

CITY OF SPRINGDALE HEALTH DEPARTMENT
"HAVE A HEART" ANIMAL TRAP
RELEASE AND WAIVER OF LIABILITY

I, _____, owner/agent of property located at _____, seek permission to borrow a "Have a Heart" animal trap from the Springdale Health Department to trap and remove animal(s) from my property. I understand that there may be certain risks associated with my use of the trap and I agree to assume all those risks. I accept responsibility for the trap while it is on my property and in my possession. I promise to return the trap to the Springdale Health Department within one (1) week of the date below in the same condition and shape as when I first gained possession.

In consideration of my application and permitting me to use the animal trap, I do hereby waive, release and discharge the City of Springdale, its employees, officials and agents, from any and all claims of whatever kind, which may directly or indirectly arise out of or in connection with my use of the animal trap. I hereby agree to accept any and all risk of personal injury, illness, death or property damage that may result, and verify this statement by placing my signature below. Furthermore, I fully understand that the City of Springdale, its employees, officials or agents shall share no responsibility (legal, liability or otherwise), if an injury or property damage shall occur as a result of the "Have a Heart" trap being in my possession. I hereby release and Hold Harmless the City of Springdale, its employees, officials and/or agents from any such claims of responsibility.

In addition, I have been provided with a copy of the State of Ohio Nuisance Wild Animal Regulations 1501.31-15-03. These regulations provide important information and guidelines that must be adhered to when attempting to capture a wild animal in the State of Ohio. For instance, the law requires the following animals, if captured, shall be euthanized or released on site:

raccoon, skunk, opossum, beaver, coyote or fox. I further agree to abide by and adhere to these regulations, if I am successful in capturing and containing any wild animals with the "Have a Heart" trap.

I recognized and understand that in order to treat captured animals in a humane manner, food and water must be provided to animals which may be kept in captivity from 8 to 24 hours (maximum allowable holding time). The cage must be place out of direct sunlight while containing a captive animal.

By signing below, I acknowledge that I have read and understand this Release and Waiver of Liability and agree to its provisions.

Signature

Date

Telephone Number

1501:31-15-03 Nuisance wild animal regulations.

(A) Landowners and tenants:

It shall be lawful for any person to trap live, non-migratory animals, except white-tailed deer, black bear, or wild turkey when such animals have become a nuisance. Such trapping shall be in accordance with the following provisions:

(1) It shall be unlawful for any person to set or use a trap to capture wild animals, unless such trap has attached thereto a durable waterproof tag bearing the name and mailing address of the user in english letters legible at all times, or which has the name and mailing address of the user stamped into such trap in english letters legible at all times.

(2) It shall be unlawful for any person to possess such live-trapped animals longer than twenty-four hours from the time of capture.

(3) It shall be unlawful for any person to live-trap animals on the lands of another without first obtaining written permission from the owner or his authorized agent.

(4) Every person who live-traps a wild animal shall release such animal outside the limits of any incorporated village or city. Animals shall not be released on public or private property without the permission of the landowner. Provided further, raccoon, skunk, opossum, beaver, coyote, or fox shall be euthanized or released on site.

(5) It shall be unlawful for any person to sell, use, or give to another person, any animal trapped for removal in accordance with this rule.

(6) Any person who traps a wild animal in accordance with paragraph (A) of this rule, shall not charge a fee or receive compensation.

(B) Nuisance trapping permit holders:

Notwithstanding any other provision in this rule, it shall be lawful for any person applying for and receiving a nuisance wild animal trapping permit, and any person acting under the authority of a nuisance wild animal trapping permit, and possessing an Ohio hunting license and valid Ohio furtakers permit to trap wild animals except, white-tailed deer, wild turkey, black bear, and waterfowl. Such trapping shall be in accordance with the following provisions:

(1) Wild animals trapped or captured under authority of a nuisance wild animal trapping permit may be accumulated for not more than ten days.

(2) Injured wild animals trapped or captured under the authority of a nuisance wild animal trapping permit may be killed subject to approval of the representative of the division of wildlife.

(3) A division of wildlife representative approving a nuisance wild animal trapping permit may include specific stipulations on the permit under which wild animals may be trapped or captured. It shall be unlawful for any person to violate any stipulation set forth on their permit. A violation of any permit stipulation is a violation of this rule and such permit is then subject to revocation by the chief of the division of wildlife.

(4) Wild animals which are causing damage and which cannot be live-trapped because of certain conditions may be killed by licensed nuisance wild animal trappers or other persons only after such trappers or other persons apply for and receive written permission from the chief of the division of wildlife or his designee.

(5) It shall be unlawful to use a body gripping trap with a jaw spread greater than seven inches by seven inches in a building. Provided further, it shall be unlawful to set or maintain any trap outside of a building which does not comply with rule 1501:31-15-09 of the Administrative Code.

(6) It shall be unlawful for a non-resident to trap nuisance wild animals if residents of Ohio may not trap nuisance wild animals in their state.

(7) It shall be lawful to set, use, and maintain snares to trap nuisance wild animals.

(8) Unless otherwise stated in this chapter, all wild animals trapped under the authority of the nuisance wild animal trapping permit shall be released outside the limits of any incorporated city or village. Animals shall not be released on public or private property without the permission of the landowner. Except any raccoon, skunk, beaver, coyote, fox, or opossum that is trapped or taken shall be euthanized, or released on site.

(C) Nuisance white-tailed deer, black bear, and wild turkey:

(1) White-tailed deer, black bear, and wild turkey, which are causing damage or have become a nuisance may be captured or killed by licensed nuisance wild animal trappers or other persons, only after such trappers or other persons have received written permission from the chief of the division of wildlife or his designee.

(2) The division of wildlife representative approving a permit for a nuisance wild animal trapper or other person to take, trap or capture white-tailed deer, black bear, or wild turkey may include specific stipulations on that permit under which white-tailed deer, black bear, or wild turkey may be captured or killed. It shall be unlawful for any person to violate any stipulation set forth on their permit. A violation of any permit stipulation is a violation of this rule and such permit is then subject to revocation by the chief of the division of wildlife or his designee.

(3) All white-tailed deer immobilized with chemicals or drugs shall be euthanized, or released upon approval of the chief, or his designee.

(D) Nuisance Canada geese:

(1) Canada geese which are causing damage or have become a nuisance may be captured or taken by licensed nuisance wild animal trappers, landowners, or agents of the landowner, only after such landowner where the damage or nuisance is occurring has received a goose damage permit from the chief of the division of wildlife or his designee.

(2) The division of wildlife representative approving a goose damage permit for a landowner may include specific stipulations on the permit under which waterfowl may be trapped, captured, or taken. It shall be unlawful for any person to violate any stipulation set forth on their permit. A violation of any permit stipulation is a violation of this rule, and such permit is the subject to revocation by the chief or his designee.

(E) Persons possessing a nuisance wild animal trapping permit may charge a fee for removal of nuisance wild animals. It shall be unlawful for any nuisance wild animal trapper to sell any wild animals that he/she traps. Except, the nuisance wild animal trapper may sell the carcass of raccoon, opossum, beaver, and muskrat at any time. Hides of furbearers acquired during the open season under the nuisance wild animal trapping permit may be sold only during open season for furbearing animals.

(F) Notwithstanding any other provision in this rule, it shall be lawful for persons to harass nuisance waterfowl, destroy nests, and render eggs unviable, after authorization is given by the chief of the division of wildlife, or his designee in a manner approved by the chief.

(G) It shall be lawful for a landowner, his agent or tenant to trap or take raccoons, opossums, coyote, fox and skunk which are causing damage, are a nuisance, or are sick in accordance with paragraphs (A) and (B) of this rule. Any raccoon, opossums, coyote, fox or skunk which is trapped or taken shall be euthanized within twenty-four hours. Provided further, it shall be unlawful to take raccoon, opossums, coyote, fox or skunk with the use of dogs during closed season.

(H) All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.

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Rule Amplifies: 1531.08

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