

1st Rdg 9/16/13
2nd Rdg 10/7/13
3rd Rdg 10/21/13

ORDINANCE NO. 2013-30

AN ORDINANCE PROHIBITING THE DISPOSAL OF ANIMAL WASTE WITHIN THE VILLAGE LIMITS ON ANY PROPERTY, PUBLIC OR PRIVATE, OTHER THAN UPON THE PROPERTY OF THE OWNER OR PERSON IN CHARGE OF SUCH ANIMAL.

Be it ordained by the Council of the Village of Arlington, State of Ohio, a majority of all members elected thereto concurring:

SECTION 1: That an animal waste control ordinance be and the same hereby is enacted to read as follows:

(a) Any animal waste (feces) caused by a dog, cat, or other animal upon any public land or right of way or upon private property, other than that of the owner or person in charge of such animal, creates an unsanitary and unhealthy condition and constitutes a nuisance.

(b) Any owner or person, having control or charge of a dog, cat or other animal, while away from such person's premises, shall have on their person an appropriate container for removing such animal waste. Further, any owner or person having control or charge of such animal shall be responsible for the immediate removal of any animal waste caused by such animal.

(c) No person shall leave or dispose of any animal waste on any property, public or private, other than in an appropriate receptacle or upon the property of the owner or person in charge of such animal.

(d) A person who relies upon a guide or service dog may be exempt from the provisions of this section upon application to the Director of Public Safety.

(e) Exceptions. It shall be an affirmative defense to a violation of this section that the animal was:

(1) Owned by a public law enforcement agency or licensed private law enforcement agency, or authorized member thereof, and the animal was being utilized for law enforcement purposes.

(2) Owned or kept by a person who is legally blind or has some other disability which requires the use of a dog or other animal for the express purpose of aiding such person.

(f) Penalties.

(1) Whoever violates any provisions of this section shall be guilty of a minor misdemeanor for a first offense.

(2) If the person who violates any provisions of this section has been previously convicted of this offense, said person shall be guilty of a misdemeanor of the fourth degree.

SECTION 2: This Ordinance shall take effect from and after the earliest period provided by law.

Terry J. Kelly
PRESIDENT OF COUNCIL
James J. Salt
MAYOR

PASSED 10/21/13

ATTEST Donna Carli
Fiscal Officer

APPROVED 10/21/13