

**FAIRFIELD TOWNSHIP  
RESOLUTION NO. 21-166**

**RESOLUTION ON THE HARBORING OF FREQUENT AND HABITUAL BARKING DOGS, A  
MINOR MISDEMEANOR**

**WHEREAS:** The Board of Trustees of Fairfield Township, Butler County, Ohio desires to enact a resolution prohibiting the keeping or harboring of dogs which habitually and frequently howl, bark or yelp creating unreasonably loud and disturbing noises and disturbing the peace and quiet of the Township; and

**WHEREAS:** O.R.C. §955.221 permits townships to enact a resolution and assess penalties to control such nuisances.

**NOW, THEREFORE, BE IT RESOLVED,** by the Board of Trustees of Fairfield Township, Butler County, Ohio, as follows;

**SECTION 1:** No person shall keep or harbor any dog within Fairfield Township which by frequent and habitual barking, howling or yelping, creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace and quiet of any person in the Township. Any person who allows any dog habitually to remain or be lodged or fed within any dwelling, building, yard or enclosure, which said person owns or occupies, shall be considered to be harboring such a dog.

**SECTION 2:** Whoever violates this resolution is guilty of a minor misdemeanor subject to a fine not to exceed One Hundred Dollars (\$100.00) plus court costs.

**SECTION 3:** The Board hereby dispenses with the requirement that this resolution be read on two separate days, pursuant to RC 504.10, and authorizes the adoption of this resolution upon its first reading.

**SECTION 4:** This resolution is the subject of the general authority granted to the Board of Trustees through the Ohio Revised Code and not the specific authority granted to the Board of Trustees through the status as a Limited Home Rule Township.

**SECTION 5:** That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

**SECTION 6:** This resolution shall take effect at the earliest period allowed by law.

**Adopted:** December 8, 2021

**Board of Trustees**

**Vote of Trustees**

Susan Berding: \_\_\_\_\_

yes

Shannon Hartkemeyer: \_\_\_\_\_

yes

Joe McAbee: \_\_\_\_\_

absent

**AUTHENTICATION**

This is to certify that this is a resolution which was duly passed and filed with the Fairfield Township Fiscal Officer this 8<sup>th</sup> day of December, 2021.

**ATTEST:**

Shelly Schultz  
Shelly Schultz, Fairfield Township Fiscal Officer

**APPROVED AS TO FORM:**

L.E. Barbieri  
Lawrence E. Barbieri, Township Law Director