

ORDINANCE NO. 14-14

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Brooks Compton ON THE 18th DAY OF August, 2014.

**AN ORDINANCE TO AMEND CHAPTER 618,
ANIMALS, OF THE CENTERVILLE
MUNICIPAL CODE TO PROHIBIT
OUTDOOR FEEDING OF ANIMALS.**

WHEREAS, the City had enacted regulations in the Centerville Municipal Code for dealing with animals, both domestic and wild; and

WHEREAS, the City has determined that the outdoor feeding of animals has caused a nuisance to residents in the vicinity of those animals; and

WHEREAS, the individuals feeding these animals have not assumed ownership nor taken responsibility for the actions of these animals; and

WHEREAS, the City has determined it to be in the best interests of the City to provide regulations to address the failure of individuals who feed these animals, but who have not taken ownership or responsibility for the actions of such animals.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That the following amendment to Chapter 618 of the Centerville Municipal Code is hereby enacted as follows with new language to be added in *italics* and text to be deleted in ~~strikeout~~ as provided in Section 5.02 of the Centerville Charter:

618.17 OUTDOOR FEEDING PROHIBITED.

(A) No person, unless authorized by law, shall knowingly or recklessly leave food or any other type of feed outdoors unattended so as to

attract animals running at large or wild animals. The feeding of one's own animal(s) or wild birds on their premises shall be the exception so long as the feed does not attract animals whether running at large or wild from public property, public ways or private property not owned by the person feeding one's own animal(s).

It shall be prima facie evidence of willful violation of this section if a person, not authorized by law, shall knowingly or recklessly:

- (1) Leave food or any other type of feed outdoors unattended not in the presence of the owner's animal;
or*
- (2) Allow animals running at large, stray or wild animals to feed on one's own property.*

(B) By leaving food or any other type of feed outdoors unattended which does attract animals running at large or stray, the person feeding the animal(s) shall be deemed to be the owner, keeper, harbinger or one who has charge of any such animal(s) running at large or stray for purposes of Sections 618.01, 618.02 and 618.13.

(C) Each charge or service cost for the animal pickup of an animal running at large or stray shall be collected from the owner, keeper, harbinger or one who has charge of any such animal(s) running at large or stray. If the same is not paid within 30 days after mailing notice of such costs to the Owner, such amount shall be certified to the County Auditor for collection, the same as other taxes and assessments are collected.

(D) Whoever violates this section as a first time offender is guilty of a minor misdemeanor.

(E) Whoever violates any provision of this section in a second or subsequent offense shall be guilty of a fourth degree misdemeanor.

Section 2. This ordinance shall be effective from and after the earliest date allowed by law.

PASSED THIS 18th day of August, 2014.



Mayor of the City of
Centerville, Ohio

ATTEST:

Debra A. James
Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 14-14, passed by the Council of the City of Centerville, Ohio on the 18th day of August, 2014.

Debra A. James
Clerk of the Council

Approved as to form, consistency with the
Charter and Constitutional Provisions.
Department of Law
Scott A. Liberman
Municipal Attorney