

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2016-0013

<p>Sponsored by: <b>Councilmember Simon</b></p> <p>Co-sponsored by: <b>Councilmembers Hairston, Miller and Gallagher</b></p>	<p><b>An Ordinance</b> enacting Title 14: Animals and Chapter 1401: Animal Abuse Registry of the Cuyahoga County Code to require violators of specified statutes of the State of Ohio’s animal cruelty law to register with the Cuyahoga County Sheriff; to require the Sheriff to establish and maintain a registry of those violators; and to prohibit registrants from adopting, harboring or acting as custodian or caretaker of a companion animal.</p>
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WHEREAS, Ohio House Bill 60, more commonly known as “Dick Goddard’s Law” was enacted by the Ohio General Assembly on May 25, 2016, making certain types of animal cruelty felony offenses; and,

WHEREAS, companion animals are sentient beings with inherent dignity, and are deserving of protection from abuse; and

WHEREAS, the Cuyahoga County Sheriff maintains a registry of convicted sex offenders and arson offenders living within in Cuyahoga County; and,

WHEREAS, Council now seeks to establish an Animal Abuse Registry within Cuyahoga County to prevent those individuals who have been convicted of felony animal abuse from acting as the custodian or caretaker of companion animals.

**NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** Title 14 of the Cuyahoga County Code is hereby enacted to read as follows:

**Title 14: Animals**

**Chapter 1401: Animal Abuse Registry**

**Section 1401.01: Definitions**

As used in this chapter of the Cuyahoga County Code:

- (A) “Animal shelter” has the same meaning as in section 4729.01 of the Ohio Revised Code.
- (B) “Companion animal” has the same meaning as in section 959.131 of the Ohio Revised Code.
- (C) “Dog kennel” has the same meaning as in section 959.131 of the Ohio Revised Code.
- (D) “Felony animal cruelty” means any violation of chapter 959 of the Ohio Revised Code that constitutes a felony offense or any violation of section 2921.321 of the Ohio Revised Code that constitutes a felony offense.
- (E) “Humane society” has the same meanings as in section 935.01 of the Ohio Revised Code.
- (F) “Law enforcement officer” has the same meanings as in section 935.01 of the Ohio Revised Code.
- (G) “Pet store” has the same meaning as in section 956.01 of the Ohio Revised Code.

**Section 1401.02: Registry Established**

(A) For purposes of the registry established under paragraph (B) of this section, an individual who has been convicted or pleaded guilty to felony animal cruelty in Cuyahoga County shall submit the following information to the Cuyahoga County Sheriff not later than thirty days after being convicted or pleading guilty to such violation:

- (1) The individual’s name, address and date of birth;
- (2) The statutory violation to which the individual was convicted or pleaded guilty;
- (3) Any additional information that the Sheriff considers necessary.

(B) The Cuyahoga County Sheriff, in coordination with the Clerk of Courts and the Chief Information Officer, shall establish and maintain a registry of individuals who have been convicted of or pleaded guilty to felony animal cruelty. The sheriff shall make the registry available to local and state law enforcement agencies, animal shelters, humane societies, dog kennels, pet stores and animal rescue agencies through a searchable registry on the county’s web site accessible to the public. The registry shall include all of the information submitted under paragraph (A) of this section as well as a photograph of the registrant.

**Section 1401.03: Prohibition on Adoption**

(A) No person listed on the registry established in section 1401.02 shall adopt, purchase, or harbor a companion animal from any animal shelter, dog kennel, pet store, or other person, or act as custodian or caretaker of a companion animal within Cuyahoga County. Each month of non-compliance shall constitute a separate violation.

**Section 1401.04: Penalty**

(A) Whoever violates section 1401.03 of this chapter shall pay a civil fine of \$500.00 dollars for each violation. Violations may be appealed to the Cuyahoga County Debarment Review Board established under Section 205.06 of this code. The Cuyahoga County Debarment Review Board may adopt rules of procedure to adjudicate any appeals described herein.

(B) Fines collected pursuant to this section shall be used to cover reasonable and necessary expenses for enforcing the prohibition on adoption and the costs of maintaining the registry established in Section 1401.02.

**SECTION 2.** It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Ms. Simon, seconded by Mr. Hairston, the foregoing Ordinance was duly enacted.

Yeas: Gallagher, Schron, Jones, Brown, Hairston, Simon, Baker, Miller, Tuma and Brady

Nays: None

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County Council President

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Date

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County Executive

\_\_\_\_\_  
Date

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Clerk of Council

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Date

First Reading/Referred to Committee: November 29, 2016  
Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested: November 29, 2016

Legislation Substituted in Committee: December 21, 2016

Committee Report/Second Reading: January 10, 2017

Additional Sponsorship Requested on the Floor: January 24, 2017

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