

ORDINANCE NO. 1021 AC CMS

AN ORDINANCE PROHIBITING HUNTING AND TRAPPING
OF WILD BIRD AND WILD QUADRUPEDS WITHIN THE CITY
OF OBERLIN, OHIO

WHEREAS, the Council of the City of Oberlin deems it necessary to prohibit the hunting and trapping of wild birds and wild quadrupeds within the City of Oberlin, in order to insure the safety of the inhabitants of the City and to preserve wildlife.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Oberlin, Lorain County, Ohio, a majority of all members elected thereto concurring:

SECTION 1. That for the purposes of this Ordinance the terms "hunting", "trapping", "wild birds" and "wild quadrupeds" shall be defined as follows:

(A) "Hunting" shall mean the 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 whether such acts result in such killing or wounding or not. It shall further include every attempt to kill or wound and every act of assistance to any person in killing or wounding or attempting to kill or wound wild birds or wild quadrupeds.

(B) "Trapping" shall mean the securing or attempting to secure possession of a wild bird or wild quadruped by means of setting, placing, drawing, or using any device, excluding boxtraps that is designed to close upon, hold fast, confine or otherwise capture a wild bird or wild quadruped, whether such means result in such capturing or not. It shall further include every act of assistance to any other person in capturing wild birds or wild quadrupeds by means of such device whether such means result in such capturing or not.

(C) "Wild birds" shall mean game birds, including pheasants, quail, grouse, wild turkey, partridge, woodcocks, plover, snipe or jacksnipe, yellowlegs, rail, coots, gallinules, duck, geese, and brant and nongame birds including all other wildbirds not included and defined as game birds.

(D) "Wild quadrupeds" shall mean game quadrupeds including hares or rabbits, gray squirrels, black squirrels, fox squirrels, red squirrels, ground hogs or woodchucks, deer and bears and fur-bearing animals including minks, weasels, raccoons, skunks, opossums, muskrats and beavers.

SECTION 2. That no person shall either hunt or trap wildbirds or wild quadrupeds within the City limits of the City of Oberlin, Ohio.

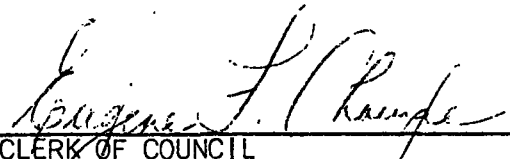
SECTION 3. That this ordinance shall not apply to the control and extermination of insects and household pests such as rats and mice; nor shall it apply to matters of public health and safety as may be determined by the City Manager and/or City Council; nor shall it apply where it is determined by the City Manager, City Council or State of Ohio, Division of Wildlife that there is an overabundance of a species of wild birds or wild quadrupeds in a specific geographical area within the City of Oberlin.


SECTION 4. Whoever violates the provisions of this ordinance shall be guilty of a minor misdemeanor for a first offense; for each subsequent offense such person shall be guilty of a misdemeanor in the fourth degree.

SECTION 5. This ordinance shall take effect from and after the earliest period provided by law.

PASSED: 1st reading - March 4, 1974
2nd reading - March 18, 1974
3rd reading - April 1, 1974 (Tabled)
April 22, 1974 (Amended - 3rd reading deferred until
May 6, 1974)

ATTEST: May 6, 1974 (passed)


CLERK OF COUNCIL


CHAIRMAN OF COUNCIL

POSTED: May 7, 1974