

ORDINANCE NO. 2025-16

AN ORDINANCE REGULATING THE KEEPING AND HARBORING LIVESTOCK WITHIN THE VILLAGE CORPORATION LIMITS; LIMITATIONS ON THE SAME, ESTABLISHING GUIDELINES FOR 4-H PROJECTS INVOLVING ANIMALS AND CRUELTY TO ANIMALS AND REPEALING AND REPLACING ORDINANCE NO. 2025-10.

WHEREAS, on July 21st, 2025 Council adopted Ordinance No. 2025-10 "AN ORDINANCE APPROVING KEEPING AND HARBORING LIVESTOCK WITHIN THE VILLAGE CORPORATION LIMITS"; and

WHEREAS, After investigation and review of Ordinance No. 2025-10, Council is desirous of making certain changes and modifications to such Ordinance No. 2025-10 and is now desirous of repealing in its entirety Ordinance No. 2025-10 "AN ORDINANCE APPROVING KEEPING AND HARBORING LIVESTOCK WITHIN THE VILLAGE CORPORATION LIMITS" and substituting in its place and stead this ORDINANCE, as set forth below; and

WHEREAS, Council is desirous of establishing rules and regulations for the keeping and harboring livestock, guidelines for 4-H projects involving livestock, and defining and establishing penalties for cruelty to animals all within the Village Corporation Limits; and

WHEREAS, Council believes such rules and regulations are for the health, safety and protection of, not only the citizens and patrons in and to the Village, but also the animals and livestock regulated thereby;

NOW THEREFORE BE IT ORDAINED THAT:

SECTION ONE: DEFINITIONS

Definitions

- (1) As used in this ordinance, "**Small Animals or Small Livestock**" means any small animal without hooves, including but not limited to pets, and any of the following: Chickens, Ducks, and similar fowl, Birds, Rabbits, Cats and Dogs.
- (2) As used in this ordinance, "**Large Animals' and 'Large Livestock**" means any HOOVED animal, including, but are not limited to, the following: horses, mules, cattle, bulls, sheep, goats, pigs, llamas, alpacas, donkeys, emus, and all other Equidae, Bovidae and Suidae .
- (3) As used in this ordinance, "**Fowl**" means chickens, ducks, geese, roosters, pheasants, turkeys, peacocks, guinea hens and all other wild or domestic fowls.
- (4) As used in this ordinance, "**Wild Animals**" means bears, deer, wolves, foxes, skunks, raccoons, monkeys , apes and any other animal that by its nature is not domesticated.

- (5) As used in this ordinance, "**Fencing**" shall be defined as, any fence that is a commercially type of fencing material, including posts, rails and fence and underground electric or battery fencing. All animals shall be contained within a fenced area, except for domestic pets such as cats and dogs, however such pets shall always be under the control and supervision of the Owner of such animals and shall be contained within the property area owned or controlled by the Owner.

SECTION TWO: GENERAL PROVISIONS

Except as otherwise provided in this Ordinance, No person or entity, shall keep or harbor any large animals, large livestock, small animals, small livestock, wild animals and /or fowl within the corporate limits of the Village unless such person is the owner, or has the legal right to possession, of a minimum of five acres of land on which said livestock, animals and /or fowl are kept or harbored. All person or entities owning or controlling 5 acres or more shall comply with all Federal, State and Local Laws Rules and Regulations related to the harboring of such animals or fowl and shall be subject to any nuisance or other health regulations related to the same. NO HOOVED ANIMALS SHALL BE PERMITTED WITHIN THE VILLAGE LIMITS, EXCEPT AS PROVIDED BY THIS ORDINANCE.

SECTION THREE: RESTRICTIONS

- (1) Subject to the provisions of this Ordinance, Property owners with contiguous land of less than five (5) acres within the Village limits are permitted to keep, harbor, and maintain, certain small animals and small livestock including dogs, cats rabbits, chickens, ducks and similar fowl on the residential property, either owned or rented, provided the rental property owner approves such keeping, harboring, and maintaining and comply with the following;

(A) No person or household shall be permitted to keep on any property more than: 5 Dogs whether indoor or outdoor, 5 Cats provided all are neutered or 1 Cat not neutered; a combined total of 10 of the following: Chickens or Chicks, Rabbits, Ducks and Similar Fowl. Roosters age ten (10) weeks or older, Geese, Turkeys or other Similar Fowl,(regardless of age) shall not be permitted on any lot within the Village that is less than five (5) acres; All Dogs, shall have a valid Dog License as provided by law.

(B) All livestock shall be cared for by appropriate standards as listed in Ohio Revised Code Chapter 901 & Chapter 9 of the Ohio Administrative Code;

(C) Buildings for livestock storage or management shall not be located in the front or side yard of any home and shall not be located closer than twenty (20) feet from the property line and shall be constructed in alignment with any zoning and building codes which now exist or may be adopted by the Village Council in the future (Buildings constructed prior to passage of this ordinance will be grandfathered and permitted.);

(D) Animal/livestock management shall be subject to the nuisance laws. Small livestock shall be kept in a manner to not cause noxious orders or unsanitary conditions that result in public health concern;

- (E) No piling, holding, or spreading of animal waste shall be done on any property within the village limits;
- (F) No Large Animals or Large Livestock will be permitted in lots smaller than five (5) acres;
- (G) Livestock owners shall be responsible for all damage caused by livestock to any third party, including but not limited to, adjoining properties, including any village streets, alleys or right of way;
- (H) Livestock owners shall be subject to fines for infractions to the nuisance laws;
- (I) All livestock kept or maintained within the Village limits will be subject to inspection from the Village Police Department or any County Agency at any given time;
- (J) All livestock will be contained to the property by an appropriate fence and/or shelter, significant at all times, in construction and strength to keep all livestock contained within the owner's property, and in alignment with zoning and building codes;
- (K) All fowl will be kept within an enclosed run area;
- (L) All livestock Owners shall be required to provide, as requested by the Village or any other Governmental Authority, reasonable documentation as to the size/acreage of the property the location of all structures related to the harboring of the animals contained or harbored or stored at the property, at any time, and shall be subject to fines and penalties for violations of this Ordinance as provided herein, or as otherwise provided by any other applicable governmental rule, regulation, law or statute.
- (M) All livestock Owners, shall take any and all reasonable actions necessary to carry out the duties and requirements of harboring of animals as set forth in this Ordinance. The Village, through its duly authorized representatives, reserve and are granted the right to inspect any property harboring or keeping animals for compliance with this Ordinance or any other applicable governmental rule, regulation or statute related thereto.

SECTION FOUR: CRUELTY TO ANIMALS

- (A) No Person shall torture and animal, deprive an animal of necessary sustenance, unnecessarily or cruelly beat, needlessly mutilate or kill, or impound or confine an animal without supplying it during such confinements with a sufficient quantity of good wholesome food and water.
- (B) No Person shall impound or confine an animal without affording it, during such confinement, access to shelter from wind, rain, snow or excessive direct sunlight if it can reasonably be expected that the animal would otherwise become sick or in some other way suffer.

- (C) Shelter means a man-made enclosure, windbreak, sunshade, or natural windbreak or sunshade that is developed from the earth's contour, tree development or vegetation.
- (D) No person shall carry or convey an animal in a cruel or inhumane manner.
- (E) No person shall keep animals in an enclosure without wholesome exercise and change of air.

SECTION FIVE: ANIMALS AS TO PROPERTY GENERAL PROVISIONS

The Owner or Keeper of any animal kept within the Village of Dresden

- (A) Shall ensure the smell or odors coming or emitted from the harboring of any animal shall be sufficiently mitigated so that persons of ordinary sensibilities are not offended.
- (B) Said animals will not make noise which would offend or annoy a person of ordinary sensibilities.
- (C) Animals shall not roam at large.
- (D) Animals shall not interfere with the use and enjoyment of any public place.
- (E) Animals shall not impede the traffic on roadways, rights-of-way or sidewalks or any other public place.
- (F) Animals conduct or harboring of the same shall not otherwise cause offense to persons of ordinary sensibilities.
- (G) No piling, holding or spreading of animal waste shall be conducted on any property located within the Village limits, and shall be disposed of in accordance with all existing laws, rules or Ordinances, regardless of jurisdiction.
- (H) The management of all livestock, animals, or fowl, located or kept in the Village, regardless of type, shall be held, harbored or maintained subject to the existing or any new or amended nuisance and animal waste laws of the Village; and shall be kept in such a manner so as not to cause noxious odors and unsanitary conditions that result in a public health concern as such is determined by the Mayor, a member of the Police Department or any other Governmental Official vested with authority to enforce this Ordinance.

SECTION SIX: EXCEPTIONS FOR BREEDERS WITH PURPOSE

Notwithstanding any provision of this ORDINANCE, Breeders of Small Livestock, may apply for a permit, which shall be issued by the Mayor, for the Breeding of Small Livestock subject to the following:

- (A) The permit shall be obtained by applying the same, from the Mayor's Office and shall be issued for a period of one year.
- (B) No permits shall be issued for HOOVED ANIMALS.
- (C) The Cost of the permit shall be \$100.00 and shall be subject to the conditions of this Ordinance related to the harboring and keeping of Small Livestock or Animals.
- (D) Any person or entity violating this Section shall be guilty of a misdemeanor of the 4th degree and shall be fined, up to the sum of \$250.00 per offense together with court costs.

SECTION SEVEN: 4-H PROJECTS EXCEPTION

Not Withstanding any other provision of this ORDINANCE, 4-H Projects for the raising of hooved animals, in the Village shall be permitted, upon approval of the Mayor, provided the individual and their parent or guardian, register the animal with the Village. Such registration shall provide the name/phone number/ address/ description of the project/ quantity of the project and location of such project and the project advisor's name and contact information. The Village reserves the right to verify the status of the project at any time and the applicant shall at all times comply with the requirements related to the keeping or harboring of such animal(s) within the Village. The Village shall maintain records of each project approved by the Mayor.

SECTION EIGHT PENALTY:

WHOEVER VIOLATES any provision of this ORDINANCE, not otherwise provided, shall be guilty of a minor misdemeanor, shall be Fined the Sum of \$25.00 for a first offense; Second Offense within two years, the sum of \$50.00 and for any Third or Subsequent Offense, at any time, the sum of up to \$150.00 together with any Court Costs imposed by the Court. A separate offense shall be deemed committed each day during which a violation or noncompliance occurs or continues.

SECTION NINE: REPEAL OF ORDINANCE NO. 2025-10

This Ordinance, upon passage by the legislative repeals Ordinance No. 2025-10 in its entirety and shall be substituted in its place and stead.

SECTION TEN: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meeting open to the public in compliance with law.

SECTION ELEVEN: This Ordinance is hereby declared an emergency measure for the reason that the same is necessary for the protection of the public health, welfare and safety of the residents of said Village, the Council of the Village of Dresden, having voted by a two-thirds vote of all members elected to legislative authority of the Council to dispense with a full and distinct reading of this Resolution on three different days; and having been so passed, this Ordinance shall become effective immediately upon the signature of the Mayor and shall take effect at the earliest time allowable by law.

PASSED IN COUNCIL this 17 day of November, 2025.

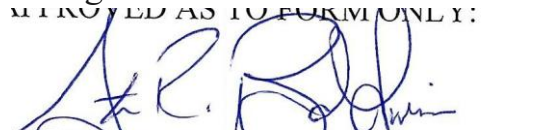
WITNESSETH:



KAREN COOTS,

Village Fiscal Officer

APPROVED AS TO FORM ONLY:


STEVEN R. BALDWIN, Village Solicitor

RHONDA HOLDREN, Mayor



President Pro-Tern of Council