

**ORDINANCE NO. 2015-17**  
**(with proposed amendment)**

**AN ORDINANCE AMENDING CHAPTER 505 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, OHIO, TITLED “ANIMALS AND FOWL”; AND SPECIFICALLY ESTABLISHING SECTION 505.19 TITLED “FEEDING OF NUISANCE ANIMALS PROHIBITED; **EXEMPTIONS** **EXCEPTIONS**; SECURE OUTDOOR STORAGE OF REFUSE OR WASTE”.**

WHEREAS, the Council of the City of Willowick finds and declares that the population of nuisance animals and their feeding poses a danger to the health, safety, and welfare of the public;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Willowick, County of Lake, and State of Ohio:

**Section 1.** That Chapter 505 of the Codified Ordinances of the City of Willowick, titled “Animals and Fowl” is hereby amended to establish Section 505.19 titled “FEEDING OF NUISANCE ANIMALS PROHIBITED; **EXEMPTIONS** **EXCEPTIONS**; SECURE OUTDOOR STORAGE OF REFUSE OR WASTE,” to read and provide as follows:

(a) ***Prohibition.*** No person shall **purposely** place any edible item in an manner or position where such edible item shall be accessible to attract common pigeons, crows, blackbirds; other large, flocking, wild non-game birds; nuisance animals, including but not limited to feral cats and dogs, squirrels, raccoons, groundhogs, and deer; wild animals; domestic pets; or vermin. This Section shall not apply to animals owned by ***or in the continued possession of*** that person.

(b) ***Exceptions. The provisions of this Section shall not apply to the following: ~~Nothing herein shall be construed as in any manner limited or restricting~~***

(1) ***The*** feeding of small birds, with the exception of pigeons, from a stationary bird feeder or container for food **located in the rear yard** elevated at least sixty (60) inches above the ground level and of such design and construction as to minimize any potential for food and/or seed from spilling and/or dropping to the ground.

(2) ***Any animal welfare organization or individual caregiver registered with the City to promote animal care through a Trap-Neuter-Return (“TNR”) Program in which feral and stray cats are trapped, sterilized, vaccinated against rabies, ear tipped, and thereafter released.***

(c) ***Secured Outdoor Storage.*** Any and all refuse or waste kept outdoors shall be stored in such a manner as to render the same inaccessible to any and all animals, birds, domestic pets, and vermin.

(d) **Penalty.** Whoever violates this Section is guilty of a minor misdemeanor for a first offense, a fourth degree misdemeanor for the second offense, and a third degree misdemeanor for a third or subsequent offense. The penalty shall be as provided in Section 501.99. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

**Section 2.** All formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Codified Ordinances and Section 121.22 of the Ohio Revised Code.

**WHEREFORE**, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

Adopted by Council: \_\_\_\_\_, 2015

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Robert Patton, Council President

Attest: \_\_\_\_\_  
Susan Wovrosh, Clerk of Council

Approved by Mayor: \_\_\_\_\_, 2015

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Richard J. Bonde, Mayor