

CHAPTER 600

Animal Nuisances

- 600.01 Definitions.
- 600.02 Feeding garbage to swine and poultry.
- 600.03 Disposal of dead animals.
- 600.04 Noxious Odors.
- 600.05 Keeping of animals.
- 600.06 Sale of animals with infectious disease.
- 600.07 Pest control.
- 600.08 Mosquito Control.
- 600.09 Penalty.

CROSS REFERENCES

Feeding garbage to swine or poultry - see ORC 942
Disposal of dead animals - see ORC 3767.16 and ORC 941.14
Offenses relating to domestic animals - see ORC 959
Abatement of nuisances by Board of Health - see ORC 3707.01 et seq.
Noxious odors from places where animals are kept or fed; undesirable accumulations - see ORC 3767.13
General provisions - see EHC 100

Isolation distance of private water systems – see OAC 3701-28-07

EHC Environmental Health Code **ORC** Ohio Revised Code **OAC** Ohio Administrative Code

600.01 DEFINITIONS.

As used in this chapter:

- (a) “Board” or “Board of Health”– means Summit County Public Health or its authorized representative including the Health Commissioner, Environmental Health Director, Environmental Health Manager, Environmental Health Supervisor, Sanitarians, Public Health Nurse, and any other authorized employee or agent.
- (b) “Body of Water”— means any significant accumulation of water. The term most often refers to lakes, ponds, wetlands, or puddles. A body of water does not have to be still or contained; rivers, streams, canals, and other geographical feature where water moves from one place to another is also considered bodies of water.
- (c) “Dangerous Wild Animals”– means any animal listed as a dangerous wild animal in ORC 935.
- (d) “Fowl”– means any type of bird.

- (e) “Garbage”—means all waste material derived in whole or in part from the meat of any animal, including fish and poultry, or other animal material, and other refuse of any character that has been associated with such waste material resulting from the handling, preparation, cooking, or consumption of food.
- (f) “Habitat – means the place that an animal lives in.
- (g) “Infectious Disease” – means a disease that is caused by a microorganism, such as a bacterium, virus, or protozoan, that is not normally found in the body and is capable of causing infection.
- (h) “Noisome”— means having an extremely offensive, disagreeable, or unpleasant smell.
- (i) “Noxious Odors” – means smells that are harmful or destructive to living beings.
- (j) “Pest”— means any mammals, birds, insects, rodents or reptiles, which may be a potential vector for human diseases or presents a public health threat.
- (k) “Poultry”— means any domesticated birds kept for eggs or meat.
- (l) “Premises” – means a house or building, together with its land and outbuildings.
- (m) “Private Water System” – means any water system, other than a public water supply system, for the provision of water for human consumption, if the system has fewer than fifteen service connections and does not regularly serve an average of at least twenty-five individuals daily at least sixty days each year.
- (n) “Sanitary Sewerage System” – means pipelines or conduits, pumping stations, force mains, and all other constructions, devices, appurtenances, and facilities that convey sewage to a central sewage treatment plant and that are required to obtain a permit under Chapter 6111 of the Ohio Revised Code.
- (o) “Sewage Treatment System” –means a household sewage treatment system, a small flow on-site sewage treatment system, or both, as applicable.
- (p) “Wastes” – means any material composed of excreta, with or without bedding materials and/or animal drugs, collected from poultry, livestock or other animals.

600.02 FEEDING OF GARBAGE TO SWINE AND POULTRY.

The feeding of garbage to swine and poultry in Summit County shall be in compliance with ORC 942.

600.03 DISPOSAL OF DEAD ANIMALS.

No person shall place or deposit, or permit to be placed or deposited, the carcass of a dead animal in any street, alley, road, open excavation, abandoned well or cistern, ditch, stream or body of water, or onto the surface of the ground, or in any other place or manner deemed improper by the Board. The owner of the land on which the carcass of a dead animal is found shall promptly provide for its proper removal and disposal in accordance with ORC 941.14.

The carcass shall be disposed of in a manner in accordance with ORC 941.14 to avoid the creation of a nuisance or the pollution of a public or private water supply. The disposal shall not take place within a municipal

corporation and not less than 500 feet from any public or private water supply, building of human occupancy, road, stream or body of water.

600.04 NOXIOUS ODORS.

No person shall erect, continue, use or maintain a building, structure, or place for the exercise of keeping of an animal which, by occasioning noxious exhalations, noisome or offensive smells, or becomes injurious to the health or comfort to the individuals of the public.

Manure from any animals, animal housing, or enclosures shall be removed or disposed so as to not create a nuisance or at such intervals as the Board of Health may deem necessary. In no case shall manure be allowed to accumulate on a private property until it becomes a nuisance, and in no event or circumstance shall manure or other waste be thrown or disposed in any alley, street, lane, body of water, or other public place.

600.05 KEEPING OF ANIMALS.

- (a) Swine - No person shall keep a swine in the Health District unless the building in which these animals are housed in or fenced in enclosures are at least 300 feet from any building used for human habitation or occupancy, including residence of the owners, and at least 100 feet from any body of water, public way, street or road.
- (b) Other hoofed animals - No person shall keep a, a horse, cow or other hoofed animals, unless the building or fenced enclosure in which such animal is kept at least 100 feet from any neighboring building used for human habitation or occupancy, other than the residence of the owner of such animal.
- (c) Fowl - No person shall keep a chicken or other fowl unless the building or fenced enclosure in which such fowl is kept is at least 100 feet from any neighboring building used for human habitation or occupancy, other than the residence of the owner of such animal or fowl.
- (d) Rabbits - No person shall keep rabbits unless the building or fenced enclosure in which such rabbits are kept is at least 25 feet from building used for human habitation or occupancy, other than the residence of the owner of such animal.
- (e) Mink - No person shall keep mink in the Health District unless the building in which these animals are housed in or fenced in enclosures are at least 300 feet from any building used for human habitation or occupancy, including owners, and at least 100 feet from any body of water, public way, street or road
- (f) Dangerous Wild Animals - All persons must comply with ORC 935.
- (g) All animal housing, holding pens or enclosures without grass cover, manure piles, fabricated manure storage or animal waste shall be kept 50 feet or more from a private water system.

600.06 SALE OF ANIMALS WITH INFECTIOUS DISEASES.

No person shall sell, offer for sale, or give away as a pet or novelty any animal shedding infectious disease. Samples of the habitat in which the animals are kept may be sampled periodically or upon notification by any person of possible illness due to contact with such animals or their habitat. If upon examination of the sampled environment, infectious diseases are found, the animals shall be treated and the habitat shall be disposed of and/or sanitized in a way approved by the Board. Any water shall be disposed in the sanitary sewerage system, sewage treatment system, or in a manner acceptable to the Board.

600.07 PEST CONTROL.

- (a) No owner or occupant of any premises within the Health District shall maintain the premises in a pest or rat-infested condition.
- (b) No building or structure shall be erected, repaired, altered or extended unless provisions are made for rat or pest proofing according to the following specifications, which are determined to be minimum requirements:
 - (1) Screens shall be installed on all basement windows which are subject to being kept open.
 - (2) Slotted caps shall be installed and sealed over all sewer drainage pipes.
 - (3) Any other precaution that may be deemed necessary to secure the building from pests shall be taken.

600.08 MOSQUITO CONTROL

- (a) No owner or occupant of any premises within the Health District shall maintain premises in a mosquito larvae-infested condition.
- (b) Provisions shall be made to ensure that any water-holding containers are not breeding sites for mosquitoes. Bird baths, buckets, tires, gutters or any other water-holding containers shall be emptied and/or cleaned to prevent or eliminate mosquito breeding sites. Tires shall be stored to keep dry and limit breeding sources or treated on a regularly basis to keep tires free of mosquito larvae.
- (c) It shall be the authority of the Board, or their duly authorized representative, to perform an inspection of any premises in the Health District which there is reason to believe is not in a mosquito-proof condition.
- (d) If such premises are not being maintained in a manner that prohibits mosquito breeding, or if mosquito larvae are observed, a notice in writing shall be served upon such owner or occupant. The notice shall state the condition of said premises, the required corrections, and the time for compliance.
- (e) After the owner or occupant of any such premises has been notified by the Board that such premises contain mosquito larvae or are not being maintained in a manner that prohibits mosquito breeding, it shall be the duty of such owner or occupant to take appropriate measures to remedy the condition in accordance with the notice.
- (f) If a swimming pool or other body of water displays mosquito larvae at a residence and it is necessary to treat by larvaciding or adulticiding by the Board, regardless of occupancy, the property owner may be billed for a consultation inspection fee in accordance with EH Code 101.12.

600.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this Environmental Health Code shall be in violation of ORC 3707.48, 3707.01, 3707.02, 3709.20, 3709.21 and 3709.22, and may be subject to penalties provided in ORC 3707.02, 3707.021, 3709.211, 3707.99 and 3709.99.