

City of Mentor Ordinance:

**505.28 TETHERING ANIMALS.**

(a) No person shall tether an animal outside of a dwelling, without shelter, in any of the following circumstances:

(1) For more than eight (8) consecutive hours in a twenty-four (24) hour period with not less than a one (1) hour period between tetherings;

(2) If a heat or cold advisory has been issued by a local or state authority or the National Weather Service;

(3) If a severe weather warning has been issued by a local or state authority or the National Weather Service;

(4) If the tether is less than fifteen (15) feet in length;

(5) If the tether allows the animal to touch the adjacent property boundary line fence or cross the property line or cross onto public property;

(6) If the tether is attached by means of a pinch-type, prong-type, or choke-type collar or if the collar is unsafe or is not properly fitted;

(7) If the animal is not provided with its needs as identified in Section [505.27\(c\)](#);

(b) Whoever violates this section is guilty of a minor misdemeanor on the first offense, a misdemeanor of the fourth degree on the second offense, and a misdemeanor of the first degree on the third or any subsequent offense.

Notwithstanding the foregoing penalties, if an animal becomes sick or injured as a result of a violation of this section, then whoever violates this section is guilty of a misdemeanor of the first degree.

(Ord. 15-O-49. Passed 6-2-15.)

**505.27 NEGLECT OF ANIMALS.**

(a) No owner or keeper of a dog, cat, or other domestic animal shall knowingly cause any condition that is probable to result in permanent injury, death, or harm to such animal, including confining an animal in a motor vehicle under conditions that are probable to endanger the health of the animal, except that this section shall not apply to veterinarian assisted euthanasia of an animal.

(b) No person shall keep any animal in a place that is unsanitary, including any place where there is an unhealthy accumulation of feces or other waste, or foul odor, or insect or rodent infestation.

(c) No person who owns or keeps an animal shall fail to provide the animal all of the following needs:

(1) Clean, potable drinking water at all times, and suitable food, of sufficient quality and quantity as to ensure normal growth and the maintenance of normal body weight;

(2) Food and water receptacles that are kept clean and located so as to avoid contamination by feces or other wastes;

(3) Shelter from the elements, including heat, cold, wind, rain and snow. If the animal is housed outside, a structure for shelter and protection must be provided that

is suitable for the species, age, condition, size, and type of that animal. The structure must be completely enclosed and have a single entrance/exit secured with a flap or door or similar device. The structure shall be moisture-resistant, wind-resistant, and of suitable size and type to allow the animal to stand, turn about freely, lie in a normal position, and regulate proper body temperature. The structure shall be made of a durable material with a solid, moisture-proof floor or a floor raised at least two (2) inches from the ground. Suitable drainage shall be provided so that water cannot be reasonably expected to gather and stand within ten (10) feet of the structure, and so the animal has access to a dry area at all times. Proper bedding of straw or similar material, that remains dry, must be utilized inside the structure. All structures required by this section shall be subject to all building and zoning regulations.

(d) No person who confines an animal by means of a cage or a pen shall fail to conform it to the following requirements:

(1) The cage or pen shall be appropriate to the animal's size, weight, and other characteristics, with sufficient space to allow the animal to turn about freely and lie in a normal position;

(2) The cage or pen shall provide sufficient shade to allow the animal to escape the direct rays of the sun at all times;

(3) The cage or pen shall be regularly cleaned.

(e) Whoever violates this section is guilty of neglect of animals, a misdemeanor of the first degree.

(Ord. 15-O-49. Passed 6-2-15.)

#### **505.29 CONFINEMENT OF ANIMALS IN MOTOR VEHICLES.**

(a) It is unlawful for a person to willingly confine any animal in a motor vehicle under conditions that are causing suffering, injury or death to the animal due to heat, cold, lack of adequate ventilation or under other endangering conditions. Whoever violates this section is guilty of a minor misdemeanor on the first offense, a misdemeanor of the fourth degree on the second offense, and a misdemeanor of the first degree on the third or any subsequent offense. Notwithstanding the foregoing penalties, if an animal becomes sick, injured or dies as a result of a violation of this section, then whoever violates this section is guilty of a misdemeanor of the first degree.

(b) In order to protect the health and safety of an animal, any animal control officer, animal cruelty investigator, law enforcement officer, firefighter or rescue squad worker who has probable cause to believe that this section is being violated may enter a motor vehicle by any reasonable means under the circumstances after making a reasonable effort to locate the owner or other person responsible for the animal.

(c) Nothing in this section shall be construed to apply to the transportation of horses, cattle, sheep, swine, poultry or other livestock.

(Ord. 15-O-49. Passed 6-2-15.)

