

RECORD OF ORDINANCES

Ordinance No.: 2014 - 15

Passed: September 8, 2014

AN ORDINANCE TO AMEND CHAPTER 618 CODE OF ORDINANCE, ANIMALS

WHEREAS, Village Council recognizes the needs of certain persons to have legitimate need for therapy animals upon request of the individual to council and upon proof from a medical provider; and,

WHEREAS, Village Council recognizes the need to balance the rights of other citizens with the consideration which may be given upon request to persons needing therapy animals; now,

THEREFORE BE IT ORDAINED as follows:

Section I. That existing Sections 618.01 through 618.22, Section 618.07 as previously amended as Section 618.24, Section 618.13 as previously amended as Section 618.25, and Section 618.26 remain in full force and effect and shall be reaffirmed, re-enacted, and incorporated herein by reference. New Section 618.27 Therapy Animals is codified.

Section II. Code of Village Ordinances Section 618.23 shall be amended as follows.

Section 618.23 FARM, GEESE, OR OTHER SUCH ANIMALS.

- (a) No chickens, turkeys, ducks, geese, or other such live poultry or fowl of any kind, horses, ponies, cows, calves, goats, sheep, or live animals of any kind except dogs, cats, gerbils, hamsters, guinea pigs, or mice shall be kept in the Village unless provided for by the Village of West Lafayette as therapy animals as may be excepted at Section 618.27.
- (b) Rabbits may only be kept in numbers of two or less provided they are confined in cages or inside residences all to be free of smell to persons of ordinary sensibilities and free of nuisance.
- (c) Parrots and birds other than chickens, turkeys, ducks, geese, or other such live poultry or fowl of any kind as stated in Section 618.23 (a) which are caged inside a residential dwelling shall be allowed in the Village. No owner shall permit any bird described herein to make noise which would offend or annoy a person of ordinary sensibilities.
- (d) Whoever violates division (a), (b), or (c) of this section is guilty of a minor misdemeanor. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

Section III. Section 618.27 Therapy Animals is enacted and codified as follows.

Section 618.27 THERAPY ANIMALS

- (a) When a person presents to council for the Village of West Lafayette in a full council meeting his written petition supported by medical evidence he is in

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need of a therapy animal the petition shall be referred to the Ordinance Committee or other committee of council as selected by the Mayor for consideration and reporting back to full council. The petitioner shall be required to attend the committee meeting and be prepared to provide full details as to the need.

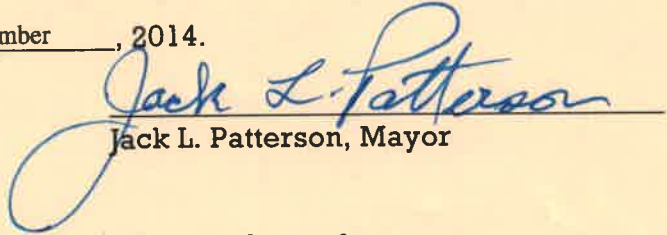
- (b) The medical evidence shall be in writing and provided by a health care provider who is a licensed psychologist or licensed social worker, each who possesses a Masters Degree or higher degree, a licensed osteopathic doctor, or a licensed medical doctor.
- (c) The medical evidence shall state that the person is suffering from an illness, disease, or injury which in the opinion of the medical provider can be cured or reasonably alleviated by use of an allowable therapy animal.
- (d) Therapy animals may be animals not otherwise permitted by the Ordinances of West Lafayette, Ohio and are subject to review in each case. No therapy animal unless it is a dog shall exceed twenty (20) pounds in weight. No person or combination of persons within a residential dwelling may have in excess of two (2) therapy animals.
- (e) All therapy animals shall be restrained and confined at all times within the perimeters of the owner's property. Housing for said animals outside the person's residence shall be kept neat, clean, without odor, and free of nuisance. In order to restrain flying animals, wings shall be clipped.
- (f) The property owner possessing a therapy animal other than dogs, cats, gerbils, hamsters, guinea pigs, or mice shall cause his yard to be enclosed by a fence which meets the allowances for fences in the Village of West Lafayette.
- (g) The person presenting the petition shall attempt to obtain the written consent of all abutting property owners in the Village to the property where the therapy animal is to be kept. Consent to house a therapy animal within the Village may be granted without all written consents but the applicant must attempt to obtain them and explain to the adjacent neighbors what is proposed.
- (h) No owner of any animal or therapy animal shall permit said animal to make noise which would offend or annoy a person of ordinary sensibilities.
- (i) Any person harboring or keeping an animal not specifically permitted by this Section or Section 618.23 shall be guilty of a minor misdemeanor. A separate offense shall be deemed committed each day during or on which a violation occurs or continues. Any persons currently in violation of said ordinance shall have sixty (60) days from date of final passage to become compliant. All persons becoming compliant shall have cases now pending dismissed if the defendant pays the court costs.
- (j) This ordinance shall be effective at the earliest date provided by law as a non-emergency ordinance.

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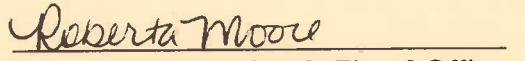
Passed: September 8, 2014

Adopted the 8th day of September, 2014.



Jack L. Patterson, Mayor

Attest:



Roberta Moore, Clerk-Fiscal Officer

Approved as to form:

William M. Owens, Village Solicitor
Owens & Manning Law Firm

CLERK'S CERTIFICATE

Robert Moore, Clerk-Fiscal Officer attests the foregoing Resolution was published by posting in the Village as required by law.



Roberta Moore, Clerk-Fiscal Officer