

PASSED: July 12, 2021

BY: Conway

ORDINANCE NO. 2021-8

**ORDINANCE ESTABLISHING LEASH REGULATIONS
FOR AMBERLEY GREEN**

WHEREAS, Amberley Green has become an important and valued asset to members of the community because it provides green space with the opportunity for walking, exercising, and other activities;

WHEREAS, in recent years the popularity of walking dogs at Amberley Green has increased, as has the number of complaints received by the Village regarding unruly or aggressive dogs on the Amberley Green property;

WHEREAS, this is due in part to the Village's current regulations, which require that dogs on the Amberley Green property be "under control." The Village has encountered difficulty with enforcing compliance because the term "under control" does not provide enough specifics for police to enforce;

WHEREAS, in May 2019, the Village began communication efforts to clarify what "dogs under control" entails and to encourage people to supervise their dogs more closely at Amberley Green, however, this did not seem to correct the issues;

WHEREAS, the Public Buildings and Parks Committee has for two years considered numerous factors concerning the regulation of dogs on Amberley Green and proposes the leash regulations set forth below;

NOW, THEREFORE, BE IT ORDAINED BY THE Council of Amberley Village, State of Ohio, six (6) members elected thereto concurring:

SECTION 1: Section 90.03 of the Amberley Village Municipal Code of Ordinances be amended, titled "Amberley Green Leash Regulations, and to include the following regulations regarding leashes for dogs on the Amberley Green property:

- A. Parking Lots - When in any parking lot at Amberley Green or any other areas designated as "on leash" by signage, dogs are required to be physically restrained on a leash by the dog's Owner or Caretaker at all times.
- B. Designate from dawn to 9:00 a.m. and one hour prior to dusk to allow dogs off leash. Owner/Caretaker - For purposes of the regulations in this chapter, the terms "Owner" or "Caretaker" shall mean any person who owns a dog, who permits a dog to be lodged or fed at the person's residence or appurtenant buildings, or who is hired or otherwise charged with walking, feeding, attending to, or otherwise caring for a dog owned by another.

- C. Maximum Number of Dogs – No Owner or Caretaker is permitted to bring more than three (3) dogs to Amberley Green at any one time. During time periods when dogs are permitted to be off-leash, Owners or Caretakers shall have no more than two (2) unleashed dogs at any one time.
- D. Under Control –A dog at Amberley Green that is not physically restrained on a leash must be under the control of its Owner or Caretaker. For the purposes of the regulations in this chapter, the term “Under Control” means that the dog:
- a. Is visible to the Owner or Caretaker;
 - b. Comes to the Owner’s or Caretaker’s side when called;
 - c. Stays by the Owner’s or Caretaker’s side when instructed to do so, under any circumstances;
 - d. Refrains from chasing wildlife, animals, or other dogs against the Owner’s or Caretaker’s commands;
 - e. Refrains from jumping on or attempting to contact other individuals who may be walking on paths, or who otherwise may be in close proximity to the dog.
- E. Any dog not capable of being kept Under Control by its Owner or Caretaker shall be kept physically restrained on a leash at all times when on any part of the Amberley Green premises. The Village retains the sole discretion in determining whether a dog is Under Control under these guidelines and may, at any time, direct an Owner or Caretaker to physically restrain a dog on a leash if the dog demonstrates an inability to be and remain Under Control.
- F. Disposal of Waste - Owners and Caretakers are required to collect and properly dispose of any fecal matter deposited by their dog(s). Fecal matter must be collected in an appropriate bag or receptacle and disposed of in designated containers located on the Amberley Green premises.
- G. Removal from Amberley Green - The Village retains the sole discretion in determining whether a dog is Under Control under these guidelines and if an Owner or Caretaker fails to maintain their dog(s) in such a manner, the Village may direct the Owner or Caretaker to leave the Amberley Green premises, or may prohibit the Caretaker or Owner from entering onto the Amberley Green property for a period of time or indefinitely.
- H. Liability – In accordance with Ohio law, any Owner or Caretaker will be liable for any injury, death, or loss of property caused by a dog’s actions.

- I. Review - The Public Buildings and Parks Committee shall periodically review leash regulations not less than once per calendar year to ensure the health, welfare and safety of the Village is being upheld.
- J. Modifications – The Village Manager has discretion to adjust, as necessary, the times for unleashed dogs.
- K. Visible signage clearly welcoming guests and delineating the rules.
- L. Penalty – An individual who fails to comply with Sections (A) – (F) of this section shall be fined not less than \$25 or more than \$100 on a first offense, and on each subsequent offense shall be fined not less than \$75 or more than \$250 and may be imprisoned for not more than 30 days.

SECTION 2: This Ordinance shall take effect and be enforced from and after the earliest period allowed by law.

Passed this 12th day of July, 2021.

Mayor Thomas C. Muething

Attest:

Tammy Reasoner, Clerk of Council

Ordinance Vote:

Moved: Conway

Seconded: Wolf

| | | |
|----------|-----|-----|
| Muething | Aye | |
| Wolf | Aye | |
| Bardach | Aye | |
| Conway | Aye | |
| Hunt | Aye | |
| Kamine | | Aye |
| Warren | Nay | |

I, Clerk of Council of Amberley Village, Ohio, certify that on the ____ day of July, 2021, the foregoing Ordinance was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Ordinance at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

Tammy Reasoner, Clerk of Council