

**OFFICIAL QUESTIONS AND ISSUES BALLOT**  
**11/07/2023 GENERAL ELECTION**  
**MEDINA COUNTY**

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**Proposed Ordinance No. 162-22**  
**(By Referendum Petition)**  
**City of Medina**

**A majority affirmative vote is necessary for passage.**

Shall Ordinance No.162-22 amending Section 505.11 of Chapter 505 of the Codified Ordinances of the City of Medina authorizing a nuisance abatement initiative for both short-term and long-term control and reduction of the white-tailed deer population in coordination with the Ohio Department of Natural Resources be adopted?

Shall the Ordinance No. 162-22 authorizing a nuisance abatement initiative for control and reduction of the deer population be approved?

- YES**
- NO**

  
Sign & Date



## The City of Medina Deer Management Process

### 1. Monitor Trend Data

Annual deer population assessments will be conducted in order to monitor any spikes in complaints, accidents, damage, or population growth. The following data will be collected:

- a. **Deer Vehicle Accidents-** The police department will record accidents throughout the year and report to the parks department annually.
- b. **Carcass pick up-** The street department will record deceased deer carcasses that are picked up throughout the city and report to the parks department annually.
- c. **Community Surveys-** Surveys will be available to the public on the city website. They will also be available using an online survey link on the city website. Surveys will be collected and filed annually.
- d. **Deer damage complaints-** The parks department will address complaints regarding deer damage on an individual basis. Complaints will be collected and filed annually.
- e. **Visual Deer Survey-** The parks department will conduct visual deer surveys every fall at several predetermined locations in all four wards. This survey will be conducted four times using spotlights between the hours of 5am-7am. Data will be collected, averaged, and recorded annually.

### 2. Public relations

- a. **Provide resources on the City of Medina website-** Technical guidance on deterring deer will be posted on the city website. Techniques are non-lethal alternatives.
- b. **Utility bill information-** Include an insert in utility bills discouraging deer feeding.

### 3. Implement a five step process for property owners:

#### Five Step process for property owners:

- (1) **Recognize you have a deer problem -**Landscape damage, trees rubbed, garden damage, etc.
- (2) **Visit the City of Medina website-** Receive technical guidance on ways to address the problem with Deer deterrents. Select the best method to implement in your yard.
- (3) **Contact the City of Medina Parks Department-**file a Deer Damage Complaint.
- (4) **Contact the Division of Wildlife at 1-800-WILDLIFE** Technical guidance over the phone
- (5) **Schedule a site visit with the Division of Wildlife**

United States Department of Agriculture  
Animal and Plant Health Inspection Service  
Wildlife Services

**Summary of the White-tailed Deer Count in the City of Medina, Ohio  
11-12 March 2020**

Submitted by:  
USDA APHIS Wildlife Services  
6100 Columbus Avenue  
Sandusky, Ohio 44870  
(419) 625-9093



## Table of Contents

Introduction	1
Study Area	1
Methods	1
Results	1
Discussion	1
Recommendations	2

## List of Figures

- Figure 1      A map showing the route (blue) in the City of Medina, Ohio that was used to conduct the white-tailed deer count on 11-12 March 2020.      3
- Figure 2      A map depicting the approximate location and number of white-tailed deer observed during the 11-12 March 2020 count in the City of Medina, Ohio.      4

The United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) was requested to conduct a count of white-tailed deer (*Odocoileus virginianus*) within the City of Medina, Ohio. The objective of the count was to provide the City with an index of the deer population to assist with the City's assessment of white-tailed deer damage issues.

### **Study Area**

The City of Medina, Ohio is located in central Medina County. Medina spans an area that is approximately 12 square miles in size. The City is comprised of a mix of industrial, commercial, institutional and residential properties. Green space is scattered throughout and consists mainly of several City-owned parks.

### **Methods**

Wildlife Services utilized two observers with handheld thermal imagers to identify and count deer on a pre-determined route. The route was created to cover as much of the City as possible and to minimize the possibility of counting deer more than once (Figure 1). The number of deer observed as well as their approximate locations were recorded on a map of the City.

### **Results**

The deer count occurred on 11-12 March 2020 between 19:00 and 02:00. A total of 504 deer were observed. An underlying assumption for many survey techniques designed to estimate deer abundance is that deer are evenly distributed across the landscape. To that end, WS used Arc GIS to approximate the total area of the City that was observed from the route with the thermal imaging equipment. It is estimated that 85% of the available area in the City was included in the count. Wildlife Services concludes that this count yields a range estimate of 504-593 deer within the City of Medina at the time this count was conducted.

The highest number of deer observations occurred on the east side of the City. The number of deer observed (n=314) in this area of the City accounted for 62% of all deer observations during the count. There was a high concentration of deer located in the northeast portion of the City. A total of 154 deer were counted in this section. A total of 190 deer (38%) were counted on the west side of the City. Figure 2 below contains a summary of the number and location of deer observed in the City of Medina during the WS deer count.

### **Discussion**

Weather conditions during the survey were very favorable for deer movement. Deer were observed to be on their feet and actively feeding throughout the duration of the count. Deer that are active are more likely to be observed. There were a few areas in the City where visibility with the thermal imaging equipment was limited. In particular, there was very little road access around the large block of woods north of the Huffman/Cunningham fields. It was also difficult to observe some of the backyards located behind homes in the more dense residential areas.

## Recommendations

White-tailed deer population estimates/counts should be interpreted in context with other units of measure for deer damage, such as deer vehicle accident (DVA) records, deer carcass collections and property damage complaints. It is recommended that the City further evaluate DVA records, deer carcass collections and property damage complaints as population indices. These indices may be used to identify specific geographical areas within City that support elevated numbers of deer or deer that may pose a higher risk to public safety.

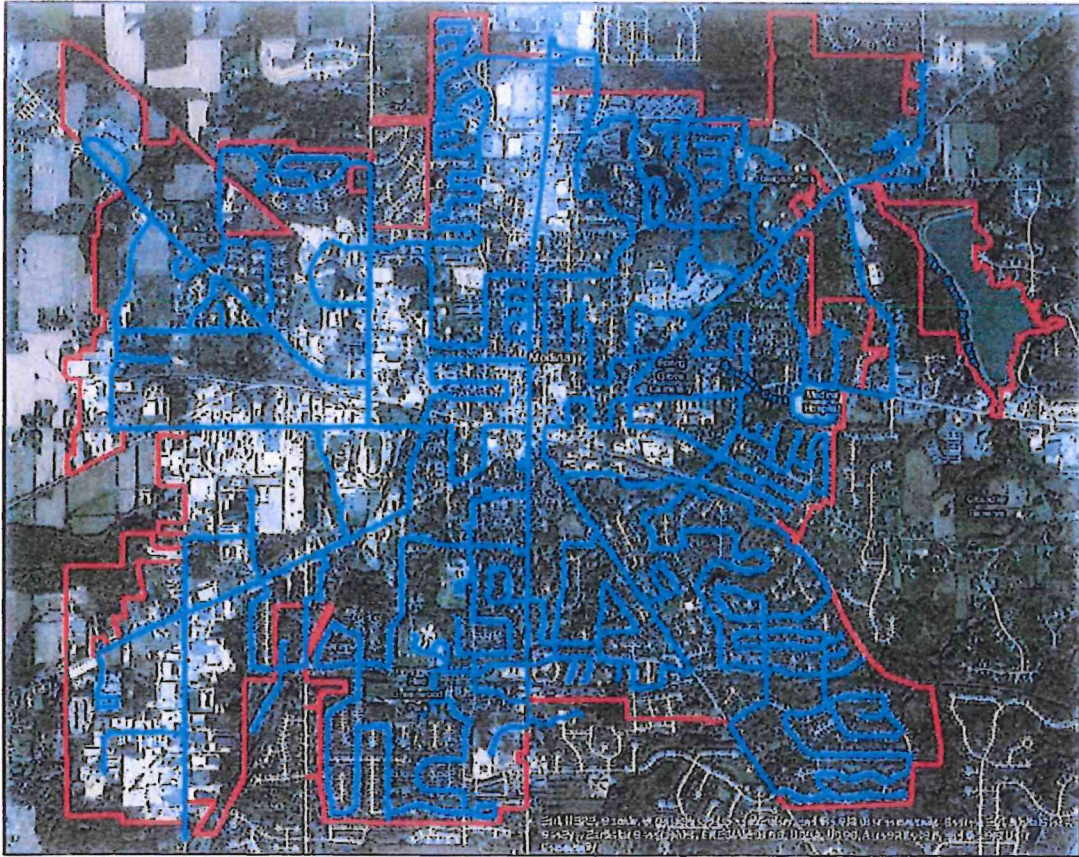


Figure 1. A map showing the route (blue) in the City of Medina, Ohio that was used to conduct the white-tailed deer count on 11-12 March 2020.



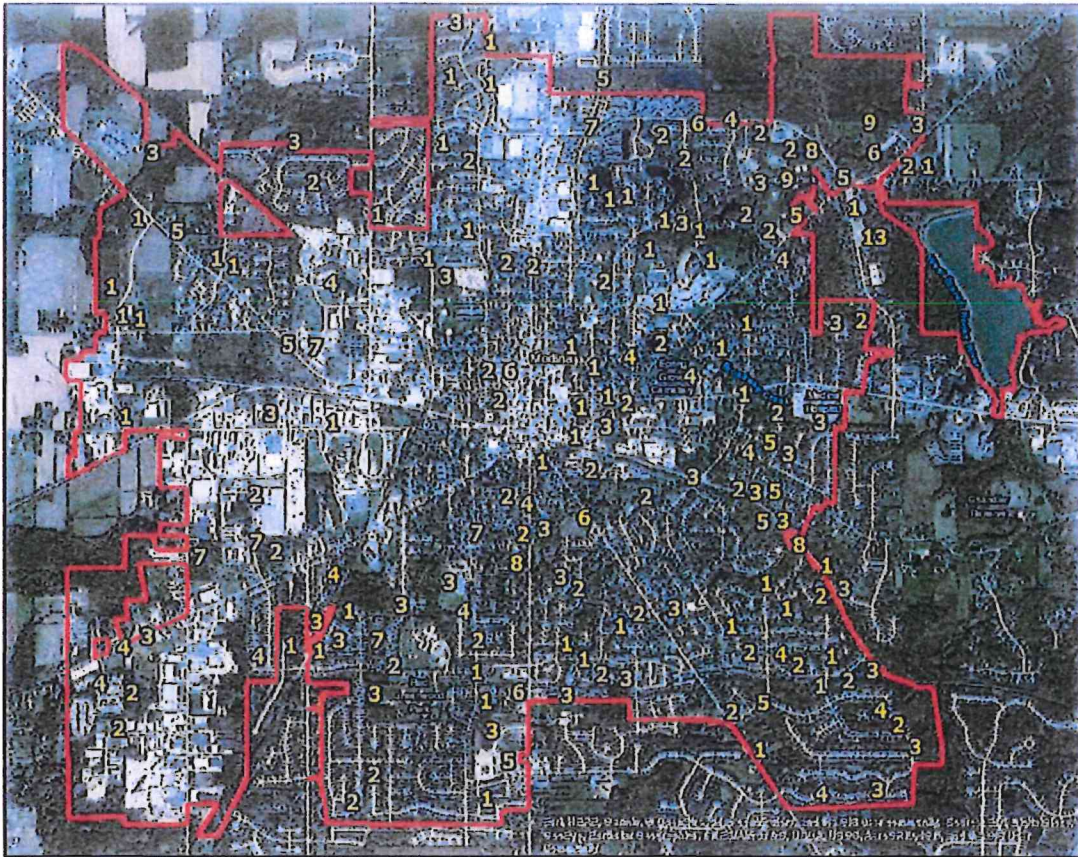


Figure 2. A map depicting the approximate location and number of white-tailed deer observed during the 11-12 March 2020 count in the City of Medina, Ohio.



## The City of Medina

### 2022 Deer Management Trend Data Report

**As of 12/30/2022**

The following data was collected:

- a. **Deer Vehicle Accidents-** The police department recorded **23** deer vehicle accidents within the city limits in 2022.

*2021 DATA: 17, 2020 data: 13, 2019 data: 20, 2018 data: 19, 2017 data: 25, 2016 data: 14*

- b. **Deer Carcass Pick Up-** The streets department and parks department collected **86** deer carcasses along roadways and in city parkland.

*2021 data: 55, 2020 data: 29, 2019 data: 38, 2018 data: 26, 2017 data: 24, 2016 data: 17*

- c. **Community Surveys-** An online Zoho survey was set up in 2016. A total of 1,299 responses have been completed. Of the 1,299 total responses, **1,219** were completed in 2022. The survey has 4,328 views. **2,910** views were from 2022.

*2021 data: 11 responses, 96 views, 2020 data: 7 responses, 83 views, 2019 data: 8 responses, 314 views, 2018 data: 7 responses, 372 views, 2017 data: 8 responses, 277 views, 2016 data: 39 responses, 276 survey views*

- d. **Deer Damage Complaints-** The parks department documented **10** formal deer damage complaints. *Formal Deer Damage Complaints include only those who contacted the parks department office.*

*2021 data: 8, 2020 data: 4, 2019 data: 7, 2018 data: 3, 2017 data: 0, 2016 data: 6*

- e. **Visual Deer Survey-** The parks department performed four visual deer surveys on October 18, October 20, November 15, and November 17. The average number of deer spotted during the four visual deer surveys was **185.5**. The average during the two survey days were 206 deer in October and 165 deer in November.

*2021 data: 161.75, 2020 data: 171, 2019 data: 100.5, 2018 data: 94.25, 2017 data: 98.25, 2016 data: 92*

ORDINANCE NO. 162-22 **PROPOSED**

AN ORDINANCE AMENDING SECTION 505.11 OF CHAPTER 505 OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA AUTHORIZING A NUISANCE ABATEMENT INITIATIVE FOR BOTH SHORT-TERM AND LONG-TERM CONTROL AND REDUCTION OF THE WHITE-TAILED DEER POPULATION IN COORDINATION WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES AND CONTIGUOUS, ADJOINING, POLITICAL SUBDIVISIONS THAT OPT TO ADOPT A SIMILAR PLAN FOR NUISANCE ABATEMENT.

**WHEREAS:** White-tailed deer are considered a keystone species, known for affecting other organisms in an ecosystem. They are browser, meaning they eat all forms of plant material including seedlings, leaves, buds, flowers, fruit, bark, young trees and branches. Without the presence of keystone predators, like mountain lions, wolves, and black bears, the uncontrolled overpopulation of deer threatens the natural environment. Left unchecked, the forest and other property become over-browsed of favorite deer species, such as Oak trees, flowers, and other plants degrading yards for property owners and forests for park patrons to enjoy now and into the future. The white-tailed deer population in urban areas has grown to unmanageable numbers; and

**WHEREAS:** As a consequence thereof great financial loss has been suffered by public and private property owners, in the destruction of plants, flowers, trees and other edible landscaping; and

**WHEREAS:** Deer/vehicle accidents increase annually and threaten the lives and property of all those who travel by vehicle on our streets and highways; and

**WHEREAS:** While hunting in the City of Medina is prohibited, the exploding regional deer population requires deer management efforts; and

**WHEREAS:** This Council finds that the existing circumstances constitute an ongoing and serious nuisance which must be abated for the public health, safety and welfare; and

**WHEREAS:** The Mayor and Administration, working in conjunction with ODNR and in coordination with other similarly situated municipalities, seek to establish a "nuisance abatement initiative" to allow for the liberal issuance of permits from both the ODNR and the municipal police department (deer damage control permits) with the consent of an upon the application of property owners seeking relief; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of Medina, Part Five General Offenses Code, Chapter 505 Animals, Section 505.11 Hunting Prohibited to permit the limited hunting of white-tailed deer by cross bow or long bow under terms and conditions established by the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

SEC. 1: That notwithstanding any other provision of this code to the contrary, Section 505.11 of the Codified Ordinances of the City of Medina is amended as follows:

**505.11 HUNTING PROHIBITED**

~~The hunting of animals or fowl within the Municipality is prohibited. No person shall hunt, kill or attempt to kill any animal or fowl by the use of firearms or any other means.~~

- (a) The hunting of animals or fowl within the Municipality is prohibited. No person shall hunt, kill or attempt to kill any animal or fowl by the use of any other means, except as follows:
    - (1) The limited hunting of white-tailed deer by crossbow or longbow may be permitted within the City under the following terms and conditions:
      - (a) The Mayor or his designated representative may, in his sole discretion, issue a Municipal Deer Control Permit to an archer applicant to allow only bow-hunting (long bow and crossbow) of white-tailed deer;
      - (b) The permit is limited to areas deemed safe by the Mayor or is designated representative by State and licensed hunters or property owners who have provided proof of successfully passing a hunter education course, or other pre-approved equivalent type of safety training on such forms and subject to such rules and regulations as the Mayor or his designated representative may prescribe.
      - (c) Written permission from the property owner(s) has been obtained;
      - (d) Compliance with all laws, rules and regulations of the City and State is required;
      - (e) All applicants shall agree, in writing, to defend release and indemnify the City for any negligent acts committed by the applicant;
      - (f) Any other requirements as deemed necessary to preserve and protect the health, safety and welfare of the residents as determined solely by the Mayor or his designated representative.
      - (g) The Mayor or his designated representative is hereby authorized to promulgate any and all rules and regulations necessary to carry out the provision of this section and all other rules and regulations necessary to insure public health and safety.
      - (h) ~~Trapping of wild animals may be permitted only:~~
        - ~~i — When done in accordance with the state laws and regulations for nuisance wild animals set forth by the Chief of the Division of Wildlife, or~~
        - ~~ii — During the statewide trapping season when done in accordance with state laws and regulations as set forth by the Chief of the Division of Wildlife only after receiving a Municipal Wildlife Control Permit.~~
- (b) Whoever violates any provisions of this section is guilty of a misdemeanor of the first degree and shall be subject to the penalty provided in Section 501.99.

- SEC. 2:** That in order to defray the expenses incurred with the management of this program, a fee of \$ 75.00 for a new stand location and \$ 50.00 for a same stand location per archer applicant is established and must accompany any application for the Municipal Deer Control Permit.
- SEC. 3:** That the City in cooperation with ODNR and the Division of Wildlife will explore and strive to adopt long term non-lethal options for deer population control including methods that may provide the necessary relief on a cost-effective basis.
- SEC. 4:** That no other method for the control of the deer population is permitted other than such as is authorized herein; all other provisions of the Codified Ordinances of the City of Medina not specifically modified herein shall remain unaffected by these measures and fully enforceable.
- SEC. 5:** That it is 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 this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 6:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**

Current Rules and Regulations  
Issued by the City of Medina  
Administration for the  
proposed limited hunting of  
white-tailed deer

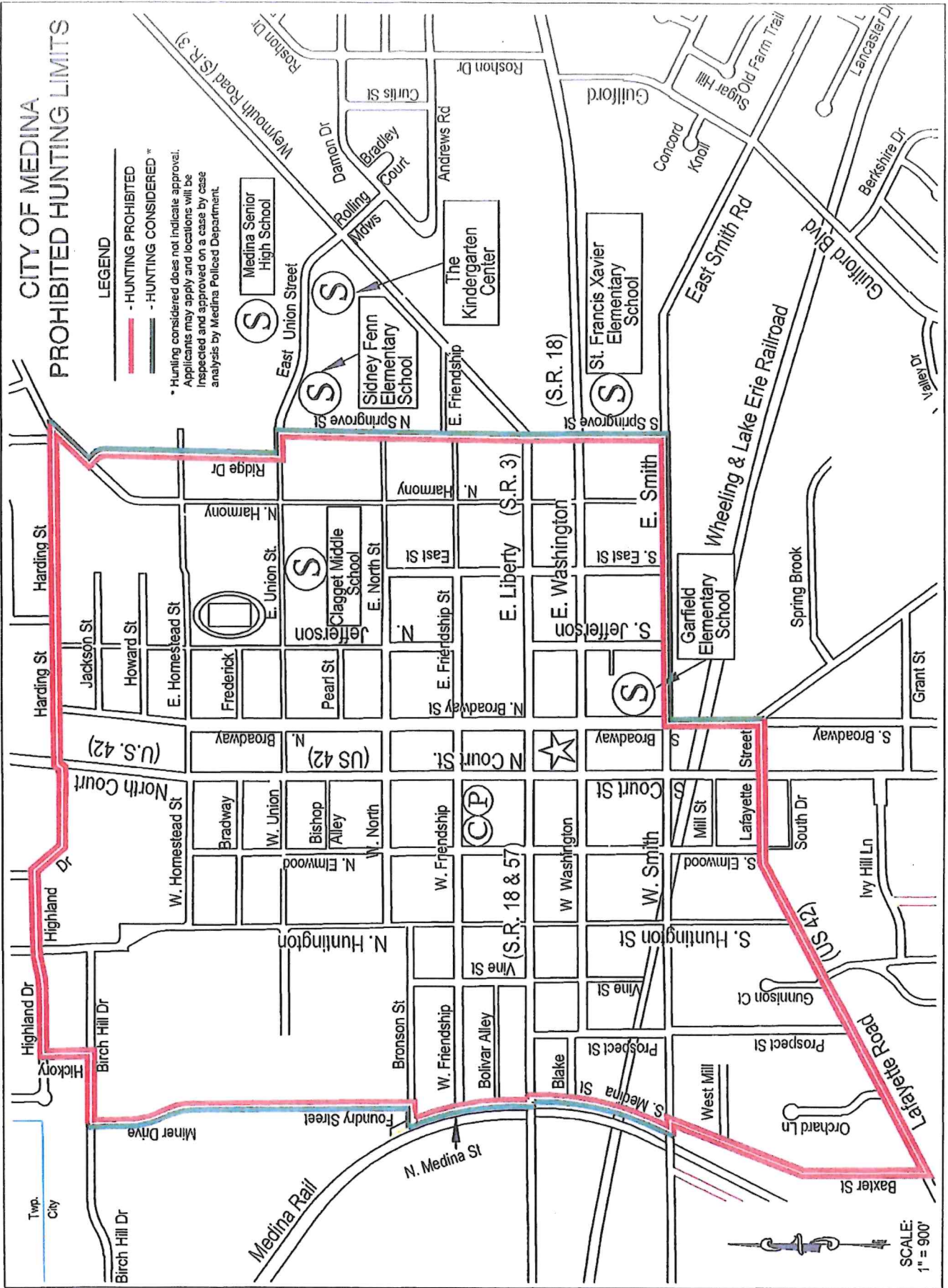
9/8/2022

# CITY OF MEDINA PROHIBITED HUNTING LIMITS

## LEGEND

- - HUNTING PROHIBITED
- - HUNTING CONSIDERED \*

\* Hunting considered does not indicate approval. Applicants may apply and locations will be inspected and approved on a case by case analysis by Medina Policed Department.



SCALE: 1" = 900'

2022 - 23 Archery Season: September 24, 2022 -- February 5, 2023



## City of Medina Municipal Deer Control Permit Information Sheet

The following information will help guide you through the process of obtaining a Municipal Deer Control Permit, as outlined in Chapter 505.11 of the City of Medina Codified Ordinances.

The following items are needed to process the Deer Hunting Permit application:

- Municipal Deer Control Permit Application**  
The application deadline is **Month, Date, 2022.**
- Property Owner Permission and Agreement Form (2 pages)**  
A signed agreement for each property contained within the total acreage is required. The signer of the agreement must be the homeowner, as recorded by the Medina County Auditor. (The Mayor's office will mail the signed copy to the homeowner.)
- Stand Registration fee payable to the City of Medina (see new prices below)**  
**NEW STAND LOCATION \$75.00 / SAME STAND LOCATION AS LAST SEASON \$50.00**  
All Hunters need a permit; the fee is for a hunter to use an approved stand only.
- Copy of State of Ohio hunting license and deer permit (If the only property included in the application is owned by the applicant, their spouse, or parents then proof of successfully passing a hunter education course, or other pre-approved equivalent type of safety training, is required)**
- Copy of applicant's driver's license or state ID card**
- Copy of the Hunters Declaration page of homeowner/renter insurance policy indicating personal liability insurance coverage of at least \$100,000.00**
- Stand coordinates or map of the property with boundaries outlined and location of the stand**
- Stand inspection (new stand locations only).**

After inspection and review of the application package, the Mayor or his designee may require additional information if deemed necessary. If there are no other conditions or restrictions, then the permit will be issued. This process may take up to a week.

For questions, please the Mayor's office at 330-722-9020 Monday-Friday between 8:30 am -4:30 pm.



2022 - 23 Archery Season: September 24, 2022 -- February 5, 2023



## RULES & REGULATIONS

The following rules are in addition to the ODNR rules and regulations. All hunters must adhere to any state rules or laws about hunting as outlined in Chapters 1531 and 1533 of the Ohio Revised Code and Medina Ordinance **XX-22** located in Chapter 505.11 of the City Code of Ordinances or any other rules enacted under those chapters.

- Hunter must be at least 21 years old to participate in the program
- Hunter must provide proof of five years of experience OR provide proof of 5 deer harvests.
- Hunter must notify the Police Dept. (330-725-7777) before going out each day and at the end of each day.
- Hunter must ONLY use legal archery equipment as described in OAC 1501:31-15-11-(C)-(1)
- Hunter must not hunt deer with the aid of an electronic calling device or light.
- Bowhunting must take place 30 minutes before sunrise to 30 minutes after sunset.
- Hunter must carry a valid hunting license (if required), property owner(s) permission letter, and all permits at all times and must be able to provide all of those documents to any police officer or game official as prescribed by the Ohio Division of Wildlife.
- If the only property included in the application is owned by the applicant, their spouse, or parents then proof of successfully passing a hunter education course, or other pre-approved equivalent type of safety training, is required.
- In addition to checking deer with the state ([www.ohiogamecheck.com](http://www.ohiogamecheck.com) or call 1-877-TAGITOH), the hunter must notify the City within 24 hours of the hunt (ph: 330-722-9020 / email [scrow@medinaoh.org](mailto:scrow@medinaoh.org) )
- Hunter must remove entrails from the owner's property unless otherwise agreed to by the owner.
- Animals may not be field-dressed in view of the public.
- If a deer leaves the property(ies) the permit was issued for the hunter shall notify the Police Dept. (330-725-7777) IMMEDIATELY. The hunter may only retrieve said deer after obtaining that property owner's approval.
- Hunter may not trespass on any adjoining property without permission.
- All equipment must be removed from the area covered under the City permit no later than two weeks after the expiration date of said permit, including, but not limited to, tree stands and ladders.

The City of Medina Hunting Rules and Regulations and the City of Medina's Codified Ordinance **XX-22** are on our website at [www.medinaoh.org](http://www.medinaoh.org).

**\*\*The Mayor or designee shall have the right to refuse or revoke any hunting permit he deems necessary to ensure the safety of the City and the Residents.\*\***

2022 - 23 Archery Season: September 24, 2022 -- February 5, 2023

City of Medina  
Municipal Deer Control Permit Application

Name of Applicant \_\_\_\_\_ Cell Phone Number \_\_\_\_\_

Address \_\_\_\_\_ City/Zip \_\_\_\_\_

Email \_\_\_\_\_

Please check if this is a NEW STAND location (requires inspection)

I acknowledge that only bow hunting of white-tailed deer is permitted in the City of Medina. I further agree to release, indemnify and hold harmless the City of Medina, its employees agents and representatives, from all liability arising from my archery activities. I further hereby acknowledge that any false information discovered in this application for a Municipal Deer Control Permit is punishable under the City of Medina's Codified Ordinance XX-22 and reason for immediate denial of this application or revocation of any permit.

I certify that I understand the provisions of this permit as regulated under city ordinance 505.11. I also understand that I must adhere to any state rules or laws pertaining to hunting as set fourth in Chapters 1531 and 1533 of the Ohio Revised Code or any other rules enacted in accordance with those chapters.

Signature of applicant \_\_\_\_\_ Date \_\_\_\_\_

Items to be included in the application:

- Property Owner Permission and Agreement Form (2 pages) for each property
- Stand Registration fee payable to the City of Medina
- Copy of State of Ohio hunting license and deer permit (If the only property included in the application is owned by the applicant, their spouse, or parents then proof of successfully passing a hunter education course, or other pre-approved equivalent type of safety training, is required)
- Copy of applicant's driver's license or state ID card
- Stand coordinates or map of the property with boundaries outlined and location of the stand

2022 - 23 Archery Season: September 24, 2022 -- February 5, 2023

### Property Owners(s) Permission & Agreement Form

WHEREAS, the PROPERTY OWNER(S) wishes to permit the HUNTER to hunt on the referenced property in accordance with Chapter 505.11 of the Codified Ordinances of the City of Medina, and

WHEREAS, the PROPERTY OWNER and HUNTER wish to set forth terms and conditions under which the hunting shall take place

The PROPERTY OWNER hereby grants permission to the HUNTER to hunt on the PROPERTY OWNER'S land during the *State of Ohio Division of Wildlife* archery season; or at other times under an *Ohio Division of Wildlife Deer Damage Control Permit*, provided that the terms and conditions set forth in accordance with City of Medina's Codified Ordinance **XX-22** are satisfied.

The Hunter and Property Owner(s) accept FULL RESPONSIBILITY. They will conduct all activities in a safe, legal, and responsible manner and agree to release, indemnify, and agree not to hold the City of Medina, its employees, officers, and agents from all liability associated with personal injury and/or property damage, loss and expense, including, but not limited to damages, legal fee and cost of defense in any matter arising from the archery activities.

---

HUNTER NAME

X \_\_\_\_\_

Hunter Signature(s)

Date: \_\_\_\_\_

---

PROPERTY OWNER NAME(S)

Parcel #(s): \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Hunting Property Address \_\_\_\_\_

Property Owner Address \_\_\_\_\_  
If different than Hunting address

X \_\_\_\_\_

Property Owner Signature(s)

Date: \_\_\_\_\_

2022 - 23 Archery Season: September 24, 2022 -- February 5, 2023

### Property Owners(s) Permission & Agreement Form

\_\_\_\_\_  
Initial As a guest on the Property Owners land, the hunter Agrees to:

- Park their motor vehicle in areas designated by the Property Owner and place notification and an ID form on the vehicle's windshield while hunting.
- Conducts themselves in a legal and ethical manner.
- Respect the Property Owners Land as if it were their own; not to litter and leave the property in the same condition as the hunter found it.
- Assume responsibility for liability for any injury or damage to property or persons.
- Remove all equipment from the area no later than 2 weeks of the permit expiration date.
- Remove entrails from the property, unless otherwise allowed by the Property Owner, and not field dress in view.

\_\_\_\_\_  
Initial The Property Owner agrees to:

- Limit the number of Hunters to a maximum of two (2) Hunters at once unless otherwise determined by the Mayor or his designee.
- Consent to the entry upon the hunting property by Medina Police or other persons designated by the Mayor to enforce the provisions of this chapter.
- Notify the Hunter and Mayor's office immediately if consent to hunt has been modified or revoked.

Upon permit approval, copies of the executed agreement are mailed to both parties at the addresses listed on page 1 of this agreement.

## ORDINANCE NO. XX-22

**AN ORDINANCE AMENDING SECTION 505.07 OF THE  
CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO  
RELATIVE TO CRUELTY TO ANIMAL GENERALLY.**

**WHEREAS:** That Section 505.07 of the codified ordinances of the City of Medina, Ohio presently reads as follows:

**505.07 CRUELTY TO ANIMALS GENERALLY**

(a) No person shall:

(1)

Torture an animal, deprive one of necessary sustenance, unnecessarily or cruelly beat, needlessly mutilate or kill, or impound or confine an animal without supplying it during such confinement with a sufficient quantity of good wholesome food and water;

(2) Impound or confine an animal without affording it, during such confinement, access to shelter from wind, rain, snow or excessive direct sunlight if it can reasonably be expected that the animal would otherwise become sick or in some other way suffer. This subsection (a)(2) does not apply to animals impounded or confined prior to slaughter. For the purpose of this section, "shelter" means a man-made enclosure, windbreak, sunshade or natural windbreak or sunshade that is developed from the earth's contour, tree development or vegetation;

(3) Carry or convey an animal in a cruel or inhuman manner;

(4) Keep animals other than cattle, poultry or fowl, swine, sheep or goats in an enclosure without wholesome exercise and change of air, nor feed cows on food that produces impure or unwholesome milk;

(5) Detain livestock in railroad cars or compartments longer than twenty-eight hours after they are so placed without supplying them with necessary food, water and attention, nor permit such livestock to be so crowded as to overlie, crush, wound or kill each other.

(b) Upon the written request of the owner or person in custody of any particular shipment of livestock, which written request shall be separate and apart from any printed bill of lading or other railroad form, the length of time in which such livestock may be detained in any cars or compartments without food, water and attention, may be extended to thirty-six hours without penalty therefor. This section does not prevent the dehorning of cattle.

(ORC 959.13)

(c) Whoever violates this section is guilty of a misdemeanor of the second degree. In addition, the court may order the offender to forfeit the animal or livestock and may provide for its disposition including, but not limited to, the sale of the animal or livestock. If an animal or livestock is forfeited and sold pursuant to this subsection, the proceeds from the sale first shall be applied to pay the expenses incurred with regard to the care of the animal from the time it was taken from the custody of the former owner. The balance of the proceeds from the sale, if any, shall be paid to the former owner of the animal. (ORC 959.99(D))

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY  
OF MEDINA, OHIO:**

SEC. 1: That Section 505.07 of the codified ordinances of the City of Medina, Ohio shall be amended to read as follows:

**505.07 CRUELTY TO ANIMALS GENERALLY**

- (a) *Except as permitted by Section 505.11*, no person shall:
- (1) Torture an animal, deprive one of necessary sustenance, unnecessarily or cruelly beat, needlessly mutilate or kill, or impound or confine an animal without supplying it during such confinement with a sufficient quantity of good wholesome food and water;
  - (2) Impound or confine an animal without affording it, during such confinement, access to shelter from wind, rain, snow or excessive direct sunlight if it can reasonably be expected that the animal would otherwise become sick or in some other way suffer. This subsection (a)(2) does not apply to animals impounded or confined prior to slaughter. For the purpose of this section, "shelter" means a man-made enclosure, windbreak, sunshade or natural windbreak or sunshade that is developed from the earth's contour, tree development or vegetation;
  - (3) Carry or convey an animal in a cruel or inhuman manner;
  - (4) Keep animals other than cattle, poultry or fowl, swine, sheep or goats in an enclosure without wholesome exercise and change of air, nor feed cows on food that produces impure or unwholesome milk;
  - (5) Detain livestock in railroad cars or compartments longer than twenty-eight hours after they are so placed without supplying them with necessary food, water and attention, nor permit such livestock to be so crowded as to overlie, crush, wound or kill each other.
- (b) Upon the written request of the owner or person in custody of any particular shipment of livestock, which written request shall be separate and apart from any printed bill of lading or other railroad form, the length of time in which such livestock may be detained in any cars or compartments without food, water and attention, may be extended to thirty-six hours without penalty therefor. This section does not prevent the dehorning of cattle.  
(ORC 959.13)
- (c) Whoever violates this section is guilty of a misdemeanor of the second degree. In addition, the court may order the offender to forfeit the animal or livestock and may provide for its disposition including, but not limited to, the sale of the animal or livestock. If an animal or livestock is forfeited and sold pursuant to this subsection, the proceeds from the sale first shall be applied to pay the expenses incurred with regard to the care of the animal from the time it was taken from the custody of the former owner. The balance of the proceeds from the sale, if any, shall be paid to the former owner of the animal. (ORC 959.99(D))

SEC. 2: That it is 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 this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 3: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: \_\_\_\_\_

SIGNED: \_\_\_\_\_  
President of Council

ATTEST: \_\_\_\_\_  
Clerk of Council

APPROVED: \_\_\_\_\_

SIGNED: \_\_\_\_\_  
Mayor

Effective date: