

BOARD OF TOWNSHIP TRUSTEES
ANDERSON TOWNSHIP
HAMILTON COUNTY, OHIO

The Board of Township Trustees met in regular session at 2:00 p.m. this 6th day of June, 2024, with the following members present:

R. Dee Stone
Joshua S. Gerth
Lexi Lausten

Mrs. Lausten introduced the following resolution and moved its passage:

RESOLUTION NO. 24 – 0606 – 04

**RESOLUTION FOR THE CONTROL OF DOGS IN ANDERSON TOWNSHIP
AND REPEALING RESOLUTION NO 24-0321-15**

WHEREAS, this Board, by Resolution No. 24-0321-15 duly passed on March 21, 2024, adopted measures and restrictions with respect to dog ownership, keeping, harboring and restraint of dogs in the Township, pursuant to Section 955.221 of the Ohio Revised Code (the “Statute”); and

WHEREAS, the Statute authorizes a board of township trustees to adopt and enforce resolutions to control dogs within the township that are not otherwise in conflict with any other provision of the Ohio Revised Code; provided, that a county resolution for the control of dogs within the unincorporated territories of a county prevails over resolutions adopted by a board of township trustees;

WHEREAS, resolutions to control dogs include, but are not limited to, resolutions concerned with ownership, keeping or harboring dogs, the restraint of dogs, dogs as a public nuisance, and dogs as a threat to public health, safety, and welfare, except that such resolutions shall not prohibit the use of any dog which is lawfully engaged in hunting or training for the purpose of hunting while accompanied by a licensed hunter, such dogs at all other times and in all other respects shall be subject to this resolution, unless the dog is actually in the field and engaged in hunting or in legitimate training for such purpose; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Township Trustees (the “Board”) of Anderson Township, County of Hamilton, Ohio (the “Township”), as follows:

SECTION 1. Pursuant to Section 955.22(C) of the Ohio Revised Code, except when a dog is lawfully engaged in hunting or training for the purpose of hunting while accompanied by a licensed hunter, no owner, keeper or harbinger of any dog in the Township shall fail at any time to do either of the following:

(a) Keep the dog physically confined or restrained upon the premises of the owner, keeper, or harborer by a leash, tether, adequate fence, supervision or secure enclosure to prevent escape; or

(b) keep the dog under the reasonable control of some person.

SECTION 2. A dog that without provocation and while off premises of its owner, keeper or harborer has chased or approached a person in either a menacing fashion or an apparent attitude of attack or has attempted to bite or otherwise endanger any person is a "nuisance dog" within the meaning of Section 955.11 (A)(3)(a); provided that a nuisance dog does not include a police dog being used to assist one or more law enforcement officers in the performance of official duties. "Menacing fashion" means that a dog would cause any person being chased or approached to reasonably believe that the dog will cause physical injury to that person.

SECTION 3. It shall be unlawful for any person to permit a dog, without provocation, to bite or otherwise inflict serious injury to a person or companion animal.

SECTION 4. It shall be unlawful for anyone to keep, harbor or permit to be kept or harbored upon premises owned by such person or upon premises under his/her control within the limits of the Township, any dog which unreasonably causes annoyance, alarm, or noise disturbance to any person by barking, whining, screeching, howling or other like sound which may be heard beyond the boundary of the owner's, keeper's, or harborer's property under conditions where animal sounds are shown to have occurred either as an episode or continuous noise lasting for a minimum of fifteen (15) minutes, or repeated episodes of intermittent noise lasting for a minimum period of thirty (30) minutes. It shall be an affirmative defense hereunder that the animal was intentionally provoked by a party other than the owner or person in charge of the dog to make such noise.

SECTION 5. On complaint of any person in the Township to the Hamilton County Sheriff's office that a person has failed to control a dangerous dog or nuisance dog (each as defined in Section 955.11 of the Ohio Revised Code) or has violated SECTION 3 or SECTION 4, above, a Sheriff's officer or animal control officer shall issue a notice of the complaint to the owner or person in charge or in control of the dog complained of, or to the owner or person in charge of the premises on which the dog is kept or harbored. Any person who fails to abate the dog nuisance after having received such a notice shall be guilty of creating a dog nuisance, which shall be a minor misdemeanor. Each day upon which the dog nuisance occurs or continues shall constitute a separate offense.

SECTION 6. The aforesaid Resolution No. 24-0321-15 shall be repealed as of the effective date of this Resolution.

SECTION 7. The preambles to this Resolution shall be deemed for all purposes to be integral and operative parts hereof.

SECTION 8. That this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

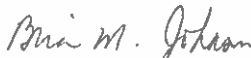
Mrs. Stone seconded the motion, and the roll being called upon the question of passage, the vote resulted as follows:

Mrs. Stone yes Mr. Gerth yes Mrs. Lausten yes

CERTIFICATION

The undersigned, duly elected and acting Fiscal Officer of Anderson Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed at a regular meeting of the Board of Township Trustees of said Township on the 6th day of June, 2024, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.

This 6th day of June, 2024.



Brian M. Johnson
Fiscal Officer