

RESOLUTION No. 90-04

Franklin County, Ohio

Be It Resolved by the Township Trustees of Blendon Township,

that

WHEREAS, the State of Ohio has granted townships the authority to pass resolutions on the control of dogs, (ORC 955.221); and,

WHEREAS, the township has the authority to pass legislation relating to the supervision and control of dogs,

NOW, THEREFORE, be it resolved by the Township Trustees of Blendon Township, Ohio, that:

SECTION I. Confinement and Restraint

- (A) No owner, keeper or harborer of any dog shall fail to prevent such dog from running at large on any property not his own whether that dog is properly registered or not.
- (B) No owner, keeper or harborer of any dog, registered or not, shall permit such dog to enter any public or private property other than of such person unless such dog is securely leashed by a leash not to exceed 6 feet in length and under reasonable control of some person of reasonable age and discretion, with the following exceptions:
- (1) The dog is on private property other than that of the owner, keeper or harborer of the dog and the property owner has given his permission.
 - (2) The dog is lawfully engaged in hunting or training for the purpose of hunting. However, such dog(s) at all other times and in all other respects shall be subject to this resolution, unless actually in the field and engaged in hunting or in legitimate training for such purpose.
- (C) No owner, keeper or harborer of any female dog shall permit it to go beyond the premises of the owner, keeper, or harborer at any time the dog is in heat, unless the dog is properly leashed and under reasonable control.
- (D) It shall be prima-facie evidence that a dog is not under the required control if such dog chases, injures, menaces or kills any person or domestic animal or commits any nuisance upon property other than of its owner, keeper or harborer.
- (E) Whoever violates this section shall be fined not less than \$25 or more than \$100 on a first offense, and on each subsequent offense shall be fined not less than \$75 or more than \$250 and may be imprisoned for not more than 30 days. In addition, the offender may be required to personally supervise the dog that he owns, keeps or harbors, to cause that dog to complete dog obedience training. (ORC 955.99)

SECTION II: Barking and Noisy Animals

- (A) No person shall keep or harbor any dog which howls or barks or emits audible sounds which are unreasonably loud or disturbing and which are of such a character, intensity and duration so as to disturb the peace and quiet of the neighborhood or to be detrimental to the life and health of any individual.

Continued ...

RESOLUTION NO. 90-04 CONTINUED:

Section III. Threats to Public Health, Safety and Welfare

- (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) A separate offense shall be deemed to have been committed each day during or on which the offense occurs or continues.

Section IV. Damage to Property

- (A) Any owner, keeper or harbinger of any dog that injures or damages public property or private property of one other than the owner, keeper or harbinger of the dog shall be strictly liable to the injured or damaged property.
- (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.

Section V. Exemptions

- (A) This resolution does not apply to:
 - (1) 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.
 - (2) law enforcement personnel in charge of a dog which is assisting such personnel in the performance of official duties.
 - (3) the dog is lawfully engaged in hunting or training for the purpose of hunting and accompanied by a licensed hunter.

Section VI. Penalties

- (A) Any violation of this resolution other than provided in Section I (E) shall result in a minor misdemeanor on the first offense and a misdemeanor of the 4th degree on each subsequent offense.

Table of Penalties

Classification	MISDEMEANORS (M) (2929:21) ¹		
	Maximum Confinement ²	Maximum Fine ⁴	Organizational Fine (2929:31)
MISDEMEANOR 1 (M1) ³	Definite term of 6 mos.	\$1,000	\$5,000
MISDEMEANOR 2 (M2)	Definite term of 90 days	\$ 750	\$4,000
MISDEMEANOR 3 (M3)	Definite term of 60 days	\$ 500	\$3,000
MISDEMEANOR 4 (M4)	Definite term of 30 days	\$ 250	\$2,000
MINOR MISDEMEANOR (MM)	None	\$ 100	\$1,000

¹ Committed on or after 8/30/78, restitution may also be required, RC §2929.21(E), (137 v § 119). See also R.C. § 2929.22 (criteria for determining imprisonment and/or fines).

² See also R.C. §§ 2967.19, 2967.19.2, 2967.19.3 regarding time off for good behavior and days of credit. Maximum reductions are set forth following this Table of Penalties.

³ When consecutive terms equal more than one year and one term is for M1 involving violence, offender may be confined in state penitentiary, R.C. § 2929.41.(E)(4).

⁴ Offender required to pay towing and storage fees if convicted of theft offense involving motor vehicle or major part thereof. See R.C. § 2913.82.

Adopted this 20th day of June 1990.

William R. Davis
Christie J. Cox

Attest: *Wade Y. [Signature]*
 Township Clerk.

Township Trustees