti-venom serum.

(2) In the event there is any cost in securing, obtaining or maintaining the anti-venom serum required, such person shall fully pay the hospital for the cost involved and have in his possession a current receipt as evidence of such payment.

(3) Notify the health authorities and Police Division of the City of the presence of such reptile, spider, insect or any other animal or creature.

(4) Post a five thousand dollar (\$5,000) bond with a good and solvent surety company to cover any cost of injuries or damages that may be occasioned by the accidental, deliberate or wrongful release of such reptile, spider, insect or any other animal or creature. (Ord. 135-1971. Passed 10-11-71; Ord. 80-1973. Passed 12-10-73.)

(b) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

505.15 ANIMALS IN FOOD STORES.

(a) No animals shall be taken into or permitted to be kept in any place where food is kept for sale or sold and, each such place where food is kept for sale or sold shall cause to be placed in a conspicuous place in each such establishment a sign of a size and design to be approved by the Director of Public Safety containing notice to be public.

(b) Nothing herein contained shall be construed to prohibit the keeping of cats or ferrets for the purpose of ridding the premises of rodents. Nor shall anything herein contained be construed to prohibit the keeping of live poultry for sale on such premises, so long as the same are kept and slaughtered in accordance with the provisions required by the County Board of Health. (Ord. 16-1941. Passed 6-10-41; Ord. 80-1973. Passed 12-10-73.)

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

505.16 PIGEON LICENSING AND REGULATION.

(a) No person, except those denoted hereinafter, shall harbor or keep any live pigeons within the City without first obtaining a license therefor from the Finance Director. Such restriction shall not apply toward the parent of a member of the Boy Scouts of America for any consecutive period lasting a duration of only three months. Such license, when issued in the manner hereinafter provided, shall entitle the holder thereof to keep pigeons, not to exceed sixty in number on January 1 of each year, under the terms and conditions herein set forth:

(1) Application. The Finance Director shall prescribe the form of application, which shall include:

- A. The name of the applicant;
- B. Residency;
- C. Telephone number;
- D. License number and date of issuance;
- E. Pigeon classification: exhibition (fancy), racing (homer) or both;
- F. Standard of breed;
 1. Class;
 2. Type of breed;
 3. Type of band; and
 4. Identification band number.
- G. Location of loft or pigeon house;
- H. Type of lot or pigeon house structure;
- I. Pigeon organizations in which the applicant is a member;
- J. Last inspection date;
- K. A statement to the effect that the applicant will pay for the diagnosis of any bird which died of an unknown disease during the life of the license;

- L. Number of previous deaths caused by each disease;
- M. Fee; and
- N. Place for his signature.

Each new application shall be submitted to the Dog Warden, who shall rule on the sanitary conditions of the loft, coop, etc. No license shall be issued until the applicant has complied with the provisions of this section and has given the Dog Warden satisfactory assurance of future compliance.

Each renewal application shall automatically be renewed upon the payment of the prescribed fee; provided, however, that the last inspection was made within a period of one month prior to the date of the renewal application.

(2) Period of license. Upon approval, the Finance Director shall issue a license for a period of one year, which may be renewed annually upon payment of the fees herein set forth; provided, however, a renewal license shall not be issued as a matter of right to one whose license has been revoked until he has complied with all of the provisions of this section and has given the Dog Warden satisfactory assurance of future compliance.

(3) License fees. The fee for the license shall be five dollars (\$5.00), which fee shall be tendered with the application for a license. If no license is issued after fourteen days from the receipt of such application, the fee shall be returned to the applicant.

(4) Inspection fees. The primary inspection fee for a new license and each semi-annual inspection fee shall be three dollars (\$3.00), which fee shall be tendered to the Dog Warden at the time of the inspection. The Dog Warden shall, upon payment of the inspection fee, issue a receipt therefor with a notation thereon of any violations of this section. A duplicate copy of the receipt shall be forwarded by the Dog Warden to the Finance Director.

(5) Revocation. If any licensee violates any provision of this section, the Finance Director may revoke his license, in addition to any fines and forfeitures that may be imposed by the court upon such person for the violation.

(6) Procedure where violation discovered. Where a violation of this section is found to exist, a written notice from the Finance Director shall be served on the person or persons responsible for the correction thereof.

(7) Contents of notice. The notice shall specify the violation or violations committed, what must be done to correct the same, a reasonable period of time, not to exceed thirty days, to correct or abate the violation, the right of the person served to request a hearing, and that the notice shall become an order of the Finance Director in ten days after service unless a hearing is requested pursuant to subsection (a)(9) hereof.

(8) Service of notice. Notice may be served personally or by certified mail with postage prepaid, addressed to the address of the person to be served. Service upon a pigeonier may also be attained by service of any notice upon a member of the family of pigeonier. Date of service of the notice shall be determined where service is by mail as of the day following the day of mailing for notices to addresses within the City. Where the day of service would fall upon a Sunday or other day when mail is not ordinarily delivered, then the day of service shall be the next regular delivery day.

(9) Notice to become an order unless hearing before the Zoning Board of Appeals requested. Within ten days of the date of service of a notice, the notice shall constitute a final order unless any person affected by the notice requests a hearing thereon, before the Zoning Board of Appeals, and serves a written request within the ten-day period in person or by mail on the Chairman of the Zoning Board of Appeals. Such request for a hearing before the Zoning Board of Appeals shall set forth briefly the grounds or reasons on which the request for a hearing is based and the factual matters contained in the notice of violation which are to be disputed at the hearing. The Chairman to the Zoning Board of Appeals, upon receipt of the request, shall within thirty days therefrom and upon five days' notice to the party aggrieved,

set the matter down for hearing.

(10) Determination at hearing. At any hearing provided hereunder, the Chairman of the Zoning Board of Appeals shall be vested with all the powers provided by law to compel the attendance of witnesses and parties in interest by issuance and service of subpoena, to require by subpoena the production of books, records or other documents at any such hearing which may be pertinent to matters to be determined by him and to enforce any such subpoena or secure any order for the enforcement of any such subpoena as provided by law. Determination shall be made within ten days from the completion of the hearing. The Zoning Board of Appeals shall issue an order either incorporating the determinations and directions contained in the notice, modifying the same or withdrawing the notice.

(11) Extension of time. The Finance Director may extend the time for correction or abatement of the violations for an additional period of time not to exceed twenty days, except where major violations are involved, in which instance the time for completion may be extended for a period not to exceed forty-five days beyond the expiration date of the original notice.

(12) Conditions for maintenance of pigeons. No person shall harbor or maintain pigeons other than upon the following conditions:

A. Of the three main classes of domestic pigeons known as exhibition (fancy), racing (homer) and utility (commercial), only exhibition and racing pigeons shall be permitted to be raised within the boundaries of the City. The raising of utility pigeons for commercial purposes shall be prohibited.

B. All squabs shall be banded on one leg with a seamless type band for permanent identification purposes, except, however, a celluloid band may be substituted for the seamless band for use on birds having muffed leg characteristics. The seamless and celluloid bands shall contain the number of the bird, year and pigeoneer's initials, or pigeoneer's club initials. A fine of one dollar (\$1.00) per pigeon shall be made for all squabs that are not banded after they become ten days old. When birds are mated, an open or pair band with the same mating number shall be placed upon the other leg of both birds. Permanent records shall be maintained by the pigeoneer indicating mating numbers, identification numbers, births with date, deaths with date and disposition of each bird.

C. No loft, coop, auxiliary structure or other place for keeping or confining pigeons shall be maintained or operated within a distance of twenty-five feet of any building used as a residence, store, factory or place of business. All structures shall be less than 100 feet in area.

D. Pigeon houses of the southern-type structure having an opening to a fly pen are prohibited. Open lofts are prohibited.

E. All wire mesh screening used in a loft, coop, auxiliary structure or other place for keeping pigeons shall be sparrow-proof and rodent proof.

F. The floor of a pigeon house shall be kept clean and shall be elevated at least one foot off the ground. The space between the floor and ground shall be maintained free and clear of all material and natural growth.

G. All pigeons shall be kept or confined in lofts, coops, etc., and shall not be permitted to fly at large, but may be released to exercise for one hour, no later than 9:00 a.m. in the morning, and for one hour, no earlier than 5:00 p.m. in the evening, except on returning from a pigeon race or training toss.

H. All pigeons shall be fed within the confines of the loft or coop. Feed shall not be permitted to be placed on the floor of a pigeon house, coop, loft, etc. Pigeon health grit shall be kept in a grit hopper within each loft or coop so that it will be maintained in a clean state at all times.

I. All grain feed shall be sound, dry and seasoned for at least two months before use. All feed shall be maintained clean and free of contamination. All grains and similar food stored for the use of such pigeons shall be kept in screened rodent-proof containers so as to provide for the free circulation of air around the feed to thereby avoid contamination.

J. Drinking water shall be provided for each loft, coop, etc., and shall be separated from the bath water. Drinking facilities shall be provided with a water cover and maintained clean. The water shall be changed daily.

K. Bath water shall be provided for each loft or house and in a sufficient number of containers to insure cleanliness. Containers with bath water shall be placed in each loft or house at least twice each week.

L. All nesting material within each loft, coop, etc., shall be maintained in a covered container having openings in its sides so as to prevent the nesting material from becoming soiled. Nesting material may include longleaf pine needles, twigs, etc., but shall exclude burlap.

M. A loft, coop, pigeon house or other place for keeping or confining pigeons, if infested with lice or other insects, shall be cause for the revocation of the pigeoneer's license. Such structures shall be sprayed and/or dusted with DDT or other residual insecticides at least twice a year as a preventative measure. Such spraying or dusting shall be witnessed by at least one other person who shall sign an affidavit to the effect, which affidavit shall be maintained by the pigeoneer for the duration of the license. Such affidavit shall be initialed and dated by the Dog Warden on his next semiannual inspection.

N. Pigeons contracting a disease shall be separated from the other birds immediately upon discovery of an illness or contamination, and maintained in a separate coop remote from the other coops until healthy. The symptoms of a bird having died of an unknown disease shall be reported to the Department of Veterinary Pathology, Michigan State University of Agriculture and Applied Science, East Lansing, Michigan, for possible diagnosis. The diagnosis shall be reported by the pigeoneer to the Finance Director for permanent enclosure in the licensee's application file. All coops, etc., which contained a diseased bird shall be disinfected before they may be used again as a facility to maintain pigeons; provided, however, the procedure as set forth in subsection (a)(12)M. hereof is followed.

O. The selling of squabs or young squeakers for human consumption is strictly prohibited.

(13) The Dog Warden shall inspect the pigeoneer's lofts, coops, etc., semi-annually and inform the licensee of any violation of this section.

(14) The Dog Warden shall trap and impound any pigeons found outside of lofts, coops, etc., between the hours of 9:00 a.m. and 5:00 p.m. The Dog Warden shall keep all pigeons so impounded for a period of seven days after notice is immediately sent to the owner, if such owner can be ascertained. Any pigeon unclaimed after such period of seven days, including pigeons the owner or owners of which cannot be ascertained, shall be destroyed or otherwise disposed of by the Dog Warden. After disposition of the impounded pigeon, the leg band and stipulated facts of the case shall be forwarded to the Finance Director for enclosure with the applicant's file, if any. Renewal of the pigeoneer's license shall be withheld until evidence is shown that the charges of the Dog Warden for impounding the bird or birds has been tendered.

(15) The owner of any impounded pigeons shall pay the Dog Warden the following charges:

- A. For impounding each pigeon \$3.00
- B. For keeping each pigeon, per day 1.50
- C. For giving notice by registered mail 2.00

(Ord. 13-1967. Passed 2-27-67; Ord. 80-1973. Passed 12-10-73.)

(b) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

505.17 PROPERTY DAMAGE BY DOGS.

(a) No person, being the owner or in charge or control of any dog, shall permit such dog to go or remain, or permit such dog from entering upon private property and from chasing, damaging or destroying any property therein.
(Ord. 4-1953. Passed 5-11-53; Ord. 80-1973. Passed 12-10-73.)

(b) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

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