

Resolution #24-9-1
Village of Clifton, Ohio
Domestic Animals Ordinance

1. **Keeping more than five dogs or cats.**
2. **Dogs and other animals running at large.**
3. **Nuisance conditions prohibited.**
4. **Barking or howling dogs.**
5. **Foster/Shelter which exceeds the maximum domestic animal limit**
6. **Animal excretion.**
7. **Cruelty to animals.**
8. **Neglect of animals.**
9. **Tethering animals.**
10. **Declaration of Emergency.**

1. KEEPING MORE THAN FIVE DOMESTIC ANIMALS.

(a) For the purpose of this section,

Domestic Animal- Any pet such as a dog or cat that may reside within the owner's residence but may also spend time outside the 4 walls of owner's home or residence.

Household Pet- Household Pets such as fish, reptiles or other pets kept within the walls of the owner's house or residence.

A person may not keep or harbor about any owner's home or residence a total of more than five domestic animals (ie: dogs or cats, in any combination), over four months of age. On or before 4 months of age, any domestic animal over the 5 maximum limit, must be rehomed. "Keep and "Harbor" have the same meaning as in Ohio Revised Code 955.28

2. DOGS AND OTHER ANIMALS RUNNING AT LARGE.

(a) No person being the owner of or having charge of any dog, whether wearing a registration tag or not, shall permit it to run at large upon any public place or upon the premises of another. No owner, keeper or harbinger of any female dog shall permit such dog to go beyond the premises of such owner or keeper at any time such dog is in heat, unless such dog is properly on leash. The owner or keeper of every dog shall at all times keep such dog either confined upon the premises of the owner or keeper, or under reasonable control of some person.

(ORC 955.22)

(b) The running at large of any such animal in or upon any of the places mentioned in this section is prima-facie evidence that it is running at large in violation of this section.

(ORC 951.02)

(c) No person, being the owner or person in charge of any animals, shall keep or confine such animal or animals on a leash, chain or otherwise, so as to permit such animal or animals to reach within five feet of any public sidewalk or street running adjacent to the premises.

(d) Whoever violates this section is guilty of a minor misdemeanor.

3. NUISANCE CONDITIONS PROHIBITED.

No person shall keep or harbor any animal or fowl in the Village, so as to create noxious, or offensive odors or unsanitary conditions which are a menace to the health, comfort or safety of the public or neighbors.

4. BARKING OR HOWLING DOGS.

No person shall keep or harbor any dog within the Village which, by frequent and habitual barking, howling or yelping, creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the Village. Any person who shall allow any dog habitually to remain, be lodged or fed within any dwelling, building, yard or enclosure, which he occupies or owns, shall be considered as harboring such dog.

5. PERMISSION NEEDED TO FOSTER ANIMALS.

Where permitted by the land use ordinances, owners of dogs and cats may obtain permission to keep or foster dogs or cats in a residential area, provided:

- A. Such pets are being spade or neutered
- B. Such pets are awaiting adoption;
- C. Adequate areas for confinement and shelter are provided; and
- D. Other provisions of this title are complied with, and no pet or premises is deemed to be a nuisance.

6. ANIMAL EXCRETION.

(a) The owner or person in charge of every animal shall be responsible for the immediate removal of any excreta deposited by his animal or animals on property, public or private, not owned or possessed by such person.

(b) No person, being the owner or person in charge of any animal, shall fail to immediately remove excreta deposited by his animal or animals on property, public or private, not owned or possessed by such person.

7. CRUELTY TO ANIMALS.

(a) For the purpose of this section, "shelter" shall mean a man-made enclosure, windbreak, or sunshade or a natural wind break or sunshade that is developed from the earth's contour, tree development, or vegetation.

(b) No person shall:

(1) Torture an animal, deprive one of necessary sustenance, unnecessarily or cruelly beat, needlessly mutilate or kill, or impound or confine an animal without supplying it during such confinement with a sufficient quantity of good wholesome food and water;

(2) Impound or confine an animal without affording it, during such confinement, access to shelter from heat, cold, wind, rain, snow or excessive direct sunlight if it can reasonably be expected that the animal would otherwise become sick or in some other way suffer.

8. NEGLECT OF ANIMALS.

(a) No owner or keeper of a domestic animal shall cause any condition that may lead to permanent injury, death, or harm to such animal, including confining an animal in a motor vehicle under any conditions that may endanger the well being of the companion animal.

(b) No person shall keep any animal in a place that is unsanitary, including any place where there is an accumulation of feces or other waste, or foul odor, or insect or rodent infestation.

(c) No person who owns or keeps a domestic animal shall fail to provide the animal all of the following needs:

(1) Clean, potable drinking water at all times, and suitable food, of sufficient quality and quantity as to ensure normal growth and the maintenance of normal body weight;

(2) Food and water receptacles that are kept clean and disinfected, and located so as to avoid contamination by feces or other wastes;

(3) Regular exercise sufficient to maintain the animal's good health;

(4) Necessary veterinary care;

(5) Shelter from the elements, including heat, cold, wind, rain, snow, or excessive direct sunlight. If the animal is housed outside, a structure for shelter and protection must be provided that is suitable for the species, age, condition, size, and type of that animal. The structure must be completely enclosed and insulated, having a single entrance/exit secured with a flap or door or similar device. The structure shall be moisture-resistant, wind-resistant, and of suitable size and type to allow the animal to stand, turn about freely, lie in a normal position, and regulate proper body temperature. The structure shall be made of a durable material with a solid, moisture-proof floor and a floor raised at least two (2) inches from the ground. Suitable drainage shall be provided so that water cannot be reasonably expected to gather and stand within ten (10) feet of the structure, and so the animal has access to a dry area at all times. Proper bedding of straw or similar material, that remains dry, must be utilized inside the structure. All structures required by this section shall be subject to all building and zoning regulations.

(d) No person who shelters an animal from the elements by means of an animal shelter, a cage, or a pen shall fail to conform it to the following requirements:

(1) The shelter, cage or pen shall be appropriate to the animal's size, weight, and other characteristics, with sufficient space to allow the animal to turn about freely and lie in a normal position;

(2) The shelter, cage or pen shall provide sufficient shade to allow the animal to escape the direct rays of the sun at all times;

(3) The shelter, cage or pen shall be regularly cleaned and sanitized

9. TETHERING ANIMALS.

(a) No person shall tether an animal outdoors in any of the following circumstances:

(1) If a heat or cold advisory has been issued by a local or state authority or the National Weather Service;

(2) If a severe weather warning has been issued by a local or state authority or the National Weather Service;

(3) If the tether is less than twenty (20) feet in length;

(4) If the tether allows the animal to touch the fence or cross the property line or cross onto public property;

(5) If the tether is attached by means of a pinch-type, prong-type, or choke-type collar or if the collar is unsafe or is not properly fitted;

(6) If the tether may cause injury or entanglement;

(7) If the animal is not provided with its needs as identified in division (c) of Section [505.17](#) of the ORC

(8) If the tether is made of a material that is unsuitable for the animal's size and weight or that causes any unnecessary discomfort to the animal;

(9) If no owner or occupant is present at the premises.

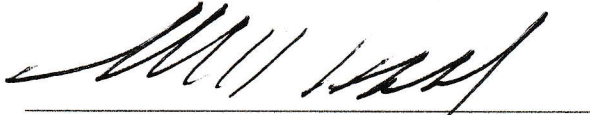
(b) As used in this section, "tether" means a rope, chain, cord, dog run or pulley, or similar restraint for holding an animal in place, allowing a radius in which it can move about.

10. DECLARATION OF EMERGENCY.

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety, welfare and morals, such emergency arising out of the necessity to control junk in the Village. This revised Ordinance shall take effect and be in force from and after its passage and approval by the Mayor and Village Council and posting for ten days, and replaces Ordinance #17-10-02 which is hereby repealed.

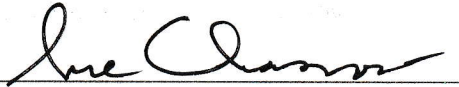
Passed;

9/9/24



Mayor Steve McFarland

Attest:



Clerk-Treasurer, Sue Chasnov