

ORDINANCE NO. 2007- 07

AN ORDINANCE AMENDING SECTION 505.11 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT ENTITLED "HUNTING PROHIBITED; EXCEPTED AREAS" TO CLARIFY THE PROHIBITION AND TO REMOVE THE EXCEPTION PREVIOUSLY INCLUDED.

WHEREAS, the hunting of animals or fowl within the City of Kent is prohibited; and

WHEREAS, the Kent City Council previously included an exception for some land that was to be annexed; and

WHEREAS, the anticipated annexation did not occur, and the City wishes to remove the exception.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1: That Council does hereby amend Section 505.11 of the Codified Ordinances of the City of Kent entitled "Hunting Prohibited; Excepted Areas"; a copy of which is marked Exhibit "A", attached hereto and incorporated herein.

SECTION 2. That any existing ordinances, or parts thereof, in conflict with this Ordinance are hereby repealed.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Kent.

SECTION 4. That this Ordinance shall take effect and be in force from and after the earliest date allowed by law.

PASSED: 01/17/07 _____
DATE MAYOR AND PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

I hereby certify that Ordinance No. 2007-07 was duly enacted on this 17 day of January, 2007 by the Council of the City of Kent, Ohio.

Clerk of Council

505.11. HUNTING PROHIBITED; EXCEPTED AREAS

- (A) The hunting of animals or fowl within the Municipality is prohibited. ~~except as provided in Section 505.11 (b) of the Kent Codified Ordinances. Except as stipulated in Section 505.11 (b), no~~
- (B) **No person shall hunt, kill, or attempt to kill any animal or fowl by the use of firearms or any other means, unless the person is performing a valid and authorized law enforcement function.**
- (C) **No person shall trap any game animal or fowl unless that person is a trapper, licensed by the state of Ohio, having expressed, written permission of the property owner, or is performing a valid and authorized law enforcement function.**

~~(B) The hunting of animals or fowl within any portion of the Municipality, which was annexed from Brimfield Township into the City of Kent after January 1, 1999, is permitted under the following conditions:~~

~~(1) All hunters are properly licensed as prescribed by Ohio law.~~

~~(2) The hunting activity takes place on a parcel of land greater than ten (10) acres in size.~~

~~(3) The parcel of land on which the hunting takes place is zoned either O-R: Open Space Recreation and/or R-1: Low Density Residential as specified under the Kent Zoning Code.~~

~~(4) The parcel of land does not contain more than one (1) dwelling unit per acre.~~

~~(5) The activity takes place at least five hundred (500) feet away from the main structure on the property and also neighboring properties, and at least two hundred and fifty (250) feet from the neighboring property lines.~~

~~(6) The hunter(s) have written permission from any adjoining property owner(s) in circumstances where ammunition or other form of projectiles from the weapon(s) being used may enter upon or over said adjoining property. Such written consent shall state with specificity the name of the person(s) discharging the weapons and the date(s) upon which the weapon may be discharged in such a manner.~~

(GD) Penalty

Whoever violates this ordinance is guilty of a minor misdemeanor. **If a violation of this ordinance results in death or serious injury to an animal, or injury to a person, the offender is guilty of a misdemeanor of the first degree.**