

DELHI TOWNSHIP BOARD OF TRUSTEES

RESOLUTION NO. 91-155

FOR THE CONTROL OF DOGS IN DELHI TOWNSHIP

BY THE BOARD:

WHEREAS, it was brought to this board's attention that there is a need for a resolution to control dogs in Delhi Township; and

WHEREAS, The Board of Trustees is authorized by Ohio Revised Code, Section 955.221(B)(2), to adopt and enforce resolutions to control dogs within the township which are not otherwise in conflict with any other provision of the Revised Code;

THEREFORE, BE IT RESOLVED, by The Board of Trustees of Delhi Township that the following measures and restrictions with respect to ownership, keeping or harboring of dogs, and the restraint of dogs is herewith adopted, effective this 12<sup>th</sup> day of JUNE, 1991:

A. BARKING, HOWLING, AND YELPING DOGS.

It shall be unlawful for anyone to harbor, keep, or permit to be kept upon his/her premises or upon premises under his/her control within the limits of the township any dog which, by loud and frequent or habitual barking, howling, or yelping, creates unreasonable loud and disturbing noises of such a character, intensity and duration so as to cause serious annoyance or disturbance to the peace and quiet of any one or more person(s) of ordinary sensibilities being residents of Delhi Township. Any person who allows any dog habitually to remain or to be lodged or fed within any dwelling, building yard, or enclosure, which said person owns, occupies or controls shall be considered to be harboring such dog.

Nothing in this Resolution shall be construed to limit or prohibit the application of any provision of Chapter 955 of the Revised Code.

B. PENALTY:

Whoever violates any provisions contained in Paragraph A of this Resolution is guilty of a minor misdemeanor. Each day of continued violation of any provision contained in Paragraph A, constitutes a separate offense.

Vote Record:

Mr. LaScalea (AY); Ms. Espelage (AYE); Mr. Riley (AYE)

Resolved by the Board at its regular meeting this 12<sup>th</sup> day of JUNE, 1991.

Nicholas J. LaScalea  
Nicholas LaScalea, President  
Carol A. Espelage  
Carol Espelage, Trustee  
Edward Riley  
Edward Riley, Trustee

ATTEST:

Robert Bedinghaus  
Robert Bedinghaus, Clerk

APPROVED AS TO FORM:

David C. Lane  
David C. Lane, Township Attorney

DELHI TOWNSHIP RECOMMENDED POLICY FOR  
ENFORCEMENT OF DOG-BARKING RESOLUTION EFFECTIVE , 1991

In order to effectively implement the Resolution controlling habitual barking, howling or yelping dogs, the following Policy will be adhered to by the Police Department:

1. Respond to source of complaint and talk to complainant and dog owner or person in control of dog to attempt to resolve dispute. Provided no prior complaints have been filed concerning the dog owner or person in control of the dog, the officer shall issue a verbal warning to the dog owner or other person in control of the dog.
2. If an amicable resolution cannot be made or a prior complaint was filed with the Department involving the same dog owner or person in control of the dog, the officer shall advise the complainant to come to the Police Station within twenty-four (24) hours to sign an affidavit. The Police Department will issue a minor misdemeanor citation only after an affidavit is signed by the complainant.
3. No officer is authorized to sign an affidavit unless he/she is signing the affidavit as a private complaining citizen.
4. The minor misdemeanor citation shall indicate that the citation is pursuant to O.R.C. 955.221 and Delhi Township Resolution No. \_\_\_\_\_.