



**CITY OF WESTLAKE, OHIO
ORDINANCE NO. 2015-148:**

**AN ORDINANCE ENACTING NEW
SECTION 505.22 OF THE GENERAL
OFFENSES CODE AS TO DEER
FEEDING.**

WHEREAS, the Mayor of the City of Westlake has recommended that Council consider enacting new Section 505.22 "Feeding of Deer Prohibited" under the General Offenses Code Chapter 505 "Animals and Fowl."

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

Section 1: That Chapter 505 entitled "Animals and Fowl" of the General Offenses Code of the City of Westlake be and the same is hereby supplemented with the enactment of new Section 505.22 entitled "Feeding of Deer Prohibited" which as enacted shall read as follows:

505.22 FEEDING OF DEER PROHIBITED

- (a) **Definitions.** In this Section, "food" means corn, fruit, oats, hay, wheat, alfalfa, salt or mineral blocks, grain, vegetables, human food scraps, commercially sold wildlife feed, birdseed, or livestock feed. "Food" does not include shrubs, live crops, plants, flowers, vegetation, gardens, trees, and fruit or nuts that have fallen from trees to the ground.
- (b) **Feeding of Deer Prohibited.** No person shall intentionally feed deer or make food available for consumption by deer on private or public property within the City of Westlake. A person shall be presumed to have intentionally fed deer, or made food available for consumption by deer, if the person places food or causes food to be placed on the ground or any alternative feed venue outdoors other than bird feeders.
- (c) **Affirmative Defense.** It is an affirmative defense to prosecution under this section if a person places food, in good faith, for the purpose of feeding domestic animals owned and located on the involved property.

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(d) Penalty. Whoever violates this Section shall receive a warning on the first offense, and is guilty of a minor misdemeanor on subsequent offenses. Penalty shall be as provided in Section 505.99.

Section 2: 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 of 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.

Section 3: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

First Reading: 11/19/15

Second Reading: _____

Passed: 11/19/15




Michael P. Killeen
President of Council


Presented to Mayor: 11/20/15

Approved: 11/20/15

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. 2015-148 adopted 11/19/15 was duly posted on 11/20/15 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.