

CITY OF MIDDLEBURG HEIGHTS, OHIO

Ordinance No. 2024- 26

Introduced By: Mr. Ali Co-Sponsors: Mr. Bortolotto, Mr. Sage, Mr. Meany, Mr. McGregor, Mr. Ference, Mr. Zakel

AN ORDINANCE AMENDING MIDDLEBURG HEIGHTS CODIFIED ORDINANCE SECTION 618.25 "PROCEDURE AND FEES FOR ADOPTING ANIMALS"

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, STATE OF OHIO, AS FOLLOWS:

Section 1: That Section 618.25 "Procedure and Fees for Adopting Animals" shall be amended to read as follows:

618.25 PROCEDURE AND FEES FOR ADOPTING ANIMALS.

(a) Any animal not recovered by its owner within 30 days may be offered for adoption, for an additional 60 day, to a new adult owner. After a total 90 day holding period, the animal may be transferred to a foster or an animal rescue organization. If kennel space is available after the 90-day holding period, the Animal Control Officer may recommend keeping the animal for a longer time period as approved by the Police Chief.

(a) Any dog or cat apprehended and impounded must be scanned for the presence of a microchip and examined for other currently acceptable methods of identification, including, but not limited to, identification tags, tattoos, and rabies license tags. The examination for identification shall be done within 24 hours after the intake of each dog or cat. The Animal Control Officer shall make every reasonable attempt to contact the owner, agent, or caretaker as soon as possible.

Any animal that comes into the possession of the Animal Control Officer shall receive an intake exam in order to evaluate the animal's health and to identify potential infectious diseases. If the owner of any animal in the possession of the Animal Control Officer has not been located or has been located but refuses to reclaim the dog or cat, and if the animal is deemed healthy, it shall be turned over to the Middleburg Heights Animal Shelter within seven (7) days. In accordance with ORC 955.16 (A) (2) any dog that is currently registered by the county auditor and the attempts to notify the owner, agent, or caretaker have failed, the dog shall be kept, housed, and fed for fourteen (14) days for the purpose of redemption. With approval by the Police Chief, an animal may be placed on a medical hold until medically stabilized and deemed healthy by a veterinarian before being turned over to the Middleburg Heights Animal Shelter.

(b) The Animal Control Officer Middleburg Heights Animal Shelter Manager shall collect such fees for animal adoption as follows:

(1) Canine adoption fee: Adult: one hundred dollars (\$100.00); puppy; two hundred dollars (\$200.00); seniors: seventy-five dollars (\$75.00); previously spayed or neutered: seventy-five dollars (\$75.00).

(2) Feline adoption fee: Adult: seventy-five dollars (\$75.00); kitten: one hundred dollars (\$100.00); previously spayed or neutered: sixty dollars (\$60.00).

(3) Veterans and individuals aged 60 or older shall receive a twenty-five dollar (\$25.00) discount on adoption fees.

(4) Modifications can take place with the approval of the Police Chief.

Mary Ann Mesole Clerk of the Council of the City of Middleburg Hts., Ohio, hereby certify that Ord. 24-26 adopted by the Council of the City of Middleburg Hts., on 4/23/24 was posted for a period of fifteen days, beginning 4/25/24 and remained so posted for fifteen days at the two posting places as designated by Charter.

Mary Ann Mesole Clerk

(c) Such rabies vaccination as is prescribed in Section 618.035 shall also be required.

~~(d) If any dog or cat has not reached maturity, the owner shall agree in writing to have such animal at a specified place and date for neutering or spay. Such owner shall be required to have such animal currently immunized against rabies by a licensed veterinarian before neutering or spaying. Any owner who fails to have such pet spayed or neutered within 30 days after the specified date shall forfeit ownership of said animal. All dogs or cats old enough for neutering/spaying shall be altered either through the Cleveland Animal Protective League or by the owner's own veterinarian. In the latter case, such alteration shall be at the owner's expense, and a representative of the Middleburg Heights Animal Kennel shall make all appointments for surgery for the owner.~~

**(d) Any dog or cat adopted from the animal shelter must be spayed or neutered by a veterinarian. If the dog or cat is an adult such operation shall be performed within one month of adoption. If the dog is young, it shall be neutered by a veterinarian by the age of six to nine months for a toy or small breed puppy or by the age of twelve to eighteen months for a large or giant breed. A cat shall be neutered or spayed by a veterinarian by the age of five to six months. Any dog or cat not so neutered or spayed within those time periods shall be reclaimed by the Animal Shelter Manager without refund to the adopter, except if a veterinarian should determine that the dog or cat is physically unable to undergo such an operation within the time limitations in which case the dog or cat is to be neutered or spayed as soon as the veterinarian determines it is able. Persons who violate any of the provisions of this section shall be subject to a fine in the amount of one hundred dollars (\$100.00).**

~~(e) Anyone found in violation of the City adoption agreement and/or Chapter 618 of the Middleburg Heights Codified Ordinances and who fails to correct the violation within 48 hours, shall forfeit the adopted animals to the Middleburg Heights Kennel, and shall be subject to a fine in the amount of one hundred dollars (\$100.00).~~

Section 2: It is hereby 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 actions were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Middleburg Heights Code and Section 121.22 of the Ohio Revised Code.

Passed: 4/23/24

David Bortolotto  
President of Council

Attest: M Meola  
Clerk of Council

Approved On: 4-24-24

Presented to Mayor: 4/24/24

Matthew Casella  
Mayor

	Yea	Nay
Bortolotto	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ali	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sage	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Meany	<input checked="" type="checkbox"/>	<input type="checkbox"/>
McGregor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ference	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Zakel	<u>ABSENT</u>	

**CERTIFICATE**

I, Mary Ann Meola, Clerk of Council of the City of Middleburg Heights, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ord 2024-26 passed on the 23<sup>rd</sup> day of April 2024 by said Council.

Mary Ann Meola  
Clerk of Council