

ORDINANCE NO. 99-23

AN ORDINANCE AMENDING SECTION 505.08 OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO RELATIVE TO ANIMALS AND FOWL – FEEDING OF ANIMALS PROHIBITED, WITH THE ADDITION OF A NEW SECTION 505.082.

WHEREAS: That Section 505.08 of the codified ordinances of the City of Medina, Ohio presently reads as follows:

505.08 NUISANCE CONDITIONS PROHIBITED.

- (a) No person shall keep or harbor any animal or fowl in the Municipality so as to create noxious, or offensive odors or unsanitary conditions which are a menace to the health, comfort or safety of the public.
 - (b) No person being the owner or in charge or control of any animal shall permit the animal to defecate upon any public or private land other than the land where the owner or person in charge of such animal resides.
 - (c) The owner or person in charge or control of any animal which defecates on any such prohibited land shall immediately clean such and cause its removal to a proper receptacle.
 - (d) The owner or person in charge of any animal shall keep the property where he resides in a clean and sanitary condition by regularly removing the defecation of his animal to prevent accumulation.
 - (e) The accumulation of defecation of any animal is hereby created to be a nuisance condition if it creates an unsanitary or unhealthy condition and is a violation of this section.
 - (f) This section shall not apply to any animal which has been expressly invited to enter upon private property by the owner or person in charge of such animal.
 - (g) Whoever violates this section is guilty of a minor misdemeanor.
- (Ord. 138-98. Passed 9-14-98)

505.081 PROHIBITED AREAS.

(EDITOR'S NOTE: Former Section 505.081 was repealed by Ordinance 64-02, passed April 22, 2002.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That Section 505.08 of the codified ordinances of the City of Medina, Ohio shall be amended to read as follows pertaining to Feeding of Animals Prohibited:

505.08 NUISANCE CONDITIONS PROHIBITED.

- (a) No person shall keep or harbor any animal or fowl in the Municipality so as to create noxious, or offensive odors or unsanitary conditions which are a menace to the health, comfort or safety of the public.
- (b) No person being the owner or in charge or control of any animal shall permit the animal to defecate upon any public or private land other than the land where the owner or person in

charge of such animal resides.

- (c) The owner or person in charge or control of any animal which defecates on any such prohibited land shall immediately clean such and cause its removal to a proper receptacle.
 - (d) The owner or person in charge of any animal shall keep the property where he resides in a clean and sanitary condition by regularly removing the defecation of his animal to prevent accumulation.
 - (e) The accumulation of defecation of any animal is hereby created to be a nuisance condition if it creates an unsanitary or unhealthy condition and is a violation of this section.
 - (f) This section shall not apply to any animal which has been expressly invited to enter upon private property by the owner or person in charge of such animal.
 - (g) Whoever violates this section is guilty of a minor misdemeanor.
- (Ord. 138-98. Passed 9-14-98)

505.081 PROHIBITED AREAS.

(EDITOR'S NOTE: Former Section 505.081 was repealed by Ordinance 64-02, passed April 22, 2002.

505.082 FEEDING OF ANIMALS PROHIBITED.

- (a) **No person shall purposely or knowingly provide food for deer, geese, ducks, raccoons, fowl or other wild animals, wildlife or stray animals, except as otherwise specifically authorized in designated and marked public areas, where such feeding:**
 - (1) Causes or contributes to damage to the property of another; or**
 - (2) Creates a public or private nuisance.**
- (b) **This section does not apply to fishing, feeding of animals owned by that person or to song birds fed from a stationary and off-ground/hanging bird feeder.**
- (c) **This section shall not apply to a law enforcement officer, game officer or conservation officer enforcing the laws of the State of Ohio, or any local ordinances, nor to anyone officially authorized by the City to engage in an animal control program, including, without limitation, a feral cat Trap-Neuter-Vaccinate-Return Program or similar program.**
- (d) **The City may initiate a civil action in the Court of Common Pleas for injunctive and other relief for any violation of this section.**
- (e) **Whoever violates this section is guilty of a minor misdemeanor for a first offense and a misdemeanor of the fourth degree for each subsequent offense. A separate offense shall be deemed committed on each day on or during which a violation of this section occurs.**

SEC. 2: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 3: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: June 12, 2023

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: June 13, 2023

SIGNED: Dennis Hanwell
Mayor

Effective date: July 12, 2023