

Resolution #23-02

DOG CONTROL RESOLUTION

WHEREAS, Ohio Revised Code Section 955.221 authorizes a board of township trustees to adopt and enforce resolutions to control dogs within the township that are not otherwise in conflict with any other provision of the Revised Code; and

WHEREAS, resolutions to control dogs pursuant to Ohio Revised Code Section 955.221 include, but are not limited to, resolutions concerned with the ownership, keeping, or harboring of dogs, the restraint of dogs, dogs as public nuisances, and dogs as a threat to public health, safety, and welfare; and

WHEREAS, the Board of Township Trustees of Beaver Township, Ohio, previously established **DOG CONTROL RESOLUTION (#02-006)**, dated 05/19/2002; and

WHEREAS, the Board of Township Trustees of Beaver Township wishes to follow the laws set forth in Ohio Revised Code Sections 955.11, 955.22, and 955.54, with penalties for offenses set forth in Ohio Revised Code 955.99.

NOW, THEREFORE BE IT RESOLVED by the Board of Township Trustees of Beaver Township, Ohio, that the previously established **DOG CONTROL RESOLUTION (#02-006)**, dated 05/19/2002, is hereby rescinded.

BE IT FURTHER RESOLVED, that Beaver Township shall follow the laws set forth in Ohio Revised Code Sections 955.11, 955.22, and 955.54, with penalties for offenses set forth in Ohio Revised Code 955.99 with regard to Dog Control and Dangerous and Vicious Dogs.

BE IT FURTHER RESOLVED, that Beaver Township sets forth the following additional regulations pursuant to Ohio Revised Code 955.221 to control dogs within the Township:

1. Barking and Noisy Dogs:

A) No person shall keep or harbor any dog which howls, yelps or barks or emits audible sounds which are unreasonably loud or disturbing and persistent in intensity and duration so as to disturb the peace and quiet of the neighborhood or to be detrimental to the life, health and safety of any individual. Such howling, yelping or barking shall be deemed a violation of this section if the howling, yelping or barking is audible outside the premises of the location of said dog and persists continually for a period of five (5) minutes or more between the hours of 8:00 PM to 8:00 AM or for a period of ten (10) minutes or more from 8:00 AM to 8:00 PM.

B) This section shall not apply to the incidental or intermittent howling, yelping or barking of a dog in response to the presence of a guest, trespasser or other animal in the presence of the dog; or to alert the owner of said dog to an impending threat or danger, or injury of the dog.

2. Unsanitary Conditions:

A) No person shall keep or harbor any dog in the township so as to create noxious or offensive odors or unsanitary conditions which adversely impact the health, comfort or safety of the public.

B) No owner, keeper or harbinger of any dog which defecates upon property of another shall fail to immediately remove any and all feces deposited by such dog from the property of another, including public parks or other public property. The owner of or person having charge of such dog shall immediately dispose of such feces in a sanitary manner.

3. Exemptions:

This Resolution does not apply to:

A) The owner or person in charge of a dog that is assisting a blind, deaf or handicapped person and such person either is unaware that the dog's activities are in violation of this Resolution or is unable to comply with this Resolution, except for a dangerous or vicious dog, in which case this Resolution shall fully apply.

B) Law Enforcement personnel in charge of a dog which is assisting such personnel in the performance of official duties.

C) A dog lawfully engaged in hunting or legitimate training for the purpose of hunting while accompanied by and under the control of a licensed hunter.

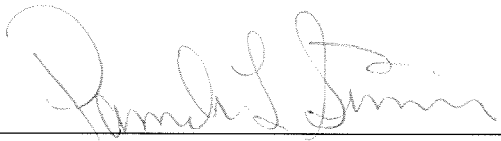
D) Veterinary clinics other than the requirement of adequately and securely containing said animals within the clinic premises.

4. Penalties:

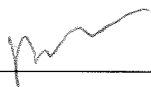
Any violation of Sections 1 or 2 of this Resolution shall result in a minor misdemeanor, punishable by a fine of up to \$150.00. Each day of continued violation of this Resolution shall constitute a separate offense.

In addition, the Court in its discretion may order the offender to personally supervise the dog that the offender owns, keeps or harbors, or cause the dog to complete obedience training.

ADOPTED THIS 10th DAY OF January 2023.



PAMELA SIMMONS



RONALD KAPPLER

ABSENT

ERIK TABOR