FIRST READING – July 26, 2011
SECOND READING – August 23, 2011
THIRD READING – September 13, 2011
EMERGENCY -

COUNCIL NO: 041
SPONSOR: Safety
ORDINANCE NO. **39-11**

AN ORDINANCE AMENDING SECTION 505.09 OF THE CODIFIED ORDINANCES OF THE CITY OF SHEFFIELD LAKE REGARDING UNREASONABLE ANIMAL NOISE PROHIBITED.

WHEREAS, the current Section 505.09 of the Codified Ordinances of the City of Sheffield Lake provides that unreasonable animal noises shall be treated as a minor misdemeanor; and,

WHEREAS, certain residents have been repeatedly charged with a violation of Section 505.09; and,

WHEREAS, it is in the best interest of the City of Sheffield Lake, Ohio to amend Section 505.09 of the Codified Ordinances to provide for enhanced penalties for repeat offenders of Section 505.09.

NOW THEREFORE, be it ordained by the Council of the City of Sheffield Lake, State of Ohio:

Section 1. Codified Ordinance 505.09 presently reading as follows:

(a) No person shall keep or harbor any dog within the Municipality which, by frequent and habitual barking, howling or yelping, creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the Municipality. Any person who shall allow any dog habitually to remain, be lodged or fed within any dwelling, building, yard or enclosure which he occupies or owns, shall be considered as harboring such dog

(b) No person shall keep or harbor any animal within the Municipality which, by frequent and habitual animal noise creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the Municipality. Any person who shall

allow any animal habitually to remain, be lodged or fed within any dwelling, building, yard or enclosure, which he occupies or owns, shall be considered as harboring such animal.

(c) Whoever violates subsection (a) or (b) hereof is guilty of a minor misdemeanor.

Section 2. Is hereby rewritten as follows:

(a) No person shall keep or harbor any dog within the Municipality which, by frequent and habitual barking, howling or yelping, creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the Municipality. Any person who shall allow any dog habitually to remain, be lodged or fed within any dwelling building, yard or enclosure which he occupies or owns, shall be considered as harboring such dog

(b) No person shall keep or harbor any animal within the Municipality which, by frequent and habitual animal noise creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the Municipality. Any person who shall allow any animal habitually to remain, be lodged or fed within any dwelling, building, yard or enclosure, which he occupies or owns, shall be considered as harboring such animal.

(c) Whoever violates subsection (a) or (b) hereof is guilty of a minor misdemeanor.

(d) Any individual previously found guilty of two violations of this section who is subsequently found guilty of a violation of this section within one year of the previous violations of this section shall be guilty of a fourth degree misdemeanor.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were

adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 505.09 of the Ohio Revised Code.

Section 4. This ordinance is hereby declared to be an emergency measure made necessary for the preservation of the public peace, health, safety and welfare of the City of Sheffield Lake, Ohio, the emergency being the immediate necessity of amending Section 505.09 of the Codified Ordinance regarding Unreasonable Animal Noise.

PASSED THIS _____ DAY OF _____, 2011.

	Yea	Nay	NV
Dennis Bring	____	____	____
Leanna Stark	____	____	____
Diane Huska	____	____	____
Steve Kovach	____	____	____
Rick Rosso	____	____	____
Alan Smith	____	____	____
Eric Elliott	____	____	____

_____
MAYOR
John J. Piskura

_____
PRESIDENT OF COUNCIL
Edward R. Podmanik

and/or

_____
PRESIDENT PRO TEM
Richard Rosso

_____
CLERK OF COUNCIL
Kay Fantauzzi

I, Kay Fantauzzi, duly appointed Clerk of Council

of Sheffield Lake DO HEREBY CERTIFY that
this is a true and exact copy of Ordinance#_____.
PASSED_____, 2011.