

1 ORDINANCE NO. 2013-529

2  
3 SPONSOR Mr. Pry

4 DATE December 10, 2013

5 COMMITTEE Rules

6  
7 **An Ordinance amending Section 505.56 of the Codified Ordinances of the County of**  
8 **Summit, entitled “Kennel, Licensing and Service Fees,” for the Fiscal Officer and the**  
9 **Executive’s Department of Administrative Services- Division of Animal Control, and**  
10 **declaring an emergency.**

11  
12 WHEREAS, previously in 2013, the State of Ohio amended several Sections of Chapter  
13 955 of the Ohio Revised Code to require counties make available to the public three year and  
14 permanent dog licenses, in addition to the previously available one year dog license; and

15  
16 WHEREAS, pursuant to Resolution No. 2013-355, this Council made certain  
17 amendments to Sections 505.52, 505.56 and 505.58 of the Codified Ordinances of the County of  
18 Summit to comply with the new requirements in Chapter 955 of the Ohio Revised Code; and

19  
20 WHEREAS, following adoption of the new requirements in Chapter 955 of the Ohio  
21 Revised Code, certain questions arose concerning counties’ ability to issue three year and  
22 permanent dog licenses beyond the timeframe of December 1<sup>st</sup> to January 31<sup>st</sup> wherein the  
23 owners or harborers of dogs are required to license dogs for the upcoming calendar year; and

24  
25 WHEREAS, the County Executive and County Fiscal Officer have recommended minor  
26 changes to Section 505.56 of the Codified Ordinances of the County of Summit to provide clear  
27 authority to the County Fiscal Officer to issue three year and permanent licenses during the  
28 entire calendar year; and

29  
30 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
31 that it is necessary and in the best interest of this Council to amend Section 505.56 for the  
32 reasons set forth above.

33  
34 NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit,  
35 State of Ohio, that:

36  
37 SECTION 1

38  
39 Section 505.56 of the Codified Ordinances of the County of Summit, entitled “Kennel,  
40 Licensing and Service Fees,” is hereby amended as follows:

41  
42 **“505.56 KENNEL, LICENSING AND SERVICE FEES.**

- 43 (a) Every person who owns, keeps or harbors a dog more than three months of age  
44 shall file with the County, on or after the first day of the applicable December,  
45 but before the thirty-first day of the applicable January, or when the dog attains  
46 the age of three months after January 31 of the applicable year, or is brought into  
47 the County from outside the State of Ohio after January 31 of the applicable  
48 year, an application for registration and license for a period of one year or three  
49 years or an application for a permanent registration. A licensing fee of eighteen  
50 dollars (\$18.00) for a one year registration, fifty-four dollars (\$54.00) for a three  
51 year registration or one hundred eighty dollars (\$180.00) for a permanent  
52 registration

3  
4 SECTION 1 (Cont.)

5  
6 for each dog shall accompany the application. The one-year registration fee for  
7 any dog becoming more than three months of age after the first day of July of  
8 any year shall be nine dollars (\$9.00), but the three-year or permanent  
9 registrations shall not be reduced in said circumstance. No fee, or part thereof,  
10 paid for a one year, three year or permanent registration is refundable or  
11 reimbursable to the owner, keeper or harbinger of a dog that paid said fee,  
12 provided, however, that if a person who adopted a dog pursuant to Section  
13 505.58 of these Codified Ordinances returns the dog to the County Animal  
14 Control facility within 30 days of the adoption, said registration fee shall be  
15 reimbursed in full to that person.

- 16  
17 (1) Instead of obtaining an annual registration and license under  
18 Section 505.52, a law enforcement agency owning, keeping, or  
19 harboring a law enforcement canine may obtain an annual  
20 registration for the dog as a law enforcement canine. The law  
21 enforcement canine registration shall be submitted to the County  
22 Auditor of the County in which the central office of the law  
23 enforcement agency that owns, keeps or harbors the dog is located.  
24 No fee is required for issuance of a law enforcement canine  
25 registration.  
26
- 27 (b) Kennel fees in the amount of eighty dollars (\$80.00) per kennel shall be paid  
28 prior to January 31 for the year commencing January 1. Payment of the kennel  
29 license fee shall entitle the licensee to five (5) individual dog license tags. Any  
30 additional dog license tags may be issued to a kennel licensee upon payment of  
31 additional fee of eight dollars (\$8.00) per license tag.  
32
- 33 (c) All fees and penalties shall accompany the registration and license application.  
34 The obligation to license any dog shall exist during the entire calendar year, and  
35 the County Fiscal Officer shall make available to the public throughout the entire  
36 calendar year the one year, three year permanent and kennel registration and  
37 license, subject to any appropriate late penalty provided for in this Section.  
38
- 39 (d) If application for a dog license has not been made when required by January 31,  
40 then an eighteen dollar (\$18.00) penalty shall be paid in addition to the eighteen  
41 dollar (\$18.00) license fee, regardless of whether the late application is for a one  
42 year, three year or permanent license. If application for a kennel license has not been  
43 made by January 31, then an eighty dollar (\$80.00) penalty shall be paid in addition  
44 to the eighty dollar (\$80.00) kennel license fee. Pursuant to Executive Order, in  
45 conjunction with any late-penalty amnesty event, the County Executive may order  
46 the waiver of the late-penalty on the condition that the owner of a dog or dogs  
47 purchases a license for that dog or dogs during the time of the event....”  
48  
49  
50  
51

1 ORDINANCE NO. 2013-529

2 PAGE THREE

3  
4 SECTION 2

5  
6 This Ordinance is hereby declared to be an emergency in the interest of the health, safety  
7 and welfare of the citizens of the County of Summit and for the further reason that it is necessary  
8 to immediately amend Section 505.56 to clarify the authority of the Fiscal Officer to issue three  
9 year and permanent dog licenses prior to the 2014 licensing year.

10  
11 SECTION 3

12  
13 Provided this Ordinance receives the affirmative vote of eight members, it shall take  
14 effect immediately upon its adoption and approval by the Executive; otherwise it shall take effect  
15 and be in force at the earliest time provided by law.

16  
17 SECTION 4

18  
19 It is found and determined that all formal actions of this Council concerning and relating  
20 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all  
21 deliberations of this Council and any of its committees that resulted in such formal action were in  
22 meetings open to the public, in compliance with legal requirements, including Section 121.22 of  
23 the Ohio Revised Code.

24  
25  
26 INTRODUCED November 25, 2013

27  
28 ADOPTED December 10, 2013

29  
30  
31  
32 CLERK OF COUNCIL

33  
34  
35  
36  
37  
38 PRESIDENT OF COUNCIL

39  
40 APPROVED December 11, 2013

41  
42  
43 EXECUTIVE

44  
45 ENACTED EFFECTIVE December 11, 2013

46  
47 Voice Vote: 11-0 YES: Comunale, Crawford, Feeman, Kostandaras  
48 Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro