ORDINANCE NO. 2026- 2224

AN ORDINANCE TO PROHIBIT AND PENALIZE NEGLIGENT, RECKLESS, AND INTENTIONAL BREEDING, SALE, AND TRANSFER OF COMPANION ANIMALS WITHIN THE CITY OF CAMPBELL, OHIO.

WHEREAS, the uncontrolled breeding of companion animals contributes to overpopulation, increased euthanasia rates, and strain on municipal resources; and,

WHEREAS, it is in the best interest of public health, animal welfare, and responsible pet ownership to regulate and prevent the negligent failure to spay and neuter animals; and,

WHEREAS, Owners shall take reasonable and responsible actions to prevent unintended breeding, including but not limited to secure confinement of animals in heat, preventing uncontrolled outdoor roaming, and utilizing available birth control method; and,

WHEREAS, the City finds it necessary to hold individuals accountable for allowing the uncontrolled reproduction of pets due to intentional breeding, or the reckless, neglect, or failure to take reasonable preventative measures.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAMPBELL, STATE OF OHIO:

SECTION 1. **PURPOSE AND INTENT**

The purpose of this section is to reduce irresponsible breeding practices, decrease animal overpopulation, reduce the burden on animal shelters and rescues, protect public health and safety, and promote responsible ownership of companion animals within the City of Campbell. This section is intended to prohibit negligent, reckless, knowing, or intentional conduct that results in the reproduction of companion animals, while not criminalizing the mere ownership of an unaltered animal.

SECTION 2. **DEFINITIONS**

For purposes of this section

(1) Companion Animal: "Companion animal" any animal kept for companionship or as a pet, including but not limited to dog, cats, rabbits, ferrets, birds, reptiles, fowl, wildlife or other animal.
(2) Offspring: Any live-born offspring produced by a companion animal.
(3) Unaltered Animal: Any companion animal that has not been spayed or neutered.
(4) Reasonable Measures: Actions reasonably calculated to prevent reproduction, including but not limited to:

- Keeping animals securely confined;
- Separating animals in heat from unaltered animals of the opposite sex;
- Preventing roaming/running at large;
- Preventing unsupervised contact between unaltered animals;
- Compliance with all leash, confinement, nuisance, and anti-tethering ordinances;
- Timely scheduling and obtaining sterilization when reproduction becomes foreseeable.

(5) Negligently: A person acts negligently when, when the person fails to exercise reasonable care to prevent reproduction of an unaltered animal.
(6) Recklessly: A person acts recklessly when the person is aware of, but disregards, a substantial risk that reproduction will occur.
(7) Knowingly: A person acts knowingly when the person is aware that their conduct will probably cause reproduction or the birth of offspring.
(8) Intentionally: A person acts intentionally when reproduction is the person's conscious objective or purpose.

SECTION 3. **PROHIBITED ACTS**

(1) Negligent or Reckless Reproduction

No owner, keeper, harborer, or person having custody or control of an unaltered companion animal shall negligently or recklessly fail to take reasonable measures to prevent reproduction resulting in offspring.

Proof that the owner intended the reproduction shall not be required for a violation of this subsection.

Good intentions, financial hardship, inability to obtain an immediate veterinary appointment, or claims that sterilization was planned for the future shall not alone constitute a defense where reproduction could reasonably have been prevented through temporary confinement, separation, supervision, or other reasonable measures.

(2) Knowing or Intentional Breeding

No person shall knowingly or intentionally breed, cause, permit, facilitate, or allow the breeding of companion animals within the City except as otherwise authorized by law.

Evidence of advertising, repeated litters, transfer of offspring, collection of fees, possession of multiple breeding-age unaltered animals, or statements indicating planned reproduction may be considered evidence of intentional or knowing breeding.

(3) Transfer or Sale of Offspring

No person shall sell, offer for sale, barter, advertise, transfer, distribute, or give away offspring resulting from a violation of this section.

(4) Failure to Prevent Repeated Litters

The existence of more than one litter from the same owner, keeper, or residence within a five (5) year period shall constitute prima facie evidence of reckless or intentional conduct.

SECTION 4. **PRESUMPTION OF BREEDING WITHIN THE CITY**

Possession, harboring, advertising, transfer, sale, or distribution of offspring under twelve (12) weeks of age within the City shall create a rebuttable presumption that the breeding occurred within the City of Campbell unless the owner provides credible documentation establishing otherwise.

Acceptable documentation may include veterinary records, breeder records, transfer records, adoption paperwork, licensing records, travel documentation, or other reliable evidence establishing the offspring were born outside the City.

SECTION 5. **RELATIONSHIP TO OTHER ORDINANCES**

A violation of this section may be charged in addition to any other applicable federal, state, or municipal offense, including but not limited to:

- Animal cruelty;
- Neglect of animals;
- Running at large;
- Failure to confine;
- Nuisance violations;
- Unsanitary conditions;
- Failure to license;
- Failure to vaccinate;
- Tethering violations;
- Zoning violations;
- Public health violations.

SECTION 6. **EXEMPTIONS**

This section shall not apply to:

(1) Licensed veterinarians acting within the scope of professional duties;

(2) Government-operated animal shelters or licensed humane societies;

(3) Temporary possession of foster animals for rescue organizations, provided the person did not cause or permit the breeding;

(4) Law enforcement canine programs;

(5) Accidental veterinary failures of sterilization procedures, provided reasonable measures were otherwise taken;

(6) 501 (c) 3 animal rescues.

SECTION 7**. PENALTIES**

(1) Negligent Reproduction

A violation involving negligent conduct shall be a misdemeanor of the fourth degree for a first offense. If the offender previously was convicted of or pleaded guilty to a violation of this section within the previous five (5) years, the penalty shall increase as follows:

- Second offense – misdemeanor of the third degree;
- Third offense – misdemeanor of the second degree;
- Fourth or subsequent offense – misdemeanor of the first degree.

(2) Reckless Reproduction

A violation involving reckless conduct shall be a misdemeanor of the third degree for a first offense. If the offender previously was convicted of or pleaded guilty to a violation of this section within the previous five (5) years, the penalty shall increase as follows:

- Second offense – misdemeanor of the second degree;
- Third or subsequent offense – misdemeanor of the first degree.

(3) Knowing or Intentional Breeding

A violation involving knowing or intentional breeding shall be a misdemeanor of the first degree. Each separate litter shall constitute a separate offense.

(4) Court Orders

In addition to any criminal penalties, the Court may order:

- Mandatory sterilization of animals involved;
- Prohibition on owning or harboring unaltered animals for a specified period;
- Forfeiture where authorized by law;
- Restitution for animal care expenses;
- Compliance inspections as permitted by law.

SECTION 8. **SEPARATE OFFENSES**

Each litter, each transfer or sale, and each animal involved may constitute a separate offense.

SECTION 9. **SEVERABILITY**

If any provision of this ordinance is held invalid, the remaining provisions shall remain in full force and effect.

SECTION 10. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS 17 **DAY OF** June **2026.**

GEORGE LEVENDIS, COUNCIL PRESIDENT

ATTEST:

DINA HAMILTON, CLERK OF COUNCIL

ORDINANCE SPONSOR:
COUNCIL PRESIDENT LEVENDIS

APPROVED:

BILL VALENTINO, MAYOR

FILED WITH THE MAYOR: 6-17-26
APPROVED BY THE MAYOR: 6-17-26

APPROVED AS TO FORM:

LAMPRINI MATHEWS, DIRECTOR OF LAW

I, Dina Hamilton, Clerk of Council of the City of Campbell, County of Mahoning and State of Ohio, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 2026-2224, passed in Council on the 17th day of June 2026, and now on file in the files of my office.

CLERK OF COUNCIL

APPROVED:

BILL VALENTINO, MAYOR

ORDINANCE SPONSOR:
MAYOR BILL VALENTINO

FILED WITH THE MAYOR: 6-17-20
APPROVED BY THE MAYOR: 6-17-20

APPROVED AS TO FORM:

LAMPRINI MATHEWS, DIRECTOR OF LAW

I, Dina Hamilton, Clerk of Council of the City of Campbell, County of Mahoning and State of Ohio, do hereby certify that the foregoing ORDINANCE is a true and correct copy of ORDINANCE No. 2020-2223, passed in Council on the 17th day of JUNE 2020, and now on file in the files of my office.

CLERK OF COUNCIL