

Doug Joseph, President
Caleb Skinner, Ward 1
Brett Luzader, Ward 2
Marshall Spalding, Ward 3
Mel Clemens, Ward 4
Barth Cotner, At-Large
Stacie A. Baker, At-Large
Kristin J. Bryant, At-Large

CITY COUNCIL
Committee Meeting

7232 East Main Street
Reynoldsburg, OH 43068
www.ci.reynoldsburg.oh.us

Mollie Prasher, Clerk of Council
614-322-6836

Mel Clemens, Committee Chairman

Monday, September 9, 2019

Council Chambers

PUBLIC SAFETY, LAW AND COURTS COMMITTEE MEETING

1. CALL TO ORDER - ROLL CALL

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

A. Public Safety, Law and Courts Committee – Committee Meeting – July 22, 2019

4. LEGISLATION FOR SECOND READING

A. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: REPEALING/REPLACING VARIOUS SECTIONS OF CHAPTER 505 ANIMALS AND FOWL: PHASE 1 (SECOND READING 7/22/2019)

5. LEGISLATION FOR THIRD READING

A. AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: REPEALING/REPLACING VARIOUS SECTIONS CHAPTER 505 ANIMALS AND FOWL; PHASE TWO (THIRD READING 7/22/2019)

MINUTES COMMITTEE MEETING
 REYNOLDSBURG PUBLIC SAFETY, LAW AND COURTS COMMITTEE
 July 22, 2019

Chairman Mel Clemens called the meeting to order at 7:49 PM

Call to Order - Roll Call

PRESENT: Clemens, Baker, Bryant, Skinner

ABSENT:

Approval of Agenda

Approval of Minutes

a. Public Safety, Law and Courts Committee – Committee Meeting – July 8, 2019

RESULT:	ACCEPTED
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NEW LEGISLATION/DISCUSSION ITEMS

LIQUOR PERMIT REQUEST #2910690 PIER 11 TAYLOR SQUARE LLC

Deputy Chief Baker: Thank you Chairman, members of the committee. We have two liquor permits for you tonight. The first one we conducted a liquor permit investigation for a new business that's going to be located 7657 Farmsbury Drive. Location is currently vacant, it was formally a restaurant. The new owner that applied for the permit, plans on opening a new restaurant, which is going to be a seafood restaurant and is seeking a new permit at this location. We did an investigation regarding the business. The owner through records through the Secretary of State through the Ohio Liquor Commission and through Public Court Records and at this time the investigation did not reveal anything which would indicate a need to appeal the liquor license.

Ms. Bryant: Do we know when they are projected to open?

Deputy Chief Baker: I do not have that information.

Ms. Bryant: Mr. Bowsher?

Mr. Bowsher: Right now they are going through renovations, they hopefully will open up in September. They are going to serve crawdad's and corn of the cob. Its sort of a whole crawfish boil place, so it looks pretty promising.

Ms. Bryant: Yea, they have a location in Whitehall.

Deputy Chief Baker: Same permit holder.

Ms. Bryant: Thank you.

Minutes Acceptance: Minutes of Jul 22, 2019 7:31 PM (Approval of Minutes)

MINUTES COMMITTEE MEETING
REYNOLDSBURG PUBLIC SAFETY, LAW AND COURTS COMMITTEE
July 22, 2019

Mr. Clemens: This will stand as approved.

RESULT: READ INTO THE MINUTES

LIQUOR PERMIT REQUEST #0118508 AGUIRRES MARKET LLC

Deputy Chief Baker: This location is located at 1750 Brice Road. We know it as operating as Century City Market. It will continue to operate under that name when its done it will change ownership. So this is going to be a transfer or a liquor license not a new one. We conduct the same investigation with the Secretary State, records, Ohio Liquor Control Commission and we did local court records on a new owner that applied for this permit. And at this time the investigation did reveal anything that we would need to seek an appeal for a transfer of this license.

Mr. Clemens: It will stand as approved.

RESULT: READ INTO THE MINUTES

LEGISLATION FOR SECOND READING

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: REPEALING/REPLACING VARIOUS SECTIONS OF CHAPTER 505 ANIMALS AND FOWL: PHASE 1 --- Bryant. Public Safety, Law and Courts Committee.

Ms. Bryant: We're in discussions about this last time we were here. The first one 5a. being the insertion of a code section that would provide additional protections for Police dogs and companion animals. So I am looking to have this held for second reading today and forward it onto Council.

RESULT: REFERRED TO COUNCIL [UNANIMOUS] Next: 7/22/2019 7:35 PM
MOVER: Kristin Bryant, At-Large Councilmember
SECONDER: Stacie Baker, At-Large Councilmember
AYES: Clemens, Baker, Bryant, Skinner

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: REPEALING/REPLACING VARIOUS SECTIONS CHAPTER 505 ANIMALS AND FOWL; PHASE TWO --- Bryant. Public Safety, Law and Courts Committee.

Ms. Bryant: Thank you Mr. Clemens. This is some additional changes to the animal and fowl code, as we discussed last time we were here. There is approximately I believe six or seven code section where we are having some minor changes to them and we had some extensive discussion last time we were here. So I would like to have this move on for second reading.

Mr. Luzader: Yes, thank you Chairman Clemens. I just have one question, its probably just a typo but in paragraph e., the second sentence, its states such underground and shall not allow. That...

Minutes Acceptance: Minutes of Jul 22, 2019 7:31 PM (Approval of Minutes)

MINUTES COMMITTEE MEETING
REYNOLDSBURG PUBLIC SAFETY, LAW AND COURTS COMMITTEE
July 22, 2019

Ms. Bryant: Yea, I will have to clarify, that doesn't make sense.

Mr. Luzader: I didn't catch it last time, I was reading it again over the weekend.

Ms. Bryant: yea, I didn't either. I'll have to get the correct language and forward that to the Clerk. Believe I have it, if you give me one moment I can tell you what its supposed to say.

Mr. Luzader: While you looking, also last time we were also talking about the underground fences, and I think it probably would be a good idea that we make that a permit.

Mr. Clemens: I do too.

Mr. Luzader: Just the same as our regular fences.

Ms. Bryant: I would concur.

Mr. Joseph: But the idea is to grandfather in anyone that has them now, correct?

Ms. Bryant/Mr. Luzader: Yes.

Mr. Luzader: Might have to get with the City Attorney and see if we add that here or if we just add it to our permit structure.

Mr. Hood: You can add it here or amend in Council. The only concern I have about the grand fathering is how are we going to know when the fences were constructed when we attempt to enforce this?

Ms. Bryant: Well my suggestion would be that the person that has the current underground fence, they should be able to contact the provider that installed it in the first place to get some sort of documentation or even something along the lines of a cancelled check or credit card receipts.

Mr. Hood: So you still want them to register with the City even though they don't need a permit to install?

Ms. Bryant: I don't think they would need a permit to install because its already installed as we discussed we were talking about grand fathering that in. But if we could have them show proof of prior installation.

Mr. Hood: But when? At the time we try to enforce it or do we want to do a list of people who have it before we start issuing permits?

MINUTES COMMITTEE MEETING
 REYNOLDSBURG PUBLIC SAFETY, LAW AND COURTS COMMITTEE
 July 22, 2019

Ms. Bryant: Well I would, it would be my suggestion that we do it in a way if somebody is said to be violation, if they show proof at that time of installation when it happened, that they had installed prior to the implementation of the new ordinance.

Mr. Hood: So use it as like a defense?

Ms. Bryant: Correct. Affirmative defense.

Mr. Hood: Ok.

Mr. Luzader: What I was questioning was whether we need to add the permit required in this section of the code or just in our permitting structure.

Mr. Clemens: It would be my thought to hold this section, there is no hurry to pass it and make the changes that we want to make before we send it back to Council if that's alright.

Ms. Bryant: That's fine by me.

ALL VOTED IN FAVOR TO HOLD UNTIL THE NEXT COMMITTEE MEETING

RESULT:

ITEM HELD

Next: 9/9/2019 7:31 PM

Minutes Acceptance: Minutes of Jul 22, 2019 7:31 PM (Approval of Minutes)

City Council**Kristin Bryant****7232 East Main Street****Reynoldsburg OH 43068****614-893-2299 Phone****ORDINANCE REQUEST**

DATE: September 9, 2019

TO: Public Safety, Law and Courts Committee

RE: AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Repealing/Replacing Various Sections Chapter 505 Animals and Fowl; Phase Two.

Approval:

Skipped Brad McCloud	Skipped Jed Hood	Stephen Cicak
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See attached.

505.03 ANIMALS RUNNING AT LARGE.

(a) No person being the owner, as defined in Section 501.01(g), of an animal or animals shall permit them to run or traverse at large upon any public place, upon any unenclosed lands, or upon the premises of another without the consent of the owner of such property within the Municipality.

(b) A dog shall not be considered to be running at large if under the reasonable control of some person ~~The owner of every animal within the Municipality shall at all times keep such animal either confined upon the premises of the owner or under the reasonable control of an individual responsible for the animal.~~

(c) The running at large of any such animal in or upon any of the places mentioned in this section is prima-facie evidence that it is running or traversing at large in violation of this section.

(d) No owner of any dog, shall permit the animal to enter upon any property not that of his owner, when it is not securely leashed. ~~or under direct control.~~ The leash securing the animal shall not be longer than six feet in length. **The leash shall be controlled by a person that is physically capable of preventing the animal from entering private property and/or making physical contact with another animal or person, so long as such contact is not initiated by another animal or person.**

(e) **An animal may be confined by an underground fence, or any similar device. This is defined as a buried wire which gives a slight electrical charge when activated by a special collar worn by the animal which is to be confined. Such underground and shall not allow the animal to move closer than ten (10) feet from the sidewalk or property line. This section shall not apply to any owner who, at the time of the passage of this ordinance, has in place a non-conforming underground fence.**

(f) **Whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of violating this section, the offender is guilty of a misdemeanor or the fourth degree, and if the offender has two or more violations of this section within one year, the offender is guilty of a misdemeanor in the third degree.**

(Ord. 76-96. Passed 6-10-96; Ord. 72-03. Passed 9-8-03; Ord. 48-13. Passed 7-1-13.)

505.05 IMPOUNDING AND DISPOSITION; RECORDS.

(c) A police officer or animal warden may impound every animal or dog within the Municipality found in violation of Section 505.03. Any dog or animal impounded shall not be released except upon the payment of reasonable expenses for its taking and keeping. Any dog or animal not redeemed within three days of the time it is seized or impounded may be sold or otherwise disposed of as provided by Ohio R.C. 955.16.

(d) Impounded Dog.

(1) If an impounded dog is not wearing a valid registration tag, the dog shall forthwith be turned over to an officer charged by law with the custody and disposal of such dogs.

(2) If feasible, the dog should be checked for identification by means of a microchip.

~~(2)~~ (3) If the dog is wearing a valid registration tag or the identity of the owner, keeper, or harborer is otherwise established, notice shall immediately be given to such owner, keeper, or harborer that the dog has been impounded. Notice may be by telephone or by ordinary mail to the last known address of such owner, keeper, or harborer.

(3) (4) A record of all dogs impounded, the disposition of the same, the owner's name and address, if known, and a statement of any costs or receipts involving such dog shall be kept.

(Ord. 76-96. Passed 6-10-96; Ord. 72-03. Passed 9-8-03.)

505.17 NUISANCE CONDITIONS PROHIBITED.

(a) No person shall keep or harbor any animal or fowl within the Municipality so as to create noxious or offensive odors or unsanitary conditions which are a menace to the health, comfort or safety of the public.

(b) Any animal which destroys or damages any lawn, tree, shrub, plant, building or other property other than property of its owner or person in charge or control of such animal by scratching, digging, running loose, defecating or urinating, or otherwise injures property of others as described above is hereby declared a nuisance.

(c) Any person being the owner of or in charge or control of any animal shall immediately remove all feces deposited by such animal from another person's property, including public parks or other public property. The responsible person in charge or control of such animal shall immediately dispose of same in a sanitary manner.

(d) Whoever violates this section is guilty of a minor misdemeanor, however, if within one year of the offense, the offender previously has been convicted of violating this section the offender is guilty of a misdemeanor of the fourth degree, and if the offender has two or more violations of this section within one year the offender is guilty of a misdemeanor in the third degree.

(e) If the offender has two or more violations of this section within one year, the animal may be seized and removed from the City.

(Ord. 76-96. Passed 6-10-96; Ord. 72-03. Passed 9-8-03.)

505.23 ANIMAL BITES; REPORTS AND QUARANTINE.

(a) (1) Whenever any person is bitten by a dog or other animal, report of such bite shall be made to the applicable county Health Commissioner within twenty-four hours. The dog or other animal inflicting a bite shall immediately be examined by a qualified veterinarian and results of such examination shall be reported to the Health Commissioner within twenty-four hours. At the direction of the Health Commissioner, the dog or other animal shall either be confined by its owner or harborer to his premises away from the public at large, or be placed under supervision of a veterinarian at the owner's or harborer's expense. The isolation or observation period shall not be less than ten days from the date the person was bitten at which time a report of the condition of the animal shall be made to the Health Commissioner.

(2) No person shall fail to comply with the requirements of this section or with any order of the Health Commissioner made pursuant thereto, nor fail to immediately report to the Health Commissioner any symptom or behavior suggestive of rabies.

(b) No owner, keeper, or harborer of any dog, cat or ferret shall fail to have same animal vaccinated against rabies **nor shall any animal impounded by the City be released until proof is shown that the animal has been vaccinated against rabies.**

(c) No owner, keeper or harborer of a dangerous dog or other dangerous animal, as defined in 505.01(b) shall fail to report any incident of dog or animal bite within one hour to the City animal control officer or the City Police Department or the County Board of Health.

(d) Whoever violates divisions (a) or (b) is guilty of a minor misdemeanor. Whoever violates division (c) is guilty of a misdemeanor of the fourth degree.

(Ord. 76-96. Passed 6-10-96; Ord. 72-03. Passed 9-8-03.)

505.31 MARKETING WILD OR EXOTIC ANIMALS.

(a) No person shall market in any form wholesale or retail, any vicious, dangerous, wild, or exotic animals within the municipality. ~~Exceptions to the above include pure domestic cats, pure domestic dogs (not hybrid), domestic rabbits, guinea pigs, chinchilla, mice, hamsters, gerbils, parrot like birds, non poisonous fish, non poisonous reptiles and non poisonous snakes under five feet in length, hedge hogs and ferrets.~~

(b) Whoever violates this section is guilty of a misdemeanor of the second degree. Each day such section is violated shall constitute a separate offense.

(Ord. 76-96. Passed 6-10-96; Ord. 72-03. Passed 9-8-03.)

505.33 KEEPING WILD OR EXOTIC ANIMALS.

(a) No person shall own or harbor any wild or exotic animal or animal **within the municipality unless otherwise permitted under Ohio law.** ~~that is endangered within the municipality.~~

~~(b) Exceptions to division (a) herein are veterinarians for the purpose of medical treatment and educational facilities.~~

~~(c) Permission to temporarily keep and care for a native Ohio wild or exotic animal that is under the care of a licensed veterinarian shall be obtained from the Ohio Department of Natural Resources.~~

~~(d) Animals which may be owned or harbored within the municipality are: pure domestic cats, pure domestic dogs (not hybrid), domestic rabbits, guinea pigs, chinchillas, mice, hamsters, gerbils, parrot-like birds, non-poisonous fish, non-poisonous reptiles, and non-poisonous snakes under five feet in length, hedge hogs, ferrets, and horses owned prior to the effective date of this ordinance.~~

~~(e)~~ (b) Whoever violates this section is guilty of a misdemeanor of the second degree. Each day such violation occurs or continues shall constitute a separate offense.

(Ord. 76-96. Passed 6-10-96; Ord. 72-03. Passed 9-8-03.)

~~505.39 REPORT OF ESCAPE OF EXOTIC OR DANGEROUS ANIMAL.~~

~~—(a) The owner or keeper of any member of a species of the animal kingdom that escapes from his custody or control and that is not indigenous to this state or presents a risk of serious physical harm to persons or property, or both, shall, within one hour after he discovers or reasonably should have discovered the escape, report it to a law enforcement officer of the Municipality and the sheriff of the county where the escape occurred.~~

~~—(b) Whoever violates this section is guilty of a misdemeanor of the first degree.~~

~~(Ord. 76-96. Passed 6-10-96; Ord. 72-03. Passed 9-8-03.)~~

City Council**Kristin Bryant****7232 East Main Street****Reynoldsburg OH 43068****614-893-2299 Phone****ORDINANCE REQUEST**

DATE: September 9, 2019

TO: Public Safety, Law and Courts Committee

RE: ORDINANCE TO AMEND THE CODE OF ORDINANCES OF
THE CITY OF REYNOLDSBURG, OHIO: Repealing/Replacing
Various Sections of Chapter 505 Animals and Fowl; Phase 1

Approval:

Skipped Brad McCloud	Skipped Jed Hood	Stephen Cicak
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See Attached.

505.40 INTERFERENCE WITH POLICE DOG OR AN ASSISTANCE DOG.

- (a) No person shall recklessly do any of the following with respect to police dog:
1. Taunt, torment, or strike a police dog;
 2. Throw an object or substance at a police dog;
 3. Interfere with or obstruct a police dog, or interfere with or obstruct a law enforcement officer who is being assisted by a police dog, in a manner that does any of the following:
 - A. Inhibits or restricts the law enforcement officer's control of the police dog;
 - B. Deprives the law enforcement officer of control of the police dog;
 - C. Releases the police dog from its area of control;
 - D. Enters the area of control of the police dog without the consent of the law enforcement officer, including placing food or any other object or substance into that area;
 - E. Inhibits or restricts the ability of the police dog to assist a law enforcement officer.
- (b) No person shall recklessly do any of the following with respect to an assistance dog:
1. Taunt, torment, or strike an assistance dog;
 2. Throw an object or substance at an assistance dog;
 3. Interfere with or obstruct an assistance dog, or interfere with or obstruct a blind, deaf or hearing impaired, or mobility impaired person who is being assisted or served by an assistance dog, in a manner that does any of the following:
 - A. Inhibits or restricts the assisted or served person's control of the dog;
 - B. Deprives the assisted or served person of control of the dog;
 - C. Releases the dog from its area of control;
 - D. Enters the area of control of the dog without the consent of the assisted or served person, including placing food or any other object or substance

into that area;

- E.** Inhibits or restricts the ability of the dog to assist the assisted or served person.
- (c) Whoever violates subsection (a) hereof is guilty of harassing a police dog. Except as otherwise provided in this subsection, harassing a police dog is a misdemeanor of the second degree. If the violation results in the death of the police dog or if the violation results in serious physical harm to the police dog but does not result in its death, harassing a police dog is a felony and shall be prosecuted under appropriate State law. If the violation results in physical harm to the police dog but does not result in its death or in serious physical harm to it, harassing a police dog is a misdemeanor of the first degree.
- (d) Whoever violates subsection (b) of this section is guilty of harassing an assistance dog. Except as otherwise provided in this subsection, harassing an assistance dog is a misdemeanor of the second degree. If the violation results in the death of or serious physical harm to the assistance dog but does not result in its death, harassing an assistance dog is a felony and shall be prosecuted under appropriate State law. If the violation results in physical harm to the assistance dog but does not result in its death or in serious physical harm to it, harassing an assistance dog is a misdemeanor of the first degree.
- (e) This section only applies to an offender who knows or should reasonably know at the time of the violation that the police dog or horse or assistance dog that is the subject of a violation under this section is a police dog or assistance dog.
- (f) As used in this section:
1. "Police dog" means a dog that has been trained, and may be used, to assist law enforcement officers in the performance of their official duties.
 2. "Assistance dog", "blind", and "mobility impaired person" have the same meanings as in Ohio R.C. 955.011.