

(As amended)

ORDINANCE NO. 2021 - 38

**AN ORDINANCE ENACTING CODIFIED ORDINANCE
505.131 TITLED “HARBORING AND/OR KEEPING OF
FARM ANIMALS.”**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
WILLOWICK, COUNTY OF LAKE, STATE OF OHIO:**

Section 1. ~~Effective from and after _____, 2021~~, Section 505.131 of the Codified Ordinances of the City of Willowick, entitled “Harboring and/or Keeping of Farm Animals” is hereby established to read and provide as follows:

505.131 Harboring and/or Keeping of Farm Animals

(a) No person shall keep swine, horses, goats, cattle, llamas, alpacas, donkeys, ponies, sheep, mules, ducks, geese, **chickens**, roosters, turkeys or similar farm animals on premises of less than four (4) acres except as provided in this Section. In no case shall such animal be kept or maintained within 75 feet of any dwelling occupied by any person other than the owner of such animals.

(b) The owner of any barn, pen, coop, or lot, in or on which any animals are kept or harbored, shall keep said barn, pen or lot in a clean, sanitary condition and shall remove all manure or other refuse from said barn, pen or lot at least once a week. All manure kept or stored in said barn, pen or lot shall be so treated or kept as to prevent the breeding of lice, mites, or flies. All leftover food and water shall be disposed of each night.

(c) The owner of any animal permitted under this Section on the effective date of this Ordinance shall be permitted to keep such animal(s) in accordance herewith, provided that a permit application is filed with the Zoning Inspector within 30 days of the effective date of this Section. Any person keeping or harboring such animal as of the effective date of this ordinance in non-conformance with the provisions of this section shall not be permitted to replace such animal upon its death, sale or disposal except as in conformance with this Section.

(1) An annual permit fee of ten dollars (\$10.00) is paid by the Owner to the City.

(2) Upon the death, sale, adoption, exchange, transfer, or disposal of said animal, the animal may not be replaced except as in accordance with this Section.

(3) A permit issued under this section shall be non-transferrable to any subsequent owner or occupant of the property at which such animal is harbored or kept. Any permitted animal shall be removed from the premises by the person to whom the permit was issued.

(e) Whoever violates this section is shall be guilty of a minor misdemeanor upon a first offense; shall be guilty of a fourth degree misdemeanor upon a second offense within twelve months of the first offense; and shall be guilty of a third degree misdemeanor upon three or more offenses within twelve months of the first offense.

(f) A person's act or actions which result in a violation of Section 505.131 on four (4) or more occasions in a twelve (12) month period are hereby declared a public nuisance. The Law Director is hereby authorized to bring an action in any court of competent jurisdiction for the abatement of such nuisance and/or to pursue any such other appropriate legal remedies. The provisions of this section are in addition to and independent of any criminal sanctions provided by this chapter.

Section 2. All formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Codified Ordinances and Section 121.22 of the Ohio Revised Code.

WHEREFORE, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

Adopted by Council: _____, 2021

Robert Patton, Council President

Submitted to the Mayor: _____, 2021

Richard J. Regovich, Mayor

Approved by the Mayor: _____, 2021

ATTEST: _____
Angela Trend, Clerk of Council