

**ORDINANCE ADOPTING SECTION 505.021 OF THE CODIFIED
ORDINANCES REGARDING PIT BULL DOGS**

WHEREAS, the Village has determined that there is a legitimate interest in protecting its citizens from the dangers associated with pit bulls; and

WHEREAS, in the case of *Toledo v. Tellings*, the Ohio Supreme Court has held that municipalities have a legitimate interest in protecting their citizens from the dangers associated with pit bulls; and

WHEREAS, the Ohio Supreme Court has determined that regulations addressing the ownership and control of dogs are legitimate exercises of police power; and

WHEREAS, the Ohio Supreme Court has further acknowledged that legislatures have broad police power to regulate all dogs so as to protect the public against the nuisance imposed by vicious dogs; and

WHEREAS, the Council for the Village of Greenhills has determined that is hereby necessary to ban pit bulls from the village due to the dangers associated with pit bulls.

NOW, THEREFORE, be it ordained by the Council of the Village of Greenhills, Ohio, _____ members elected thereto concurring:

Section 1. That the Council of the Village of Greenhills hereby adopts and enacts Section 505.021 as set forth in Exhibit "A" attached hereto and incorporated herein by reference.

Section 2. That this Ordinance shall be and is effective from and after the earliest period allowed by law.

PASSED THIS ___ DAY OF _____, 2007.

ATTEST:

CLERK OF COUNCIL

PRESIDENT OF COUNCIL

APPROVED:

MAYOR

Exhibit A

505.021 PIT BULL DOGS

(a) No person shall own, keep or harbor a pit bull dog as hereinafter defined within the Municipal limits of the Village of Greenhills, Ohio.

(b) "Pit bull dog" as used in this section means a dog that belongs to a breed that is commonly known as a pit bull dog or pit bull terrier which includes any Staffordshire bull terrier, American Staffordshire terrier or American pit bull breed of dog or which has the appearance and characteristics of being predominantly of any such breed or which is identifiable as partially of such a breed.

(c) Whoever violates this section shall be guilty of a misdemeanor of the third degree on the first offense and a misdemeanor of the first degree for each subsequent offense under this section. In addition to any other sentence that it imposes on the offender, the court shall order the pit bull dog either destroyed or permanently removed from the Village. Any person found guilty of violating this section shall pay all expenses, including shelter, food, boarding and veterinary expenses necessitated by the seizure of the dog, and such other expense as may be required for the destruction or permanent removal from the Village of any such pit bull dog.