



**CITY OF WESTLAKE, OHIO
ORDINANCE NO. 2015-121:**

**AN ORDINANCE ALLOWING THE CITY TO
MANAGE THE WHITE-TAILED DEER
POPULATION WITHIN THE CITY OF
WESTLAKE AND AMENDING SECTION
505.11 ENTITLED "HUNTING PROHIBITED,"
AND DECLARING AN EMERGENCY.**

WHEREAS, the overpopulation of white-tailed deer within the City of Westlake negatively impacts public health and safety primarily due to an excessive number of deer-related vehicular accidents, as well as destruction of natural habitats and biodiversity, the increased risk of disease transmission to humans from deer parasites, and potential damage to private and public property; and

WHEREAS, the Safety/Utilities Committee considered various options to control the deer population with the assistance of the Ohio Department of Natural Resources and recommends a comprehensive and multifaceted approach to managing the deer population as the most efficient strategy; and

WHEREAS, Council desires to provide the Mayor, as the Director of Public Safety, with a deer management program to address deer overpopulation.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WESTLAKE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1: That Section 505.11 entitled "HUNTING PROHIBITED" of Chapter 505 entitled "ANIMALS AND FOWL" is hereby amended and as amended shall read as follows:

"505.11 HUNTING PROHIBITED; EXCEPTIONS.

(a) Except as provided in division (c) of this section, no person shall hunt game animals, game birds or other animals or birds within the City. No person shall hunt, kill, wound or attempt to hunt, kill or wound any such game animal, game bird or other animal, bird or creature of any kind by means of or the use of firearms of any type or description, or any other means that may endanger life and safety or damage or destroy property of any kind.

(b) No person shall trap by the use of clam-type traps or similar devices game animals, game birds or other animals or birds within the City.

(c) The City may utilize sharpshooters to cull white-tailed deer as part of a City Deer Management Program. Sharpshooters may use firearms as approved by the Chief of Police or his designee. Culling may take place on city-owned land and on parcels in excess of one hundred seventy-five (175) acres at the request of the property owner, provided all of the following conditions apply:

- (1) The Chief of Police, or his designee, has determined that such sharpshooting can be conducted safely on such property; and
- (2) Such sharpshooters are safety forces approved by the Chief of Police or his designee, who have been tested for firearm proficiency or have been certified by a Federal or State agency; and
- (3) Such culling has been approved by the Ohio Department of Natural Resources, Division of Wildlife.

(d) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the first degree."

Section 2: That any Ordinance or parts of Ordinance in conflict herewith are hereby repealed.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to this legislation 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 action were in meetings open to the public in compliance with all legal requirements including Section 10, Article XI of the Charter of the City of Westlake and Section 121.22 of the Ohio Revised Code.


Section 4: That this legislation is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare, and for the further reason that it is immediately necessary to implement effective deer control measures and further provided it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

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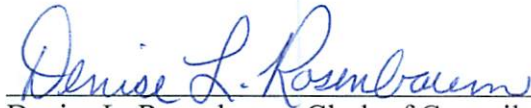
Passed: 11/5/15


Michael F. Killeen
President of Council

Presented to Mayor: 11/9/15

Approved: 11/15/15

ATTEST:


Denise L. Rosenbaum, Clerk of Council


Dennis M. Clough, Mayor

I, Denise L. Rosenbaum, Clerk of Council of the City of Westlake do hereby certify that Ordinance/Resolution no. 2015-121 adopted 11/5/15 was duly posted on 11/16/15 and remained posted for a period of 15 days thereafter in not less than 2 of the most public places in the City as determined by the Charter of said City.