

ORDINANCE NO. 17-01

AN ORDINANCE TO AMEND ORDINANCE NO. 338 (NUISANCE TO HARBOR CERTAIN LIVESTOCK WITHIN CORPORATION LIMITS OF THE VILLAGE OF THORNVILLE)

WHEREAS, with Ordinance No. 338, adopted May 24, 1969, Council for the Village of Thornville adopted and created regulations governing the harbor of certain livestock within the corporate limits of the Village of Thornville; and

WHEREAS, the Council for the Village of Thornville desires to amend this Ordinance to clarify, correct and amend certain sections of this Ordinance; and

WHEREAS, the Council for the Village of Thornville would like to simplify the process so that service of violation notices/citations can be accomplished more efficiently, and these nuisances can be abated more quickly.

NOW, **THEREFORE, BE IT ORDAINED** by the Council of the Village of Thornville, County of Perry, State of Ohio:

SECTION 1: Ordinance 338, adopted the 24th day of May, 1969 shall be amended to read following:

No person, firm, business, or other legal entity, whether as owners, lessee, agent, tenant, or any other person or entity having charge, care, or control of land within the Village, shall stable, keep, pasture or harbor the following animals within the corporate limit of the Village:

1. domestic farm animals (including but not limited to, sheep, goats, cattle, swine, and any other similar type of animal.) and/or
2. livestock (including, but not limited to, horses, ponies, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks , jennets, burros, goats, kids, swine and any animals normally found in the wild state which are being kept for exhibition purposes or as private pets.) and/or
3. fowl (including, but not limited to, chickens, duck, geese and any other similar type of fowl)

Notice of Violation

The Zoning Inspector, or in his/her designee, shall cause written notice to be served by regular United States Mail upon the owner(s), lessee(s), agent(s), or tenant(s) having charge, care, or control of such lots and land, notifying them that stabling, keeping, pasturing or harboring of these prohibited animals within the corporate limits of the Village is prohibited and ordering the animals be removed within thirty (30) days. If the Notice is returned undeliverable, the written notice may be served personally or by posting in a conspicuous location at the property.

Penalty

Whoever fails to comply with Notice of Violation shall be guilty of a minor misdemeanor, on the first offense. Each new offense occurring thereafter within the calendar year shall be a misdemeanor of the fourth degree. A separate offense shall be deemed committed each day during or on which the offense occurs or continues.

SECTION 2: It is hereby 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 any and all deliberations of this Council and its committees that resulted in such formal action were in meeting open to the public, in compliance with all legal requirements of the law of the State of Ohio.

SECTION 3: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

SECTION 4: This Ordinance will be enforced at the earliest time allowed by law.

Passed in Council this _____ day of _____ 2017.

Gavin Renner, Mayor

ATTEST

Sharon Brussee, Clerk of Council

APPROVED:

Approved as to form this 3rd day of February 2017.



Brian M. Zets, Esq.
Village Solicitor