



City of Powell, Ohio

ORDINANCE 2007-45

Adopted September 18, 2007

AN ORDINANCE AMENDING SECTION 505.11 "HUNTING PROHIBITED" OF THE CODIFIED ORDINANCES OF THE CITY OF POWELL AND REPEALING FORMER SECTION 505.11(b).

WHEREAS, Council has determined it is in the best interest of the residents of the City of Powell to amend Codified Ordinance Section 505.11 to authorize trapping on private property by licensed and bonded wildlife removal and control services.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1. That Section 505.11 of the Codified Ordinances of the City of Powell, "Hunting Prohibited" is hereby amended as follows:

505-11 HUNTING AND TRAPPING PROHIBITED; EXCEPTIONS

- (a) No person shall hunt or trap any animal or fowl by the use of firearms, bow and arrow, air rifle or any other means within the corporate limits of the Municipality, except as provided in subsection (b) below.
- (b) Exceptions
 - (1) The provisions of this Section do not apply to the use of any trap specifically designed to kill rats, mice, moles or similar vermin with the consent of the owner or occupant of the real property where the trap is set.
 - (2) The provisions of this Section do not apply to any person authorized by the Chief of Police while participating in a City authorized animal control program.
 - (3) The provisions of this Section do not apply to licensed and bonded wildlife removal and control services that residents privately contract to trap nuisance animals on their property. Wildlife removal and control services shall only use humane methods/traps that are not dangerous to the life or limb of animals to be trapped, or any persons who have any possibility of coming into contact with such traps. Any use of firearms is strictly prohibited. Nuisance animals shall mean wild animals that either cause property damage or threaten public health and safety, and shall not be construed to include domesticated animals. Licensed and bonded wildlife removal and control services that are contracted by residents must notify the Police Department of the name of the property owner, the address of the property upon which trapping will take place, the nuisance animal being trapped, and the type and number of traps being set on said property prior to setting any such trap. Wildlife removal and control services shall keep current records on animals destroyed and are required to produce said records on demand by the Chief of Police.

~~(b)~~ (c) Penalty

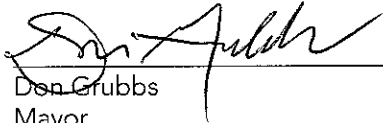
Whoever violates this section is guilty of a minor misdemeanor.

Section 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the City of Powell which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

Section 3: That this Ordinance shall take effect on the earliest possible date permitted by law.

VOTE ON ORDINANCE 2007-45: Y 7

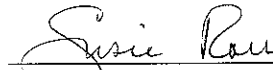
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Don Grubbs
Mayor

9-25-07

Date

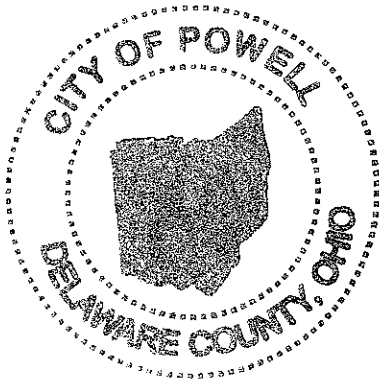


Susie Ross
City Clerk

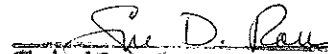
9/24/07

Date

EFFECTIVE DATE: October 18, 2007



This legislation has been posted in accordance with
the City Law and Ordinance code 9/26/07



Sue D. Rau
Clerk of Council

City Council

Don Grubbs, Mayor

Richard Cline

Tom Counts

Elmer Meider

Bill Morton

Art Schultz

Dan Wiencek