

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 2007-17

Passed AUGUST 21, 20 07

AN ORDINANCE ESTABLISHING REGULATIONS FOR REMOVAL OF ANIMAL DEFECATION IN THE CITY OF BROOKVILLE, OHIO.

WHEREAS, the Council of the City of Brookville has determined that there is a need for regulations in the City of Brookville regarding animal defecation on public and private property within the City of Brookville.

WHEREAS, the Board of Park Trustees have also requested regulations to address animal defecation in the parks of the City of Brookville

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO, THAT:

SECTION I:

The Council hereby enacts and adopts the following regulations for removal of animal defecation:

505.20 DEFECATION REMOVAL REQUIRED.

(a) The feces deposited by the defecation of any animal upon any public land, street or right of way or upon the land of any private property owner other than the property of the owner of the animal or the person in control of the animal, create an unsanitary and unhealthy condition and is hereby declared to be a nuisance.

(b) No person being the owner or in control of any animal shall permit such animal to defecate upon any public land, street, or right of way or upon the land of any private property owner within the City.

(c) Where the owner or person in control of such animal immediately, and before taking the animal from the area where the defecation occurred, cleans the area and removes the feces and disposes of it in a sanitary manner in a proper receptacle, the nuisance shall be considered abated.

(d) The accumulation of defecation upon any property where animals are kept creates an unsanitary and unhealthy condition and is hereby declared to be a nuisance.

(e) No person being the owner or person in control of any animal shall permit the accumulation of defecation upon the property where the animal is kept. The owner or person in control of the animal shall maintain the property where the animal is kept in a clean and sanitary condition by regular removal of the defecation of such animal in a properly sealed sanitary receptacle.

(f) Whoever violates this section is guilty of a minor misdemeanor.

SECTION II:

This Ordinance shall repeal or rescind any Ordinances or Resolutions in conflict herewith.

SECTION III:

This Ordinance shall take effect thirty (30) days after passage by Council pursuant to the Charter of the City of Brookville.

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PASSED this 21st day of August 2007.

ATTEST:


Sonja M. Keaton, Clerk


David E. Seagraves, Mayor


CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance 2007-17, passed by the Council of the City of Brookville, Ohio, on the 21st day of August 2007.


Sonja M. Keaton, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance 2007-17 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 22nd day of August 2007 to the 22nd day of September 2007, both days inclusive.


Sonja M. Keaton, Clerk