

Held May 21 20 18

Memorial in front of Station 35. In memory of Ed Conricote. Although we miss him tremendously, we know he died doing what he loved. May his memory be eternal.

Motion: Mr. Cizmar. Second: Mrs. Stoyak.

Roll Call: Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Mr. Clebone, Yes. Motion carried.

18-82 Motion made by Mrs. Stoyak to pass the following **RESOLUTION PROVIDING FOR DOG CONTROL INCLUDING RESTRICTIONS ON TETHERING DOGS IN LIBERTY TOWNSHIP, TRUMBULL COUNTY, OHIO**

WHEREAS, Ohio Revised Code Section 955.221(B)(2) authorizes a Township Board of Trustees to adopt and enforce resolutions to control dogs within the township that are not otherwise in conflict with any other provision of the Revised Code, if the township is located in a county where the board of county commissioners has not adopted resolutions to control dogs within the unincorporated areas of the county; and

WHEREAS, the Board of Commissioners of Trumbull County has not adopted a resolution to control dogs within the unincorporated areas of the county under Ohio Revised Code Section 955.221; and

WHEREAS, Ohio Revised Code Section 955.221(A) states that a resolution to control dogs may include, but is not limited to, resolutions concerned with the ownership, keeping, or harboring of dogs; the restraint of dogs; dogs as public nuisances; and dogs as a threat to public health, safety, and welfare; and

WHEREAS, the Board of Trustees previously adopted Resolution No. 95-130, approved and adopted on September 11, 1995, addressing certain dog control measures; and

WHEREAS, the Board of Trustees desires to adopt additional measures to control the keeping, harboring, and restraint of dogs;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Liberty Township, Trumbull County, Ohio that:

Section 1: Neglect of a Dog

(A) A person commits the offense of Neglect of a Dog if the person fails to provide any of the following to any dog in their custody, possession or control, regardless of whether the dog is owned by the person:

(1) Clean, potable drinking water available at all times and suitable food of sufficient quality and quantity as to ensure normal growth and maintenance of normal body weight; and

(2) Food and water receptacles that are kept clean; and

(3) Clean and sanitary shelter which provides protection from the weather and permits the Dog to retain body heat and keep dry, turn about freely and lie down, and which is appropriate to the dog's size and weight; and

(4) Proper veterinary care.

(B) A person commits the offense of Neglect of a Dog, regardless of whether the dog belongs to the person or not, if the person keeps the dog in a place that is unsanitary, including any place where there is an accumulation of feces or other waste, or foul odor, or insect or rodent infestation.

Section 2: Tethering Dogs

(A) No person shall allow a dog in their custody, possession or control, regardless of whether the dog is owned by the person, to be tethered outdoors under any of the following circumstances:

(1) At any time when the animal is in apparent distress as demonstrated by howls, barks, or other audible sounds that are unreasonably loud or disturbing and which are of such character, intensity and duration as to disturb the peace and quiet of the neighborhood.

(2) In an environment which constitutes Neglect of a Dog;

(3) For longer than 30 minutes in temperatures above 90 degrees or below 32 degrees Fahrenheit;

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Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

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(4) Using a pinch-type, prong-type, or choke-type collar, or a collar which is unsafe or not properly fitted;

(5) Using a tether that is likely to become entangled or cause injury to the dog; or

(6) Using a tether or collar which is unsuitable for the dog's size and weight or causes unnecessary discomfort to the dog.

(B) Definitions:

(1) "Tether" means a rope, chain, cord, dog run or pulley, or similar restraint, other than a fence, for holding a dog in place, allowing a radius in which it can move about.

(2) "Outdoors" means a location other than inside a house or occupied building. The term "outdoors" includes, but is not limited to, an accessory building, a porch (open or closed), a breezeway, a garage, or a carport.

Section 3: Abandoning Dogs.

No owner or keeper of a dog shall abandon such dog.

Section 4: Exceptions:

This resolution shall not apply to any dog which is lawfully engaged in hunting or training for the purpose of hunting while accompanied by a licensed hunter while actually in the field and engaged in hunting or in legitimate training for such purpose.

Section 5: Penalties

As provided in R.C. 955.221(C) and R.C. 955.99(K), anyone who violates Section 1, 2, or 3 of this Resolution is guilty of a minor misdemeanor. This Resolution shall be enforced by the appropriate law enforcement officers.

Each day of continued violation constitutes a separate offense. The violator shall be fined not less than twenty-five dollars (\$25.00) or more than one hundred dollars (\$100.00) on a first offense; and on each subsequent offense shall not be fined less than seventy-five dollars (\$75.00) or more than one hundred fifty dollars (\$150.00)

The clerk of the Girard Municipal Court shall collect the fines levied and collected for violations of this resolution and shall distribute them to the Fiscal Officer in accordance with Ohio Revised Code Section 1907.20(C) for credit to the general fund of Liberty Township.

Section 6 – Miscellaneous

If any paragraph, provision, or section of this Resolution is held to be invalid by the final decision of any court of competent jurisdiction, then that decision will not affect the validity of the remaining paragraphs, provisions, or sections of this Resolution.

The Board finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including R.C. §121.22.

This Resolution shall take effect and be in force from and after the earliest time provided by law.

Motion: Mrs. Stoyak. Second: Mr. Cizmar.

Roll Call: Mrs. Stoyak, Yes. Mr. Cizmar, Yes. Mr. Clebone, Yes. Motion carried.

18-83 Motion made by Mrs. Stoyak to accept the resignation of Firefighter Samuel Campana effective May 21, 2018. We wish him good luck now and in the future.

Motion: Mrs. Stoyak. Second: Mr. Cizmar.

Roll Call: Mrs. Stoyak, Yes. Mr. Cizmar, Yes. Mr. Clebone, Yes. Motion carried.

18-84 Motion made by Mrs. Stoyak to pass the following resolution:

BE IT RESOLVED, that the Board of Trustees hereby determines that the owner's maintenance of vegetation, garbage, refuse and other debris upon the following properties constitutes a nuisance: