

CHAPTER 618
City of Olmsted Falls: Animals

- [618.01](#) **Dogs and other animals running at large; dangerous and vicious dogs.**
- [618.015](#) **Keeping and maintaining wild or potentially dangerous animals.**
- [618.02](#) **Abandoning animals.**
- [618.03](#) **Killing or injuring animals.**
- [618.04](#) **Poisoning animals.**
- [618.05](#) **Cruelty to animals generally.**
- [618.051](#) **Protection of companion animals.**
- [618.055](#) **Abusing or killing police dogs.**
- [618.06](#) **Coloring rabbits and baby poultry; sale or display of poultry.**
- [618.07](#) **Animal fights.**
- [618.08](#) **Registration of dogs required.**
- [618.09](#) **Hindering capture of unregistered dog.**
- [618.095](#) **Dogs required to wear tags.**
- [618.10](#) **Unlawful tags.**
- [618.11](#) **Rabies quarantine.**
- [618.12](#) **Dogs with blind, deaf or mobility impaired persons.**
- [618.13](#) **Hunting.**
- [618.14](#) **Animals in food stores.**
- [618.15](#) **Barking or howling dogs; notice; nuisance conditions prohibited.**
- [618.16](#) **Maintaining dog kennels.**
- [618.17](#) **Raising mink.**
- [618.18](#) **Animals with communicable diseases.**
- [618.19](#) **Impounding.**
- [618.20](#) **Penalties not exclusive.**
- [618.21](#) **Waiver.**
- [618.22](#) **Feeding fowl in Flair Subdivision.**
- [618.23](#) **Reporting escapes.**

CROSS REFERENCES

- See section histories for similar State law
- Power to restraint and impound animals - see Ohio R.C. 715.23
- Driving animals upon roadway - see TRAF. [404.04](#), [404.05](#)
- Definitions generally - see GEN. OFF. [606.01](#)
- Assaulting police dog or horse or handicapped assistance dog - see GEN. OFF. [642.08](#)
- Offensive odors from places where animals are kept or fed - see GEN. OFF. [660.04](#)
- Animals in Municipal parks - see S.U. & P.S. [1062.02](#)

618.01 DOGS AND OTHER ANIMALS RUNNING AT LARGE; DANGEROUS AND VICIOUS DOGS.

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

(1) “Dangerous dog”. A dog that, without provocation, and subject to the following sentence, has chased or approached in either a menacing fashion or an apparent attitude of attack, or has attempted to bite or otherwise endanger any person while that dog is off the premises of its owner, keeper or harborer or some other responsible person, or not physically restrained or confined in a locked pen which has a top, locked fenced yard, or other locked enclosure which has a top. “Dangerous dog” does not include a police dog that has chased or approached in either a menacing fashion or an apparent attitude of attack, or has attempted to bite or otherwise endanger any person while the police dog is being used to assist law enforcement officers in the performance of their official duties.

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

(3) “Police dog”. A dog that has been trained and may be used to assist one or more law enforcement officers in the performance of their official duties.

(4) “Vicious dog”.

A. A dog that, without provocation, and subject to division B. of this definition, meets any of the following criteria:

1. Has killed or caused serious injury to any person;
2. Has caused injury, other than killing or serious injury, to any person, or has killed another dog;
3. Belongs to a breed that is commonly known as a pit bull dog. The ownership, keeping or harboring of such a breed of dog shall be prima facie evidence of the ownership, keeping or harboring of a vicious dog.

B. “Vicious dog” does not include either of the following:

1. A police dog that has killed or caused serious injury to any person or that has caused injury, other than killing or serious injury, to any person while the police dog is being used to assist law enforcement officers in the performance of their official duties.
2. A dog that has killed or caused serious injury to any person while a person was committing or attempting to commit a trespass or other criminal offense on the property of the owner, keeper or harborer of the dog.

(5) “Without provocation”. A dog acts “without provocation” when it was not teased, tormented, or abused by a person, or it was not coming to the aid or the defense of a person who was not engaged in illegal or criminal activity and who was not using the dog as a means of carrying out such activity. (ORC 955.11(A))

(b) A person who is the owner or has charge of any animal shall not permit it to run at large in the public road, highway, street, lane, or alley, or upon unenclosed land, or permit them to go upon any private yard, lot, or enclosure without the consent of the owner of the yard, lot, or enclosure.

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

(d) The running at large of such animal in or upon any of the places mentioned in divisions (b) and (c) above is prima facie evidence that it is running at large in violation of this section. (ORC 951.01, 951.02)

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

(f) Except when a dog is lawfully engaged in hunting and accompanied by the owner, keeper, harborer, or handler of the dog, no owner, keeper, or harborer of any dog shall fail at any time to do either of the following:

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

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

(g) Except when a dangerous or vicious dog is lawfully engaged in hunting or training for the purpose of hunting and is accompanied by the owner, keeper, harborer, or handler of the dog, no owner, keeper, or

harborer of a dangerous or vicious dog shall fail to do either of the following:

(1) While the dog is on the premises of the owner, keeper, or harborer, securely confine it at all times in a locked pen that has a top, locked fenced yard, or other locked enclosure that has a top, except that a dangerous dog may, in the alternative, be tied with a leash or tether so that the dog is adequately restrained.

(2) While the dog is off the premises of the owner, keeper, or harborer, keep that dog on a chain-link leash or tether that is not more than six feet in length and additionally do at least one of the following: keep the dog in a locked pen that has a top, locked fenced yard, or other locked enclosure that has a top; have the leash or tether controlled by a person who is of suitable age and discretion or securely attach, tie, or affix the leash or tether to the ground or a stationary object or fixture so that the dog is adequately restrained and station a person in close enough proximity to that dog so as to prevent it from causing injury to any person; or muzzle that dog.

(h) No owner, keeper, or harborer of a vicious dog shall fail to obtain liability insurance with an insurer authorized to write liability insurance in this state providing coverage in each occurrence, subject to a limit, exclusive of interest and costs, of not less than one hundred thousand dollars (\$ 100,000) because of damage or bodily injury to or death of a person caused by the vicious dog.

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

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

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

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

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

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

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

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

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

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

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

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

C. Falsely attesting on a waiver form provided by the veterinarian under division (G) of Ohio R.C. 955.22 that the person's dog is not a vicious dog or otherwise provide false information on that written waiver form.

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

(ORC 955.22)

(l) Whoever violates divisions (b) or (c) of this section is guilty of a misdemeanor of the fourth degree. (ORC 901.99)

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

(2) In addition to the penalties prescribed in division (m)(1) above, if the offender is guilty of a violation of division (e) or (f) of this section, the court may order the offender to personally supervise the dog that the offender owns, keeps, or harbors, to cause that dog to complete dog obedience training, or to do both.

(n) (1) If a violation of division (g) of this section involves a dangerous dog, whoever violates that division (g) is guilty of a misdemeanor of the fourth degree on a first offense and of a misdemeanor of the third degree on each subsequent offense. Additionally, the court may order the offender to personally supervise the

dangerous dog that the offender owns, keeps, or harbors, to cause that dog to complete dog obedience training, or to do both, and the court may order the offender to obtain liability insurance pursuant to division (h) of this section. The court, in the alternative, may order the dangerous dog to be humanely destroyed by a licensed veterinarian, the county dog warden, or the county humane society.

(2) If a violation of division (g) of this section involves a vicious dog, whoever violates that division (g) is guilty of one of the following:

A. On a first offense, a misdemeanor of the first degree if the dog causes injury other than killing or serious injury to any person. The person shall be guilty of a felony on each subsequent offense and shall be prosecuted under appropriate state law. 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.

B. A felony on a first or subsequent offense if the dog kills or seriously injures 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.

(o) Whoever violates division (h) of this section is guilty of a misdemeanor of the first degree.

(p) Whoever violates division (i) of this section is guilty of a felony to be prosecuted under appropriate state law. Additionally, the court shall order that the vicious dog be humanely destroyed by as licensed veterinarian, the County Dog Warden, or the County Humane Society.

(ORC 955.99(E) - (H), (J))

618.015 KEEPING AND MAINTAINING WILD OR POTENTIALLY DANGEROUS ANIMALS.

(a) No person shall keep, own, harbor, have charge of, maintain or have control of within the City a wild or potentially dangerous animal.

(b) For purposes of this section, a wild or potentially dangerous animal is defined as a mammal, reptile, fowl, or other vertebrate species which is not naturally tame or gentle, but is of a wild nature or disposition or not customarily domesticated, and which because of its characteristics may constitute a danger to human life or property if it escaped from secure quarters. A wild or potentially dangerous animal shall include, but not be limited to:

- (1) All poisonous reptiles;
- (2) All reptiles over eight feet in length;
- (3) Alligators, crocodiles and caimans;
- (4) Bears;
- (5) Cheetahs;
- (6) Birds of Prey, including, but not limited to, falcons, hawks, owls;
- (7) Coyotes and Coyote-dog hybrids;
- (8) Elephants;
- (9) Hyenas;
- (10) Jaguars;
- (11) Leopards;
- (12) Lions;
- (13) Lynxes;
- (14) Monitor Lizards, including, but not limited to Nile Monitor, Water Monitor and Cape Monitor;
- (15) Pumas, also known as cougars, mountain lions and panthers;
- (16) Primates, non-human, including, but not limited to apes, monkeys, baboons, chimpanzees, gibbons, gorillas, orangutans, siamangs;
- (17) Tegu lizards;
- (18) Tigers;
- (19) Wolves and wolf-dog hybrids;
- (20) Wildcats, ocelot, margay, serval, leopard cat.

(c) It shall be unlawful for any person or persons to keep or maintain a wild or potentially dangerous animal, either inside or outside a structure, within the City, with the following exceptions:

- (1) The Division of Wildlife in the Department of Natural Resources;
- (2) The Ohio Department of Agriculture;
- (3) An incorporated humane society;
- (4) A veterinarian holding a valid license under Ohio R.C. Section 4741.11, who has custody of the animal for the purpose of providing medical treatment to the animal.
- (5) Any organization that is an accredited member of the American Association of Zoological Parks and Aquariums.
- (6) An agency or official of the United States government acting in its official capacity.
- (7) Any research facility within the meaning of the "Animal Welfare Act" 80 STAT 359 (1966) 7 USCG Section 2131, as amended.
- (8) A common carrier with possession of the animal for the purpose of transportation when the wild or potentially dangerous animal is transported in humane quarters constructed to prevent escape;
- (9) Any person who is not currently dwelling in the City, who is traveling through the City with any wild or potentially dangerous animal and who is in the City for no more than 24 hours when the wild or potentially dangerous animal is maintained in humane quarters constructed to prevent escape.
- (10) The International Society for the Preservation of Wild Animals;
- (11) Any circus or professional entertainer present within the City for the purposes of entertainment to the general public provided the wild or potentially dangerous animal is maintained in humane quarters which will prevent escape.
- (12) Retail pet stores, with all proper licenses, located in a commercial zoning district, provided the animals prohibited by this section are not being offered for sale in the City; and

(13) Any fish or similar aquatic vertebrates, with the exception of domesticated pets as permitted in Chapter 153 of the Codified Ordinances of the City;

(d) Nothing in this section shall prohibit the keeping of household domesticated pets as permitted in Chapter 153 of the Codified Ordinances of the City;

(e) (1) It shall be unlawful for any person to display or have in his possession or in his control, in any public place within the City, any wild or potentially dangerous animal of any nature.

(2) For purposes of this section, a "Public Place" means a place to which the public or a substantial group of persons has access and includes but is not limited to, street, highways, alleys, sidewalks and all public rights of ways, transportation, facilities, school, places of amusement, parks, places of business, playgrounds, hallways and lobbies and other portions for actual residence. An act shall be deemed to have occurred in a public place if it produces consequences in a public place.

(f) Any person violating this section shall be deemed guilty of a minor misdemeanor for the first offense. For the second and subsequent violations of this section, the violator shall be deemed guilty of a misdemeanor of the fourth degree. Under all circumstances, persons found guilty of violating this section shall be liable to the City for all expenses, whether incurred by the City or advanced by the City, for shelter, food, veterinary expenses, boarding and transportation of the seized wild or potentially dangerous animal, and such other expenses as may be required in the relocation or destruction of any such wild or potentially dangerous animal. In addition, the Court may order the wild or potentially dangerous animal transferred to an appropriate zoological or similar facility. If that is not practical, as an alternative, the Court may order the wild or potentially dangerous animal destroyed by a qualified veterinarian.

(Ord. 47-2000. Passed 5-23-00.)

618.02 ABANDONING ANIMALS.

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

(b) Whoever violates division (a) of this section shall be guilty of a minor misdemeanor. Punishment shall be as provided in Section [698.02](#).
(ORC 950.99(A); Ord. 81-73. Passed 12-11-73.)

618.03 KILLING OR INJURING ANIMALS.

(a) No person shall maliciously, or willfully and without the consent of the owner, kill or injure a dog, cat, or any 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) Except as otherwise provided herein, whoever violates this section 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)

618.04 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 fourth degree.
(ORC 959.99)

618.05 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)

618.051 PROTECTION OF COMPANION ANIMALS.

(a) Companion animals, as defined in Section 959.131(A)(1) of the Ohio Revised Code, must be provided with sufficient protection from the elements, including heat, cold, wind, rain, snow or excessive direct sunlight. During periods of extreme harsh weather (cold or hot temperatures) owners will be advised to take precautionary measures to prevent harm to companion animals.

(b) If the animal is housed outside, a structure for shelter and protection must be provided. Proper bedding of hay, straw or similar material, that remains dry, must be utilized, and the structure must be equipped with a flap or door or similar device. A shelter which does not provide proper protection from the elements is considered to be an improper shelter.

(c) Building specifications: The structure shall be moisture-resistant and wind-resistant and of suitable size to accommodate the animal and allow retention of body heat. It shall be made of a durable outdoor material with a solid, moisture-proof floor and a floor raised at least two inches from the ground. All structures required by this section shall be subject to all building and zoning regulations.

(d) Daily care must include daily wholesome nutrition and fresh water supply. The water supply shall be provided in a removable receptacle and prevented from tipping over or freezing in the cold weather.

(e) Licensing and rabies vaccination must be kept current and proof of same verifiable. Failure to do so would define neglect.

(f) Whoever violates this section is guilty of a misdemeanor of the fourth degree with a two hundred fifty dollar (\$250.00) fine. Repeated offenses constitute a misdemeanor of the third degree with a maximum fine of five hundred dollars (\$500.00). The investigating officer, as defined in Section 959.132(A)(4) of the Ohio Revised Code, will evaluate the situation and educate the owners on how to take remedial action to correct the violation. In addition, upon a determination by the officer that the companion animal is in danger as a result of a violation of this Section, or for repeat offenders, the officer may impound the animal pursuant to Section 959.132 of the Ohio Revised Code to protect the safety and welfare of the animal.

(Ord. 52-2009. Passed 6-23-09.)

618.055 ABUSING OR KILLING POLICE DOGS.

(EDITOR'S NOTE: See Section [642.08](#) for current legislation pertaining to abusing or killing police dogs.)

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

(a) No person shall dye or otherwise color any rabbit or baby poultry, including, but not limited to, chicks and ducklings. No person shall sell, offer for sale, expose for sale, raffle or give away any rabbit or baby poultry which has been dyed or otherwise colored. No poultry younger than four weeks of age may be sold, given away or otherwise distributed to any person in lots of less than six. Stores, shops, vendors and others offering young poultry for sale or other distribution shall provide and operate brooders or other heating devices that may be necessary to maintain poultry in good health, and shall keep adequate food and water available to the poultry at all times.

(ORC 925.62; Ord. 81-73. Passed 12-11-73.)

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

(ORC 925.99(B))

618.07 ANIMAL FIGHTS.

(a) No person shall knowingly engage in or be employed at cockfighting, bearbaiting or pitting an animal against another; no person shall receive money for the admission of another to a place kept for such purpose; no person shall use, train or possess any animal for seizing, detaining or mistreating a domestic animal. Any person who knowingly purchases a ticket of admission to such place, or is present thereat, or witnesses such spectacle, is an aider and abettor.

(ORC 959.15)

(b) Whoever violates this section is guilty of a misdemeanor of the fourth degree and shall be subject to the penalty provided in Section [698.02](#).

(ORC 959.99(C))

618.08 REGISTRATION OF DOGS REQUIRED.

(a) No owner, keeper, or harbinger of a dog more than three months of age, nor owner of a dog kennel, shall fail to file an application for registration required by Ohio R.C. 955.01, nor shall he or she fail to pay the legal fee therefor.

(ORC 955.21)

(b) Whoever violates this section shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) on a first offense, and on each subsequent offense shall be fined not less than seventy-five dollars (\$75.00) nor more than two hundred fifty dollars (\$250.00) and may be imprisoned for not more than 30 days.

(ORC 955.99(E))

618.09 HINDERING CAPTURE OF UNREGISTERED DOG.

(a) No person shall obstruct or interfere with anyone lawfully engaged in capturing an unlicensed dog or making an examination of a dog wearing a tag.

(ORC 955.24)

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

(ORC 955.99(B))

618.095 DOGS REQUIRED TO WEAR TAGS.

(a) No owner of a dog, except a dog constantly confined to a registered kennel, shall fail to require the dog to wear, at all times, a valid tag issued in connection with a certificate of registration. A dog's failure at any time to wear a valid tag shall be prima facie evidence of a lack of registration and shall subject any dog found not wearing such tag to impoundment, sale, or destruction.

(ORC 955.10)

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

(ORC 955.99(B))

618.10 UNLAWFUL TAGS.

(a) No person shall own, keep, or harbor a dog wearing a fictitious, altered, or invalid registration tag or a registration tag not issued by the County Auditor in connection with the registration of that animal.
(ORC 955.25)

(b) Whoever violates this section is guilty of a minor misdemeanor and shall be subject to the penalty provided in Section [698.02](#).
(ORC 955.99(B); Ord. 81-73. Passed 12-11-73.)

618.11 RABIES QUARANTINE.

(a) No person, owning or having possession or charge of any animal known to have, or suspected of having, rabies, or any animal subject to rabies and known to have bitten or clawed a human being, shall fail to immediately surrender such animal to the Animal Warden or any police officer.

Any person having knowledge of the existence of any animal having rabies, which has not been surrendered as provided above shall, within six hours after the discovery thereof, report the same to the Police Department.

(b) Whenever a quarantine of animals has been duly declared by the Mayor, and whenever any animal bites or claws any person, the Chief of Police may order such animal quarantined in the County Dog kennel or in a veterinarian's kennel at the owner's expense for a period of not less than ten days from the time of the bite. (O.F. Ord. 1112. Passed 4-9-56.)

(c) No person shall violate a rabies quarantine order issued under this section or Ohio R.C. 955.26. (ORC 955.39)

(d) Whoever violates division (c) of this section is guilty of a minor misdemeanor for a first offense; for each subsequent offense such person is guilty of a misdemeanor of the fourth degree. The penalty shall be as provided in Section [698.02](#). (ORC 955.99(C); Ord. 81-73. Passed 12-11-73.)

618.12 DOGS WITH BLIND, DEAF OR MOBILITY IMPAIRED PERSONS.

(a) When a blind, deaf or mobility impaired person is accompanied by a dog that serves as or is in training to become a guide, leader, listener or support dog for him or her, and he or she can show proof by certificate or other means that the dog leading him or her, listening for him or her, or providing support or assistance for him or her has been or is being trained for that purpose by a nonprofit special agency engaged in such work, the person is entitled to the full and equal accommodations, advantages, facilities and privileges of all public conveyances, hotels and lodging places, all places of public accommodation, amusement or resort, all institutions of education, and others places to which the general public is invited, and may take the dog into such conveyances and places, subject only to the conditions and limitations applicable to all persons not so accompanied, except that:

(1) The dog shall not occupy a seat in any public conveyances.

(2) The dog shall be upon a leash while using the facilities of a common carrier.

(3) Any dog in training to become a guide, leader, listener or support dog shall be covered by a liability insurance policy provided by the nonprofit special agency engaged in such work protecting members of the public against personal injury or property damage caused by the dog.

(b) No person shall deprive a blind, deaf or mobility impaired person of any of the advantages, facilities or privileges provided in subsection (a) hereof, nor charge the blind, deaf or mobility impaired person a fee or charge for the dog.

(c) As used in this section, "institutions of education" means:

(1) Any State university or college, as defined in Ohio R.C. 3345.32;

(2) Any private college or university that holds a certificate of authorization issued by the Ohio Board of Regents pursuant to Ohio R.C. Chapter 1713;

(3) Any elementary or secondary school operated by a board of education;

(4) Any chartered or nonchartered nonpublic elementary or secondary school; or

(5) Any school issued a certificate of registration by the State Board of Proprietary School Registration.

(ORC 955.43)

(d) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the fourth degree and shall be subject to the penalty provided in Section [698.02](#).

(ORC 955.99(D))

618.13 HUNTING.

- (a) No person shall hunt, trap or kill any animal within the City, except for purposes of rodent control.
- (b) Whoever violates this section is guilty of a misdemeanor of the fourth degree and shall be subject to the penalty provided in Section [698.02](#).

618.14 ANIMALS IN FOOD STORES.

- (a) No person shall take an animal into any store or other place where food products are manufactured, prepared, stored or kept for sale except a dog used as a guide for a blind person.
(O.F. Ord. 1112. Passed 4-9-56.)
- (b) Whoever violates this section is guilty of a misdemeanor of the fourth degree and shall be subject to the penalty provided in Section [698.02](#).

**618.15 BARKING OR HOWLING DOGS; NOTICE; NUISANCE CONDITIONS
PROHIBITED.**

- (a) No person shall keep within the Municipality any dog which by barking, biting, howling or by any other manner or action injures or disturbs the peace and quiet of another person, or which destroys or damages any other person's lawn, tree, shrub, plant, building or other property.
- (b) On the complaint of any person that an animal owned, harbored or kept in the City created noise or committed damage as provided in subsection (a) hereof, the Police Department shall notify the owner of such animal of the complaint and order him to permanently abate such nuisance. No person shall fail to comply with such order.
- (c) Any animal which scratches, digs, urinates or defecates upon any lawn, tree, shrub, plant, building or any other public or private property, other than the property of the owner or person in charge or control of such animal, is hereby declared to be a nuisance.
- (d) No person being the owner or in charge or control of any dog shall allow or permit such dog to commit a nuisance upon any school grounds, City park, or other public property, or upon any private property other than that of the owner or person in charge or control of such dog without the permission of the owner of such property. Where the owner or person in charge or control of such dog immediately removes all feces deposited by such dog and disposes of same in a sanitary manner, such nuisance shall be considered abated.
- (e) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the fourth degree and shall be subject to the penalty provided in Section [698.02](#).
(Ord. 93-88. Passed 10-11-88.)

618.16 MAINTAINING DOG KENNELS.

- (a) As used in this section "kennel" means a building or structure used for the purpose of breeding dogs or boarding dogs or where dogs are housed for profit.
- (b) Except as provided in subsection (c) hereof, no person shall maintain a kennel within the Municipality.
- (c) Nothing in this section shall be deemed to apply to a licensed veterinarian, provided the kennel maintained by such veterinarian is maintained in connection with his practice and provided the same is maintained in compliance with the provisions of the Building Code and the Planning and Zoning Code.
- (d) Whoever violates this section is guilty of a misdemeanor of the fourth degree and shall be subject to the penalty as provided in Section [698.02](#).

618.17 RAISING MINK.

(a) No person shall raise mink within the Municipality.
(W.V. Ord. 444. Passed 71-4-47.)

(b) Whoever violates this section is guilty of a misdemeanor of the fourth degree and shall be subject to the penalty provided in Section [698.02](#).

618.18 ANIMALS WITH COMMUNICABLE DISEASES.

(a) No person shall bring into the City or sell or offer for sale in the City any animal having a communicable disease or which has been exposed to or which is liable to carry infection from a communicable disease.

(b) The following communicable diseases of animals shall be reported to the Police Department immediately upon the recognition of such disease by the owner or attending veterinarian or person having the diseased animal in his possession or control: Actinomycosis, anthrax, glanders, rabies (hydrophobia), Texas fever and tuberculosis.

(c) Every veterinarian or other person attending a case of communicable disease of any animal shall, within twelve hours after the recognition of such disease, report the same to the Police Department giving the name of the owner and his place of residence.

(d) Any person having knowledge of the existence of a case of communicable disease of any animal which has not been reported shall, within twelve hours after the discovery of the existence of such communicable disease, report the same to the Police Department.

(O.F. Ord. 1112. Passed 4-9-56.)

(e) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the fourth degree and shall be subject to the penalty provided in Section [698.02](#).

618.19 IMPOUNDING.

(a) The Animal Warden may impound every dog, domestic animal or pet found in violation of any of the provisions of this chapter. If such dog, domestic animal or pet is found wearing a valid license tag or the identity of the owner or custodian is otherwise established, notice shall be given to the licensee, owner or custodian that the animal has been impounded.

(b) Animals that are impounded shall be released only during regular hours that are to be established by the Animal Warden. Only dogs properly licensed by the County shall be released from the pound.

(Ord. 56-72. Passed 10-24-72.)

(c) No animal shall be released from the pound until the cost of taking up, impounding and keeping such animal is paid to the City. The charge shall be twenty-five dollars (\$25.00) per day or part thereof. Any animal remaining unclaimed after three days of the mailing of written notice or of actual notice of impounding shall be sold or otherwise disposed of as provided by law. The payment of charges for redeeming an animal from the pound shall not be construed to exempt the owner of such animal from payment of any fine levied for a violation of any of the provisions of this chapter.

(Ord. 13-87. Passed 2-10-87.)

618.20 PENALTIES NOT EXCLUSIVE.

Imposition of the penalties hereinbefore prescribed shall in no event be deemed to deny the City the right to take other action against unlicensed or vicious animals according to State law.
(Ord. 56-72. Passed 10-24-72.)

618.21 WAIVER.

A person charged with a violation of either Section [618.01](#) or [618.08](#) may, for a first offense, waive a court appearance by paying a fine of five dollars (\$5.00). A second offense may be waived by paying a fine of ten dollars (\$10.00). A third offense may not be waived. Payment shall be made in a manner prescribed by the Mayor.

(Ord. 66-72. Passed 10-24-72.)

618.22 FEEDING FOWL IN FLAIR SUBDIVISION.

No person shall feed or offer to feed the ducks or geese residing or existing in the area of Lake-of-the-Falls, Fawn Lake or Raintree Lake or elsewhere within the Flair Subdivision. It shall be prima-facie evidence, for purposes of this section, that an individual is feeding the aforesaid ducks or geese if such individual is found to be in possession of 100 grams or more of any food substance that could be used, or is being used, to feed such wildlife and is in the act of offering such substance to the wildlife.

(Ord. 86-84. Passed 6-25-84.)

618.23 REPORTING ESCAPES.

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

- (1) A law enforcement officer of the Municipality and the County Sheriff; and
- (2) The Clerk of Council.

(b) If the office of the Clerk of Council is closed to the public at the time a report is required by division (a) of this section, then it is sufficient compliance with division (a)(2) of this section if the owner or keeper makes the report within one hour after the office is next open to the public.

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