

Moved by Mr. Glancy

Seconded by Mr. Arnal

That the following Dog Control Resolution be adopted; (64-96)

DOG CONTROL RESOLUTION

WHEREAS, the State of Ohio has granted Townships the authority in Ohio Revised Code Section 955.221 to pass resolutions to control dogs, including, but not limited to, resolutions concerning the ownership, keeping, or harboring of dogs, the restraint of dogs, dogs as public nuisances, and dogs as a threat to public health, safety and welfare.

NOW THEREFORE BE IT RESOLVED by the Board of Township Trustees of Bazetta Township, Ohio, that:

SECTION 1: Confinement and Restraint

- (A) As used in this section, "dangerous dog" and "vicious dog" have the same meanings as in Section 955.11 of the Ohio Revised Code.
- (B) 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.
- (C) No owner, keeper or harborer of any dog shall fail at any time to keep it either 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, or under reasonable control of some person, except when the dog is lawfully engaged in hunting accompanied by the owner, keeper, or harborer or a handler.
- (D) No owner, keeper, or harborer of a dangerous or vicious dog shall fail to do either of the following except when the dog is lawfully engaged in hunting or training for the purpose of hunting, accompanied by the owner, keeper, harborer or a handler:
 - (1) While that dog is on the premises of the owner, keeper or harborer, securely confine it at all times in a locked pen which has a top, locked fenced yard, or other locked enclosure which 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 that dog is off the premises of the owner, keeper or harborer, keep it 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:

a) Keep that dog in a locked pen which has a top, locked fence yard, or other locked enclosure which has a top;

b) 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 such a person in close enough proximity to that dog so as to prevent it from causing injury to any person;

c) Muzzle that dog.

(E) 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 Fifty Thousand Dollars because of damage or bodily injury to or death of a person caused by the vicious dog.

(F) It shall be prima facie evidence that a dog is not under the required control if such dog chases, injures, menaces or kills any person or domestic animal or commits any nuisance upon property other than of its owner, keeper or harborer.

SECTION II Barking and Noisy Animals

No person shall keep or harbor any dog which howls or barks or emits audible sounds which are unreasonably loud or disturbing and which are of such a character, intensity and duration so as to disturb the peace and quiet of the neighborhood or to be detrimental to the life and health of any individual.

SECTION III Unsanitary Conditions

No person shall keep or harbor any dog in the Township so as to create noxious or offensive odors or unsanitary conditions which adversely impact the health, comfort or safety of the public.

SECTION IV Damage to Property

(A) Any owner, keeper or harborer of any dog that injures or damages public property or private property of one other than the owner, keeper or harborer of the dog shall be strictly liable to the injured or damaged party.

(B) No owner, keeper or harborer of any dog which defecates upon property of another shall fail to immediately remove any and all feces deposited by such dog from the property of another, including public parks or other public party, The owner of or person having charge of such dog shall immediately dispose of such feces in a sanitary manner.

SECTION V

Exemptions

This Resolution does not apply to:

- (1) The owner or person in charge of a dog that is assisting a blind, deaf or handicapped person and such person either is unaware that the dog's activities are in violation of this resolution or is unable to comply with this Resolution.
- (2) Law Enforcement personnel in charge of a dog which is assisting such personnel in the performance of official duties.
- (3) A dog while actually in the field and lawfully engaged in hunting or legitimate training for the purpose of hunting while accompanied by a licensed hunter.

SECTION VI

Penalties

Any violation of this Resolution shall result in a minor misdemeanor, punishable by a fine of up to \$100.00. Each day of continued violation of this Resolution shall constitute a separate offense.

Adopted this 04 day of March, 1996.

ROLL CALL VOTE:

William O. Glancy
Marcel P. Arnal
Michael G. Piro

- *William O. Glancy*
- *MARCEL P. ARNAL*
- *Michael G. Piro*