

NOTICE OF ADOPTION

I, Teri Davis, do hereby certify:

1. That I am the Clerk of Council of the Council of the City of Centerville, Ohio;
and
2. That on the 20th day of December, 2021,
Ordinance No. 22-21 was adopted by the Centerville City Council; and
3. That a certified copy of Ordinance No. 22-21 was published in the
posting locations prescribed by the City of Centerville Council.



Clerk of Council

ORDINANCE NO. 22-21

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER JoAnne Ray ON THE 20th DAY OF December, 2021.

AN ORDINANCE TO AMEND SECTION 618.17, OUTDOOR FEEDING PROHIBITED, OF THE CENTERVILLE MUNICIPAL CODE TO AMEND THE PROHIBITION OF 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 had determined that the outdoor feeding of animals had caused a nuisance to residents in the vicinity of those animals; and

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

WHEREAS, it has been determined that the City has successfully been running a Trap-Neuter-Return (TNR) program in partnership with SICSA Pet Adoption Center; and

WHEREAS, the TNR program utilizes volunteers to trap animals and transport them to the TNR appointments; and

WHEREAS, the volunteers use various methods for trapping the animals including the placement of food outdoors to entice the animals into the traps; and

WHEREAS, animal experts say limited routine feeding of community cats is necessary to maintain and limit the size of a colony long term; and

WHEREAS, the City has determined it to be in the best interests of the City to update the regulations regarding individuals who feed these animals, but who have not taken ownership or responsibility for the actions of such animals to be consistent with the City's TNR program.

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 *recklessly* 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 20th day of December, 2021.



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. 22-21, passed by the Council of the City of Centerville, Ohio on the 20th day of December, 2021.



Clerk of the Council

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