

ORDINANCE NO: 2015-69
INTRODUCED BY: ADMINISTRATION

**AN ORDINANCE AMENDING SECTION 618.12 OF THE
CODIFIED ORDINANCES OF THE CITY ENTITLED
“HUNTING AND TRAPPING REGULATED”, AND
SECTION 618.125 ENTITLED “SPECIAL PERMITS FOR
REMOVAL OF EXCESSIVE NUISANCE ANIMALS”**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF LYNDHURST, CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

SECTION 1. Section 618.12 of the Codified Ordinances is hereby amended to read as follows (new material appears like THIS and deleted material appears like ~~this~~):

**618.12 HUNTING AND TRAPPING
REGULATED.**

(a) The hunting of animals or birds within the territorial limits of the City is regulated. No person shall hunt, kill or attempt to kill any animals or birds by use of firearms, bow and arrow, cross bow, or any other means that may endanger the life or safety of persons or cause injury or destruction of property, except as follows:

- (1) A law enforcement officer or animal warden in discharge of his or her duties;
- (2) Any person authorized by the Chief of Police while participating in a City authorized animal control program;
- (3) A State of Ohio licensed nuisance animal trapper or property owner operating under the authority of an Ohio Division of Wildlife damage control permit and utilizing methods in accordance with rules and regulations established by the Police Chief; or
- (4) Any person participating in a City approved nuisance animal management program.

(b) No person shall set or maintain any trap within the municipality, except under the authority of the owner or lawful occupant of the premises upon which such trap is set or maintained and with the approval of the ~~Lyndhurst Department of Animal Control~~ CHIEF OF POLICE.

(c) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

SECTION 2. Section 618.125 of the Codified Ordinances is hereby amended to read as follows (new material appears like THIS and deleted material appears like ~~this~~):

**618.125 SPECIAL PERMITS FOR REMOVAL OF
EXCESSIVE NUISANCE ANIMALS.**

(a) Notwithstanding Section 618.12, special permits may be issued by the Chief of Police with the approval of the Mayor for removing excessive nuisance animals, as defined below, on ~~private~~ ~~or~~ public property, provided that the ~~public or private~~ property is at least ten (10) acres in size, and further provided that the removal of the nuisance animals is to be done by a City approved agent or by a licensed nuisance animal trapper, and provided further that a necessary and appropriate permit has already been obtained from the State of Ohio, Division of Wildlife, and there is compliance with all federal, state and local regulations.

(B) "Nuisance animal" is an individual animal whose actions create special wildlife management problems, usually on a repetitive basis. Examples of animals from which nuisance cases may arise include deer, raccoons, skunks, coyotes, beavers, bears and poisonous snakes.

(C) Whoever violates this section is guilty of a misdemeanor of the first degree.

SECTION 3. Any and all provisions of the Codified Ordinances of the City inconsistent herewith are hereby repealed, and all other provisions of Chapter 618 of the Codified Ordinances shall remain in full force and effect.

SECTION 4. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance shall take effect at the earliest time allowed by law.

PASSED: September 8, 2015

MAYOR

VICE-MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Resolution by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on September 17, 2015 and September 24, 2015.

Clerk of Council

First Reading: September 8, 2015

Second Reading: Suspended

Third Reading: Suspended