

**BOARD OF TRUSTEES
TROY TOWNSHIP
DELAWARE COUNTY, OHIO**

DATE: September 27, 2021

RESOLUTION NO. 14

**IN THE MATTER OF ADOPTING A RESOLUTION PROHIBITING THE KEEPING
OR HARBORING OF BARKING OR HOWLING DOGS WITHIN THE
UNINCORPORATED TERRITORY OF TROY TOWNSHIP
(R.C. § 955.221)**

The Board of Trustees of Troy Township, Delaware County, Ohio ("Board") met in open session on September 27, 2021 at the Troy Township Hall with the following members present:

Earl Lehner

Troy Morris

Doug Price

Mr. Morris

Moved the adoption of the following Resolution:

PREAMBLE

WHEREAS, R.C. § 955.221(B)(2) authorizes the Township to adopt resolutions to control dogs within the township; and,

WHEREAS, the Board has received numerous and ongoing complaints regarding barking or howling dogs; and,

WHEREAS, the Board deems it necessary to control the nuisance of dogs which howl or bark, or emit audible sounds in a manner which disturbs the peace and lives of residents.

RESOLUTION

NOW THEREFORE BE IT RESOLVED:

(A) Definitions.

Plainly Audible - As used in this Resolution, plainly audible means noise or sound that can be clearly heard and is discernible by a person using normal hearing faculties or ordinary auditory senses not enhanced by any mechanical device, such as a microphone or hearing aid, as barking, howling or other noise being made by a dog or dogs.

TROY TOWNSHIP TRUSTEES
DELAWARE COUNTY, OHIO 43015

(B) Barking or Howling Dogs.

1. No owner, keeper or harborer shall keep or harbor within the unincorporated area of the township any dog or dogs which, at any time of day or night, continually or intermittently howl or bark, or emit any audible sounds or noises for a period of time exceeding **one quarter hour (15)** consecutive minutes that are of such an intensity so as to be plainly audible at a distance of one hundred (100) feet or more from the property from which the howling, barking or audible sounds or noises emanate and which are disturbing to the peace and quiet of the neighborhood or are detrimental to the life and health of any individual.

2. Any person who shall allow any dog or dogs habitually to remain, be lodged or fed within any dwelling, building, yard or enclosure, which that person occupies or owns, shall be considered as harboring such dog.

(C) None of the provisions of division (A) hereof shall apply to the use of any dog which is lawfully engaged in hunting or training for the purpose of hunting while accompanied by a licensed hunter or to any dog engaged in herding or corralling of animals for an agricultural purpose. However, such dogs at all other times and in all other respects, shall be subject to this resolution, unless actually in the field and/or engaged in hunting or in legitimate training for such purpose.

(D) None of the provisions of division (A) hereof shall apply to owners, operators, or employees of duly licensed veterinary hospitals; owners, operators, or employees of duly licensed kennels or animal boarding establishments; or to blind or disabled persons when the dog serves as an aid, guide or leader.

(E) Whoever violates this resolution is guilty of a minor misdemeanor. Each day of continued violation constitutes a separate offense.

(F) All formal actions of the Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of the Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. § 121.22.

Mr. Lehner seconded the motion.

VOTING ON THE RESOLUTION:

**BOARD OF TROY
TOWNSHIP TRUSTEES**

Troy
Trustee
Earl Lehner
Trustee
Doug
Trustee

9/27/21
Date

CERTIFICATE

State of Ohio, Delaware County

I, the undersigned Township Fiscal Officer of Troy Township, Delaware County, Ohio, certify that the foregoing Resolution No. 2021-17 is taken and copied from the record of proceedings of the Board, and that it has been compared by me with the Resolution on the record and is a true and accurate copy. Further, I certify that the adoption of such Resolution occurred in an open meeting held in compliance with R.C. § 121.22.

9/21/21
Date

Thay Parsons
Township Fiscal Officer