

CHAPTER 505
City of Mentor: 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

505.01 DEFINITIONS.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them:

- (a) "Abandoned Cat" means a domesticated cat that an owner has forsaken entirely or neglected or refused to provide care and support.
- (b) "Animal" means all non-human vertebrate and invertebrate species whether wild or domestic including but not limited to dogs, cats, cattle, horses, swine, sheep, geese, ducks, goats, turkeys, chickens or other fowl.
- (c) "Animal Welfare Organization" means any charitable corporation whose purpose includes promotion of animal welfare and that has been granted 501(c)(3) nonprofit status by the Internal Revenue Service and which has registered with the City to operate within its boundaries.
- (c) "Dangerous animal" means an animal satisfying any of the criteria set forth in Section [505.14\(b\)](#) of this chapter or judicially adjudicated as such pursuant to Section [505.25](#).
- (d) "Ear-tipping" means straight-line cutting of the tip of the left ear of a cat while the cat is anesthetized when done to evidence that the cat has been sterilized and vaccinated.
- (e) "Feral cat" shall mean a member of the felis catus genus species that does not reside in a human occupied dwelling and that has never been tamed and socialized to humans.
- (f) "Feral Cat Colony" means a group of cats that congregates, more or less, together as a unit. Although not every cat in a Colony may be feral, any non-feral cats that congregate with a colony shall be deemed to be a part of it.
- (g) "Feral Cat Colony Caretaker" means any person who takes responsibility for the care and management of a City registered feral cat colony.
- (h) "Harbor" includes both active and/or passive conduct.
- (i) "Menacing fashion" means that an animal would cause any person being chased or approached to reasonably believe that the animal will cause physical injury to that person.
- (j) "Nuisance Animal" means an animal that without provocation and while off the premises of its owner, keeper or harbinger has chased or approached a person in either a menacing fashion or an apparent attitude of attack or has attempted to bite or otherwise endanger any person, but does not include a police dog that while being used to assist one or more law enforcement officers in the performance of their official duties has chased or approached a person in either a menacing fashion or an apparent attitude of attack or has attempted to bite or otherwise endanger any person.
- (k) "Nuisance Health Risk Animals" shall mean rats, raccoons, skunks, and deer, and feral cats.
- (l) "Owner" means and includes any person or firm having a right of property in an animal, any person or firm who keeps or harbors an animal or has it in his care, or who acts as its custodian and any person or firm who permits the animal to remain at or about any premises owned or occupied by said person or firm.
- (m) "Permitted Hunter" means any person who has been authorized to hunt deer by the City of Mentor pursuant to a deer damage control permit issued by the State of Ohio Department of Natural Resources, or any person who has registered with the City of Mentor, has successfully completed the requirements of Section [505.12](#) and has been issued a valid deer hunting permit by the Chief of Police.
- (n) "Physical injury" means any of the following:
 - (1) Any injury, illness, or other physiological impairment, regardless of its gravity or duration;
 - (2) Any tangible or intangible damage to property that, in any degree, results in loss to its value or interferes with its use or enjoyment.
- (o) "Police dog" means a dog that has been trained, and may be used, to assist one or more law enforcement officers in the performance of their official duties.
- (p) "Registration" means annual completion of a form provided by the City that documents the 501(c)(3) status of an Animal Welfare Organization, that identifies the officers with their contact information, and that specifies the elements of its Trap Neuter and Return ("TNR") program and how the program will be conducted within the City boundaries.
- (q) "Running at large" means an animal satisfying any of the criteria set forth in [505.02\(a\)](#) or (b).
- (r) "Serious injury" means any of the following:
 - (1) Any physical harm that carries a substantial risk of death;
 - (2) Any physical harm that involves a permanent incapacity, whether partial or total, or temporary,

substantial incapacity;

(3) Any physical harm that involves a permanent disfigurement or a temporary, serious disfigurement;

(4) Any physical harm that involves acute pain of a duration that results in substantial suffering or any degree of prolonged or intractable pain.

(s) "Stray Cat" means a cat that is regularly off the property of the owner, is not under the physical control and restraint of the owner, and is not regularly provided with food by its owner.

(t) "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.

(u) "TNR" means Trap, Neuter and Return.

(v) "TNR Program" means a program pursuant to which feral and stray cats are trapped, neutered or spayed, vaccinated against rabies, and returned to the location where they congregate, in accordance with this chapter.

(w) "Vicious animal" means an animal satisfying any of the criteria set forth in Section [505.14\(c\)](#) of this chapter or judicially adjudicated as such pursuant to Section [505.25](#).

(x) "Wild or exotic animal" means any cat other than *felis catus*; non-human primates other than monkeys; or other canine other than *canis familiaris*; poisonous reptile, alligator, crocodile or lizard over two feet long; snake over six feet long; bear, kangaroo, eagle; poisonous stinging insect or arachnid.

(y) "Without provocation" means that the animal was not teased, tormented or abused by a person, or that the animal was not coming to the aid of defense of a person who was not engaged in illegal or criminal activity and who was not using the animal as a means of carrying out such activity.

(Ord. 13-O-09. Passed 1-15-13; Ord. 13-O-09. Passed 1-15-13; Ord. 15-O-49. Passed 6-2-15; Ord. 13-O-58. Passed 7-2-13; Ord. 17-O-21. Passed 3-7-17.)

505.02 ANIMALS NOT UNDER CONTROL.

(a) No owner, keeper, or harbinger of any dog or animal, other than felis catus, shall fail at any time to do either of the following:

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

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

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

(c) Whoever violates this section that involves an animal that is not a dangerous animal or vicious animal is guilty of a minor misdemeanor for a first offense and a misdemeanor of the fourth degree for each subsequent offense.

(d) Whoever violates this section that involves a nuisance animal is guilty of a minor misdemeanor for a first offense and a misdemeanor of the fourth degree for each subsequent offense involving the same animal. Upon a person being convicted of or pleading guilty to a third violation of this section, involving the same animal, the court shall require the offender to register the involved animal as a dangerous animal.

(e) Whoever commits a violation of this section that involves a dangerous dog, is guilty of a misdemeanor of the fourth degree on a first offense and of a misdemeanor of the third degree on each subsequent offense. Additionally, the court may order the dangerous dog to be humanely destroyed by a licensed veterinarian, the County Dog Warden, or the County Humane Society at the owner's expense.

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

(1) A felony of the fourth degree, if the dog kills a person, and shall be prosecuted under appropriate state law. Additionally, the court shall order that the vicious dog be humanely destroyed by a licensed veterinarian, the County Dog Warden, or the County Humane Society at the owner's expense.

(2) A misdemeanor of the first degree if the dog causes serious injury to a person. Additionally, the court may order the vicious dog to be humanely destroyed by a licensed veterinarian, the County Dog Warden, or the County Humane Society at the owner's expense.

(3) A misdemeanor of the third degree if the dog causes physical injury to a person. Additionally, the court may order the vicious dog to be humanely destroyed by a licensed veterinarian, the County Dog Warden, or the County Humane Society at the owner's expense.

(4) A misdemeanor of the fourth degree in all other instances on a first offense and of a misdemeanor of the third degree on each subsequent offense. Additionally, the court may order the vicious dog to be humanely destroyed by a licensed veterinarian, the County Dog Warden, or the County Humane Society at the owner's expense.

(g) Any police officer or Animal Warden is authorized to enter private property to capture any animal running at large.

(Ord. 12-O-47. Passed 6-5-12.)

505.03 IMPOUNDING AND DISPOSITION; RECORDS.

(a) A police officer or Animal Warden may impound every animal or dog found in violation of Section [505.02](#). If the dog is not wearing a valid registration tag and the owner is not otherwise reasonably determined, notice shall be posted in the pound or animal shelter both describing the dog and place where seized and advising the unknown owner that unless the dog is redeemed within three days, it may thereafter be sold or destroyed according to law. If the dog is wearing a valid registration tag or the identity of the owner, keeper or harbinger is otherwise reasonably determined, notice shall be given by certified mail to such owner, keeper or harbinger that the dog has been impounded and unless redeemed within fourteen days of the date of notice, it may thereafter be sold or destroyed according to law. Any dog seized and impounded may be redeemed by its owner, keeper or harbinger at any time prior to the applicable redemption period upon payment of all lawful costs assessed against the animal and upon providing the dog with a valid registration tag if it has none.

(b) A record of all dogs impounded, the disposition of the same, the owner's name and address where known, and a statement of any costs assessed against the dog shall be kept by any poundkeeper.

505.04 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 for a first offense and a misdemeanor of the fourth degree for each subsequent offense.

(ORC 955.99)

505.05 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 first degree.
(Ord. 09-0-88. Passed 8-18-09.)

505.06 KILLING OR INJURING ANIMALS.

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

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

(Ord. 09-0-88. Passed 8-18-09.)

505.07 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. This section does not apply to trespassing animals as set forth in Ohio R.C. 959.04. (ORC 959.03)

(b) Whoever violates this section is guilty of a misdemeanor of the first degree. (Ord. 09-0-88. Passed 8-18-09.)

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

(Ord. 09-0-88. Passed 8-18-09.)

505.09 CRUELTY TO COMPANION ANIMALS.

(a) As used in this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ORC 959.131)

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

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

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

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

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

(5) If a court has reason to believe that a person who is convicted of or pleads guilty to a violation of this section suffers from a mental or emotional disorder that contributed to the violation, the court may impose as a community control sanction or as a condition of probation a requirement that the offender undergo psychological evaluation or counseling. The court shall order the offender to pay the costs of the evaluation or counseling. (ORC 959.99)

505.10 NUISANCE CONDITIONS PROHIBITED.

(a) No person, being the owner of or having charge or control over any animal shall permit it to scratch, dig, urinate, or defecate on private property, other than on the private property of the owner or person having charge or control of such animal.

This section does not apply to public property or road right of way so long as the owner or person in charge or control of the animal immediately repairs any damage and immediately removes all feces deposited by such animal and disposes of same in a sanitary manner.

(1969 Code 90.07)

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

505.11 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 Chief of Police within twenty-four hours. Whenever it is reported to the Chief of Police that any dog or cat has bitten a person, that dog or cat shall be quarantined under an order issued by the Chief of Police. The dog or cat shall be quarantined by its owner or by a harborer, or shall be quarantined in a pound or kennel. In all cases, such quarantine shall be under the supervision of the Chief of Police and shall be at the expense of the owner or harborer. Quarantine shall continue until the Chief of Police 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 Chief of Police 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 Chief of Police the conclusions reached as a result of the examinations. The examination by a veterinarian shall be at the expense of the owner or harborer. 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 Chief of Police made pursuant thereto, nor fail to immediately report to the Chief of Police any symptoms or behavior suggestive of rabies.

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

505.12 HUNTING PROHIBITED.

(a) No person shall hunt or pursue game within the corporate limits, except that limited hunting of white-tailed deer may be permitted when a permit is issued for such purpose by the Chief of Police, or his or her agent, upon the following terms and conditions:

(1) The hunting shall be conducted in accordance with the permit and only commensurate with the declared hunting season by the Ohio Department of Natural Resources, Division of Wildlife. The permit shall be subject to such reasonable requirements as are deemed necessary to preserve and protect the health, safety and welfare of the residents of the City and shall be conditioned upon the applicant complying with all laws, rules and regulations of the City and State. All applicants shall agree, in writing, to defend and indemnify the City for any negligent acts committed by the applicant while exercising rights granted hereunder. This agreement shall be part of the application, and signed by the applicant;

(2) The applicant uses no firearms or other weapons except a bow and arrow, longbow, compound bow or crossbow;

(3) Prior to the issuance of a permit, the Chief of Police or his or her agent shall make a determination that the applicant has complied with all laws, rules and regulations of the State and has the written permission of all property owners upon whose land the applicant intends to hunt. The property owner is required to complete and sign an affidavit prescribed by the Chief of Police indicating the person or persons he is authorizing to hunt on his property for the current hunting season. No person shall pursue a wounded or killed deer upon another's property unless the pursuing person has permission to do so.

(4) For the year in which the application is filed, the applicant must provide proof of proficiency with a longbow, compound bow, or crossbow by such test or tests established by the Chief of Police. Applicant must provide written proof of the type of bow utilized in the proficiency test and that he has achieved the required proficiency.

(5) Hunting of white-tailed deer shall be allowed only on parcels of five (5) acres or greater, or a combination of contiguous parcels, not separated by a public roadway, that together are equal to or greater than five (5) acres and where no more than five (5) of the contiguous parcels equal or exceed five (5) acres. Hunting shall be allowed on parcels of less than five (5) acres, or upon contiguous parcels not exceeding five (5) in number if, in the determination of the City, such parcels or collection of contiguous parcels, contain at least three (3) acres of land upon which hunting can actively occur. In assembling parcels to meet the acreage requirements established in this paragraph, municipally owned parcels not used for park purposes may be added to privately owned parcels with the approval of the City Manager and Police Chief and hunting activities may occur upon these municipally owned parcels with the approval of the City Manager and Police Chief and consistent with all rules otherwise provided for in this chapter. The Police Chief may also approve hunting on individual parcels or collections of contiguous parcels not meeting the minimum acreage requirements or parcel number requirements if, in his sole discretion, there exist unique characteristics, as determined by the Police Chief, that would allow hunting activities to safely occur. There shall be no hunting within one hundred (100) feet of a lot line that is not part of a parcel whose owner has given permission to hunt, or within one hundred (100) feet of a driveway or roadway. The Chief of Police, in his sole discretion, may determine any property unsuitable for hunting, regardless of size and location, if he determines public health and safety could be impacted.

(6) Any person obtaining a permit under this section and any property owner giving written permission for deer hunting on the owner's property shall have been deemed to consent to the entry upon the property by municipal police officers and/or other persons designated by the Safety Director to enforce the provisions of this chapter.

(7) All applicants must agree to hunt only from a fixed, elevated position at least eight (8) feet off the ground. Applicants shall not attempt to shoot at a deer upon or over a private driveway, public road or highway, or when that person can visually see residential structures, vehicles, or other persons in the background of his or her shot direction.

(8) The first deer harvested by a hunter in any season must be an "antlerless deer," as defined by the Ohio Department of Natural Resources, Division of Wildlife.

(9) Any hunter who kills a deer, or any other animal, shall report such a kill to the Police Department within twenty-four (24) hours of the killing and allow it to be inspected by the Department if so desired.

(10) Persons must be eighteen (18) years of age or older to be eligible to obtain a hunting permit.

(11) Hunting shall not be permitted on Sundays.

(b) It shall be prima facie evidence of hunting if a person is found within the corporate limits with any firearm or bow and arrow or other similar weapon, which said weapon is loaded or with the firing mechanism in closed position so that the weapon could be fired if loaded.

(c) The Safety Director is hereby authorized to promulgate any and all rules and regulations necessary to carry out the provisions of this section and all other rules and regulations necessary to insure public health and safety.

(d) Whoever violates this section is guilty of a misdemeanor of the fourth degree.
(Ord. 13-O-72. Passed 9-17-13.)

505.121 ANIMAL FIELD DRESSING, SLAUGHTER, AND BUTCHERY.

(a) No person shall slaughter or butcher any animal unless the activity is conducted in an enclosed structure and is shielded from view by the general public except an establishment issued a license for such purposes pursuant to the provisions of Chapter 918 of the Ohio Revised Code. "Animal" for purposes of this section does not include fish but does include deer. "Slaughter or Butcher" does not include field dressing or the further preparation of any meat products obtained from an establishment licensed pursuant to the provisions of Chapter 918 of the Ohio Revised Code or any such substantially similar federal or state laws.

(b) Whoever violates this section is guilty of a fourth degree misdemeanor.
(Ord. 16-O-96. Passed 10-18-16.)

505.13 FARM ANIMALS.

- (a) No person shall keep any swine on premises of less than two acres. The pen or lot within which swine are confined shall not be located nearer than 200 feet from any dwelling occupied by persons other than the owner of said swine. In no case shall any owner keep more than two (2) swine at any one time.
- (b) No person shall keep horses, goats, cows, chickens, sheep, mules, ducks, geese, turkeys or similar farm animals on premises of less than two (2) acres. In no case shall such animal be kept or maintained within 75 feet of any dwelling occupied by any person other than the owner of such animals.
- (c) The owner of any barn, pen or lot, in or on which any animals are kept or harbored, shall keep said barn, pen or lot in a clean, sanitary condition and shall remove all manure or other refuse from said barn, pen or lot at least twice a week. All manure kept or stored in said barn, pen or lot shall be so treated or kept as to prevent the breeding of flies.
- (d) Whoever violates this section is shall be guilty of a minor misdemeanor upon a first offense; shall be guilty of a fourth degree misdemeanor upon a second offense within twelve months of the first offense; and shall be guilty of a third degree misdemeanor upon three or more offenses within twelve months of the first offense.
- (e) A person's act or actions which result in a violation of Section [505.13](#) on four (4) or more occasions in a twelve (12) month period are hereby declared a public nuisance. The Law Director is hereby authorized to bring an action in any court of competent jurisdiction for the abatement of such nuisance and/or to pursue any such other appropriate legal remedies. The provisions of this section are in addition to and independent of any criminal sanctions provided by this chapter.
- (Ord. 09-0-86. Passed 8-18-09.)

505.14 DETERMINATION OF DANGEROUS OR VICIOUS ANIMALS.

(a) Upon notice or complaint received by the Police Department of the presence of an allegedly dangerous or vicious animal within the City, the Police Department shall promptly investigate such matter and inspect or cause an inspection to be made of the premises on which it is alleged that such animal is kept.

(b) "Dangerous animal":

(1) Means an animal that, without provocation, and subject to subsection (b)(2) hereof has done any of the following:

- A. Caused injury, other than killing or serious injury, to any person;
- B. Killed another domestic animal;
- C. Been the subject of a third or subsequent violation of Section [505.02\(a\)](#).

(2) "Dangerous animal" does not include a police dog that has caused injury, other than killing or serious injury, to any person or has killed another dog while the police dog is being used to assist one or more law enforcement officers in the performance of their duties.

(Ord. 13-O-58. Passed 7-2-13.)

(c) "Vicious animal":

(1) Means an animal that, without provocation and subject to subsection (c)(2) hereof, has killed or caused serious injury to any person.

(2) "Vicious animal" does not include either of the following:

- A. A police dog that has killed or caused serious injury to any person while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties;
- B. A dog that has killed or caused serious injury to another person while a person was committing or attempting to commit a trespass or other criminal offense on the property of the owner, keeper or harbinger of the dog.

(d) Police dogs are exempt from these provisions for all actions occurring in the course of their duties.
(Ord. 12-O-47. Passed 6-5-12.)

505.15 RESTRAINT OF DANGEROUS OR VICIOUS ANIMALS.

(a) No owner of a dangerous or vicious animal shall fail to do one of the following:

- (1) Keep the animal inside the owner's home;
- (2) Keep the animal in a locked enclosure at least five feet by ten feet which has a secure top and sides.

If the enclosure has no bottom securely attached to the sides, the sides must be embedded into the ground no less than two feet or it must have a concrete base with the fencing securely attached or anchored to the concrete perimeter to a depth of six inches;

(3) Keep the animal muzzled 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, size and discretion to control the animal and who is outside with the animal.

(b) No owner, keeper, or harbinger of a dangerous animal shall fail to do the following:

(1) Obtain liability insurance with an insurer authorized to write liability insurance in this State providing coverage in each occurrence because of damage or bodily injury to or death of a person caused by the dangerous animal if so ordered by a court and provide proof of that liability insurance upon request to any law enforcement officer, County Dog Warden, or public health official charged with enforcing this section in an amount described in division (H)(2) of Section 955.99 of the Ohio Revised Code;

(2) Obtain a dangerous animal registration certificate from the County Auditor pursuant to Ohio Revised Code 955.22(I), affix a tag that identifies the animal as a dangerous animal to the animal's collar, and ensure that the animal wears the collar and tag at all times;

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

- A. The animal is loose or unconfined;
- B. The animal bites a person, unless the animal is on the property of the owner of the animal, and the person who is bitten is unlawfully trespassing or committing a criminal act within the boundaries of that property;
- C. The animal attacks another animal while the animal is off the property of the owner of the animal.

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

(c) It is an affirmative defense to a charge of violation of this section that the animal was otherwise kept in a manner in compliance with this chapter, and that the animal was lawfully engaged in hunting or in training for the purpose of hunting and accompanied by the owner.

(d) Whoever violates this section is guilty of a misdemeanor of the fourth degree on a first offense and of a misdemeanor of the third degree on each subsequent offense. Additionally, the court may order the dangerous or vicious animal to be humanely destroyed by a licensed veterinarian, the Dog Warden or the human society at the owner's expense.

(Ord. 12-O-47. Passed 6-5-12.)

505.16 SERIOUS PHYSICAL HARM BY DANGEROUS OR VICIOUS ANIMALS.

(a) No person, being the owner or having the care, custody or control of any dangerous or vicious animal within the City, whether hunting, training or otherwise, shall allow such animal to cause serious physical harm to any person, except in defense of such owner's person or property

(b) Lack of intent on the part of such person to allow such animal to injure another, or the lack of knowledge of the violent propensities of such animal, is not a defense to a violation of this section.

(c) Whoever violates this section is guilty of a misdemeanor of the first degree.
(Ord. 12-O-47. Passed 6-5-12.)

505.17 PHYSICAL HARM BY DANGEROUS OR VICIOUS ANIMALS.

(a) No person, being the owner or having the care, custody or control of any dangerous or vicious animal within the City, whether hunting, training or otherwise, shall allow such animal to cause physical harm, as defined in Title 29 of the Ohio Revised Code, to any person, except in defense of such owner's person or property, or to cause serious physical harm to a dog, cat or other domestic animal.

(b) Lack of intent on the part of such person to allow such animal to injure a person, dog, cat or other domestic animal or the lack of knowledge of the propensities of such animal, is not a defense to a violation of this section.

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

505.18 MENACING BY ANIMALS.

(a) No person, being the owner or having custody or control of any dangerous or vicious animal, and while off the premises of the owner, shall knowingly cause or allow such animal to menace any person, except in defense of such owner's person or property.

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

505.19 IMPOUNDMENT; DESTRUCTION OF ANIMALS.

(a) When any person, being the owner or having custody or control of any animal is charged with a violation of this chapter, the court may, upon motion of any party or of its own motion, order the seizure and impoundment of the animal pending trial.

(b) In the event that a law enforcement officer has probable cause to believe that a dangerous or vicious animal is running at large, he may seize and impound the animal without seeking prior court order.

(c) Nothing within this section shall be construed to prevent a law enforcement officer from seizing or destroying any animal which presents an immediate risk of physical harm to any person or property.

(d) Any animal that attacks and injures any person or dog, cat or domestic farm animal shall be ordered humanely destroyed when, in the court's judgment, such animal represents a continuing threat of serious harm to persons or other such animals. The Law Department may petition a court of competent jurisdiction for an order to humanely destroy any animal impounded pursuant to this chapter which represents a threat of harm to any person caring for such animal. The court shall order any animal that kills or causes serious physical harm to any person, other than a person then committing a criminal trespass or other crime of violence upon the premises of the owner of such animal, humanely destroyed.

505.20 KEEPING BANNED ANIMALS.

- (a) No person shall own, keep, possess, harbor, maintain or have the care, custody or control of an animal within the City when such animal has been banned by order of a court of competent jurisdiction from any municipality, county, township or other political subdivision.
- (b) Compliance with the requirements of this chapter is not a defense to a violation of this section.
- (c) Whoever violates this section is guilty of a misdemeanor of the first degree.

**505.21 FEEDING OR HARBOR OF NUISANCE HEALTH RISK ANIMALS
PROHIBITED.**

- (a) No person within the limits of the City shall knowingly feed and/or harbor any nuisance health risk animals.
- (b) Medical treatment of any person or domestic animal required because of contact with nuisance health risk animals shall be at the cost of the person found in violation of subsection (a) hereof.
- (c) Whoever violates this section is guilty of a misdemeanor of the fourth degree.
- (d) In addition to any penalty proscribed in Section [501.99](#), the costs of any person or animal being tested for health problems caused by a violation of subsection (a) hereof shall be charged to the person found in violation of said subsection.
- (e) This section shall not apply to licensed trappers or permitted hunters actively baiting nuisance health risk animals in order to lawfully trap or harvest such animals, or to any feral cat colony caretaker who has registered with an Animal Welfare Organization that is conducting a Trap-Neuter-Return ("TNR") program or the caretaker that is in compliance with all provisions of Section [505.30](#).
- (f) It shall be an affirmative defense to the feeding of a feral cat that the cat previously was spayed or neutered. Evidence that the cat was ear-tipped shall constitute proof of this affirmative defense.
(Ord. 13-O-09. Passed 1-15-13; Ord. 17-O-21. Passed 3-7-17.)

505.22 WILD OR EXOTIC ANIMALS PROHIBITED.

(a) No person shall keep or permit to be kept any wild or exotic animal. This prohibition shall not apply to pet stores or to circuses or performing acts or other uses which have been duly authorized by the City Manager. The City Manager may issue a temporary permit to keep injured or infant wild animals native to the area which have been deemed to be incapable of surviving without assistance. The City Manager may order the release of any wild animal kept under a temporary permit.

(b) Any person owning a wild or exotic animal at the time of enactment of this chapter may, pending approval of the City Manager, obtain a permit to retain said wild or exotic animal provided that:

(1) A permit application is filed with the City Manager within 45 days of the effective date of this chapter.

(2) The facilities for housing and containment of said wild animal are inspected and found to be adequate to prevent such animal from escaping or injuring the public or public safety personnel acting in an official capacity.

(3) An annual permit fee of ten dollars (\$10.00) is paid by the owner to the City.

(4) Upon the death, sale, adoption, exchange, transfer, or disposal of said wild or exotic animal, the animal may not be replaced.

(1969 Code 90.11, 90.12)

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

505.23 REPORT OF ESCAPE OF WILD OR EXOTIC ANIMALS.

(a) The owner or keeper of any wild or exotic animal that escapes from custody or control within one hour after the discovery or the time the escape reasonably should have been discovered shall report the escape to a law enforcement officer of the City.

(b) Whoever violates this section is guilty of a misdemeanor of the first degree.
(ORC 2927.21)

505.24 STRICT LIABILITY.

The provisions of Sections [505.02](#), [505.04](#), [505.10](#) through and including [505.13](#), [505.15](#) through and including [505.17](#), [505.22](#) and [505.23](#) are specifically intended to impose strict criminal liability.

505.25 JUDICIAL DESIGNATION OF ANIMALS AS NUISANCE, DANGEROUS, OR VICIOUS ANIMALS.

(a) The municipal court or county court that has territorial jurisdiction over the residence of the owner, keeper, or harbinger of an animal shall conduct any hearing concerning the designation of the animal as a nuisance animal, dangerous animal, or vicious animal.

(b) If a person who is authorized to enforce this chapter has reasonable cause to believe that an animal in the person's jurisdiction is a nuisance animal, dangerous animal, or vicious animal the person shall notify the owner, keeper, or harbinger of that animal, by certified mail or in person, of both of the following:

(1) That the person has designated the animal a nuisance animal, dangerous animal, or vicious animal, as applicable;

(2) That the owner, keeper, or harbinger of the animal may request a hearing regarding the designation in accordance with this section. The notice shall include instructions for filing a request for a hearing in the county in which the animal's owner, keeper, or harbinger resides.

(c) If the owner, keeper, or harbinger of the animal disagrees with the designation of the animal as a nuisance animal, dangerous animal, or vicious animal, as applicable, the owner, keeper, or harbinger, not later than ten days after receiving notification of the designation, may request a hearing regarding the determination. The request for a hearing shall be in writing and shall be filed with the municipal court or county court that has territorial jurisdiction over the residence of the animal's owner, keeper, or harbinger. At the hearing, the person who designated the animal as a nuisance animal, dangerous animal, or vicious animal has the burden of proving, by clear and convincing evidence, that the animal is a nuisance animal, dangerous animal, or vicious animal.

(d) The owner, keeper, or harbinger of the animal or the person who designated the animal as a nuisance animal, dangerous animal, or vicious animal may appeal the court's final determination as in any other case filed in that court.

(e) A court, upon motion of an owner, keeper, or harbinger or an attorney representing the owner, keeper, or harbinger, may order that the animal designated as a nuisance animal, dangerous animal, or vicious animal be held in the possession of the owner, keeper, or harbinger until the court makes a final determination under this section or during the pendency of an appeal, as applicable. Until the court makes a final determination and during the pendency of any appeal, the animal shall be confined or restrained in accordance with Section [505.15\(b\)](#) hereof that apply to a dangerous animal regardless of whether the animal has been designated as a vicious animal or a nuisance animal rather than a dangerous animal. The owner, keeper, or harbinger of the animal shall not be required to comply with any other requirements established in the Mentor Code of Ordinances that concern a nuisance animal, dangerous animal, or vicious animal, as applicable, until the court makes a final determination and during the pendency of any appeal.

(Ord. 12-O-47. Passed 6-5-12.)

(f) If an animal is finally determined under this section, or on appeal as described in this section, to be a vicious animal, Section [505.15](#) hereof shall apply with respect to the animal, and the court shall issue an order that specifies that that provision shall apply with respect to the owner, keeper, harbinger. As part of the order, the court shall require the owner, keeper, or harbinger to obtain liability insurance pursuant to Ohio Revised Code 955.99(H)(2).

As used in this section, "nuisance animal," "dangerous animal," and "vicious animal" have the same meanings as in Section [505.01](#) hereof.

(Ord. 13-O-58. Passed 7-2-13.)

505.26 INTERFERENCE WITH HUNTING DEER.

- (a) No person may, for the purpose of hindering or preventing the lawful hunting of deer by a permitted hunter as defined in Section [505.01](#)(o) herein, engage in any of the following conduct:
- (1) Block, obstruct, impede, or attempt to block, obstruct or impede a person lawfully hunting deer;
 - (2) Erect a barrier with the intent to deny ingress or egress from areas where deer may be lawfully hunted;
 - (3) Make or attempt to make unauthorized physical contact with or in any way interfere with a person lawfully hunting deer;
 - (4) Engage in or attempt to engage in theft, vandalism or destruction of personal or real property;
 - (5) Disturb or alter, or attempt to disturb or alter the condition or authorized placement of personal or real property intended for use in the lawful hunting of deer;
 - (6) Enter or remain upon public lands or waters, or upon private lands or waters without the permission of the owner thereof, or an agent of that landowner, where deer may be lawfully hunted;
 - (7) Make or attempt to make loud noises or gestures; set out or attempt to set out animal baits, scents, lures, or human scent; use any other natural or artificial visual, aural, olfactory or physical stimuli, or engage in or attempt to engage in any other similar action or activity in order to disturb, alarm, drive, attract or affect the behavior of deer, or disturb, alarm, disrupt, annoy or interfere with a person lawfully hunting deer.
- (b) This section shall not apply to a law enforcement officer, game officer, or conservation officer enforcing the laws of the State of Ohio or any local ordinance, nor shall it apply to any private landowner, or agent thereof, on land or waters owned by that private landowner, nor anyone officially authorized by the City of Mentor to engage in Mentor's Deer Management Program.
- (c) The City of Mentor and/or the Division of Wildlife may initiate a civil action in the Court of Common Pleas for injunctive and other relief for any violation of this section.
- (d) Any person who violates any provision of this section shall be guilty of a misdemeanor of the first degree for each violation.
(Ord. 13-O-10. Passed 1-15-13.)

505.27 NEGLECT OF ANIMALS.

(a) No owner or keeper of a dog, cat, or other domestic animal shall knowingly cause any condition that is probable to result in permanent injury, death, or harm to such animal, including confining an animal in a motor vehicle under conditions that are probable to endanger the health of the animal, except that this section shall not apply to veterinarian assisted euthanasia of an animal.

(b) No person shall keep any animal in a place that is unsanitary, including any place where there is an unhealthy 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 located so as to avoid contamination by feces or other wastes;

(3) Shelter from the elements, including heat, cold, wind, rain and snow. 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 have 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 or 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 confines an animal by means of a cage or a pen shall fail to conform it to the following requirements:

(1) The 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 cage or pen shall provide sufficient shade to allow the animal to escape the direct rays of the sun at all times;

(3) The cage or pen shall be regularly cleaned.

(e) Whoever violates this section is guilty of neglect of animals, a misdemeanor of the first degree. (Ord. 15-O-49. Passed 6-2-15.)

505.28 TETHERING ANIMALS.

(a) No person shall tether an animal outside of a dwelling, without shelter, in any of the following circumstances:

(1) For more than eight (8) consecutive hours in a twenty-four (24) hour period with not less than a one (1) hour period between tetherings;

(2) If a heat or cold advisory has been issued by a local or state authority or the National Weather Service;

(3) If a severe weather warning has been issued by a local or state authority or the National Weather Service;

(4) If the tether is less than fifteen (15) feet in length;

(5) If the tether allows the animal to touch the adjacent property boundary line fence or cross the property line or cross onto public property;

(6) 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;

(7) If the animal is not provided with its needs as identified in Section [505.27\(c\)](#);

(b) Whoever violates this section is guilty of a minor misdemeanor on the first offense, a misdemeanor of the fourth degree on the second offense, and a misdemeanor of the first degree on the third or any subsequent offense. Notwithstanding the foregoing penalties, if an animal becomes sick or injured as a result of a violation of this section, then whoever violates this section is guilty of a misdemeanor of the first degree.

(Ord. 15-O-49. Passed 6-2-15.)

505.29 CONFINEMENT OF ANIMALS IN MOTOR VEHICLES.

(a) It is unlawful for a person to willingly confine any animal in a motor vehicle under conditions that are causing suffering, injury or death to the animal due to heat, cold, lack of adequate ventilation or under other endangering conditions. Whoever violates this section is guilty of a minor misdemeanor on the first offense, a misdemeanor of the fourth degree on the second offense, and a misdemeanor of the first degree on the third or any subsequent offense. Notwithstanding the foregoing penalties, if an animal becomes sick, injured or dies as a result of a violation of this section, then whoever violates this section is guilty of a misdemeanor of the first degree.

(b) In order to protect the health and safety of an animal, any animal control officer, animal cruelty investigator, law enforcement officer, firefighter or rescue squad worker who has probable cause to believe that this section is being violated may enter a motor vehicle by any reasonable means under the circumstances after making a reasonable effort to locate the owner or other person responsible for the animal.

(c) Nothing in this section shall be construed to apply to the transportation of horses, cattle, sheep, swine, poultry or other livestock.

(Ord. 15-O-49. Passed 6-2-15.)

505.30 FERAL CAT COLONIES.

(a) **Statement of Purpose.** This chapter is intended to provide for the proper and humane management of feral and stray cats in order to avoid, inter alia, breeding of wild and stray cats, the transmission of infectious diseases, and to preserve native wildlife species populations from excessive hunting by feral and stray cats via the management of same through the use of a TNR program.

(b) **Feral Cat Colonies.** When a Feral Cat Colony is found to exist, a person may via compliance with this chapter maintain and care for the feral cats by providing food, water, shelter and other forms of sustenance, provided that the person registers the Feral Cat Colony under sponsorship with a City registered Animal Welfare Organization.

(c) **Feral Cat Colony Caretakers** shall be responsible for the following:

- (1) Registering the colony with an Animal Welfare Organization pursuant to Section [505.01\(p\)](#).
- (2) Obtaining the written approval of the owner of any property, or any authorized representative of the owner, to which the Feral Cat Colony Caretaker requires access to provide colony care.
- (3) Providing food and water for colony cats in accordance with a regulated schedule that encourages dependence within the colony.
- (4) Obtaining proper medical attention for any colony cat that appears to require it.
- (5) Taking all appropriate and available steps to have the colony population spayed or neutered by a licensed veterinarian.
- (6) Taking all appropriate and available steps to vaccinate the colony population for rabies, preferably with a three-year vaccine, and to make a reasonable attempt to update the vaccinations as warranted and mandated by law.
- (7) Ear-tipping the left ear of a colony cat that has been vaccinated and spayed or neutered so that colony cats can be readily identified.
- (8) Taking all reasonable steps to (1) remove kittens from the colony after they have been weaned, (2) place the kittens in homes, foster homes, or reputable adoption organizations for the purpose of subsequent permanent placement, and (3) capture and spay the mother cat.
- (9) Using due consideration to prevent Feral Cat Colonies from being maintained on public lands, lands managed for wildlife or other natural resources, such as but not limited to Nature Preserves, where the presence of a Feral Cat Colony is a proven threat, and to avoid the taking of rare, threatened or endangered species under Ohio and U.S. law.
- (10) Taking all reasonable measures to resolve nuisance complaints resulting from the Feral Cat Colony.

(d) **Animal Welfare Organizations** that sponsor a Feral Cat Colony Caretaker shall be responsible for reporting quarterly in writing to the City on:

- (1) The location of the colony;
- (2) The number and gender of all cats within the colony;
- (3) A description of individual cats within the colony;
- (4) The reproductive status of all cats within the colony;
- (5) The number of cats that died or otherwise ceased being a part of the colony;
- (6) The number of kittens born to colony cats and their disposition;
- (7) The number of cats placed in animal shelters or in permanent homes as companion cats;
- (8) The number of cats vaccinated; and,
- (9) The number of cats spayed or neutered under its TNR program conducted for the caretakers.

(e) **Withdrawal of Feral Cat Colony Caretaker.** In the event that a Feral Cat Colony Caretaker is unable or unwilling to continue in that role, he, or she or it shall notify the Animal Welfare Organization immediately, which shall in turn immediately notify the City. If no other Feral Cat Caretaker is providing for the colony and if no new Feral Cat Caretaker assumes responsibility for the colony within thirty (30) days, feeding of the colony shall cease by the caretakers(s).

(f) **Failure to Adhere to Responsibilities and Revocation of Registration.**

(1) If a Feral Cat Colony Caretaker fails to meet all of the requirements of this chapter or has failed to resolve a nuisance complaint related to the Feral Cat Colony, he or she shall be notified of all deficiencies in writing and shall have thirty (30) days to become compliant or resolve the nuisance. If not so resolved within the thirty (30) day period, the Feral Cat Colony registration may be revoked.

(2) It is the affirmative responsibility of the Feral Cat Colony Caretaker, via compliance with the provisions of Section 505.30(b), to reduce the size of the Feral Cat Colony. Any yearly increase in the size of the Feral Cat Colony by virtue of new births and/or adult additions to the colony shall be grounds for revocation of the Feral Cat Colony registration unless the Feral Cat Colony Caretaker shall have developed an approved action plan to reduce the colony's size within the following year. In the event the Feral Cat Colony Caretaker does not timely implement the action plan or, having implemented same, not reduced within the following year the size of the Feral Cat Colony, the registration may be revoked.

(3) No person who has had their registration as a Feral Cat Colony Caretaker revoked shall thereafter act in a manner contrary to Section [505.21](#).

(h) Whoever violates this section is guilty of a misdemeanor of the fourth degree.
(Ord. 17-O-21. Passed 3-7-17.)

505.99 PENALTY.

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