

ORDINANCE NO. 2022 - 14

**AN ORDINANCE OF THE VILLAGE OF CASTALIA, OHIO PROHIBITING THE FEEDING OF WATERFOWL, FOWL AND BIRDS AT THE CASTALIA DUCK POND AND DECLARING AN EMERGENCY.**

**WHEREAS**, it has come to the attention of Council that ducks, geese, pigeons and other waterfowl, fowl and birds frequent the Castalia Duck Pond, where in turn, residents and visitors to the pond watch and feed the ducks, geese, pigeons, and other waterfowl, fowl, and birds; and

**WHEREAS**, Council has determined that the accumulation of feces from the ducks, geese, pigeons, and other waterfowl, fowl, and birds, who frequent the Duck Pond is a public nuisance to the Duck Pond and the surrounding properties in the vicinity of the Duck Pond; and

**WHEREAS**, to abate the public nuisance created by the waterfowl, fowl, and birds at the Duck Pond, the surrounding properties, and other areas of the Village, Council has further determined that an emergency now exists, and that the adoption of this Ordinance is directly related to the immediate preservation of the public peace, property, health, and safety of the Village of Castalia, and as such this Ordinance shall take effect immediately upon its adoption and due authentication by the Mayor and Fiscal Officer

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CASTALIA, STATE OF OHIO:**

**SECTION 1. PROHIBITION AGAINST FEEDING WATERFOWL, FOWL, AND BIRDS AT THE CASTALIA DUCK POND.**

(A) As used in this Ordinance:

- (1) "waterfowl" means a water bird, including but not limited to ducks, geese, and swans.
- (2) "fowl" means any bird.
- (3) "bird" means any class of a warm-blooded, two egged, egg-laying vertebrates with feathers and wings.

(B) No person shall feed any waterfowl, fowl, or bird, including but not limited to ducks, geese, swans, and pigeons on the property known as the Castalia Duck Pond, located at the intersection of Lowell Street and Main Street.

(C) Whoever violates this section is guilty of a minor misdemeanor. Whoever violates this section and has previously been convicted of one or more violations of this section within twelve months is guilty of a fourth-degree misdemeanor.

**SECTION 2.** That the fiscal officer is authorized and directed to provide a certified copy of the foregoing ordinance to the Erie County Sheriff, the Sandusky Municipal Court, and the Sandusky Bay Law Library.

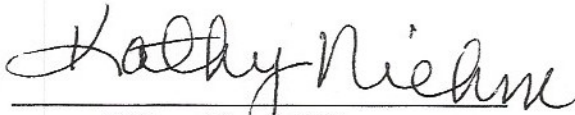
**SECTION 3.** That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including *section 121.22 of the Revised Code*.

**SECTION 4.** That for the reasons set forth in the preamble, this Ordinance shall be adopted as an emergency measure to take effect immediately upon its adoption by the Mayor and the Fiscal Officer, respectively.



Mayor

ATTEST



Village Fiscal Officer

Adopted July 12, 2022