

VILLAGE COUNCIL OF WAKEMAN, OHIO  
ORDINANCE NO.: 2022-O-10

AN ORDINANCE AMENDING SECTION 505.15 OF THE WAKEMAN  
CODIFIED MUNICIPAL CODE PERMITTING LIMITED HEN  
CHICKENS AND DOMESTIC RABBITS.

WHEREAS, the Mayor would like to permit limited hen chickens and domestic rabbits in the Village with certain reasonable regulations; and

THEREFORE, BE IT ORDAINED, BY THE LEGISLATIVE AUTHORITY OF THE VILLAGE OF WAKEMAN, STATE OF OHIO: (RC 731.18)

SECTION 1. That Section 505.15 of the Wakeman Codified Municipal Code, is hereby amended as follows:

*505.15 PROHIBITED ANIMALS.*

*(a) No person shall own, keep, harbor or otherwise have control of any of the following animals at any premises, or on any property, public or private, within the corporation limits of the Village.*

- (1) Horses, cattle, swine, ~~poultry~~, sheep and goats.*
- (2) All animals which have been declared to be endangered or protected under the Endangered Species Act of 1973, 16 U.S.C. 1531 et seq., and as listed in the Federal Register by the Secretary of the Interior of the United States pursuant to 16 U.S.C. 1553(c).*
- (3) All poisonous animals, including rear fang snakes.*
- (4) Badgers (mellinae).*
- (5) Bears (ursidae).*
- (6) Beavers (castoridae).*
- (7) Canids, that is, wolves, foxes, coyotes, jackals and dingoes.*
- (8) Constrictor snakes.*
- (9) Crocadians, that is, alligators, crocodiles, caimans and cavials.*
- (10) Eagles, falcons, hawks and owls (falconiformes).*
- (11) Felids, that is, lions, tigers, leopards, cheetahs, jaguars, pumas, lynx and ocelots.*
- (12) Game cocks and other fighting birds.*
- (13) Hyenas (hyendidae).*
- (14) Marsupials, that is, opossums, tasmanian wolves, kangaroos, koalas and wombats.*
- (15) Muskrats (ondata).*
- (16) Ostriches (struthio).*
- (17) Porcupines (hystricomorpha).*
- (18) Primates (non-human), that is, apes, monkeys, baboons, chimpanzees, gibbons, Gorillas, orangutans and siamangs.*
- (19) Procuonida, that is, raccoons, coatis, kingajous, ring-tailed cats and pandas.*
- (20) Skunks (nephitinae).*

(21) *Ungulates, that is, elephants, zebras, tapirs, rhinoceroses, camel, llama, caribou, antelope, bison, reindeer, deer, giraffe, hippopotamus, wild boar, gazelle and gnu.*

(22) *Weasels.*

(23) *Wolverines (gulo gulo).*

(24) *Woodchucks (marmota monas).*

**(25) Roosters, poultry and chickens, except for up to eight (8) hen chickens are permitted provided there is ten (10) square feet per hen chicken of housing space and an additional eight (8) square feet per hen chicken of confined grazing area, that otherwise meets all zoning requirements, including setbacks.**

**(26) Hares and Rabbits, except for up to three (3) domestic rabbits, provided there is twelve (12) square feet of housing space per domestic rabbit that otherwise meets all zoning requirements, including setbacks.**

**(27) Bigfoot, sasquatch, and yeti.**

*(b) The provisions of subsection (a) hereof shall not apply to any circus, carnival or commercial exhibition properly registered in accordance with the Ordinances, or a doctor of veterinary medicine licensed by the State when in the course of the performance of his or her professional duties. In addition, the provisions of subsection (a) hereof shall not apply to any real estate that on the effective date of this Ordinance, is designated on the Huron County tax duplicate as agricultural and located within the corporate limits of the Village of Wakeman.*

*(c) Whoever violates this section on the first offense is guilty of a minor misdemeanor. Whoever violates this section on the second or subsequent offense is guilty of a fourth degree misdemeanor. In addition, a violation of this section shall constitute a nuisance for which the Village Solicitor may initiate injunction, abatement or any other appropriate action or proceeding to enjoin, abate or prevent continued violation of this section.*

*(Ord. 1997-0-16. Passed 11-10-97.)*

**SECTION 2.** That any and all ordinances, resolutions, or bylaws, or any parts thereof inconsistent herewith, are hereby repealed, rescinded and replaced.

**SECTION 3. CODIFICATION.** That once adopted, the Council Clerk is hereby authorized and directed to submit this legislation to the village codification service.

**SECTION 4. PUBLIC MEETING.** That it is found and determined that all formal action of this public body concerning or relating to the passage of this Resolution/Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

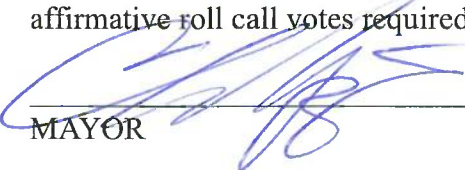
WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

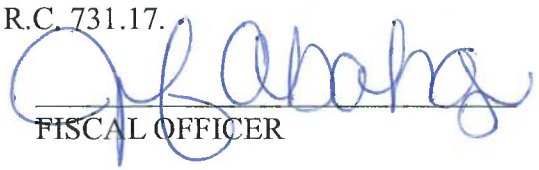
PASSED AND ADOPTED on this 14 day of November, 2022.

AUTHENTICATION and ATTESTATION

(RC 731.20)

We hereby attest and affirm that the foregoing Ordinance/Resolution received the necessary affirmative roll call votes required for passage by R.C. 731.17.

  
MAYOR

  
FISCAL OFFICER

Vote on the passage was taken by yeas and nays and entered upon the journal as follows R.C. 731.17(A)(3):

YEAS: 4 NAYS: 3 ABSTAIN: 0

First Reading: September 12, 2022  
Second Reading: October 10, 2022 (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))  
Third Reading: \_\_\_\_\_ (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))

PREPARED BY AND APPROVED AS TO FORM [See also RC 731.21(B)]:

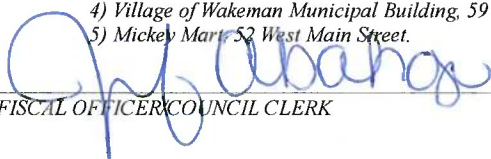
  
VILLAGE SOLICITOR, Steve Palmer

CERTIFICATE OF POSTING

(RC 731.25)

I hereby certify that pursuant to R.C. 731.25, a succinct summary of the above legislation was posted in not less than five of the most public places in the municipal corporation as determined by the legislative authority [see Wakeman Code 123.01] for a period of not less than fifteen days prior to the effective date at the following locations:

- 1) Wakeman Public Library, 18 East Abbott Street; and
- 2) Electronically online at official Village website; and
- 3) Wakeman Post Office, 17 West Main Street; and
- 4) Village of Wakeman Municipal Building, 59 Hyde Street; and
- 5) Mickey Mart, 52 West Main Street.

  
FISCAL OFFICER/COUNCIL CLERK