

**ORDINANCE 2020-46
INTRODUCED BY: ROCKEY**

4278

**AN ORDINANCE
AMENDING ORDINANCE 2020-36 TO CORRECT
SCRIVENER'S ERRORS AND DECLARING AN
EMERGENCY.**

WHEREAS, Ordinance 2020-36 was adopted by the Council for the Village of Chagrin Falls on October 12, 2020 to create definitions for dangerous and vicious dogs and to regulate the keeping of such dogs within the Village of Chagrin Falls and amending Section 505.01 of the Codified Ordinances of Village of Chagrin Falls;

WHEREAS, in preparing the Ordinance for codification it was determined that there were typographical and scrivener's errors in two (2) of the sections of the Ordinance, and the Village Council now deems it necessary to correct such errors to conform to its original intent and to be consistent with the Codified Ordinances that will be published;

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE
OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

Section 1. Section 2(k)(4) of Ordinance 2020-36 is hereby amended, due to missing text to add six (6) words that were missing from said text which read in its entirety as follows:

“(4) In the case of another domestic animal, that the dog was attacked by such animal or that such animal was running at large.”

Section 2. Section 2(k)(4) of Ordinance 2020-36, as amended with underlining for additions reads in its entirety:

“(4) In the case of another domestic animal, that the dog was attacked by such animal or that such animal was running at large.”

Section 3. Section 7 of Ordinance 2020-36 incorrectly referenced Section 1 of such Ordinance in two (2) places, in error, when the references should have been to Section 2 of Ordinance 2020-36. The last sentence of Section 7 of Ordinance 2020-36 is hereby amended in its entirety to read as follows:

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“The filing of a notice of appeal with the Bedford Municipal Court shall stay the requirements of Section 2 of this Ordinance, but shall not preclude the Chief of Police or the Cuyahoga County Board of Health from impounding the dog if otherwise permitted by this Ordinance or other provisions of law and shall not in any way relieve the owner or other person harboring or having care or control of the dog from civil or criminal liability for injury or damage caused by the dog or for violations of provisions of this Ordinance other than Section 2 of this Ordinance.”

Section 4. The last sentence of Section 7 of Ordinance 2020-36, as amended, with strikeouts for deletions and underlining for additions, reads in its entirety as follows:

“The filing of a notice of appeal with the Bedford Municipal Court shall stay the requirements of Section ~~2~~4 of this Ordinance, but shall not preclude the Chief of Police or the Cuyahoga County Board of Health from impounding the dog if otherwise permitted by this Ordinance or other provisions of law and shall not in any way relieve the owner or other person harboring or having care or control of the dog from civil or criminal liability for injury or damage caused by the dog or for violations of provisions of this Ordinance other than Section ~~2~~4 of this Ordinance.”

Section 5. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

Section 6. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

Section 7. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the Village and for the further reason that this Ordinance must be immediately effective so that dangerous and vicious animals can be placed under control, and to protect the residents and animals currently residing in the Village and to conform Ordinance 2020-36 with the original intent of the Village Council; wherefore, provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force after the earliest period allowed by law.

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PASSED: November 9, 2020

Erinn W Grube

Erinn Grube, Council President

Submitted to the Mayor for
his approval on this

November 10, 2020

Approved by the Mayor

11/10/2020

William A. Tomko

Mayor William Tomko

I hereby certify that Ordinance No. 2020-46 was duly enacted on the 9th day of November, 2020, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

David B. Bloom

David Bloom, Clerk of Council