

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 12-86

INTRODUCED BY: Muller, Willey, Marnecheck, Kasaris

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 6 GENERAL OFFENSES CODE, CHAPTER 618 ANIMALS, SECTION 618.01 DOGS AND OTHER ANIMALS RUNNING AT LARGE, AND DECLARING AN EMERGENCY

WHEREAS: It has been determined that in order to better protect the residents of our community, the regulations regarding dogs and other animals running at large need to be strengthened; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part 6 General Offenses Code, Chapter 618 Animals, Section 618.01 Dogs and Other Animals Running at Large; and

WHEREAS: Council desires to provide for this amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Part 6 General Offenses Code, Chapter 618 Animals, Section 618.01 Dogs and Other Animals Running at Large which currently reads as follows:

## 618.01 DOGS AND OTHER ANIMALS RUNNING AT LARGE.

(a) No person who is the owner or keeper of horses, mules, cattle, sheep, goats, swine, dogs, cats, geese or other fowl or animals shall permit them to run at large upon any public way or upon unenclosed land.

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

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

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

(2) Keep the dog under the reasonable control of some person. "Electronic" (invisible) fences are not acceptable as providing sufficient control to meet the requirements for confinement.

(d) An animal on leash or within such distance of its owner or keeper that it may be controlled by him or her by voice or other signal of command shall not be deemed to be running at large in violation of this section.

(e) 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.

(f) Whoever violates subsection (a) hereof is guilty of a misdemeanor of the fourth degree and shall be subject to the penalty provided in Section 698.02.

(g) Whoever violates subsection (b) or (c) hereof shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for a first offense. For each subsequent offense, such person shall be fined not less than seventy-five dollars (\$75.00) nor more than two hundred fifty dollars (\$250.00) and may be imprisoned for not more than thirty days. In addition, the court may order the offender to personally supervise the dog that he or she owns, keeps or harbors, to cause that dog to complete dog obedience training, or to do both.

is hereby amended to hereinafter read as follows:

## 618.01 DOGS AND OTHER ANIMALS RUNNING AT LARGE.

*(a) No person who is the owner, keeper or harbinger of horses, mules, cattle, sheep, goats, swine, dogs, cats, geese or other fowl or animals shall permit any such fowl or animal to run at large upon any public way or upon unenclosed land.*

*(b) No owner, keeper or harbinger of any dog shall permit it to go beyond the premises of the owner, keeper or harbinger at any time unless the dog is properly on leash.*

*(c) No owner, keeper or harbinger of any dog shall fail at any time to keep the dog physically confined or restrained upon the premises of the owner, keeper or harbinger by voice and/or signal command, leash, tether, adequate fence, or secure enclosure to prevent escape. "Electronic" (invisible) fences are not acceptable as providing sufficient control to meet the requirements for confinement.*

*(d) Whoever violates any provision of this section is guilty of a misdemeanor of the third degree and shall be subject to the penalty provided in Section 698.02.*

Section 2. Section 618.01 Dogs and Other Animals Running at Large is hereby amended as provided for herein and all other provisions of Chapter 618 shall remain in full force and effect.

Section 3. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to better protect the residents of our community regarding dogs and other animals running at large.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz  
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik  
MAYOR

DATE PASSED: May 15, 2012

DATE APPROVED: May 16, 2012

ATTEST: /s/ Laura J. Haller  
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended  
Second reading suspended  
Third reading May 15, 2012

YEAS: Antoskiewicz, Nickell, Petrusky, Willey  
Marnecheck, Muller, Kasaris

NAYS: none