

ORDINANCE NO. 2022 - 23

AN ORDINANCE AMENDING SECTION 618.10 ENTITLED "ANIMALS RUNNING AT LARGE; ANIMAL OWNER LIABLE FOR DAMAGE TO PUBLIC OR PRIVATE PROPERTY" OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

WHEREAS, the Parma Heights Police Department will begin utilizing a police dog in the summer of 2022; and

WHEREAS, the Parma Heights Codified Ordinances regarding animals running at large need to allow police dogs to perform official duties.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga, and State of Ohio:

Section 1: That Section 618.10 of the Codified Ordinances shall be amended and, as amended, shall henceforth read as shown by edits set forth in Exhibit A, which are attached hereto and incorporated by reference.

Section 2: 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 meeting open to the public, in compliance with the law.

Section 3: This Council declares this Ordinance to be an emergency measure for the immediate preservation of the public health, peace, and safety of this municipality and for the further reason that it is necessary to allow the Police Department to utilize police dogs to maintain safety; wherefore, it shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: 8-15-22 Thomas Rounds
PRESIDENT OF COUNCIL

ATTEST: Barbara S. Allen 8-15-22
CLERK OF COUNCIL APPROVED

FILED WITH THE MAYOR: 8-15-22 Marie Gallo
MAYOR MARIE GALLO

EXHIBIT A

618.10 ANIMALS RUNNING AT LARGE; ANIMAL OWNER LIABLE FOR DAMAGE TO PUBLIC OR PRIVATE PROPERTY.

(a) No owner/guardian of any animal, including, but not limited to, dogs and cats, shall permit such an animal to run at large within the City at any time. Any animal shall be deemed running at large when such an animal is not inside a resident structure, secure fence or pen; on a leash and held by a person capable of controlling such animal; or tethered in such a manner as to prevent its getting on the public right-of-way or another's property. This provision shall not apply to dogs being obedience trained by a certified trainer.

(b) The owner, keeper or harbinger of a domestic animal who permit it to run at large in violation of this section shall, in addition to the penalty provided in division (g) of this section, the owner of the animal will be liable for all damage or destruction to the owner or occupant of the damaged property for the full value of the damage or destruction.

(c) Any land which is enclosed with invisible fencing must have its boundary no less than six feet from public property. (The public is encouraged, but not required to post signs regarding invisible fencing.)

(d) No person who is the owner or in charge of any dog shall permit such dog to be tethered in a front or side yard.

(e) This section shall not apply to persons operating under the guidelines of a program approved by the Director of Public Safety for providing for the trapping, spaying, or neutering, and releasing of cats and dogs with the purpose of reducing the unwanted stray-animal population in the City.

(f) This section shall not apply to a police dog that is being used to assist one or more law enforcement officers in the performance of their official duties or during the police dog's normal course of duty.

~~(g)~~ (g) Whoever violates any provision of this section is guilty of a minor misdemeanor for a first offense. Whoever violates this section in a second or subsequent offense shall be guilty of a misdemeanor of the fourth degree.

(Ord. 2019-3. Passed 2-11-19.)