

ORDINANCE 2018 – 51

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF PARMA HEIGHTS, PART SIX GENERAL OFFENSES CODE, BY CREATING NEW SECTION 618.015, AND DECLARING AN EMERGENCY

WHEREAS, increasing demand is being made on city services regarding the care and control of dangerous and/or stray animals that are found in the city and providing humane care to these animals; and

WHEREAS, the Administration and Council recognize that there is a need for the services of an Animal Control Officer to perform the duties related to capturing and impounding dangerous and/or stray animals and providing humane care to these animals.

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

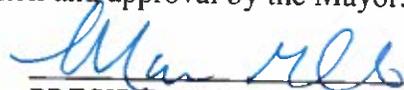
Section 1. Part Six of the General Offenses Code of the Codified Ordinances of the City of Parma Heights is amended by creating a new Section 618.015 which is attached as Exhibit A and incorporated as if fully rewritten.

Section 2. Part Six of the General Offenses Code of the Codified Ordinances of the City of Parma Heights is amended as, provided for herein and all other provisions of Part Six shall remain in full force and effect.

Section 3. This Council 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 that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 4. This Ordinance is declared to be an emergency measure necessary for the public peace, health and safety of the Municipality and for the further reason that it is immediately necessary to amend Part Six of the Codified Ordinances in order to provide for the services of an Animal Control Officer to perform the duties related to capturing and impounding dangerous and/or stray animals and providing humane care to these animals; wherefore, this ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

PASSED: 12-10-2018


PRESIDENT OF COUNCIL

ATTEST: Florence C. Bohdan
CLERK OF COUNCIL

12-10-2018
APPROVED

FILED WITH
THE MAYOR: 12-10-2018


MAYOR

618.015 ANIMAL CARE AND CONTROL OFFICER.

(a) Appointment. An Animal Care and Control Officer may be employed, contracted, or appointed by the Mayor. The selection shall be based on interest in animal care and control and knowledge of same.

(b) Employment Standards. The minimum employment standards relative to the recruitment, selection, and appointment of animal care and control officers are as follows:

(1) The Animal Care and Control Officer shall have appropriate educational, mental and moral fitness.

(2) A minimum course of study of not less than 40 instructional hours including, but not limited to, enforcement, animal husbandry, euthanasia, and any other topics deemed necessary for the effective care and control of animals.

(3) Subdivision (b) shall not apply if the animal care and control officer is a police officer or has served at least 3 years as an animal control officer.

(4) The Animal Care and Control Officer shall have completed Ohio Humane Agent's Training within one year of appointment.

(c) Powers and Duties. The Animal Care and Control Officer shall have the following powers and duties:

(1) To enforce the provisions of this Chapter 618 of the Codified Ordinances; to file in his or her official capacity, such complaints in any court of competent jurisdiction as may be necessary and proper to secure such enforcement; and to institute and otherwise participate in such other action and proceedings before any court, officer or other public body of competent jurisdiction as may be instrumental in enforcing the provisions of this chapter.

(2) To impound any animal found within the City violating any provisions or prohibitions of this chapter, or which are victims of any such violations;

(3) To dispose of such animals in the manner provided by ordinance or by general law; and

(4) To receive and investigate complaints of alleged violations of the prohibitions of this chapter.

(5) The Animal Care and Control Officer shall be provided with a badge designating his or her office, and such other uniform, vehicles and equipment necessary to carry out his or her duties; however, any vehicle used for picking up and impounding animals, livestock or poultry shall be clearly marked on both sides with the following: "Animal Care and Control".

(6) In the exercise of his or her duties, the Animal Care and Control Officer is authorized to issue, on a form provided by the City, a citation to any person found by him or her to be in violation of this chapter.

(7) The Animal Care and Control Officer is encouraged to attend classes, seminars, or instructional courses related to the animal profession each year to ensure continuing education and awareness of current animal issues relative to the position.

(8) The Animal Care and Control Officer shall have specified public hours during the normal business week. The Chief of Police shall make certain there is an Animal Care and Control Officer, Police Officer, or other proper authority, available on-call 24-hours a day for enforcement of Chapter 618 of the Codified Ordinances.

(9) The Animal Care and Control Officer has a duty to educate the public, including, but not limited to, pet sterilization, licensing, wildlife, guardianship, and any other animal laws or issues affecting the animal population.

(10) The Animal Care and Control Officer has a duty, during the course of performing his or her duties, to report any cases of suspected child abuse or suspected domestic violence.

(11) Enforcement of this chapter is not limited to the Animal Care and Control Officer. Police Officers, humane agents, or any other entity with the proper authority can enforce the provisions of this Chapter and applicable State Laws.

(12) Upon conviction of any of the offenses set forth in this chapter, the Animal Care and Control Officer shall recommend to the court, when applicable, that the offender be subject to community service, evaluation and treatment, forfeiture of all legal interest in the animal, reimbursement of costs, restrictions on future possession of any animal, and restitution.

(13) The Animal Care and Control Officer shall be subject to the same care and humane standards as set forth in this Chapter 618 of the Codified Ordinances.

(14) The Animal Care and Control Officer will be under the direction of the Chief of Police.

(15) The Animal Care and Control Officer shall maintain written records of the citations written under this chapter, Animal Care and Control Calls for service, the total number of dogs and cats under 6 months of age, the total number of dogs and cats 6 months of age or older, and any other domestic animal received, returned to owners, adopted to new owners, sold, or transferred with or without remuneration to any person, the number of adopted dogs and cats that were altered, the number of dogs and cats that were not altered, and the number of dogs, cats, and other domestic animals euthanized. This report shall be available monthly, and the Animal Care and Control Officer shall provide a copy of the annual statistics to the Mayor and City Council, by January 31 of the year following the year for which the statistics were compiled.

(16) Sufficient funds shall be appropriated in each annual budget of the City for personnel, a badge and uniform, vehicles and any other equipment necessary to carry out the duties of the Animal Care and Control Officer. Sufficient funds shall also be appropriated, when available, for education of the Animal Care and Control Officer(s) and the public.