

RECORD OF ORDINANCES

Ordinance No. 2024-46

Passed JULY 2, 2024

SPONSOR: SAFETY COMMITTEE

AN ORDINANCE ADOPTING SECTION 90.40 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MOGADORE, ENTITLED "FEEDING OF ANIMALS," TO REGULATE THE FEEDING OF CERTAIN ANIMALS WITHIN THE VILLAGE, AND DECLARING AN EMERGENCY.

WHEREAS, Chapter 90 of the Village of Mogadore Codified Ordinances sets forth the regulations related to animals within the Village; and

WHEREAS, the Mayor has recommended that this Council adopt Section 90.40 of the Codified Ordinances of the Village, entitled "Feeding of Animals," as set forth on Exhibit A, attached hereto and incorporated herein by reference, which will regulate the feeding of certain animals within in the Village; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to adopt Section 90.40 for the reasons set forth above.

NOW, THEREFORE BE IT ORDAINED, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio, that:

SECTION 1: This Council hereby adopts Section 90.40 of the Codified Ordinances of the Village, entitled "Feeding of Animals," as set forth on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately ensuring the health and safety of residents within the Village by regulating the feeding of certain animals within the Village given the current abundance of those animals roaming freely throughout the Village, and, provided this Ordinance receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

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Michael Raddish 7-2-24  
President of Council Date

Michael A. Reis 7-2-24  
Mayor Date

Attest:  
[Signature]  
Clerk-Treasurer

## EXHIBIT A

### **Section 90.40 FEEDING OF ANIMALS.**

- (a) No person shall provide food for dogs, cats, feral cats, deer, geese, ducks, raccoons, fowl or other wild animals (as defined in Section 1531.01 of the Ohio Revised Code) by setting food outside on (i) any public property or right-of-way, (ii) the real property of another person, (iii) any property on which a business is located, or (iv) within a 100-yard radius of any private residence. This section does not apply to animals owned by that person as pets, or song birds fed from a stationary bird feeder.
- (b) Any cat that is wild, stray or un-owned shall be considered feral. A domestic cat turned wild, which means that it generally lives outdoors, is free-roaming and has little to no socialization with humans, shall be considered feral. Feral cats shall not be considered pets for the purposes of this ordinance.
- (c) Whoever violates this section is guilty of a minor misdemeanor, punishable by a fine of not more than \$150.00.