

First Reading: October 11, 2005
Second Reading: October 25, 2005
Third Reading: November 9, 2005

ORDINANCE 34 -2005

**AN ORDINANCE PROHIBITING HUNTING ON PROPERTY
OWNED BY THE VILLAGE OF NEWTOWN**

WHEREAS, it is the determination of the Council of the Village of Newtown that any hunting of wild animals on Village property presents a danger to persons and property and therefore hunting should be expressly prohibited on Village property;

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Newtown, State of Ohio:

SECTION 1.

Definitions. For the purposes of this Ordinance, the following definitions shall apply:

- A. *Game* includes game birds, game quadrupeds, and fur-bearing animals.
- B. *Game Birds* includes pheasants, quail, ruffed grouse, sharp-tailed grouse, pinnated grouse, wild turkey, Hungarian partridge, Chukar partridge, woodcocks, black-breasted plover, golden plover, Wilson's snipe or jacksnipe, greater and lesser yellowlegs, rail, coots, gallinules, duck, geese, brant, and crows.
- C. *Game Quadrupeds* includes hares or rabbits, gray squirrels, black squirrels, fox squirrels, red squirrels, groundhogs or woodchucks, deer, wild boar, and bears.
- D. *Fur-bearing Animals* includes minks, weasels, raccoons, skunks, opossums, muskrats, fox, beavers, badgers, otters, coyotes, and bobcats.
- E. *Nongame Birds* includes all other wild birds not included and defined as game birds.
- F. *Wild Quadrupeds* includes game quadrupeds, fur-bearing animals, and all deer species.
- G. *Hunting* means pursuing, shooting, killing, following after or on the trail of, lying in wait for, shooting at, or wounding wild birds or wild quadrupeds while employing any device commonly used to kill or wound wild birds or wild quadrupeds, including firearms, bows, crossbows, or other projectiles, whether the acts result in killing or wounding or not. It includes every attempt to kill or wound and every act of assistance to any other person in killing or wounding or attempting to kill or wound wild birds or wild quadrupeds.
- H. *Trapping* means securing or attempting to secure possession of a wild bird or wild quadruped by means of setting, placing, drawing,

or using any devices that are designed to close upon, hold fast, confine, or otherwise capture a wild bird or wild quadruped whether the means results in capturing it or not. It includes every act of assistance to any other person in capturing wild birds or wild quadrupeds by means of the device whether the means results in capturing or not.

SECTION 2.

Hunting is prohibited on any real property owned by the Village of Newtown. Trapping is permitted on Village real property so long as the device used is a humane device intended to capture, but in no way maim or cause injury to the wild bird or wild quadruped. Anyone trapping on Village of Newtown real property shall be responsible to place the trap in a safe location so as not to cause harm to persons or property. Although trapping is permitted on Village real property, the person placing such trap and those assisting in the placement of such trap are liable for any damage or injury caused to persons or property by utilizing such trapping device.

SECTION 3.

Whoever violates this section is guilty of a misdemeanor of the first degree.

SECTION 4.

This ordinance shall take effect the earliest opportunity as allowable by law.

VOTE RECORD:

Mr. Evans	<u>YES</u>	Ms. Hueber	<u>YES</u>	Ms. McCarthy	<u>YES</u>
Mr. Puskamp	<u>YES</u>	Mr. Thomas	<u>YES</u>	Mr. Kobasuk	<u>ABSENT</u>

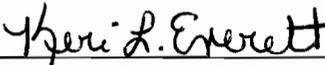
PASSED this 9th day of November, 2005.



John R. Hammon, Mayor
Village of Newtown, Ohio

AUTHENTICATION

This is to certify that this ordinance was duly passed, and filed with the Village of Newtown Fiscal Officer, this 9th day of November, 2005.



Keri Everett, Fiscal Officer
Village of Newtown, Ohio

APPROVED AS TO FORM



R. Douglas Miller, Solicitor
Village of Newtown, Ohio