

ORDINANCE NO. 38-84

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Brooks Compton ON THE  
19th DAY OF November, 1984.

AN ORDINANCE AMENDING CHAPTER 505 OF THE  
CENTERVILLE MUNICIPAL CODE BY REQUIRING THE  
CONFINEMENT AND RESTRAINT OF VICIOUS DOGS  
IN THE CITY.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That Section 505.01(a) of the Centerville  
Municipal Code is hereby amended by the addition of the following  
definitions:

(4) "unconfined" means a vicious dog which is not  
securely confined indoors or confined in a  
securely enclosed and locked pen or structure upon  
the premises of the person owning, harboring or  
having the care of same. Such pen or structure  
must have secure sides and a secure top. If the  
pen or structure has no bottom secured to the  
sides, the sides must be imbedded in the ground  
no less than one (1) foot.

(5) "vicious dog" means:

- (a) Any dog with a known propensity, tendency or  
disposition to attack, unprovoked, to cause  
injury or to otherwise endanger the safety of  
human beings or other domestic animals; or
- (b) Any dog which attacks a human being or  
another domestic animal without provocation;  
or
- (c) Any dog owned or harbored primarily or in  
part for the purpose of dog fighting or any  
dog trained for dog fighting.

Section 2. That Section 505.01 of the Centerville Municipal  
Code is hereby amended as follows:


- (d) No person owning or harboring or having the care  
of a vicious dog shall suffer or permit such  
animal to go unconfined on the premises of such  
person.
- (e) No person owning or harboring or having the care  
of a vicious dog shall suffer or permit such dog  
to go beyond the premises of such person unless  
such dog is securely leashed and muzzled or other-  
wise securely restrained.
- (f) No person shall own or harbor any dog for the  
purpose of fighting, or train, torment, badger,  
bait, or use any dog for the purpose of fighting  
or for the purpose of causing or encouraging said  
dog to unprovoked attacks upon human beings or  
domestic animals.

[(d)] g Whoever violates this section is guilty of a minor misdemeanor. (ORC 955.99[A]). Subsequent violations of subsections (d), (e) and (f) of this section shall be misdemeanors of the fourth degree.

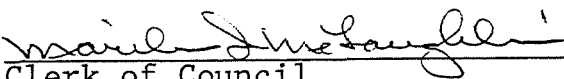
Any person found guilty of violating this section shall pay all expenses, including shelter, food, veterinary expenses necessitated by the seizure of any dog for the protection of the public, and such other expenses as may be required for the destruction of any such dog.

Section 3. This ordinance shall become effective from and after the earliest date allowed by law.

PASSED THIS 19th day of November, 1984.

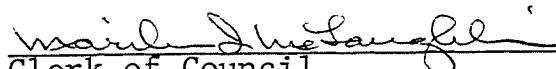
  
Mayor of the City of Centerville,  
Ohio

ATTEST:

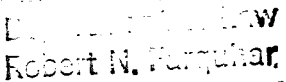
  
Clerk of Council  
City of Centerville, Ohio

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. 38-84, passed by the Council of the City of Centerville, Ohio, on the 19th day of November, 1984.

  
Clerk of Council

Approved as to form, consistency  
with existing ordinances, the  
charter & constitutional provisions.

By   
Robert N. Farguhar  
Municipal Attorney