

CITY OF LIMA
NEIGHBORHOOD CONCERNS COMMITTEE
MEETING REPORT
JULY 01, 2024 @ 6:00 PM
Council Chambers

CALL TO ORDER

The Neighborhood Concerns Committee met on July 1, 2024 at 6:00 p.m.

ROLL CALL

The roll call showed the following members present: Thomas Jones, Derry Glenn, Jon Neeper

Others in attendance were: Mariah Cunningham, Assistant Law Dir. (See attached attendance sheet)

ITEM OF DISCUSSION

1. Nuisance Dogs

Councilor Glenn opened the meeting to discuss nuisance dogs. Julie Shellhammer, Allen County Dog Warden, advised she enforces Ohio Revised Code Section 955 and does not enforce City Ordinances. She explained a lot of the calls she receives are regarding dogs left in cars, dogs with no shelter and food which only the Allen County Humane Agent can enforce. She referenced the most recent City Ordinance that was passed regarding animal tethering and explained Lima Police Officers are the ones who can enforce that. She advised the Allen County Dog Warden has one person that handles the entire County and enforces Revised Code issues like dog licensing and investigating dog bites. Donna Glover explained she initiated the nuisance dog issue when she took privilege of the floor at the most recent Council meeting to address an issue she was having with dogs in her yard. She advised her and her neighbor called the County Dog Warden and did not like the response that she received. She referred to her discussion with the Dog Warden who advised her that she needed to contact the Lima Police Department which Ms. Glover felt was putting an additional burden on the Police. Ms. Glover inquired as to why she pays her dog licensing fee to the County when they have to contact the City to get help. She explained she has an issue with irresponsible dog owners not the dogs themselves. Ms. Glover suggested sending a survey to Lima residents who own dogs to see if they would rather pay their dog license fees to the City and add an additional officer to police the animal issues in the City. Ms. Shellhammer advised the Ohio Revised Code is what governs dog licensing so the licensing must go through the County. She explained the

Prosecutor's office requirements in order to issue a citation. She advised there are approximately 15,000 dogs licensed in the County and there are probably another 15,000 that are not licensed. She referred to the staffing issue she is currently having and advised she is working on hiring more staff. She advised there is an average of 200 dog bites per year which must be investigated. She explained they started a new program and are issuing vouchers for \$75 off the cost to get a dog spayed or neutered. She expressed the Warden is doing the best that they can and she appreciates the calls, pictures and witness statements.

Councilor Jones asked what the proper procedure would be to issue a citation. Ms. Shellhammer advised any Lima Police Officer can enforce the Ohio Revised Code and City Ordinances. She expressed the need for more enforcement. Councilor Glenn expressed the immediate solution would be to allow the Park Rangers to assist with the dog problem outside of the parks. Betty Williams, 312 McPherson Ave, complained that most of her neighbors dogs have taken over her yard and poop everywhere and her kids and grandkids cannot go outside. She stated that she called the police multiple times who asked her "what do you want me to do". Councilor Glenn recommended Betty Williams file charges and state her concerns during the next City Council meeting so they Mayor can hear her concerns. Ms. Shellhammer advised if a dog is running at large, with the proper witness statement, her office can issue a citation. Ms. Glover brought up various issues regarding breeding and not muzzling animals. Councilor Jones inquired about Lima Police Department's process when they receive a call related to nuisance dogs. Lt. Thompson advised what it supposed to happen is if they observe a violation the officer is supposed to issue a citation or make some sort of enforcement action. He explained a lot of times, when the dog owner sees the police, they put the dog away so they cannot observe the violation. He explained the biggest issue is that the Police Department needs additional officers that are available in the community. Councilor Glenn believes it would be best to allow the Park Rangers to enforce the dog issues. Council Neeper expressed the need to look into using Park Rangers, but it would need to be researched because they do not know what the Park Ranger contract looks like to which Ms. Cunningham agreed to look into.

Glenn expressed the need to look at the City Ordinance to include a rule about dogs defecating in other people's yards. Councilor Jones inquired to the Dog Warden whether there is an Ordinance to address dogs defecating on other people's property. Julie Shellhammer clarified she is with the Dog Warden's office and she can only enforce the Ohio Revised Code which is State Law and she cannot enforce City Ordinances. She advised if someone is walking their dog intentionally and it does not have a leash, it is technically not running at large so they are not in violation of State Code. She explained if the dog is on someone else's property it would be considered trespassing which they do not enforce. She further explained if the dog is running loose and they have a witness statement, they will issue a citation. She advised her citations she's lucky to get \$25.00 and the City citations are \$150.00. Junitha Jones-Morris, 933 Dingleline Ave., asked for clarification about liability if someone shoots a dog that is in their yard. Lt.

Thompson advised that is usually handled on a case by case basis but Ohio Revised Code does state that if a dog is harassing your property, yourself, your animals or your lifestyle, you can dispatch that dog. Councilor Glenn recommended keeping the issue in committee so more research can be done. Mariah Cunningham advised the City Code already addresses the issue of dogs defecating in another person's yard and is treated as a 1st Degree Misdemeanor and is subject to jail time but most likely ends up being a fine. She recommended taking photos of the act being done. Councilor Neeper expressed the need to discuss this issue with the Police Department because he is not happy with the comment "what do you want me to do about it" that was made to Ms. Glover. He explained if enforcement is the responsibility of the Police Department within the City limits then it shouldn't be a question. Ms. Shellhammer clarified in response to killing a dog, Ohio Revised Code Section 955.261 states that a dog that is chasing or approaching in a menacing fashion or has an attitude of attack that attempts to bite or otherwise endanger or injures a person or a dog, etc. She explained a person has a right to protect yourself and their property but if you just poison a dog, that is needless abusing of an animal and can be enforced against.

The Committee recommended the Law Department look into the possibility of City Park Rangers enforcing the City dog ordinance. Once the information is received, the Committee will schedule another meeting to further discuss.

ADJOURNMENT

Glenn moved, seconded by Neeper, to adjourn. Motion carried.

Respectfully Submitted,

Councilor Thomas Jones
TJ:da

NEIGHBORHOOD CONCERNS

6:00 PM

MONDAY, JULY 1, 2024

JON NEEPER - L.C.C.

Jacob Egnosa - Lina News

Betty Williams

Donna Mover

Shawna Glover

Jennifer Jones - Morris

William Carlisle

LT. COLONEL P.W.R.S. Upshaw III