ORDINANCE NO. 2012-285

SPONSOR Mr. Pry

DATE August 27, 2012 COMMITTEE Rules

An amended Ordinance repealing certain sections, amending certain sections and enacting new sections of Chapter 505 of the Codified Ordinances of the County of Summit, entitled “Animal Control,” for the Executive’s Department of Administrative Services—Division of Animal Control, and declaring an emergency.

WHEREAS, on May 22, 2012, Substitute House Bill 14 became effective, which made changes to Chapter 955 of the Ohio Revised Code concerning the designations of nuisance, dangerous and vicious dogs; and

WHEREAS, on June 5, 2012, Substitute Senate bill 310 became effective, which made 12 changes to Chapter 955 of the Ohio Revised Code concerning dangerous wild animals and restricted snakes; and

WHEREAS, it is necessary to repeal certain sections, amend sections and enact new sections of Chapter 505 of the Codified Ordinances of the County of Summit, entitled “Animal Control,” to reflect the changes made by Substitute House Bill 14 and Substitute Senate Bill 310; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the County of Summit to repeal certain sections, amend sections and enact new sections of Chapter 505 of the Codified Ordinances for the aforementioned reason;

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

SECTION 1

Sections 505.02, 505.23, 505.24, 505.25 and 505.26 of the Codified Ordinances of the County of Summit are hereby repealed in their entirety as shown on amended Exhibit A, which is attached hereto and incorporated herein as if fully restated. Sections 505.03 through 505.091, 505.13, 505.21, 505.22, 505.52, 505.55, and 505.56 and 505.58 of the Codified Ordinances are hereby amended as shown on amended Exhibit A. New Section 505.23, entitled “Hearing Concerning Designation of Dog,” Section 505.24, entitled “Possession of Dogs by Violent Felons” and Section 505.99, entitled “Penalties Concerning Dogs,” of the Codified Ordinances are hereby enacted as shown on amended Exhibit A.

SECTION 2

Sections 505.32, 505.33, 505.34, 505.35, 505.36, 505.37, 505.38, 505.39 and 505.40 of the Codified Ordinances of the County of Summit are hereby repealed in their entirety and Section 505.31 of the Codified Ordinances, entitled “State law shall apply and be enforced concerning dangerous wild animals and restricted snakes,” is hereby amended as shown on amended Exhibit A.
SECTION 23

This Ordinance is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit, and for the further reason of immediately repealing certain sections Sections 505.02, 505.23, 505.24, 505.25 and 505.26, amending certain sections, Sections 505.03 through 505.091, 505.13, 505.21, 505.22, 505.52, 505.55, and 505.56 and 505.58 and enacting certain new sections Sections 505.23, 505.24 and 505.99 of the Codified Ordinances of the County of Summit to reflect the changes made to Chapters 955 and Section 1533.71 the Ohio Revised Code by Substitute House Bill 14 and Substitute Senate Bill 310.

SECTION 34

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

SECTION 45

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

INTRODUCED ______ June 25, 2012_______

ADOPTED ______ August 27, 2012_______

CLERK OF COUNCIL

APPROVED ______ August 28, 2012_______

EXECUTIVE

ENACTED EFFECTIVE ______ August 28, 2012_______

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