

ORDINANCE NO.: 2018-08 (AMENDED MAY 22, 2018)
SPONSORS: MAYOR NEUGEBAUER
INTRODUCED: APRIL 10, 2018 **ASSIGNED TO:** ENV. & PARKS

AN ORDINANCE AMENDING CHAPTER 618, SECTION 618.03 "CONTROL OF DOGS", AND DECLARING AN EMERGENCY.

WHEREAS, the Administration has recommended that Chapter 618 be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO, THAT:

SECTION ONE:

Existing Chapter 618, Section 618.03, of Green's Codified Ordinances be, and the same is hereby amended to read and provide, in its entirety, as is now fully set forth in **Amended** Exhibit "A" attached hereto and incorporated herein.

SECTION TWO:

Any other ordinances or parts thereof in conflict herewith be, and the same hereby are, repealed to the extent of a conflict and all ordinances not amended by this Ordinance shall remain in full force and effect.

SECTION THREE:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION FOUR:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green and so that these revisions may go into effect immediately. Provided that this legislation receives the affirmative vote of three-fourths ($\frac{3}{4}$ ths) of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: May 22, 2018

Memoire Baldinger
Molly Kapeluck, Clerk

Chris Humphrey
Chris Humphrey, Council President

APPROVED: May 22, 2018

Gerard M. Neugebauer
Gerard M. Neugebauer, Mayor

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Resolution 2018-R08 (AMENDED MAY 22, 2018)

ENACTED EFFECTIVE: May 22, 2018

ON ROLL CALL: Babbitt Aye Dyer Aye Humphrey Aye Shaughnessy Aye
Speight Aye Yeargin Aye Young Aye Adopted 7-0

Suburbanite publication on May 25, 2018 and June 1, 2018

Nichole Baldinger
~~Molly Kapeluck~~, Clerk

05/11/2018 Approved as to form and content by William G. Chris, Director of Law, Interim



618.03 CONTROL OF DOGS.

2018-08 Amended Exhibit "A"

(a) No owner, keeper or harbinger, of any dog shall fail at any time to keep such dog either physically confined or restrained upon the premises of the owner by a leash, tether, adequate fence or secure enclosure to prevent escape, or properly in leash and under the immediate control of some person, except when the dog is lawfully engaged in hunting, or training for the purpose of hunting, and accompanied by the owner.

(b) No dog shall be at large within the City unless securely attached upon a leash held in the hand of a person in a manner which continuously controls the dog, except when the dog is lawfully engaged in hunting, or training for the purpose of hunting, and accompanied by the owner.

(c) No person shall take, lead or have in his possession any animal in any City park, except that dogs upon a leash, no longer than six (6) feet in length, held in the hand of a person in a manner which continuously controls the dog, are permitted in East Liberty Park, Ariss Park, Southgate Park and Central Park in designated areas. Other than service animals, dogs. Dogs permitted in the aforementioned City parks are not permitted on sports fields, sports courts, in playground areas, or the amphitheater at Central Park. Dogs are only permitted to be unleashed within the fenced "dog park" area within Ariss Park. Dogs shall must be properly cared for, registered and wearing tags as required under O.R.C. 955, cleaned up after, and waste properly disposed. Service dogs are specifically excluded from the provisions of this subsection.

(de) No person, being the owner of a dog, shall encourage or permit such dog to:

(1) Snap at, menace, attempt to bite or attempt to cause physical harm to any person or animal, while the dog is off the premises of the owner, or while on premises which are not exclusively controlled by the owner;

(2) Cause physical harm to the property of another while the dog is off the premises of the owner, or while on premises which are not exclusively controlled by the owner;

(3) Bite or otherwise cause physical harm to any person or animal while the dog is off the premises of the owner, or while on premises which are not exclusively controlled by the owner.

(ed) It shall be an affirmative defense to a violation of divisions (a) and (b) hereof that the dog was:

(1) Securely confined in an automobile or cage which is adequately ventilated; or

(2) Being exhibited at a public dog show, zoo, museum or public institution.

(fe) No public law enforcement agency or member thereof, or a licensed private law enforcement agency or member thereof, shall be convicted of any violation of this Section where the dog is owned by the agency and at that time engaged in law enforcement activities.

(gf) Lack of intent, knowledge or fault on the part of the owner is not a defense to a violation of this section.

(hg) 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.

(Ord. 92-14. Passed 6-9-92.)

Draft May 11, 2018 3-2-18