

LEGISLATIVE COMMITTEE MEETING

September 12, 2024

The Legislative Committee of Chardon City Council met on Thursday, September 12, 2024 at 5:00 PM in the Conference Room on the second floor of the Chardon Municipal Center.

Daniel Meleski, Chairman of Legislative Committee presiding.

Members of Legislative Committee present: Daniel Meleski, Heather Means.

Others present: City Manager Randy Sharpe, Community Development Administrator Steve Yaney, Clerk of Council Amy Day, Law Director Benjamin Chojnacki.

Mr. Meleski called the meeting to order at 5:00 PM.

APPROVAL OF MINUTES

Ms. Means moved and Mr. Meleski seconded to accept the minutes of the Legislative Committee from June 21, 2023 as written. Upon voice vote the motion passed unanimously.

Regarding citywide animal regulations, Community Development Administrator Steve Yaney, explained that in recent months, as hobbies of raising various animals have increased, staff has begun investigating complaints the City has received regarding various animals including chickens, bees, sheep and goats.

Mr. Meleski asked the nature of the complaints.

Mr. Yaney stated that the complaints are that chickens, sheep and goats are unsanitary and bees are stinging neighbors. He stated that the City's rules date back to the 1950s and are limiting. He stated that he has begun collecting regulations from various communities in the Chardon area, but they vary depending on the type of animal.

The question of grandfathering was raised.

Mr. Chojnacki stated that these offenses are not related to land uses, but rather property damage and bodily injury. He explained that the use would still be permitted; however, the

odor and where they are kept would be subject to the regulations. He stated that the City is trying to protect against various harms including smells, noise, and wandering animals, which is different than prohibiting the use.

Mr. Yaney began reviewing proposed rules for distance requirements from the property line for housing and run areas for poultry.

Discussion began about support animals and what documentation would be necessary.

Mr. Chojnacki stated that the City could require some documentary proof that an animal is recognized and designated as a support animal.

Mr. Chojnacki noted that he recommends that the regulations be included in the business regulations/general offenses section rather than the planning and zoning code. He added that the land use code is designed more to ensure that people use their land so as not to harm others. The general offenses section is designed to rectify harms that people have done to others already.

Discussion occurred regarding putting the regulations in the general offenses section, which would be handled through the Police Department.

Mr. Yaney stated that if violations go through his office, there are 30, 60 or 90 day provisions which would be too long to address a situation. He felt it would be better handled through the general offenses section.

Mr. Sharpe stated that the City's process to prohibit roosters has been successful.

Discussion occurred regarding the enclosures for chicken coops and the distance it has to be from neighbors.

Discussion occurred regarding regulations that need to be instituted about the type of animals that are permitted and the enclosures. Specifically for poultry, bees and livestock.

Discussion occurred regarding how to regulate bees.

Mr. Meleski stated that varying factors such as water sources and shrubbery may be necessary for proper habitat of the bees.

Ms. Means stated that she would investigate what is necessary to care for bees.

Mr. Chojnacki stated that after further consideration, there should be 2 sets of regulations: 1 related to offenses and a different section that offers some blanket rules in a different section of the zoning code.

The committee spoke in support of this approach.

Ms. Means suggested that pot-bellied pigs be added to the list of prohibited animals.

Mr. Meleski stated that he would like the law director to categorize the various animals that the City would like prohibited.

Ms. Means stated that free-ranging should be prohibited.

Mr. Chojnacki stated that the City already prohibits animals running at large.

Discussion occurred regarding the unknown information about how to contain bees and how many hives the City wants to permit.

Ms. Means asked if empty lots should be permitted to have animals on it.

Mr. Yaney stated that this could be addressed by requiring that animals could only be an accessory use.

Ms. Means asked about hunting, butchering and slaughtering of animals.

Mr. Meleski stated that hunting is already prohibited in the City.

Discussion occurred regarding documentation for emotional support animal.

Mr. Chojnacki summarized the committee's discussions which he will pursue for the next meeting: creating 2 different offenses including general and land uses, and addressing pot-bellied pigs, free ranging, bees, fences and shrubs, and accessory uses on vacant lots.

EXECUTIVE SESSION – none.

ANY OTHER BUSINESS – none.

ADJOURN

Ms. Means moved and Mr. Meleski seconded to adjourn.

The meeting adjourned at 6:05 PM.

Attest:

AMY DAY
Clerk of Council