

Local Municipality Codes

Ann Arbor City

Chapter 107 - ANIMALS ^[40]

⁽⁴⁰⁾ **Editor's note**— Ord. No. 4-76, adopted March 29, 1976, amended Ch. 107 in its entirety to read as herein set out.

9:35. - Cruelty to animals.

No person shall torture, torment, cruelly beat, cruelly kill or otherwise inflict cruelty upon any animal or bird.

(Ord. No. 63-79, 12-17-79)

9:36. - Poisoning animals.

No person shall throw or deposit any poisonous substance on any exposed public or private place where it endangers, or is likely to endanger, any animal or bird, except rats or mice.

9:37. - Birds and birds' nests.

No person shall molest, injure, kill or capture any wild bird, or molest or disturb any occupied wild bird's nest or the contents thereof.

9:38. - Domestic animals and fowl.

(1) No person shall keep or house any animals or domestic fowl within the City except dogs, cats, rabbits, canaries or small animals commonly classified as pets which are customarily kept or housed inside dwellings as household pets.

(2) Subsection (1) shall not apply to animals or fowl that are kept or housed at city park facilities for exhibition.

(3) Subsection (1) shall not apply to the keeping of chickens in compliance with all requirements of Section 9:42.

(4) Nothing in this Chapter shall prohibit the City or a third party from bringing a nuisance action based on the keeping of animals.

(Ord. No. 29-85, 8-5-85; Ord. No. 16-88, § 1, 4-18-88; Ord. No. 08-19, § 1, 6-2-08, eff. 8-7-08)

9:39. - Bees.

No person shall keep or possess an apiary containing more than 2 stands or hives of bees within the City of Ann Arbor.

9:40. - Traps.

No person shall use a leghold trap within the City.

9:41. - Injured animals.

No person who has injured or killed a dog or cat with a motor vehicle shall fail to, as soon as possible, stop said vehicle and notify either the police or the owner of the animal.

9:42. - Keeping of chickens.

(1) Any person who keeps chickens in the City of Ann Arbor shall obtain a permit from the City prior to acquiring the chickens. No permit shall be issued to a person, by the City, and no chickens shall be allowed to be kept unless the owners of all residentially zoned adjacent properties (as defined below in subsection (3)j.) consent in writing to the permit and this consent is presented along with an application for a permit. Written statements waiving the distance requirement in subsection (3) below shall also be submitted at the time of application and become a part of the permit if issued. Application shall be made to the City Clerk and the fee for the permit shall be as determined by Council resolution.

Permits expire and become invalid 5 years after the date of issuance. A person who wishes to continue keeping chickens shall have obtained a new permit on or before the expiration date of the previous permit. Application for a new permit shall be pursuant to the procedures and requirements that are applicable at the time the person applies for a new permit.

(2) Notwithstanding the issuance of a permit by the City, private restrictions on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, neighborhood association by-laws, and covenant deeds. A permit issued to a person whose property is subject to private restrictions that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

(3) A person who keeps or houses chickens on his or her property shall comply with all of the following requirements:

- a. Have been issued the permit required under subsection (1) of this section.
- b. Keep no more than 4 chickens.
- c. The principal use of the person's property is for a single-family dwelling or two-family dwelling.
- d. No person shall keep any rooster.
- e. No person shall slaughter any chickens.
- f. The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times. Fenced enclosures are subject to all provisions of Chapter 104 (Fences).
- g. A person shall not keep chickens in any location on the property other than in the backyard. For purposes of this section, "backyard" means that portion of a lot enclosed by the property's rear lot line and the side lot lines to the points where the side lot lines intersect with an imaginary line established by the rear of the single-family or two-family structure and extending to the side lot lines.
- h. No covered enclosure or fenced enclosure shall be located closer than 10 feet to any property line of an adjacent property;
- i. All enclosures for the keeping of chickens shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure. A covered enclosure or fenced enclosure shall not be located closer than 40 feet to any residential structure on an adjacent property provided, however, this requirement can be waived as follows:

(i) If the principal use of applicant's property is for a single-family dwelling, to obtain such a waiver the applicant shall present at the time of applying for a permit the written statements of all adjacent landowners that there is no objection to the issuance of the permit.

(ii) If the principal use of the applicant's property is for a two-family dwelling, to obtain such a waiver the applicant shall present at the time of applying for a permit the written statements of all adjacent landowners and of the occupants of the other dwelling stating that there is no objection to the issuance of the permit.

j. For purposes of this section, adjacent property means all parcels of property that the applicant's property comes into contact with at 1 or more points, except for parcels that are legally adjacent to but are in fact separated from the applicant's property by a public or private street.

k. All enclosures for the keeping of chickens shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure.

l. All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with or infected by rats, mice, or other rodents shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with them.

m. If the above requirements are not complied with, the City may revoke any permit granted under this section and/or initiate prosecution for a civil infraction violation.

(4) A person who has been issued a permit shall submit it for examination upon demand by any Police Officer or Code Enforcement Officer.

(Ord. No. 08-19, § 2, 6-2-08, eff. 8-7-08)

9:43, 9:44. - Reserved.

9:45. - Definitions.

For the purpose of this chapter, the following terms shall have the following meanings respectively designated for each:

(1) *Animal Control Officer.* Any City Police Officer or such other persons as the administrator may designate provided that such persons meet the qualifications specified by Act 339, Public Acts of 1919, as amended.

(2) *Dangerous animal.* An animal which has bitten a person so as to draw blood or caused a person broken bones or which has repeatedly attacked, chased or menaced any person or damaged the property (including animals) of persons other than the owner. An animal shall not be considered dangerous solely because it has bitten or attacked a person or any animal attacking its owner or its owner's family nor shall an animal be considered dangerous if it bites or injures a person who has, without justification, provoked it by attacking it or its young.

(3) *Dog play area regulation.* A regulation that provides rules and requirements for the use of designated dog play areas by dogs and dog owners. The Community Services Administrator or designee may make and issue dog play area regulations, which shall be effective upon approval by City Council and filing with the City Clerk.

(4) *Noise nuisance.* Barking, howling, meowing, squawking or making other sounds, frequently or for a continued duration, which annoys, endangers, injures or disturbs a person of normal sensitivities on premises other than that occupied by the owner of the animal. After 10:00 p.m. and before 7:00 a.m., animal noises audible beyond the property line of the property where the animal is located are presumed to be an annoyance and disturbance and are presumed to constitute a noise nuisance.

(5) *Sanitation nuisance.* Unsanitary conditions resulting from animal droppings, food waste, debris, or any other thing to cause vermin infestation, odors, or disease hazards.

(6) *Own.* To have possession or a right of property in an animal or to permit a dog or cat to remain on or about one's premises 5 days or more.

(7) *Under reasonable control.* A dog which is:

(a) Secured by a leash held by the owner or the owner's agent;

(b) Secured by a leash which is attached to a stationary object and attended by the owner or the owner's agent; or

(c) On the premises of the owner or confined in a vehicle.

(d) On the premises of a dog play area as designated by the Community Services Area Administrator or designee and upon approval by City Council.

(8) *Vicious animal.* An animal which:

(a) Has killed a person or caused a person serious bodily injury, including, but not limited to, injuries resulting in hospital confinement or reconstructive surgery.

(b) Is owned, possessed, harbored or trained for the purpose of animal fighting.

(c) Repeatedly bites or in any way injures people.

(Ord. No. 59-88, § 1, 12-19-88; Ord. No. 25-93, § 1, 8-16-93; Ord. No. 16-07, § 1, 6-18-07; Ord. No. 27-07, § 1, 8-6-07; Ord. No. 08-19, § 3, 6-2-08, eff. 8-7-08)

9:46. - Dog licenses.

(1) The City Clerk shall issue dog licenses and tags to City residents who:

(a) Make application for such licenses on forms provided by the Clerk;

(b) Pay the City a license fee of \$14.00 for 2 years effective July 1, 2005 and thereafter as established by resolution of City Council; and

(c) Present valid certification of rabies vaccination of the dog to be licensed.

(2) All dog licenses shall expire on June 30 of the second year following issuance of the license.

(3) The City Clerk is authorized to establish procedures for issuing licenses through a humane society, veterinarians and by mail and for issuing licenses tags containing the name and address of the dog owner.

(Ord. No. 59-88, § 1, 12-19-88; Ord. No. 25-93, § 1, 8-16-93; Ord. No. 16-03, § 5, 5-19-03; Ord. No. 20-04, § 3, 6-21-04; Ord. No. 18-05, § 3, 5-16-05)

9:47. - Violations.

The owner of any dog or other animal shall be guilty of a violation of the chapter if:

(1) The dog is at any time not under reasonable control;

(2) The animal causes a noise nuisance;

(3) The animal causes a sanitation nuisance;

- (4) The dog is over 6 months old and is not currently licensed or is not wearing a license tag issued pursuant to this chapter;
- (5) The dog (except leader dogs for the blind) discharges its feces on property other than that of its owner and the owner does not immediately remove such feces;
- (6) The dog or dog-owner is in violation of any dog play area regulation.
- (7) The animal is vicious;
- (8) The dog is at a location other than as specified in a confinement order issued pursuant to this chapter;
- (9) The animal has symptoms of rabies or has bitten or been bitten by another animal showing symptoms of rabies and the owner fails to notify an Animal Control Officer of that fact;
- (10) The owner fails to comply with all the terms of a confinement order;
- (11) The dog has been impounded and disposed of or sold pursuant to section 9:49(4) and the owner acquires another dog within 1 year of said impoundment;
- (12) The owner of a cat older than 6 months fails to have it at all times immunized against rabies;
- (13) The owner fails to provide the animal with proper food, drink or shelter from the weather;
- (14) The owner fails to provide the animal with medical attention necessary to prevent the animal from suffering;
- (15) The owner confines or leaves the animal in a vehicle or other enclosure without adequate ventilation to prevent the animal from suffering;
- (16) A dangerous dog, when kept out of doors, is not in a pen or kennel sufficient to restrain the dog and surrounded by a perimeter fence not sharing common fencing with the pen or kennel;
- (17) The animal, other than a dog, is dangerous and is not kept indoors;
- (18) The person is convicted of owning a vicious dog and then acquires another dog within 2 years of the date of the conviction.

(Ord. No. 63-79, 12-17-79; Ord. No. 59-88, § 2, 12-19-88; Ord. No. 25-93, § 2, 8-16-93; Ord. No. 16-07, § 2, 6-18-07; Ord. No. 27-07, § 2, 8-6-07)

9:48. - Authority of Animal Control Officer.

An Animal Control Officer shall have authority to:

- (1) Impound any dog not under reasonable control;
- (2) Impound any dog which has bitten a person;
- (3) Impound any dangerous animal;
- (4) Humanely kill any domestic or wild animal when such action is needed to protect persons or property or to prevent suffering by the animal;
- (5) Impound any unlicensed dog;
- (6) Impound any animal causing a noise nuisance;

- (7) Impound any animal causing a sanitation nuisance;
- (8) Impound any animal showing symptoms of rabies or which has bitten or been bitten by another animal showing symptoms of rabies.

(Ord. No. 25-93, § 3, 8-16-93)

9:49. - Impounding and release procedures.

(1) Animals impounded pursuant to this chapter shall be confined at a City pound or at such animal shelter or veterinary hospitals which arrange with the City to perform confinement and release procedures established by this chapter.

Council by resolution shall designate an agency which shall provide impounded animals with a safe and sanitary environment and also which shall provide adequate water and wholesome food during the period of impoundment.

(2) Animals impounded for biting a person or because they are suspected of having rabies shall be confined for 10 days to determine whether or not they have rabies.

(3) Animals impounded pursuant to this chapter may be released to the owners, after any required confinement period, upon the following conditions:

- (a) Payment to the City of a fee of \$65.00 or as established by Council resolution.
- (b) Payment of a boarding fee of \$4.00 on the first day or fractional day and \$3.00 for each subsequent day or fractional day or such other fees as Council may establish by resolution;
- (c) Presentation of proof that the animal has been inoculated and licensed if such is required by this chapter.

(4) If the owner of an animal does not obtain its release within 4 days of the time it was impounded or of the end of a rabies confinement, it may be disposed of or sold. If such animal has a license or other indication of the name and address of the owner, the disposal or sale may occur only after 7 days from the time the owner is notified of the impoundment.

(Ord. No. 70-80, 11-3-80; Ord. No. 17-02, § 1, 5-20-02)

Editor's note— It should be noted that the provisions of Ord. No. 17-02 become effective July 1, 2002.

9:50. - Alternative confinement.

(1) Where this chapter provides that an animal be impounded and confined for rabies examination, an Animal Control Officer may issue a confinement order on the following terms:

- (a) The owner shall securely confine the animal for 10 days at the owner's premises or at a veterinary hospital as specified in the order;
- (b) If confined at the owner's premises, the animal shall be kept within the dwelling, or, when outside, be securely chained of a length to keep the animal at least 5 feet away from any street, sidewalk or property line;
- (c) The owner shall pay the City a \$30.00 inspection fee or an amount as established by Council resolution;
- (d) If the animal dies, its remains shall be examined by a veterinarian and the report of said examination presented to the Animal Control Officer.

(2) Such an order for alternative confinement may be issued on the sole discretion of the Animal

Control Officer upon finding that:

- (a) The owner is willing to comply with the terms of the order;
- (b) The owner has the means to comply with the order;
- (c) The public will not be endangered by such alternative confinement;
- (d) The animal is not vicious;
- (e) The animal has not previously been the subject of an order for alternative confinement.

(Ord. No. 59-88, § 3, 12-19-88; Ord. No. 18-02, § 1, 5-20-02)

Editor's note— It should be noted that the provisions of Ord. No. 18-02 become effective July 1, 2002.

9:51. - Interference with animal control officer.

No person shall willfully interfere with an Animal Control Officer who is attempting to perform the functions specified by this chapter.

9:52. - Penalty.

Violation of this chapter shall be punished by a fine of not less than \$25.00 nor more than \$500.00. For the second and subsequent violations of this chapter within a 2-year period, the fine shall not be less than \$50.00 nor more than \$500.00. In addition, violation of section 9:35 and subsection 9:47()(7) may be punished by imprisonment for up to 90 days. However, violation of 9:47(1), (2), (3), (4) and (5) shall be punishable by only a civil fine of not less than \$25.00 nor more than \$500.00 for a first offense and for a second offense not less than \$50.00 nor more than \$500.00.

(Ord. No. 70-80, 11-3-80; Ord. No. 59-88, § 4, 12-19-88; Ord. No. 60-92, § 1, 9-8-92; Ord. No. 25-93, § 4, 8-16-93; Ord. No. 08-19, § 4, 6-2-08, eff. 8-7-08)

9:53. - Permit.

Sections 9:36 and 9:37 shall not apply to actions taken pursuant to a permit issued by the city administrator for the control or eradication of animals or birds that are causing property damage or are creating a nuisance or health hazard. No such permit shall be issued unless a permit for the actions has been issued by the Michigan Department of Natural Resources under the authority of 1929 PA 286, being MCLA 311.1 et seq.

(Ord. No. 5-81, 2-2-81)

9:54—9:60. - Reserved.

ARTICLE II. - DOGS ^[10]

⁽¹⁰⁾ **State Law reference**— Dog law, MCL 287.261 et seq.

Sec. 4-23. - Running at large.

It shall be unlawful for any person owning, possessing, or harboring any dog to permit the same to go or stray beyond the premises of such person, or to run at large within the limits of the city. Dogs on leash, or accompanied by their owners, or custodian having reasonable control over such dogs, shall not be deemed to be running at large.

(Ord. No. 56, § 204.001, 11-4-1956; Ord. No. 56A, 2-3-1992)

Sec. 4-24. - Removal of feces.

It shall be unlawful to allow any dog to discharge its feces on property other than that of its owner unless the owner immediately removes such feces. Owners of leader, guide, hearing and service dogs are exempt from the provisions of this section.

(Ord. No. 56, § 204.001, 11-4-1956; Ord. No. 56A, 2-3-1992)

Sec. 4-25. - Barking, yelping, growling; nuisance.

No person shall harbor or keep any dog which by loud, frequent or habitual barking, yelping, growling or howling shall constitute a serious annoyance to any of the inhabitants of the city. The harboring, or keeping of such a dog shall be deemed to be maintaining a nuisance and may be punished as set forth in section 4-32.

(Ord. No. 56, § 204.002, 11-4-1956)

Sec. 4-26. - Dangerous dogs.

No person shall possess, harbor, or have charge of, any dog known to be of ugly disposition, or dangerous to persons or property.

(Ord. No. 56, § 204.003, 11-4-1956)

State law reference— Dangerous animals, MCL 287.321 et seq.

Sec. 4-27. - Destruction of property.

No person shall possess, harbor, or have charge of, any dog that by destruction of property of others, or trespassing on the property of others, shall become a nuisance to others.

(Ord. No. 56, § 204.004, 11-4-1956)

State law reference— Common law liability for dogs, MCL 287.288.

Sec. 4-28. - Rabies treatment.

No person shall harbor or keep a dog that has been bitten by animals known or suspected to have been afflicted with rabies, unless said dog has received the prescribed treatment for the prevention of rabies.

(Ord. No. 56, § 204.005, 11-4-1956)

State law reference— Rabies control, MCL 333.5111.

Sec. 4-29. - Owner.

Every person in possession of any dog, or who shall suffer such dog to remain about his premises for a period of three days shall be deemed the owner thereof.

(Ord. No. 56, § 204.006, 11-4-1956)

Sec. 4-30. - Duty of police officers.

It shall be the duty of the city police officers to investigate all complaints relating to the violation of any provisions of this article and to enforce all provisions hereof.

(Ord. No. 56, § 204.007, 11-4-1956)

Sec. 4-31. - Impoundment.

Any member of the city police force is hereby authorized to seize and impound any dog found running at large in violation of the provisions of this article and deliver the dog to the county humane society.

(Ord. No. 56, § 204.008, 11-4-1956)

Sec. 4-32. - Violation a municipal civil infraction.

Any person or persons violating any of the provisions of this article shall be guilty of a municipal civil infraction.

(Ord. No. 56, § 204.009, 11-4-1956)

Sec. 4-33. - Ordinance supplementary to state law.

It is not the intention that this article supersede the provisions of Public Act No. 339 of 1919 (MCL 287.261 et seq.), but shall be construed to be supplementary thereto.

(Ord. No. 56, § 204.010, 11-4-1956)

ARTICLE IV. - ANIMALS

Sec. 13-80.- Animals generally.

Animal means any living reptile or mammal, and shall include, but not be limited to; pigs, cows, cats, dogs, sheep, goats, chickens, ducks, rabbits, ponies, horses, snakes, livestock and fowl.

Keeping of certain animals is restricted.

(1) The keeping of any hogs or swine, cows, horses, goats, ducks, geese, doves, pigeons, chickens or other livestock or fowl within the limits of the city is declared to be a nuisance and is prohibited.

(2) The keeping of all poisonous reptiles is prohibited. The keeping or sale of all wild or exotic reptiles or animals is prohibited, unless applicable state and/or federal licenses are obtained.

(Ord. No. 2003-01, § 2, 2-24-03)

Sec. 13-81.- Animals generally.

(a) No person shall cruelly treat or abuse any animal or bird.

(b) No person shall throw or deposit any poisonous substance in any exposed public or private place where it endangers or is likely to endanger, any animal or bird.

(c) No person, except a police officer acting in his official capacity, shall molest, injure, kill or capture any wild bird, or molest or disturb any wild bird's nest or the contents thereof.

(d) No person shall ride, drive or lead any horse, pony, donkey, or mule other than in the traveled roadway of streets and public ways except when upon privately owned property with the consent of the owner.

(Ord. No. C.O. 82-9, § 1, 10-12-82)

Sec. 13-82.- Dogs and cats—misdemeanor violations.

(a) It is deemed by the City of Milan the ownership of a dog and/or cat is a privilege which carries with it responsibilities to the city and its residents with regard to the care and custody of said dog and/or cat.

(b) For the purposes of this article, the following definitions shall apply, and the word "shall" is always mandatory and not merely directory:

(1) The word "owner" shall include every person having a right to property in the dog and/or cat in question, every person who keeps or harbors such dog and/or cat or has it in his or her care, and every person who permits such dog and/or cat to remain in or about the premises occupied by him or her. For the purposes of this act, any person keeping or harboring any animal for seven (7) consecutive days shall be deemed the owner thereof within the meaning of this chapter.

(2) "Reasonable control" shall mean keeping a dog and/or cat on suitable leash or within sight of and under the oral control of the owner or some other person with the permission of the owner in all cases other than while upon private property of the owner, or unless the dog and/or cat is confined in a closed automobile or shopping receptacle.

(3) A dog and/or cat shall be deemed to be "unconfined" anytime it shall be outside a building, fence or enclosure of its owner.

(c) It shall constitute a misdemeanor for the owner of any dog and/or cat four (4) months of age or over, if the dog and/or cat is in violation of any of the following restrictions:

(1) No dog and/or cat shall be unconfined unless under reasonable control as herein defined.

(2) No dog shall be unconfined at any time unless licensed as required by law and unless wearing its license tag and evidencing rabies immunization.

(3) No female dog and/or cat shall be beyond the premises of such owner when the dog and/or cat is in heat.

(4) No vicious dog and/or cat shall be unconfined unless securely muzzled and led by a leash. Any dog and/or cat shall be deemed vicious which has bitten a person or domestic animal without molestation, or, which by its actions, gives indications that it is liable to bite any person or domestic animal without molestation.

(5) A dog/cat shall be deemed to be not under control when it shall defecate on any private or public property and its owner, agent or some member of his family shall fail to immediately clean up the area defecated upon by removing such waste material from the private or public property.

Upon conviction for violation of any of the provisions of this section, the violator shall be punishable by a fine not to exceed five hundred dollars (\$500.00,) imprisonment in the county jail for a period not to exceed ninety (90) days, or both, plus the costs of prosecution.

(d) Any dog or cat that is found at large within the city and which is in violation of any of the prohibitions enumerated in subsection (c) of this section may be seized and impounded by the dog warden or by any police officer of the city, and subject to the provisions of Public Act 114 of 1926, as amended.

(Ord. No. C.O. 82-9, § 1, 10-12-82; Ord. No. C.O. 95-1, § 20, 1-23-95; Ord. No. 2003-01, § 3, 2-24-03)

Sec. 13-83.- Same—Municipal civil infractions.

(a) No dog or cat shall at any time, by loud or frequent or habitual barking, yelping, howling, or otherwise crying out, cause annoyance to people in the surrounding neighborhood.

(b) No dog or cat shall be owned, harbored or kept which, by destruction of property or trespassing on the property of another, [may cause] a nuisance.

(c) All places of confinement or quarters for the housing and use of dogs and/or cats shall be kept in a sanitary condition and free from foul odors.

(d) No person shall own, operate or maintain a kennel within the city contrary to the City of Milan Zoning Ordinance. For purposes of this section, a "kennel" shall be defined as an establishment wherein three (3) or more dogs and/or cats are kept, either temporarily or permanently, regardless of whether or not any remuneration is received therefor.

(e) Any person who shall have in his possession a dog and/or cat which has contracted rabies or which has been subjected to rabies, or which is suspected of having rabies, or which has bitten any person, shall upon demand of the police department or the health officer, produce and surrender up such dog and/or cat to be held for observation for such period of time as is determined to be necessary by a veterinarian licensed by the State of Michigan.

(f) Every person who owns or harbors a dog and/or cat which has been attacked or bitten by another dog and/or cat or other animal showing the symptoms of rabies shall immediately notify the police department of his or her possession of such dog and/or cat.

(g) Violation of any provision of this section shall constitute a municipal civil infraction. Upon an admission or determination of responsibility for such municipal civil infraction, the violator shall be subject to a civil fine and costs in amounts specified in the Official Municipal Civil Infraction Fines and Costs Schedule adopted by resolution of the city council.

(Ord. No. C.O. 95-1, § 21, 1-23-95)

ARTICLE I. - IN GENERAL

Sec. 14-1. - Running at large prohibited generally.

It shall be unlawful for any person owning, keeping, harboring or possessing any cats, rabbits, hares, goats, hogs, sheep, cattle, or other animals, chickens, ducks, geese or other birds or poultry, to permit or allow the same to go at large at any time within the limits of the city.

(Ord. No. 116, § 1, 4-12-48; Code 1968, § 5-1)

State law reference— Livestock running at large, MCL 433.11 et seq., 433.51 et seq.; tag kept on dog, MCL 287.267; dog license, MCL 287.266 et seq..

Sec. 14-2. - Noisy animals.

It shall be unlawful for any person to own, harbor, keep or possess any animals which, by their loud and frequent howling, barking, bleating, braying or bawling, or by any other noise, cause serious annoyance to any of the citizens of the city.

(Ord. No. 116, § 2, 4-12-48; Code 1968, § 5-2)

Sec. 14-3. - Noisy fowl.

It shall be unlawful for any person to own, harbor, keep, or possess any chicken, duck, geese, fowl, or other birds, which by loud and frequent quacking, crowing or cackling, or by other noise, disturb the peace and cause annoyance to any of the citizens of the city.

(Ord. No. 116, § 3, 4-12-48; Code 1968, § 5-3)

Sec. 14-4. - Keeping hogs, cows, sheep, goats prohibited.

It shall be unlawful for any person to keep, possess or harbor anywhere within the city any live hogs, cows, sheep or goats, except for educational, hobby, health or scientific research purposes and then only upon express approval of the council by resolution duly adopted after a public hearing held in the same manner as set forth in the provisions of sections 18.03 to 18.08 of the zoning ordinance of the city (appendix A to this volume). Reasonable conditions and performance guarantees may be required in conjunction with such approval in the same manner as set forth the provisions of section 18.07 and section 18.08 of the city's zoning ordinance.

(Ord. No. 116, § 4, 4-12-48; Code 1968, § 5-4; Ord. No. 427, § 1, 7-18-88)

Sec. 14-5. - Foul smells prohibited.

It shall be unlawful for any person to possess, keep or harbor within the city any animals, fowl or birds which cause a noisome stench, odor or smell to the annoyance of any of the citizens of the city.

(Ord. No. 116, § 5, 4-12-48; Code 1968, § 5-5) >Secs. 14-6—14-30. - Reserved.

ARTICLE II. - DOGS

Sec. 14-31. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Not under reasonable control. A dog shall be deemed to be not under reasonable control when such dog, not being upon the premises of its owner, is not with or under the control of its owner, his agent or some member of the owner's family, or when such dog commits damage to the person or property of anyone other than its owner, except when in the defense of its owner, his family or property. A dog shall be deemed to be not under control when it shall urinate or defecate on any private or public property and its owner, agent or some member of his family shall fail to immediately clean up the area urinated or defecated upon by removing such waste material from the private or public property.

Own means to have a right of property in a dog; to keep or harbor a dog or to have a dog in one's care or possession.

Reasonable control. A dog shall be deemed to be under reasonable control when such dog is on the premises of its owner, or when not on the owner's property, it is restrained by means of a physical leash, i.e. rope, chain, or similar physical restraint, unless involved in official sport or demonstration activities, or in a fenced area, which have received prior written approval by the Chief of Police.

(Ord. No. 143, § 1, 7-1-57; Code 1968, § 5-16; Ord. No. 264, § 1, 1-21-74; Ord. No. 634, § 1, 9-18-00; Ord. No. 635, § 1, 10-16-00)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 14-32. - License and inoculation tags required.

It shall be unlawful for any person to own any dog over the age of six months, within the city, that does not at all times wear a collar with a license tag attached thereto as provided for by the law of the state, and with a rabies inoculation tag also attached thereto as provided by the ordinances of the county.

(Ord. No. 143, § 2, 7-1-57; Code 1968, § 5-17)

State law reference— Dog licenses and inoculation, MCL 287.262 et seq.

Sec. 14-33. - Unauthorized removal of tags.

It shall be unlawful for any person, except the owner or the authorized agent of such owner, to remove any license or inoculation tag from a dog.

(Ord. No. 143, § 2, 7-1-57; Code 1968, § 5-18)

State law reference— Similar provisions, MCL 287.262.

Sec. 14-34. - Running at large.

It shall be unlawful for the owner of any dog in the city to allow such dog to stray beyond the premises of such owner unless under reasonable control. Further, it shall be unlawful for the owner of any dog not to have such dog under reasonable control at all times.

(Ord. No. 143, § 3, 7-1-57; Code 1968, § 5-19; Ord. No. 634, § 2, 9-18-00)

Sec. 14-35. - Barking, noisy dogs.

It shall be unlawful for any person to own a dog in the city which by loud and frequent barking, howling, yelping, growling or any other noise causes serious annoyance to any of the people of the city.

(Ord. No. 143, § 4, 7-1-57; Code 1968, § 5-20)

Sec. 14-36. - Vicious dogs, dogs exposed to rabies.

It shall be unlawful for any person in the city to own a fierce or vicious dog, or a dog that has been bitten by any animal known to have been afflicted with rabies.

(Ord. No. 143, § 5, 7-1-57; Code 1968, § 5-21)

Sec. 14-37. - Duty to surrender dogs suspected of rabies.

Any person who shall have in his possession a dog which has contracted rabies or has been subjected to the same or which is suspected of having rabies, or which has bitten any person, shall upon demand of the dog officer, health officer or any police officer of the city, produce and surrender such dog to such officer to be held for observation as hereinafter provided.

(Ord. No. 143, § 5, 7-1-57; Code 1968, § 5-22)

Sec. 14-38. - Notice of dog bites required.

It shall be the duty of any person owning a dog which has been attacked or bitten by another dog or animal showing symptoms of rabies, or which has bitten any person or any other dog suspected of having rabies, to immediately notify the dog officer or police department or the health officer that such person has such a dog in his possession. It shall be the duty of any person having knowledge of a dog biting any person to immediately notify the dog officer or police department or the health officer of all knowledge he has regarding such biting.

(Ord. No. 143, § 5, 7-1-57; Code 1968, § 5-23; Ord. No. 275, § 1, 7-15-74)

Sec. 14-39. - Confinement, examination of biting dogs.

Whenever a dog is reported to have bitten any person it shall thereupon be the duty of the dog officer to seize such animal and confine the same for a period of at least ten days for the purpose of ascertaining whether such animal is afflicted with rabies. The dog officer or the city clerk may, if the dog is properly licensed, notify in writing the person owning or possessing any such dog to

confine the same in an enclosure at the owner's home or such place as will guarantee absolute confinement for a period of at least ten days, for the purpose of ascertaining whether such dog is afflicted with rabies. It shall thereupon be the duty of such owner to accomplish the confinement of the dog immediately after receiving such notice from the dog officer or the city clerk, in any one of the places above indicated for the period of ten days, for the purpose of ascertaining whether the dog is afflicted with rabies. If the dog is afflicted with rabies it shall be destroyed under the direction of the dog officer. If such dog is not afflicted, it may be returned to its owner as hereinafter provided. If any such animal is confined under the provisions of this section, the owner shall be liable for any fees and costs which accrued because of the detention, examination or destruction of the dog.

(Ord. No. 143, § 5, 7-1-57; Code 1968, § 5-24; Ord. No. 264, § 2, 1-21-74)

Sec. 14-40. - Custodian to deliver for diagnosis confined dogs suspected of rabies.

Whenever a dog confined under this article is suspected of having rabies, it shall be the duty of its custodian to arrange for the delivery of such dog to the dog officer for a laboratory diagnosis of the presence or absence of rabies.

(Ord. No. 143, § 5, 7-1-57; Code 1968, § 5-25)

Sec. 14-41. - Dog officer—Office established.

The office of dog officer shall be established and shall be filled by resolution of the council.

(Ord. No. 143, § 6, 7-1-57; Code 1968, § 5-26)

Sec. 14-42. - Same—Duties generally.

It shall be the duty of the dog officer to:

- (1) Impound any dog he finds running at large.
- (2) Impound any dog he finds to be not under the reasonable control of some person.
- (3) Impound any dog not duly licensed as provided by law.
- (4) Impound any dog not duly inoculated as provided by this article.
- (5) Impound any dog he finds to be violating this article in any other way.
- (6) Make arrangements with the humane society or other suitable facility for the pickup of dogs held at the city pound or other designated places.
- (7) Serve notice in writing upon the owner of any dog impounded under the provisions of this article, if such owner is known; and to make a reasonable effort to ascertain the owner of any dog so impounded.
- (8) Make a report to the city clerk of all unlicensed dogs he finds in the city after March 1 of each year.
- (9) Keep a record of the breed, sex, age, color and markings of every dog impounded together with the date and hour of the impounding and the name of its owner, if known.
- (10) Enforce all the provisions of this article.

(Ord. No. 143, § 7, 7-1-57; Code 1968, § 5-27)

Sec. 14-43. - Dog officer may make complaints.

In furtherance of the duties imposed by this article, the dog officer may make complaints to the district court in regard to any violation of this article of which he has knowledge.

(Ord. No. 143, § 7, 7-1-57; Code 1968, § 5-29)

Sec. 14-44. - Conditions for release of impounded dogs.

Any dog seized or impounded by the dog officer shall be released to the owner upon the following conditions:

- (1) Payment of an impounding fee as established by resolution of the city council from time to time.
- (2) Payment of the cost of boarding the dog if the dog is impounded for more than 24 hours.
- (3) The showing of a license, or in case of an unlicensed dog impounded at the humane society shelter, the owner shall pay the costs of the license fee.

(4) The showing of a proper certificate from a veterinarian showing the dog has been inoculated during the current year, or in the case of an unimmunized dog impounded at the humane society shelter, the owner shall pay the cost of having the dog immunized before it is released.

(Ord. No. 143, § 8, 7-1-57; Code 1968, § 5-30)

Sec. 14-45. - Department costs charged to county.

In accordance with the law in such case made and provided, the full cost of maintaining the dog officer department shall be charged to the county.

(Ord. No. 143, § 9, 7-1-57; Code 1968, § 5-31)

DIVISION 1. - GENERALLY

Sec. 14-81. - Promulgation of regulations.

The licensing authority shall promulgate regulations for the issuance of permits and shall include requirements for humane care of all animals and for compliance with the provisions of this chapter and other applicable laws. The licensing authority may amend such regulations from time to time as deemed desirable for the public health and welfare or for the protection of animals.

Sec. 14-82. - Municipal civil infraction.

A person who violates any provision of this article is responsible for a municipal civil infraction, subject to payment of a civil fine as set forth in section 70-38. Repeat offenses under this article shall be subject to increased fines as set forth in section 70-38.

Sec. 14-83. - Separate permits.

Every facility regulated by this chapter shall be considered a separate enterprise requiring an individual permit.

Sec. 14-84. - Permit periods, issuance and revocation.

(a) Permit periods shall begin on January 1 and shall run for one year. Renewal applications shall be made from 30 days before to 60 days after the end of the permit period. New applications may be made at any time. Owners applying for a permit after July 1 shall be required to pay 50 percent of the applicable fee. All applications shall be made as required by this chapter.

(b) After an application is filed, the licensing authority shall inspect facilities prior to issuing a permit.

(c) The licensing authority may revoke any permit if the owner holding the permit refuses or fails to comply with this chapter, the regulations promulgated by the licensing authority, or any law governing the protection and keeping of animals. Any owner whose permit is revoked shall, within ten days thereafter, humanely dispose of all animals owned, kept, or harbored. No part of the permit fee shall be refunded.

(d) It shall be a condition of the issuance of any permit that the licensing authority shall be permitted to inspect all animals and the premises where animals are kept at any time and shall, if permission for such inspection is refused, revoke the permit of the refusing owner.

(e) If the applicant has withheld or falsified any information on the application, the licensing authority shall refuse to issue a permit or revoke any permit already issued.

(f) No person, nor a commercial animal establishment that employs such a person in a position that cares for animals, who has been convicted of a violation of section 14-10 shall be issued or have transferred to their name a permit under this chapter.

(g) Any person, partnership, or corporation having been denied a permit may not reapply for a period of 30 days. Each reapplication shall be accompanied by a fee as set by resolution of the city council.

Sec. 14-85. - Permit fees.

(a) When an applicant has shown willingness and ability to comply with the regulations promulgated by the licensing authority and with this chapter, an annual permit shall be issued or renewed upon payment of the applicable fee as set by resolution of the city council for each of the following categories:

- (1) Kennel authorized to house or train fewer than ten dogs and/or cats.
- (2) Kennel authorized to house or train ten or more but fewer than 50 dogs and/or cats.
- (3) Kennel authorized to house or train 50 or more dogs and/or cats.
- (4) Pet shop.
- (5) Riding stable.
- (6) Auction.
- (7) Zoological park.
- (8) Circus.
- (9) Grooming shop.
- (10) Petting zoo.
- (11) Guard dog training center.

(b) No fee shall be required of any veterinary hospital, animal shelter, or government-operated zoological park.

Sec. 14-86. - Transfer of permit.

Permits shall be transferred upon a change in ownership upon the payment of a transfer fee as set by resolution of the city council and a showing of willingness and ability by the new owner to comply with the regulations promulgated by the licensing authority and with this chapter.

Sec. 14-87. - Failure to obtain permit.

No person shall fail to obtain the appropriate permit before opening or reclassifying any facility covered in this article. <p class="sec">Secs. 14-88—14-100. - Reserved.

DIVISION 2. - COMMERCIAL ANIMAL ESTABLISHMENTS AND ANIMAL SHELTERS ^[27]

⁽²⁷⁾ **Cross reference**— Businesses, ch. 22.

Sec. 14-101. - Permits.

No person shall operate a commercial animal establishment or animal shelter without first obtaining a permit in compliance with this article.

Sec. 14-102. - Reclassification.

Commercial animal establishments and animal shelters shall be reclassified upon change in circumstances. Adjustments shall be made for increased permit fees and must be paid before permits are reclassified. <p class="sec">Secs. 14-103—14-115. - Reserved.

DIVISION 3. - GUARD DOG TRAINING CENTERS ^[28]

⁽²⁸⁾ **Cross reference**— Businesses, ch. 22.

Sec. 14-116. - Permit required.

No person shall train guard dogs in the city without having first secured a permit to operate a guard dog training center pursuant to sections 14-84 through 14-87.

Sec. 14-117. - Guard dog training; license required; contents of application.

No person shall train any dog to be used as a guard dog without possessing a valid license. This division shall not apply to the city/county/state government or any of its agencies. The applications for a guard dog training license shall state the name and address of the owner and trainer, location of the facility, and the maximum number of dogs to be housed at the training facility. <p class="showURLs" href="javascript:void(0)">Secs. 14-118—14-130. - Reserved.

DIVISION 4. - KENNELS ^[29]

⁽²⁹⁾ **Cross reference**— Businesses, ch. 22.

⁽²⁹⁾ **State Law reference**— Authority to adopt ordinance for issuance of kennel licenses, MCL 287.270b.

Sec. 14-131. - Permit required.

No person shall operate a kennel in the city without having first secured a permit to operate such kennel as required by sections 14-84 through 14-87.

Sec. 14-132. - Requirements, limitations and regulations.

No person shall be permitted to operate a kennel unless he shall comply with the following requirements, limitations and regulations:

- (1) No kennel shall operate with less than 2,000 square feet of open ground or enclosed building available and in use for such animals.
- (2) All kennels located within 1,000 feet of any dwelling house or property known as residential property under chapter 122, shall also have to provide a completely enclosed building within which animals shall be confined each day during the time between sunset and 9:00 a.m. of the following day. Such enclosed building shall be constructed as nearly soundproof as may be through ordinary building construction.
- (3) All outdoor enclosures shall be either wire fence and heavy shrubbery, or solid fencing. Fencing must be at least eight feet in height so that there shall be a complete barricade to sight from the inside of the enclosure to the outside.
- (4) If four or more dogs are maintained or kept in such kennels, the ground area required under subsection (1) of this section shall be increased by 400 square feet for each additional dog over six months of age.
- (5) All kennel animals shall be fed, maintained and housed in separate compartments so that

animals shall not come in physical contact with other animals except when breeding is taking place, and further, except in the cases of a mother and her young or animals boarded together at their owner's request. All kennel dogs must have separate outdoor runways and their compartments must be constructed so that they cannot see dogs in adjacent compartments.

(6) All inside and outside spaces shall be completely and entirely cleaned of all refuse matter at least twice a day.

(7) In case any kennel is located within 500 feet of one or more buildings used or occupied as residences by others than the operators of the kennel, the animals shall be continuously confined within the kennel building and not allowed to run unrestrained or to be in the outdoor enclosure of the kennel.

Sec. 14-133. - Maintenance of premises.

Kennel premises shall be maintained in a clean, sanitary condition at all times and sanitary methods shall be used to obliterate or prevent any offensive odors. Any dogs which are habitual barkers shall be confined inside the enclosed building at all times. The animal control officer of the city shall have the right to inspect such kennels at all reasonable hours.

id="PTIICORR_CH14AN_ARTIIPE_DIV4KE_SS14-134--14-150RE"><p class="sec">Secs. 14-134—14-150. - Reserved.

ARTICLE IV. - RABIES CONTROL ^[30]

⁽³⁰⁾ **State Law reference**— Persons bitten by dogs, MCL 287.351; rules for control of rabies and the disposition of nonhuman agents carrying disease, including rabid animals, MCL 333.5111.

Sec. 14-151. - Vaccination.

No owner of a dog or cat shall permit the dog or cat to be on a highway or street or other public place at any time, even where permitted by this chapter, unless the dog or cat shall have been immunized against rabies. Proof of the dog or cat having a rabies vaccination effective for the present time shall be presented to an animal control officer upon request.

Sec. 14-152. - Prevention.

(a) No person, partnership or corporation shall own, keep or harbor an animal that has been bitten by any animal known to have been afflicted with rabies or which shall have bitten any person or other animal. Any owner of an animal which has contracted rabies or which is suspected of having rabies or which has bitten or injured any person or other animal, shall upon demand of an animal control officer of the city, produce and surrender the animal to the officer to be held for observation. It shall be the duty of any owner of an animal which has been attacked or bitten by an animal showing symptoms of rabies or which has bitten or injured any person or any other animal suspected of having rabies, to immediately notify the animal control officer or police department of the city, that the owner has possession of the animal.

(b) Whenever an animal is reported to have bitten any person or other animal, it shall be thereupon the duty of the animal control officer to make a reasonable effort to notify the owner of the animal and to either:

(1) Notify the owner of the animal in person or in writing to quarantine the animal on the owner's premises for a period of not less than ten nor more than 15 days;

(2) Notify the owner of the animal in person or in writing to confine the animal in a veterinary

hospital in the city, or the vicinity thereof, or with the Humane Society of Huron Valley, for a period of not less than ten days nor more than 15 days; or

(3) Seize and confine the animal in a veterinary hospital in the city or vicinity thereof, for a period of not less than ten days nor more than 15 days, for the purpose of ascertaining whether such animal is afflicted with rabies.

(c) Whenever an animal is found to be afflicted with rabies, it shall be destroyed under the direction of the animal control officer. When a animal is confined pursuant to subsection (b) of this section, and is found not to be afflicted with rabies, it may be returned to the owner as hereinafter provided. If any animal is confined under the provisions of this section, the owner thereof shall be liable to the confining institution for any fees and costs which are incurred because of the retention of the animal.

(d) If an animal is to be confined by the owner, pursuant to subsection (b) of this section, the owner shall be responsible to see to it that the animal remains confined for the required period. If the animal is not confined as required, the animal shall be seized and impounded for the required observation period.

<p><a

Barton Hills

ORDINANCE NO. 14

SECTION 1. DEFINITIONS. For the purpose of this Ordinance, the following terms shall have the meanings respectively designated for each:

- (1) "Own". To have possession or a right of property in an animal or to permit a dog to remain on one's premises five (5) days or more.
- (2) "Noise Nuisance". Barking, howling or making other sounds, frequently or for a continued duration, which annoys, endangers, injures or disturbs a person of normal sensitivities on premises other than that occupied by the owner of the animal.
- (3) "Dangerous Animal". An animal which bites, chases, menaces, or in any way injures people, or which repeatedly damages property of persons other than the owner.
- (4) "Under Reasonable Control". A dog which is:
 - (a) Secured by a leash held by the owner or the owner's agent;
 - (b) Secured by a leash which is attached to a stationary object and attended by the owner or the owner's agent; or
 - (c) On the premises of the owner or confined in a vehicle.

SECTION 2. VIOLATIONS.

The owner of any dog or other animal shall be guilty of a violation of this Ordinance if:

- (1) The dog is at any time not under reasonable control;
- (2) The animal causes a noise nuisance;
- (3) The animal is dangerous;
- (4) The dog is over 6 months old and is not currently licensed or is not wearing a license tag issued pursuant to law.
- (5) The animal has symptoms of rabies or has bitten or been bitten by another animal showing symptoms of rabies and the owner fails to notify a Village Police Officer of that fact.

SECTION 3. AUTHORITY OF POLICE OFFICERS.

Village Police Officers shall have the authority to:

- (1) Impound any dog not under reasonable control;
- (2) Impound any dog which has bitten a person;
- (3) Impound any dangerous animal;
- (4) Humanely kill any domestic or wild animal when such action is needed to protect persons or property or to prevent suffering by the animal;
- (5) Impound any unlicensed dog;
- (6) Impound any animal causing a noise nuisance;
- (7) Impound any animal showing symptoms of rabies or which has bitten or been bitten by another animal showing symptoms of rabies.

SECTION 4. IMPOUNDING AND RELEASE PROCEDURES

- (1) Animals impounded pursuant to this Ordinance shall be confined at such animal shelter or veterinary hospital which shall arrange with the Village to perform confinement and release procedures established by this Ordinance.

- (2) Animals impounded for biting a person or because they are suspected of having rabies shall be confined for ten days to determine whether or not they have rabies.
- (3) Animals impounded pursuant to this Ordinance may be released to the owners, after any required confinement period, upon the following conditions:
- (a) Payment to the Village of a fee of \$25.00;
 - (b) Payment of a boarding fee of \$4.00 on the first day or fractional day and \$3.00 for each subsequent day or fractional day or such other fees as the Village Council may establish by resolution;
 - (c) Presentation of proof that the animal has been inoculated and licensed if such is required by law.
- (4) If the owner of an animal does not obtain its release within four days of the time it was impounded or at the end of a rabies confinement, it may be disposed of or sold. If such animal has a license or other indication of the name and address of the owner, the disposal or sale may occur only after 7 days from the time the owner is notified of the impoundment.

SECTION 5. ALTERNATIVE CONFINEMENT.

- (1) Where this Ordinance provides that an animal be impounded and confined for rabies control or rabies examination, the Chief of Police may issue a written confinement order on the following terms:
- (a) The owner shall securely confine the animal for ten (10) days at the owner's premises or at a veterinary hospital as specified in the order;
 - (b) If confined at the owner's premises the animal shall be kept within the dwelling, or, when outside, be securely chained;
 - (c) The owner shall pay the Village a ten (\$10.00) dollar inspection fee;
 - (d) If the animal dies, its remains shall be examined by a veterinarian and the report of said examination presented to the Village Chief of Police.

SECTION 6. INTERFERENCE WITH POLICE OFFICER.

No person shall willfully interfere with a Police Officer who is attempting to perform the functions specified by this Ordinance.

SECTION 7. PENALTY.

Violation of this Ordinance shall be punished by a fine of not more than five hundred (\$500.00) dollars.

SECTION 8. EFFECTIVE DATE. This Ordinance will be effective in Barton Hills Village after publication of this Ordinance in accordance with the Charter of the Village.

Adopted: November 12, 1984
Published: November 15, 1984
Effective: November 15, 1984
Nancy R. Willmarth, Clerk
Elizabeth Langford, President

Dexter

ARTICLE I. ANIMALS*

Sec. 10-1. Municipal civil infraction.

Any person who violates any provision of this article shall be responsible for a civil infraction, subject to payment of a civil fine as set forth in section 22-38. Repeat offenses under this article shall be subject to increased fines as set forth in section 22-38.

Sec. 10-2. Domestic animals and fowl.

- (1) No person shall keep or house any animals or domestic fowl within the Village limits except dogs, cats, rabbits, canaries or small animals commonly classified as pets which are customarily housed inside dwellings as household pets.
- (2) Subsection (1) shall not apply to animals or fowl that are kept or housed at Village parks facilities for exhibition.

Sec. 10-3. Other.

- (1) Bees. Bee keeping, bee hives or apiary's are prohibited in the village limits.

Nothing in this ordinance shall prohibit the Village or a third party from bringing a nuisance action based on the keeping of animals.

ARTICLE II. DOGS*

***State law references:** Regulations pertaining to dogs, MCL 287.261 et seq.

Sec. 10-31. Municipal civil infraction.

Any person who violates any provision of this article shall be responsible for a civil infraction, subject to payment of a civil fine as set forth in section 22-38. Repeat offenses under this article shall be subject to increased fines as set forth in section 22-38.

Sec. 10-32. Definitions.

For the purpose of this chapter, the following terms shall have the following meanings respectively designated for each:

- (1) *Animal Control Officer.* Any Police Officer or County designate provided that such persons meet the qualifications specified by Act 339, Public Acts of 1919, as amended.
- (2) *Dangerous animal.* An animal which has bitten a person so as to draw blood or caused a person broken bones or which has repeatedly attacked, chased or menaced any person or damaged the property (including animals) of persons other than the owner. An animal shall not be considered dangerous solely because it has bitten or attacked a person

or any animal attacking its owner or its owner's family nor shall an animal be considered dangerous if it bites or injures a person who has, without justification, provoked it by attacking it or its young.

(3) *Own*. To have possession or a right of property in an animal or to permit a dog or cat to remain on or about one's premises 10 days or more.

(4) *Under reasonable control*. A dog which is:

- (a) Secured by a leash held by the owner or the owner's agent;
- (b) Secured by a leash which is attached to a stationary object and attended by the owner or the owner's agent; or
- (c) On the premises of the owner or confined in a vehicle.

(5) *Vicious animal*. An animal which:

- (a) Has killed a person or caused a person serious bodily injury, including, but not limited to, injuries resulting in hospital confinement or reconstructive surgery.
- (b) Is owned, possessed, harbored or trained for the purpose of animal fighting.
- (c) Repeatedly bites or in any way injures people.

Sec. 10-33. License, tag required for dogs six months old.

No person shall own any dog six months old or over, unless the dog is licensed pursuant to Public Act No. 339 of 1919 (MCL 287.261 et seq.) or own any dog six months old or over, that does not at all times wear a collar with a tag approved by the director of agriculture, attached as provided in Public Act No. 339 of 1919 (MCL 287.267), except when such dog is engaged in lawful hunting accompanied by its lawful owner or custodian; or for any person except the owner or authorized agent, to remove any license tag from a dog.

State law references: Dog license required, MCL 287.262; dog license tag kept on dog, MCL 287.267.

Sec. 10-34. Female dogs in heat; straying dogs prohibited.

It shall be a violation for any owner:

- (1) Of any female dog to permit the female dog to go beyond the premises of such owner when she is in heat, unless the female dog is held properly in leash;
- (2) Of any dog, except working dogs such as leader dogs, guard dogs, farm dogs, hunting dogs, and other such dogs, when accompanied by their owner or his authorized agent, while actively engaged in activities for which such dogs are trained, to stray, unless held properly in leash.

State law references: Similar provisions, MCL 287.262.

Sec. 10-35. Impoundment.

(a) If it is brought to the attention of the village or the law enforcement officer that a dog has strayed in violation of this section, the law enforcement officer shall issue a violation notice to the owner of any such dog and impound such dog.

(b) If it is necessary to impound a dog, it shall be taken to the Humane Society of Huron Valley.

(c) If a village law enforcement officer, pursuant to this section impounds a stray dog or an unlicensed dog, the owner or authorized agent of such dog shall be so informed. Such owner or authorized agent shall be required to pay the fees of impounding such dog, which fees shall include, but not be limited to, the actual expense of taking the dog into custody, transporting the dog to the location of impoundment, feeding, and caring for the dog during the period of confinement.

(d) The payment of impoundment and confinement costs shall not constitute a fine nor penalty but shall be in addition to any fine or penalty prescribed by law.

State law references: Authority to impound animals at large, MCL 67.3.

Sec. 10-36. Noisy dogs.

It shall be a violation for an owner to harbor or keep within the village a dog which by loud and frequent barking, yelping, growling or other noise causes material disturbance, or discomfort to persons in their reasonable use and enjoyment of premises thereabout. After 10:00 p.m. and before 7:00 a.m., animal noises audible beyond the property line of the property where the animal is located are presumed to be an annoyance and disturbance and are presumed to constitute a noise nuisance.

Cross references: Public nuisances, § 18-31 et seq.; noise, § 18-61 et seq.

Sec. 10-37. Dog waste.

The owner of a dog shall not permit or enable his dog to discharge its feces on property other than that of its owner unless the dog owner removes and disposes of such feces immediately. In addition to any other available enforcement or abatement mechanism provided by state or local law, violation of this section is a civil infraction and carries a maximum fine of \$50.00.

Sec. 10-38. Pet Ownership.

(1) Pet ownership of certain animals expressly owned by any residents shall be permitted in residential districts and shall include:

A. Small animals (legal, nonprotected species) confined solely within the dwelling proper (e.g. rodents, birds and reptiles);

B. Marine (fish) species except those prohibited by protective law;

C. Domesticated dogs and household cats as single pets providing they are in compliance with the ordinance;

(2) Keeping, possession, or harboring of live hogs, cows, sheep, goats, or any species of equines is prohibited.

(3) Keeping, possession, or harboring of protected species, except as federally approved, is prohibited. Keeping, possession, or harboring undomesticated animals of a wild or feral nature, or larger than a house cat, is prohibited.

(4) Any resident who keeps four (4) or more dogs and/or cats shall be required to first obtain a special use permit from the village council after a public hearing held in the manner required for special use permits under the provisions of the zoning ordinance of the village.

Any resident who keeps four (4) or more dogs and/or cats shall annually, on or before the first day of January, apply for and obtain from the village zoning official a zoning compliance permit, which application shall certify under oath that the applicant is in full compliance with all the provisions of this ordinance and all other ordinances pertaining to the keeping of dogs and cats in the village. The fee for such permit shall be as established by resolution of the village council.

Sec. 10-39. Violations.

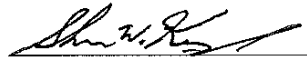
The owner of any dog or other animal shall be guilty of a violation of the chapter if:

- (1) The dog is at any time not under reasonable control;
- (2) The animal causes a noise nuisance;
- (3) The animal causes a sanitation nuisance;
- (4) The dog is over 6 months old and is not currently licensed or is not wearing a license tag issued pursuant to this chapter;
- (5) The dog (except leader dogs for the blind) discharges its feces on property other than that of its owner and the owner does not immediately remove such feces;
- (6) The animal is vicious;
- (7) The animal has symptoms of rabies or has bitten or been bitten by another animal showing symptoms of rabies and the owner fails to notify an Animal Control Officer of that fact;
- (8) The owner of a cat older than 6 months fails to have it at all times immunized against rabies;
- (9) The owner fails to provide the animal with proper food, drink or shelter from the weather;
- (10) The owner fails to provide the animal with medical attention necessary to prevent the animal from suffering;
- (11) The owner confines or leaves the animal in a vehicle or other enclosure without adequate ventilation to prevent the animal from suffering;
- (12) A dangerous dog, when kept out of doors, is not in a pen or kennel sufficient to restrain the dog and surrounded by a perimeter fence not sharing common fencing with the pen or kennel;
- (13) The animal, other than a dog, is dangerous and is not kept indoors;
- (14) The person is convicted of owning a vicious dog and then acquires another dog within 2 years of the date of the conviction.

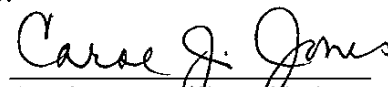
Moved by Trustee Semifero supported by Trustee Fisher that the foregoing Ordinance No. 2010-04 be adopted.

AYES: Fisher, Cousins, Tell, Semifero, Carson, Keough
NAYS: Smith
ABSENT: None

Ordinance No. 2010-04 declared adopted at the regular meeting of the Dexter Village Council held on October 11, 2010 and effective on November 10, 2010.


Shawn W. Keough, Village President

I hereby certify that the foregoing is true and exact copy of the ordinance adopted by the Dexter Village Council at the regular meeting held on October 11, 2010, and was published in the Dexter Leader on October 21, 2010.


Carol Jones, Village Clerk

CHAPTER 90: ANIMALS

TREATMENT OF ANIMALS

§ 90.01 CRUELTY TO ANIMALS.

No person shall cruelly treat or abuse any animal or bird.

(1984 Code, § 8.131) Penalty, see § 10.99

§ 90.02 POISONING ANIMALS.

No person shall throw or deposit any poisonous substance on any exposed public or private place where it endangers, or is likely to endanger, any animal or bird.

(1984 Code, § 8.132) Penalty, see § 10.99

§ 90.03 BIRDS AND BIRDS' NESTS.

No person, except a public officer acting in his or her official capacity, shall molest, injure, kill, or capture any wild bird, or molest or disturb any wild bird's nest or the contents thereof.

(1984 Code, § 8.133) Penalty, see § 10.99

KEEPING ANIMALS

§ 90.15 DEFINITIONS.

For the purpose of §§ 90.15 *et seq.*, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ANIMAL. All animate beings, except humans, with the power of voluntary motion.

ANIMAL RUNNING AT LARGE. An animal not under the control of its owner and not on the owner's premises.

EXOTIC OR WILD ANIMAL. An animal not occurring naturally, either presently or historically, in this state, and/or an animal that has not traditionally lived in a state of dependence upon humans as a tame pet. These animals would be typically found in the wild, zoos, circuses, wildlife sanctuaries, or nature preserves. Such animals include, but are not limited to: alligators, antelope, badgers, bats, beaver, bears, birds of prey, bison, bobcats, camels, cheetahs, chipmunks, constrictor snakes, cougars, coyotes, crocodiles, crows, deer, ducks, elephants, elk, fox, gamecocks (or other fighting birds), geese, goats, gophers, ground hogs, hippopotami, hyenas, jaguars, lions, leopards, llamas, lynx, mink, moles, moose, muskrats, opossums, otters, ostriches, owls, panthers, peacocks, pheasants, piranha fish, porcupines, primates, baboons, wild pigs, pumas (a.k.a. cougars, mountain lions, panthers), quail, raccoons, reptiles, rhinoceroses, seals, sharks, skunks, poisonous snakes, snow leopards, poisonous spiders, squirrels, tigers, whales, wild rabbits, wild turkeys, wolf-dog crosses, wolverines, and wolves, zebras, and any crossbreed of a wild animal with domestic animal, or any descendant of any crossbreed.

KENNEL. Any establishment wherein or whereon dogs are kept for the purpose of breeding, sale, or sporting purposes.

LIVESTOCK. Horses, stallions, colts, geldings, mares, sheep, rams, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burrows, goats, kids, and swine, and fur-bearing animals being raised in captivity.

OWNER. When applied to the proprietorship of an animal, means every person having a right of property in the animal, and every person who keeps or harbors the animal or has it in his or her care, and every person who permits the animal to remain on or about any premises occupied by him or her. The words **OWNER**, **PERSON**, and **WHOEVER** shall be held to include corporations as well as individuals, and the knowledge and acts of agents of and persons employed by corporations in regard to animals transported, owned, or employed by, or in the custody of, the corporations shall be held to be the acts and knowledge of the corporations.

POULTRY. All domestic fowl, ornamental birds, and game birds, possessed or being reared under authority of a breeder's license pursuant to Public Act 451 of 1994, being M.C.L.A. §§ 324.41701 *et seq.*, as amended.

(Ord. 158, passed 2-2-1987) (Am. Ord. 272, passed 4-20-2009)

§ 90.16 SEIZURE AND IMPOUNDING OF ANIMALS.

Any animal which is suspected of having rabies, or of having bitten any person or animal, may be seized and impounded by any police officer or the Washtenaw County Sheriff's Department Animal Control Officer.

(Ord. 224, passed 9-18-1995)

§ 90.17 IMPOUNDING AND RELEASE.

(A) Any animal impounded for observation for rabies shall be held until released by the Police Department and/or the Washtenaw County Humane Society or otherwise disposed of.

(B) Any animal impounded for having bitten any person shall be held for not less than 10 days and, in case any complaint shall have been made before any court having jurisdiction of the cases shall be filed, whereby an order that the animal be killed or confined is sought, then the animal will be impounded until the case is finally disposed of.

(C) All other animals which may be impounded under the provision of this chapter shall be held and released to their respective owners by the Washtenaw County Humane Society.

(Ord. 224, passed 9-18-1995)

§ 90.18 NOTICE TO OWNER.

It shall be the duty of the Police Department to notify the owner of every animal which shall be impounded if the owner of the animal can be ascertained, as soon as possible after the animal has been impounded.

(Ord. 224, passed 9-18-1995)

§ 90.19 DISPOSITION OF ANIMALS.

This section applies to any animal that has not bitten any person or not contracted rabies or is not suspected of having rabies or has not been bitten by an animal that has contracted rabies or has not been bitten by an animal that is suspected of having rabies. After an animal has been kept by the Washtenaw County Humane Society for a period of time and has not been redeemed by his or her owner, that animal will eventually be disposed of by the Humane Society.

(Ord. 224, passed 9-18-1995)

§ 90.20 PROHIBITIONS.

(A) Except as otherwise prohibited within this chapter, no person shall keep any livestock or poultry within the village. This prohibition does not apply to livestock or poultry kept within the village on 3-2-1987. However, the livestock and poultry allowed to remain within the village shall not be replaced.

(B) The owner of an animal shall not permit or enable his or her animal to run at large. This action is declared to be a nuisance and dangerous to the public health and safety.

(C) The owner of an animal shall not permit or enable his or her animal to discharge its feces on property other than that of its owner unless the owner immediately removes and disposes the feces. At no time shall animal feces be disposed of in a public trash receptacle. This action is declared to be a nuisance and dangerous to the public health and safety.

(Am. Ord. 233, passed 9-20-1999)

(D) The owner of an animal which has been attacked or bitten by another animal shall immediately notify the Police Department of this occurrence. Failure to notify the Police Department is declared dangerous to the public health and safety.

(E) Any person who shall have in his or her possession an animal which has contracted rabies, or which has been subjected to the same, or which is suspected of having rabies or of having bitten any person, shall, upon demand of any police officer or the Washtenaw County Sheriff's Department Animal Control Officer, produce and surrender up the animal to be held for observation as provided in this chapter. Failure to produce and surrender up the animal is declared dangerous to the public health and safety.

(Ord. 224, passed 9-18-1995)

(F) No person, corporation or organization shall own, keep, house, harbor or maintain, in any dwelling or building, or upon any lot located within the village any exotic or wild animal.

(G) A person who owns or keeps an exotic or wild animal on the effective date of this amendment shall within 30 days remove the animal from the village.

(Am. Ord. 272, passed 4-20-2009) Penalty, see § 10.99

§ 90.21 SPECIAL PERMITS.

The keeping of livestock, poultry and exotic or wild animals otherwise prohibited by this chapter may be permitted by applying for a special permit from the Village Council. Permits may be issued for fairs, circus performances, or other public exhibitions or entertainment events.

(Ord. 158, passed 2-2-1987; Am. Ord. 272, passed 4-20-2009)

DOGS

§ 90.35 DEFINITIONS.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

DANGEROUS DOG.

- (1) Any dog that bites or attacks a person or domestic animal without provocation;
- (2) Any dog that bites or attacks and causes serious injury or death to another domestic animal while the domestic animal is on the property or under the control of its owner;
- (3) Any dog with known propensity, tendency, or disposition to attack or to otherwise endanger the safety of people or other domestic animals; or
- (4) Any dog deemed a dangerous dog by a court of law.

DOG. Canine.

DOMESTIC ANIMALS. Animals that are tame, kept and controlled by an owner.

KENNEL. A place where more than 2 dogs are kept.

OWNER. Any natural person or any other legal entity having a possessory right in a dog, or who harbors, cares for, exercises control over, or knowingly permits any dog to remain on its premises occupied by such person or entity.

PROVOKE. To perform a willful act or omission that an ordinary and reasonable person would conclude is likely to precipitate the bite or attack by an ordinary dog or animal.

RUNNING AT LARGE. Permitting any dog to leave the premises of its owner without being on a leash and under the control of a person physically able to control the dog; or any dog on private property not enclosed, restrained or kept in such a manner so as to prevent it from entering upon a street, public place, or premises of another.

SERIOUS INJURY. Any physical injury that results in broken bones or lacerations that require sutures, cosmetic surgery, or other medical care and treatment.

TORMENT. An act or omission that causes unjustifiable pain, suffering, and distress to an animal, or causes mental and emotional anguish in the animal as evidenced by its altered behavior, for a purpose such as sadistic pleasure, coercion, or punishment that an ordinary and reasonable person would conclude is likely to precipitate the bite or attack.

(Ord. 271, passed 12-15-2008)

§ 90.36 EXCEPTIONS.

A dangerous dog does not include any of the following:

- (A) A dog that bites or attacks a person who is trespassing on the property of the dog's owner;

(B) A dog that bites or attacks a person who provokes or torments the dog;

(C) A dog that is responding in a manner that an ordinary and reasonable person would conclude was designed to protect a person if that person is engaged in a lawful activity or is the subject of an assault;

(D) A dog being used by a law enforcement officer to carry out the law enforcement officer's official duties.

(Ord. 271, passed 12-15-2008)

§ 90.37 KENNEL LICENSE.

Any owner or keeper of a kennel shall secure from the Village Clerk, or a designee of the Village Clerk, a license. The Chief of Police, Building Official, or any other authorized representative shall inspect and approve the proposed premises before any kennel license shall be issued. No kennel license shall be issued in any situation where the issuance of such a license would violate and/or be contrary to any law or ordinance regarding health, zoning, or property restrictions. A kennel license shall not be required in the case of a female dog having a litter of pups, provided that the owners of the female dog shall dispose of the pups before such offspring reach the age of four months. The licenses required to operate a kennel in the village must be renewed annually before January 1 of each year. The application fee for a kennel license shall be set by resolution of the Village Council. All dogs kept in kennels shall be licensed individually as required. No kennel shall be operated in any district within the village specified as a residential district under the terms of Chapter 151, and no kennel shall be operated in any district within the village except under the terms of Chapter 151.

(Ord. 271, passed 12-15-2008) Penalty, see § 90.48

§ 90.38 MAINTENANCE REQUIRED FOR A KENNEL.

Any kennel operated or maintained in the village shall be kept in a sanitary condition at all times and is subject to inspection by the Chief of Police, Building Official, or any other authorized representative at any time. It shall be unlawful for any kennel operated within the village to operate in such a way as to cause harm or endanger any person of the public. Failure to comply with any section of this subchapter shall result in the revocation of the license for the operation of such kennel.

(Ord. 271, passed 12-15-2008) Penalty, see § 90.48

§ 90.39 RUNNING AT LARGE

No person owning, possessing or harboring any dog shall allow such dog to run at large at any time. The Chief of Police or any authorized representative of the Police Department may destroy any stray dog, any apparently dangerous dog, or any dog not held by leash found in any street, alley, common, public space within the village, open space within the village, or in any person's yard other than that of the owner of the dog. The Chief of Police or any authorized representative of the Police Department should first make a reasonable effort to catch and impound any dog in violation of this section before destroying the dog, unless doing so would place the police officer and/or the public in any apparent danger.

(Ord. 271, passed 12-15-2008) Penalty, see § 90.48

§ 90.40 OFFENSES BY DOGS.

It shall be unlawful within the village to:

(A) Harbor or keep any dog that, by loud and/or frequent or habitual barking, yelping or howling, shall cause serious annoyance to the neighborhood, or to people passing by on the streets of the city.

(B) Harbor or keep any dog that has been deemed to be a dangerous dog as set forth and described within this subchapter, unless the dog is kept in a manner consistent with the requirements of this subchapter.

(C) Permit a dog to run at large, as defined within this subchapter.

(D) Harbor or keep any dog that is not licensed pursuant to the requirements of this subchapter.

(Ord. 271, passed 12-15-2008) Penalty, see § 90.48

§ 90.41 JUDICIAL PROCEEDINGS REGARDING DANGEROUS DOGS.

(A) Upon a sworn complaint that a dog is a dangerous animal, and the dog has caused serious injury or death to a person or has caused serious injury or death to a domestic animal, a district court magistrate, district court or other municipal court shall issue a summons to the owner, ordering him or her to appear to show cause why the animal should not be destroyed.

(B) Upon the filing of a sworn complaint as provided in division (A), the court or magistrate shall order the owner to immediately turn the dog over to a proper animal control authority, an incorporated human society, a licensed veterinarian, or a boarding kennel, at the owner's option, to be retained by them until a hearing is held under this section of the complaint and order. The expense of the boarding and retention of the dog is to be borne by the owner. The dog shall not be returned to the owner until it has a current rabies vaccination and a license as required by law.

(C) After a hearing, the magistrate or court shall order the destruction of the dog, at the expense of the owner, if the dog is found to be a dangerous dog that caused serious injury or death to a person or a domestic animal. After a hearing, the court may order the destruction of the dog, at the expense of the owner, if the court finds that the dog is a dangerous dog that did not cause serious injury or death to a person, but is likely in the future to cause serious injury or death to a person, or in the past has been adjudicated a dangerous dog.

(D) If the court or magistrate finds that a dog is a dangerous animal, but has not caused serious injury or death to a person, the court or magistrate shall notify the animal control authority for the county in which the complaint was filed of the finding of the court, the name of the owner of the dangerous dog and the address at which the dog is kept at the time of the finding of the court. In addition, the court or magistrate shall order the owner of that dog to do one or more of the following:

(1) If the dog that has been found to be a dangerous dog is of the *Canis familiaris* species, have an identification number tattooed upon the dog at the owner's expense, by or under the supervision of a licensed veterinarian. The identification number shall be assigned to the dog by the Michigan Department of Agriculture, and shall be noted in its records pursuant to Act No. 309 of the Public Acts of 1939, being M.C.L.A. §§ 287.301 to 287.308. The identification number shall be tattooed on the upper inner left rear thigh of the dog, by the means of indelible or permanent ink.

(2) Take specific steps, such as escape-proof fencing or enclosure, including a top or roof, to ensure that the dog cannot escape or unauthorized individuals cannot enter the premises.

(3) Have the dog sterilized.

(4) Obtain and maintain liability insurance coverage sufficient to protect the public from any damages or harm caused by the dog.

(5) Take any other action appropriate to protect the public.

(Ord. 271, passed 12-15-2008) Penalty, see § 90.48

§ 90.42 RABIES PREVENTION.

Any person who shall have in his or her possession a dog that has contracted rabies, has been exposed to the same, is suspected of having rabies, or has bitten any person, shall, upon the demand of the Police Department, surrender such dog to the Police Department or Health Department, to be held for observation and treatment as hereinafter required. It shall be the duty of every person owning or harboring a dog that has been attacked or bitten by another dog or other animal showing the symptoms of rabies, to immediately notify the Police Department or Health Department that such person has such dog or other such animal in his or her possession. Whenever a dog is brought to the pound after having bitten a person, the Police Department may, if deemed necessary and advisable, after holding such a dog for a sufficient length of time to

meet the requirements of the Health Department for investigation, cause such dog to be destroyed.

(Ord. 271, passed 12-15-2008) Penalty, see § 90.48

§ 90.43 POUND.

The Chief of Police or any other authorized representative shall provide and operate a pound in which shall be impounded all dogs that may be found running at large contrary to the provisions of this chapter. The Chief of Police or any other authorized representative shall give a receipt for each dog to the party delivering the same, describing the dog and stating the date of delivery. It shall be the duty of every member of the Police Department and of every other person who may be appointed by village authority for that purpose, to promptly seize and place in the pound all dogs that may be found running at large contrary to the provisions of this subchapter.

(Ord. 271, passed 12-15-2008)

§ 90.44 RELEASE FROM POUND.

No dog shall be released from the pound, unless the owner, or person entitled to demand the same, shall pay to the keeper of the pound a sum as shall be fixed by the keeper of the pound, and shall exhibit a license for such dog issued pursuant to the provisions of this subchapter.

(Ord. 271, passed 12-15-2008)

§ 90.45 POUND RECORDS.

The Chief of Police or any other authorized representative shall keep a record of all dogs received by him or her, with descriptions thereof, the date and hour received, and the disposition of the same. He or she shall also file with the Village Clerk, on the first day of each month, a report showing the number of dogs impounded during the previous month, the date received, and the disposition of the same.

(Ord. 271, passed 12-15-2008)

§ 90.46 DISPOSITION OF UNCLAIMED DOGS.

All dogs not claimed and released within 5 working days after being impounded shall be euthanized; or if, in the judgment of the Chief of Police or any other authorized representative, that a dog is valuable, the same will be sold at the pound by public auction to the highest bidder at noon on any day following the expiration of the 5-day period. Whenever a dog wearing a

proper license shall have been impounded, the Chief of Police or any other authorized representative shall forthwith notify licensee,

by mail or otherwise, at the address appearing upon application for such license, of the fact that such dog has been impounded.

(Ord. 271, passed 12-15-2008)

§ 90.47 HIRING POUND FACILITIES.

The Village Manager is authorized to contract with a veterinarian or other person for the furnishing of impounding facilities, and the disposal of dogs euthanized pursuant to the provisions hereof, to the end that the Chief of Police may be relieved from operating a pound and this chapter may be economically enforced.

(Ord. 271, passed 12-15-2008)

§ 90.48 PENALTY.

Violation of any provision of this chapter shall be punishable by a fine of not more than \$500 or imprisonment for not to exceed 30 days, or by both such fine and imprisonment, plus costs of prosecution.

(Ord. 271, passed 12-15-2008)

§ 90.49 VIOLATION TICKETS.

For convenience of the public and economy in enforcement, police officers are hereby authorized to issue violation tickets to offenders hereunder. The form of such tickets shall be approved by the district judge and the Chief of Police. On the basis of the issued violation ticket, a complaint shall be filed and the alleged violator shall be duly tried therein in the district court.

(Ord. 271, passed 12-15-2008)

§ 90.50 FORMS.

The Village Clerk shall provide application and license forms containing such information as he or she deems necessary to carry out the provisions hereof. All fees and charges hereunder shall be deposited with the Village Treasurer.

(Ord. 271, passed 12-15-2008)

§ 90.51 YARD CLEANLINESS.

Yards and exercise dog runs shall be kept free of dog droppings, uneaten food, and maintained in a sanitary manner so as not to be a nuisance because of odor or attraction of flies and vermin.

(Ord. 271, passed 12-15-2008) Penalty, see § 90.48

§ 90.52 INJURY TO PROPERTY; WASTE PRODUCTS.

(A) No person owning or possessing a dog shall permit the dog to bark, tear up, crush or injure any lawn, flower bed, plant, shrub, tree, garden, or any other property, public or private, not owned or possessed by such person, in any manner whatsoever, without the permission of the owner of the property.

(B) No person owning or possessing a dog shall cause or permit the dog to soil or defecate on property, public or private, not owned or possessed by such person, unless such person shall immediately remove all droppings deposited by the dog by any sanitary method of his or her choice, and transport those droppings within an appropriate container to a receptacle located on property owned or possessed by such person. The person shall possess the proper equipment to perform the required removal, and shall display the equipment if requested by any official empowered to enforce this chapter. This division shall not apply to a person who is visually or physically handicapped.

(Ord. 271, passed 12-15-2008) Penalty § 90.48

ENFORCEMENT

§ 90.65 POLICE DEPARTMENT.

This chapter shall be enforced by the Police Department.

(Ord. 224, passed 9-18-1995)

§ 90.66 COUNTY OFFICIALS.

The Village Council may, by resolution, authorize county officials to enforce or assist in the enforcement of this chapter.

(Ord. 224, passed 9-18-1995)

AN ORDINANCE TO AMEND ORDINANCE NO. 271, THE VILLAGE OF MANCHESTER ORDINANCE, AS INCORPORATED IN CHAPTER 90 OF THE CODE OF ORDINANCES OF MANCHESTER VILLAGE, BEING SECTIONS 90.35 ET. SEQ. OF SAID CODE, AS AMENDED; TO FURTHER PROMOTE THE PUBLIC HEALTH, SAFETY, COMFORT AND GENERAL WELFARE OF THE COMMUNITY THROUGH THE PROPER CONTROL OF DOGS BY THEIR OWNERS AND OTHERS.

THE VILLAGE OF MANCHESTER, WASHTENAW COUNTY, MICHIGAN, HEREBY ORDAINS:

The Manchester Village code is hereby amended by replacing Section **90.35, DEFINITIONS**, *Dangerous Dog* and *Kennel* and Section **90.39 RUNNING AT LARGE** which shall now read as follows:

90.35 DEFINITIONS.

Dangerous Dog shall mean and include:

- (a) any dog that bites or attacks a person or domestic animal without provocation;
- (b) any dog that bites or attacks and causes serious injury or death to another domestic animal while the domestic animal is on the property or under the control of its owner,
- (c) any dog with known propensity, tendency, or disposition to attack or to otherwise endanger the safety of people or other domestic animals:
- (d) chases or snaps at a pedestrian, bicyclist or vehicle;
- (e) charges a person in a manner that restricts the person's freedom of movement by placing the person in reasonable fear of an imminent attack (the person must be lawfully on the property where the charge occurs and this does not apply to an animal tormented by the person):
- (f) molests passers-by or persons on adjoining property by viciously, continuously and aggressively barking or growling: or
- (g) any dog deemed a dangerous dog by a court of law.

Kennel shall mean and include a place where more than three (3) dogs are kept.

90.39 RUNNING AT LARGE.

All dogs must be securely confined in a manner, which ensures that the dog cannot escape the premises. No person owning, possessing or harboring any dog shall allow such dog to run at large at any time. The chief of police or any authorized representative of the police department may destroy any stray dog, any apparent dangerous dog, or any dog not held by leash found in any street, alley, common, public space within the Village, open space within the Village, or in any persons yard other than that of the owner of the dog. The chief of police or any authorized representative of the police department should first make a reasonable effort to catch and impound any dog in violation of this section before destroying said dog unless doing so would place the police officer and/or the public in any apparent danger.

SEVERABILITY

If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not effect any of the other provisions of this Ordinance.

EFFECTIVE DATE

The Village Clerk shall cause this Ordinance, or a synopsis of this Ordinance, and a Notice of Ordinance Adoption pursuant to MCL §66.4 to be published in the manner required by law within fifteen (15) days after it has been duly adopted by the Village Council. The effective date shall be the date of publication.

Date of Adoption: 07/07/11

Date of Publication: 07/14/11

Effective Date: 07/14/11

Ann Arbor Charter Township

Sec. 74.2

Kennel, commercial, means any building and/or land used, designed or arranged for the boarding, breeding or care of dogs, cats, pets, fowl, or other domestic animals for purposes of show, hunting, or as pets, but not including riding stables.

Kennel, private, means any building and/or land used, designed, or arranged for the boarding, breeding, or care of dogs, cats, pets, fowl, or other domestic animals belonging to the owner thereof and kept for purposes of show, hunting, or as pets, but not to include riding stables, provided that no more than three such animals six months old or older are kept on the premises either permanently or temporarily. The keeping of such animals shall be strictly incidental to the principal use of the premises and shall not be for the purposes of remuneration or sale.

Sec. 74-590. - Commercial kennels.

Commercial kennels shall be subject to the following requirements:

- (1) The minimum lot size shall be ten acres.
- (2) Structures or pens shall not be located less than 300 feet from a public right-of-way or less than 100 feet from a side or rear lot line.
- (3) The kennel shall be established and maintained in accordance with all applicable county and Township sanitation regulations.
- (4) A site plan shall be approved in accordance with article II, division 4 of this chapter, site plan review.
- (5) The kennel owner shall obtain a conditional use permit from the Township, and a kennel license from the county.

ANIMAL REGULATIONS

AMENDMENTS TO ZONING CODE SECTION 74-2, SECTION 74-461, SECTION 74-462, SECTION 74-463, AND CREATION OF A NEW 74-607

ORDINANCE NO. 10-2010

The Ann Arbor Charter Township Board of Trustees ordains: The Ann Arbor Charter Township Zoning Code is amended as follows:

[Addition to Sec. 74-2. Definitions and interpretation as follows]

Animal: A non-human zoological species, classified for purposes of this Ordinance as follows:

- (1) *Animal, Class I*: Domesticated household pets such as dogs, cats and birds.
- (2) *Animal, Class II*: An animal, which is normally part of the livestock maintained on a farm including:

1. Bovine and like animals, such as cows.
2. Equine and like animals, such as horses.
3. Swine.
4. Ovis (ovine) and like animals, such as sheep and goats.
5. Other animals weighing seventy-five (75) pounds or more, and not otherwise specifically classified herein.

(3) *Animal, Class III*: Rabbits (which are not maintained or kept as domesticated household pets); poultry, waterfowl, such as geese or gamebirds such as pheasant and grouse, and other animals weighing less than seventy-five (75) pounds not specifically classified herein.

Riding Stable, public: means any building or structure used for the boarding, breeding or care of horses for commercial or business purposes, and not for personal use, other than horses used for farming or agricultural purposes. A public riding stable may include areas and facilities for the training, riding, or driving of horses and for the offering of lessons to teach the riding and driving of horses.

Kennel, private: is eliminated as a definition from Section 74-2 as such facilities and uses are now governed by Section 74-607.

Riding Stable, private: is eliminated as a definition in Section 74-2 as such facilities and uses are now governed by Section 74-607.

[Amendment to Sec. 74-461. Rural Districts, as follows]

*Keeping of Class II animals*⁴

R-C A-1 A-R

2

AnnArbor_177393_5

P P P

*Keeping of Class III animals*⁴

R-C A-1 A-R

P P P

4. Keeping of Class I animals, Class II animals and Class III animals shall be subject to the regulations established in Section 74-607.

References to Kennel (private) and Riding Stable (private) are eliminated from this Section 74-

461 as such uses and facilities are now governed by Section 74-607.

[Amendment to Sec. 74-462. Rural and Suburban Residential Districts, as follows]

*Keeping of Class II animals*²

R-1 R-1A R-2

P P P

*Keeping of Class III animals*²

R-1 R-1A R-2

P P P

2. Keeping of Class I animals, Class II animals and Class III animals shall be subject to the regulations established in Section 74-607.

References to Kennel (private) and Riding Stable (private) are eliminated from this Section 74-

462 as such uses and facilities are now governed by Section 74-607.

[Amendment to Sec. 74-463. Urban Residential Districts, as follows]

Keeping of Class III animals

R-3 R-3A R-4

P P P

6. Keeping of Class I animals and Class III animals shall be subject to the regulations established

in Section 74-607, including for Class III animals the minimum acreage requirement set forth in

74-607 C.1. Keeping of Class II animals is not permitted in Urban Residential Districts.

[Creation of a new Sec. 74-607. SUPPLEMENTARY DISTRICT REGULATIONS,

Keeping of Animals, as follows]

74-607. SUPPLEMENTARY DISTRICT REGULATIONS, Keeping of Animals

A. Standards; Application; Purpose. This Section establishes standards for keeping of Class I animals, Class II animals or Class III animals in residential districts including residential Planned Unit Developments. Animals may be kept only by the resident owner of the parcel and the owner's immediate family members who reside at the parcel or by a tenant or occupant with written permission of the owner of the parcel. The purpose of this Section is to ensure that the keeping of animals is compatible with adjacent land uses, to maintain the residential character of the neighborhood, and to protect the public health, safety and welfare. This Section does not apply to farming operations, public riding stables, or commercial kennels.

B. Cross References. A commercial kennel as defined in Section 74-2 may be operated in Rural Districts in accordance with Section 74-590 and an approved conditional use permit. A public riding stable as defined in Section 74-2 may be operated in accordance with an approved conditional use permit in Rural Districts.

C. Specific Regulations.

1. Class I Animals may be kept in any zoning district, subject to sections 4 and 5 below.

2. Where Class II animals or Class III animals are kept as part of a farming operation, such animals shall be exempt from the requirements of this Section so long as the farming operation is conducted in accordance with a GAAMP as adopted and published by the Michigan Department of Agriculture, or its successor, and as amended from time to time.

3. Where Class II animals and Class III animals are not kept in connection with a farming operation, then the following regulations shall apply:

a. Class II Animals may be kept subject to the following conditions:

1. The minimum lot area required to keep Class II animals is three acres as follows:

(a) Up to two Class II animals shall be permitted on a three acre parcel;
and

(b) One additional Class II animal shall be permitted for each full one acre in excess of three acres.

2. There shall be adequate fencing, or other restraining device, for keeping animals within the restricted areas provided for in this Ordinance.

3. Structures housing Class II animals shall be located no nearer than one hundred feet to any dwelling that exists on an adjacent lot and no nearer than fifty feet to any adjacent lot line. Fenced areas shall be located no nearer than fifty feet from any dwelling that exists on an adjacent lot.

4. The manure, refuse and wastes resulting from the keeping of animals shall be controlled upon the premises, and shall be cared for or disposed of regularly to minimize health hazards including odors and other offensive effects upon neighboring people and uses.

5. All feed and other substances and materials for the keeping of animals shall be stored to not attract rats, mice, vermin or other pests.

b. Class III Animals may be kept subject to the following conditions:

1. The minimum acreage required for the keeping of Class III animals shall be 0.5 acres, regardless of the zoning category.

2. No more than four Class III animals may be kept.

3. The principal use of the property must be single family residential.

4. No roosters shall be kept.

5. Class III animals will be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times.

6. Structures housing Class III animals shall be located no nearer than fifty feet to any dwelling which exists on an adjacent lot and no nearer than ten feet to any adjacent lot line.

7. There shall be adequate fencing, or other restraining device, for the purpose of keeping animals within the owner's parcel in a manner that does not create a disturbance to neighboring owners and occupants.

8. The manure, refuse and wastes resulting from the keeping of animals shall be controlled upon the premises, and shall be cared for or disposed of regularly to minimize hazards of health and odors or other offensive effects upon neighboring people and uses.

9. All feed and other substances and materials on the premises for the keeping of animals shall be stored so as to minimize attraction of rats, mice, vermin or other pests.

4. On any premises upon which animals are kept in the Township, garbage, refuse, offal, and the like shall not be brought upon the premises and fed to animals. Animal waste shall be properly disposed of so as to not create a health hazard.

5. Keeping of animals shall not endanger the public health, safety or welfare, nor create a health hazard nor result in offensive odors, noises or other disturbances that unreasonably interfere with the quiet enjoyment by owners or occupants of neighboring parcels ("Disturbance"). The owner of the land on which animals are kept and the person keeping such animals, if different, shall be responsible for ensuring compliance with this Section, including this subsection 5.

a. A Disturbance or other violation of this Section may be determined upon the inspection by the Zoning Officer, or other Township Ordinance Enforcement Officer in accordance with Article II, Division 2 of Chapter 74, Section 74-96, et seq.

b. If a Disturbance or other violation of this Section is found, a written notice shall be given by the Zoning Officer or other Township Ordinance Enforcement Officer to the person keeping animals and the owner of the premises, stating in the notice that it

appears that a Disturbance or other violation of this Section arising from keeping of animals exists on the premises, describing the Disturbance or other violation of this Section, and directing the person keeping the animals and the owner of the premises to abate the Disturbance or other violation of this Section within ten (10) days of the date of the notice.

c. If the Disturbance or other violation of this Section persists after expiration of the ten (10) day period, the Zoning Officer or other Township Ordinance Officer may issue a civil infraction in accordance with Article II, Division 2 of Chapter 74 Section 74-96 et. seq., and take other action to abate the violation.

CERTIFICATION

It is hereby certified that that foregoing Ordinance was adopted by the Township Board of Ann Arbor charter Township, Washtenaw County, Michigan, at a meeting of the Board duly called and held on December 20, 2010

Augusta Township

5.19 Keeping of Animals.

A. Household Pets. Household pets may be kept on private property in accordance with the following standards:

1. The keeping of up to four (4) household pets of more than six (6) months of age shall be permitted on any residentially-zoned or used lot or unit. However, small animals (such as small birds, frogs, toads, fish, gerbils, hamsters, mice, and the like) shall not be limited in number. All household pets shall be maintained and accommodated in a manner so as to not pose a nuisance to adjoining property or a hazard to water quality and the public health, safety and welfare.

2. Private Kennels. The keeping of greater than four (4) household pets of more than six (6) months of age shall constitute a private kennel, and shall be subject to the following standards:

- a. Allowable Zoning Districts. Private kennels are allowed on property zoned C, AG, AR and RR, subject to special land use review pursuant to Article 4.
- b. Number of Animals Allowed. Private kennels shall in no case exceed eight (8) household pets of more than six (6) months of age.
- c. County Licensing. Private kennels shall maintain a valid kennel license, when required by Washtenaw County.
- d. Incidental Uses. The sale of animals or pet/veterinary products, training or grooming of animals, and providing veterinary care shall be incidental to the private kennel use, and shall not be available to the general public.

3. Commercial Kennels. A commercial kennel shall be subject to the following conditions:

- a. Licensing and Other Requirements. Commercial kennels shall have a valid kennel license from Washtenaw County, and shall comply with all applicable local, county and state requirements for such facilities.
- b. Enclosure. All animals shall be kept in an enclosed structure, or within a securely fenced area complying with Section 5.8. The Special Use Permit may limit the time during which the animals are permitted out of the kennel building(s).
- c. Setbacks. Structures in which animals are kept, as well as animal runs and exercise areas, shall not be located in any required front, or rear setback area and shall be located at least fifty (50) feet from any dwelling or building used by the public on adjacent land.
- d. Animal Waste. Animal waste shall be collected and disposed of on a regular basis so as not constitute a nuisance to adjacent properties.
- e. Odor Control. Properties on which farm animals are kept shall be maintained in a sanitary condition. Such properties shall not emit unreasonable objectionable odors onto adjacent or nearby properties.
- f. Grooming. Pet grooming (including bathing, fur and nail trimming, brushing, flea and tick treatment, and similar treatment) shall be permitted for animals being boarded; for animals not being boarded, pet grooming shall be permitted if specifically authorized in the Special Use Permit.

- g. Sale of Products. The sale of pet and veterinary products shall be incidental to the kennel unless specifically authorized in the Special Use Permit.
- h. Veterinary Care. Veterinary care shall be incidental to the kennel unless specifically authorized in the Special Use Permit.
- i. Sale of Animals. The sale of animals shall be permitted only if specifically authorized in the Special Use Permit.
- j. Training. Training of pets and owners shall be permitted only if specifically authorized in the Special Use Permit.
- k. Breeding. In districts other than AG, the kennel shall not be operated for breeding purposes, unless specifically authorized in the Special Use Permit.
- l. Number of Animals Allowed

The Special Use Permit shall establish a limit on the number of animals that may be boarded at one time.

Bridgewater Township

SECTION 1227 RAISING / KEEPING OF ANIMALS

The raising or keeping of animals shall be in accordance with the following:

- A. Domestic pets may be kept by the resident(s) of any parcel, subject to the provisions of Section 1412 - Kennels.
- B. The operation of a private or commercial kennel in any district in which such use is permitted by this ordinance shall be in accordance with Section 1412 - Kennels.
- C. The operation of an equestrian stable or riding academy in any district in which such a use is permitted shall be in accordance with the provisions of Section 1436.
- D. The raising or keeping of farm animals and large animals shall be in conformance with the following:
 - 1. AG - Agricultural and SF - Suburban Farm Districts
 - a. Large animals may be raised on a farm or hobby farm in conformance with the following:

Lot Area	Number Of Large Animals Permitted
< 2 Acres	0
Between 2 and 5 Acres	Special Land Use Approval Required (Section 1446)
Between 5 and 50 Acres	<i>Hobby Farm</i> - One (1) per acre of lot area <i>Farm</i> - One (1) per acre of lot area or total area of contiguous parcels comprising a farm through single ownership or lease.
> 50 Acres	In conformance with generally accepted agricultural practices.

-
- b. Farm animals which are not Large Animals, as defined in Section 200, such as poultry and the like, may be raised on any lot or parcel subject to conformance with the provisions of this Section.
 - c. All manure or other wastes produced or generated by raising or keeping of farm animals shall be stored in a fashion which reduces the nuisance impact of said wastes on adjacent properties. No wastes shall be stockpiled for a period to exceed one hundred twenty (120) days and no wastes shall be stockpiled closer than one hundred twenty five (125) feet from any property line. This subsection shall not be construed as preventing the spreading of manure as fertilizer in conjunction with an agricultural operation.
 - d. All accessory buildings, structures or use areas for farm animals shall be setback a minimum of fifty (50) feet from any property line. Accessory buildings and structures shall be constructed and maintained in accordance with Section 1203.
 - e. All farm animals shall be adequately fenced or corralled to prevent them from roaming off-site.
 - f. The raising of a single farm animal for a 4-H or similar educational program shall be exempt from the minimum lot size requirement of this Section, but shall conform with all other provisions of this Section.

2. R-1 and R-2 Residential Districts

- a. Large animals may be raised on a single family residential lot or parcel of a minimum five (5) acres and shall be restricted to one (1) animal unit per two (2) acres of land available for the exclusive use of the large animals.
- b. Farm animals which are not Large Animals, as defined in Section 200, such as poultry and the like, may be raised on any lot or parcel of a minimum two (2) acres subject to conformance with the provisions of this Section.
- c. All manure or other wastes produced or generated by raising or keeping of farm animals shall be stored in a fashion which reduces the nuisance impact of said wastes on adjacent properties. No wastes shall be stockpiled for a period to exceed one hundred twenty (120) days and no wastes shall be stockpiled closer than one hundred twenty five (125) feet from any property line. This subsection shall not be construed as preventing the spreading of manure as fertilizer in conjunction with an agricultural operation.

- d. All accessory buildings, structures or use areas for farm animals shall be setback a minimum of fifty (50) feet from any property line. Accessory buildings and structures shall be constructed and maintained in accordance with Section 1203.
- e. All farm animals shall be adequately fenced or corralled to prevent them from roaming off-site.
- f. The raising of a single farm animal for a 4-H or similar educational program shall be exempt from the minimum lot size requirement of this Section, but shall conform with all other provisions of this Section.

SECTION 1412 KENNELS

Private and commercial kennels, veterinary offices with outdoor runs or animal use areas, and animal hospitals may be permitted in certain districts specified in this Ordinance, subject to the following:

A. Private Kennels

- 1. All private kennels, where permitted after special land use approval, shall be considered a residential accessory use. All outdoor runs, pens and structures shall be in conformance with Section 1203 - Accessory Buildings and Structures. For purposes of this Section, "Accessory Building" shall include fenced pens, cages and other structures designed, intended or used for the housing or use of animals.
- 2. Private kennels shall not be located on a parcel or lot of less than two (2) acres.
- 3. All animal use areas shall be completely fenced by a minimum six (6) foot high fence and shall be located only in a rear yard.
- 4. All animals shall be adequately housed, fenced and maintained so as not to be or become a public or private nuisance. The premises shall be maintained in such a manner so as not to be harmful to surrounding properties, or create any hazard or detriment to public health, safety or general welfare.
- 5. No breeding, grooming, training, boarding or veterinary activities shall be permitted in conjunction with any private kennel.
- 6. The proposed private kennel facilities shall be located and designed to reduce the negative impact of noise on adjacent properties.

7. Any special land use approval or permit for a private kennel, granted by the Planning Commission under this Section, shall terminate immediately when the lot area requirements herein set forth are decreased in any manner or the provisions of this ordinance violated.
8. The Planning Commission may require screening, buffering or landscaping along any property line which abuts a district which permits single family residential homes or which contains an existing single family home. Said screening, buffering or landscaping shall be in accordance with Section 1216.

B. Commercial Kennels; Veterinarian Clinics With Outdoor Animal Use Areas

1. The proposed site shall abut a public major or secondary thoroughfare.
2. All pens and runs shall be completely fenced by a minimum six (6) foot high fence or masonry wall, located only in a rear yard, and setback a minimum twenty (20) feet from any property line. Where the proposed commercial kennel is located in any district which abuts an R-1, R-2 or R-3 district all pens and runs shall be within a completely enclosed building.
3. All breeding areas shall be within a completely enclosed building.
4. All animals shall be adequately housed, fenced and maintained so as not to be or become a public or private nuisance. The premises shall be maintained in such a manner so as not to be harmful to surrounding properties, or create any hazard or detriment to public health, safety or general welfare.
5. Commercial Kennels shall provide one (1) off-street parking space for each five (5) kennel runs in addition to the parking required for other uses in accordance with Section 1226.
6. The proposed commercial kennel facilities shall be located and designed to reduce the negative impact of noise on adjacent properties.
7. In addition to the screening and landscaping requirements specified in Section 1216C, the Planning Commission may require additional screening in conformance with Section 1216 where the Planning Commission determines such screening is necessary to reduce the impact of the proposed commercial on adjacent properties or rights of way.

Dexter Township

C. Definitions of words and phrases beginning with the letters "K" through "O":

Kennel, Commercial: A lot or premises on which three (3) or more dogs, cats, or other domestic pets, six (6) months of age or older, are kept, either permanently or temporarily, for the purposes of breeding, boarding, training, sale, or transfer.

Kennel, Hobby: A lot or premises on which no more than two (2) dogs, cats, or other domestic pets, six (6) months of age or older, are kept, either permanently or temporarily, for the purposes of breeding, boarding, training, sale, or transfer.

Wild Animal: Any animal, other than a customary household pet or farm animal, that attacks, bites, or injures human beings or domesticated animals without adequate provocation, or which because of temperament, conditioning, or training, has a known propensity to attack, bite, or injure human beings or domesticated animals, including dogs which are hybrids of wolves, coyotes, or jackals, and cats which are hybrids of ocelots or margays.

Section 16.13: COMMERCIAL KENNELS

A. The following site and developmental requirements shall apply:

1. The lot area shall be at least five (5) acres in size.
2. Kennels may not be located in a platted subdivision or condominium subdivision.
3. Buildings where animals are kept, runs, and exercise areas shall not be located nearer than one hundred feet (100) to any adjacent lot line in a residential district or any adjacent building used by the general public. Runs and/or exercise areas, and buildings where the animals are maintained, shall be located in the rear yard only.

B. Special Performance Standards:

1. Animal odors shall not be detectable beyond the lot lines of the property in which the kennel is located.
2. All animals must be licensed and maintained in a healthful and careful manner.
3. The main kennel building used to house the animals shall be insulated in such a manner that animal noises are minimized.
4. Habitual barking or unusual noise from the kennel which results in a nuisance to neighboring land owners or residents is prohibited.
5. Exercise yards, when provided for training or exercising, shall not be used between the hours of 10:00 p.m. and 7:00 a.m.
6. During the hours of 7 a.m. until 10 p.m. animals shall be permitted in outdoor runs or pens. Animals shall be kept confined and not allowed to run at large on the property, except as part of supervised training.
7. Dust and drainage from the kennel enclosure shall not create a nuisance or hazard to adjoining property or uses.
8. The outside perimeter of the run and/or exercise area shall be enclosed by chain link or cyclone fencing of six (6) feet in height and enclosed on sides and top with chain link fencing or other materials to prohibit the escape of animals.
9. The premises shall be kept in a clean and sanitary manner to prevent the accumulation of flies, the spread of disease or offensive odor.

Section 18.17: KEEPING of ANIMALS

A. Wild Animals: No wild animal shall be kept permanently or temporarily in any district in the Township.

B. Livestock: The raising and keeping of livestock or other animals generally not regarded as household pets, and which do not meet this Ordinance's definition for "wild animal," may be conducted as accessory to the principal residential use in the AG, RR, and RC Districts except in platted subdivisions or condominium subdivisions. All such raising and keeping or killing and dressing of poultry and animals processed upon the premises shall be for the use or consumption by the occupants of the premises in the District and the following additional conditions shall be met:

1. Manure piles shall be stored, removed, and/or applied to the soil in accordance with the generally accepted agricultural and management practices of the Michigan Agriculture Commission for manure

management and utilization, and with Michigan Department of Agriculture and County Health Department regulations.

2. The following shall not be permitted within fifty (50) feet of a lot line.

- a. Buildings housing animals.
- b. Storage of manure or odor or dust-producing materials or use.
- c. Soil areas unable to support or hold a vegetative cover due to an outdoor animal confinement area.

3. Minimum lot area and maximum animal density shall be as follows:

- a. A minimum lot area of two and one half (2 1/2) acres is necessary for the keeping of small livestock, including rabbits and fowl but excluding swine, and the maximum animal density shall not exceed one (1) animal per one quarter (1/4) acre.
- b. A minimum lot area of ten (10) acres is necessary for the keeping of swine, and the maximum animal density shall not exceed one (1) animal per one and one quarter (1 1/4) acre.
- c. A minimum lot area of two and one half (2 1/2) acres is necessary for the keeping of large livestock, including horses, sheep, goats, and cows, and the maximum animal density shall not exceed one (1) animal per one and one quarter (1 1/4) acre.

C. Household pets: The keeping of household pets, including dogs, cats, fish, birds, hamsters and other animals generally regarded as household pets is permitted as an accessory use in any residential zoning district, provided such activities do not constitute a commercial kennel.

Freedom Township

Chapter 7 Animal Control

- 7.1 **TITLE.** This ordinance shall be known and cited as the Township of Freedom Animal Control Ordinance.
- 7.2 **DEFINITIONS.** For the purpose of this ordinance:
- 7.2.1 Animal means live stock, poultry, dogs, cats and reptiles.
- 7.2.2 Live stock means horses, stallions, colts, gelding, mares, sheep, rams, lambs, bulls, bullock, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids, swine and any other fur bearing animals being raised in captivity.
- 7.2.3 Poultry means all domestic fowl, ornamental birds and game birds.
- 7.2.4 Owner when applied to the proprietorship of an animal means every person having a right of property in the animal and every person who keeps or harbors the animal or has it in his care and every person who permits the animal to remain on or about any premises occupied or controlled by him.
- 7.2.5 Reasonable Control means a dog shall be deemed to be under reasonable control when such dog is on the premises of its owner or when such dog, not being on the premises of its owner, is with and under the control of its owner his agent or some member of the owner's family.
- 7.3 **REQUIRING THAT DOGS BE LICENSED AND VACCINATED**
- 7.3.1 It shall be unlawful for any person to own, keep or possess any dog over the age of six (6) months, within the Township of Freedom that does not at all times wear a collar with a license and vaccination tag attached thereto as provided by the laws of the State of Michigan.
- 7.3.2 It shall be unlawful for any person except the owner or the authorized agent of such owner to remove any license or vaccination tag from a dog.
- 7.4 **PROHIBITING DOGS FROM RUNNING AT LARGE.** It shall be unlawful for the owner of any dog in the Township of Freedom to allow such dog to stray beyond the premises of such owners unless under reasonable control, or for the owner of any female dog to, permit said female to go beyond the premises of such owner when she is in heat unless such dog is held properly in leash; Further it shall be unlawful for the owner of any dog not to have such dog under reasonable control at all times.
- 7.5 **BARKING DOGS AND FEROCIOUS DOGS AND CATS.**
- 7.5.1 It shall be unlawful for the owner of any dog in the Township of Freedom to allow such dog to howl, bark, whine on otherwise create noise disturbing or annoying other persons in their reasonable use and enjoyment of premises other than the premises of such owner.
- 7.5.2 It shall be unlawful for the owner of any dog or cat that is vicious, ferocious, or which without provocation, has bitten or otherwise injured any person to own or allow such dog or cat to be kept or maintained in the Township of Freedom, unless so confined as to prevent injury or threat of injury of any person by such dog or cat.
- 7.6 **PROHIBITING OFFENSIVE KEEPING OF ANIMALS.** It shall be unlawful for the owner of any animal in the Residential Area of Freedom Township to allow such animals to be kept or maintained on premises in any manner causing noxious or offensive odors to be emitted from such premises.
- 7.7 **PROHIBITING LIVESTOCK AND POULTRY ENTERING PRIVATE LANDS.** It shall be unlawful for the owner of any live stock or poultry in the Township of Freedom to allow such live stock or poultry, while under the control of such owner, to enter upon lands of other persons without the consent of the owner or lessee of such lands.
- 7.8 **REQUIRING ENCLOSURE OF LIVESTOCK AND POULTRY.** It shall be unlawful for the owner of any livestock and poultry in the Township of Freedom to allow such livestock and poultry to be kept or maintained on any premises without such livestock and poultry being enclosed within pens, shelter or fences in a manner to prevent such livestock and poultry from straying beyond premises.

- 7.9 VIOLATIONS AND PENALTIES. Any person violation any of the provisions of this ordinance shall upon conviction thereof be subject to a fine of not more than five hundred (\$500.00) dollars and the costs of prosecution thereof, by imprisonment in the County jail for a period not to exceed ninety (90) days, or both.
- 7.10 PENALTY. Every person convicted of a violation of any provision of this Ordinance or any rule or regulation adopted or issued in pursuance thereof shall be punished by a fine of not more than one hundred (\$100.00) dollars and costs of prosecution or imprisonment for not more than ninety (90) days or by both such fine and imprisonment. Each act of violation and every day upon which any such violation shall occur shall contribute a separate offense. The imposition of any such sentence shall not exempt the offender from compliance with the Ordinance.
- 7.11 SEVERABILITY. If any court of law of equity within the State of Michigan determines that any provision within this Ordinance is unconstitutional, void, voidable, or unenforceable, the remaining provisions of the same Section and other Sections of this Ordinance shall be deemed separate, distinct and valid in all respects from said provision.
- 7.12 ENFORCEABILITY OR MANDATORY INJUNCTION. As a cumulative remedy to Section ____ above entitled PENALTY any person who violates any provision of this Ordinance or any rule or regulation adopted or issued in pursuance thereof, may be made a Party Defendant in a suit in the Circuit Court for the County of Lenawee; the Township of Freedom shall have the power, through its attorneys, to request that said Circuit Court issue a Mandatory Injunction compelling the said Party Defendant in violation of this Ordinance to forthwith comply with said Ordinance.
- 7.13 EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days after its adoption.

	LEGISLATIVE HISTORY			
	Date passed	Date published	Where Published	Ordinance Number
Adopted:	4-14-87	4-30-87	Unknown	7
Amended:				

Lima Township

BARKING DOG ORDINANCE

The Township of Lima, Washtenaw County, Michigan Ordains.

Section 1. Short Title. This ordinance shall be known as and may be cited as "The Lima Township Barking Dog Ordinance".

Section 2. Definitions. For the purpose of this ordinance:

- (1) "Owner" when applied to proprietorship of a dog shall mean every person having a right of property in the dog, and every person who keeps or harbors the dog or has it in his care, and any person who permits the dog to remain on or about any premises occupied by him or any person who has reasonable control of the dog.
- (2) "Reasonable control of the dog." A dog shall be deemed to be under reasonable control when the dog is on the premises of its owner, or when the dog, not being on the premises of its owner is in the custody, possession or command of its owner, his agent or a member of his family.

Section 3. Barking Dog. It shall be unlawful for an owner to harbor or keep within the Township of Lima a dog which by loud and frequent barking, yelping, growling or other noise causes material annoyance, disturbance, or discomfort to persons in their reasonable use and enjoyment of premises thereabout.

Section 4. Penalty. Anyone violating the provisions of this ordinance shall upon conviction thereof be subject to a fine not exceeding \$500.00, and the costs of prosecution, by imprisonment in the county jail for a period not exceeding 90 days, or both.

Section 5. Repealer and Severability. All ordinances, resolutions or orders, or parts thereof in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not effect any of the other provisions of this ordinance.

Section 6. Effective date. This ordinance shall be published by inserting a true copy thereof in the Chelsea Standard/Dexter Leader, a newspaper of general circulation in the Township within 30 days after passage of this ordinance. This ordinance shall not take effect until 30 days after said publication.

I hereby certify the above Ordinance was adopted at a regular meeting of the Lima Township Board on the sixth day of November, 1995. Ayes: Trinkle, Messman, VanRiper, Bareis, Heller. Nays:None.

Arlene P. Bareis, Lima Township Clerk



Lodi Township

SECTION 50.12-KENNEL

Kennels licensed by the County shall be subject to the following conditions:

A. MINIMUM LOT SIZE-will be operated on a parcel of land not less than ten (10) acres in area and six hundred sixty (660) feet In width;

B. NOISE CONTROL-on a lot on which a dog kennel shall be kept, no kennel structure or pens shall be located closer than three hundred (300) feet to the nearest edge of a public right-of-way nor within two hundred (200) feet of any neighboring site or rear lot line;

C. PUBLIC PROTECTION-dog kennel shall be established and maintained in accordance with all applicable county and township sanitation regulations

Lyndon Township

SECTION 3.29 KEEPING OF ANIMALS

A. The keeping of domestic or farm animals shall be considered customary to, and commonly associated with, the operation of the Permitted Uses or Special Land Uses, subject to the requirements of this Section.

B. Any land, **building**, or **structure** where four (4) or more cats and/or dogs six (6) months of age or older are boarded, housed, or bred for commercial purposes shall be considered a kennel.

C. Kennels shall only be permitted as required by the **Zoning District** in which the property is located.

1. Any pen or **building** or **structure** housing these animals shall be a minimum of fifty (50) feet from any property line and a minimum of twenty (20) feet from any **dwelling unit**.

2. The keeping of animals shall be subject to the following numerical limits, except the **Zoning Administrator** may temporarily permit exceeding these limits for the purposes of 4H or other similar project, provided that a request is submitted to the **Zoning Administrator** in writing, the request designates a responsible adult supervisor, the purpose of the request is noted, the duration requested, and a plan for feeding and handling of animals wastes during the period requested.

D. Where animals other than house pets of the owner or occupant of the premises are kept or allowed outside, a suitable fence to keep the animals from leaving the premises at will, shall be provided and regularly maintained. House pets shall be kept on the premises of their owner.

E. Any other provision of this Ordinance notwithstanding, the keeping, housing, raising, or use for medical care of fowl or animals other than house pets of an occupant of the premises or as part of an active farming operation, is subject to the following provisions:

Animal Type	Horses and Cattle	Hogs	Sheep*	Chickens, Turkeys & similar fowl
Acres/# of Animals				
2.0 to 5.0 acres	2	5	10	50
5.01 to 10 acres	4	10	15	100
10.01 to 20 acres	8	20	25	200
Over 20 acres	No Limit			
* Miniature horses, donkeys, llamas, and other similar animals shall be considered the same as sheep.				

Manchester Township

ORDINANCE NO. 5

MANCHESTER TOWNSHIP,

AN ORDINANCE RELATING TO THE KEEPING AND CONTROL OF CERTAIN ANIMALS
WITHIN THE TOWNSHIP MANCHESTER.

THE TOWNSHIP OF MANCHESTER ORDAINS:

Section 1.01 - Title

This Ordinance shall be known and may be cited as "The Animal
Control Ordinance of Manchester Township."

Section 2.01 - Definitions

For the purpose of this ordinance:

- A. Animal means live stock, poultry, dogs, cats and reptiles.
- B. Live stock means horses, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids and swine, and fur-bearing animals being raised in captivity.
- C. Poultry means all domestic fowl, ornamental birds and game birds.
- D. Owner when applied to the proprietorship of an animal means every person having a right of property in the animal, and every person who keeps or harbors the animal or has it in his care, and every person who permits the animal to remain on or about any premises occupied or controlled by him.
- E. Reasonable Control means a dog shall be deemed to be under reasonable control when such dog is on the premises of its owner or when such dog, not being on the premises of its owner, is with and under the control of its owner, his agent or some member of the owner's family.

Section 3.01 - Requiring that Dogs be Licensed and Vaccinated.

A. It shall be unlawful for any person to own, keep or possess any dog over the age of six (6) months, within the Township of Manchester that does not at all times wear a collar with a license and vaccination tag attached thereto as provided for by the laws of the State of Michigan.

B. It shall be unlawful for any person except the owner or the authorized agent of such owner to remove any license or vaccination tag from a dog.

An Ordinance Relating to the Keeping and Control of Certain Animals

Section 3.02 - Prohibiting Dogs from Running at Large.

It shall be unlawful for the owner of any dog in the Township of Manchester to allow such dog to stray beyond the premises of such owner unless under reasonable control, or for the owner of any female dog to permit said female to go beyond the premises of such owner when she is in heat unless such dog is held properly in leash; Further, it shall be unlawful for the owner of any dog not to have such dog under reasonable control at all times.

Section 3.03 - Barking Dogs and Ferocious Dogs and Cats

A. It shall be unlawful for the owner of any dog in the Township of Manchester to allow such dog to howl, bark, whine or otherwise create noise disturbing or annoying other persons in their reasonable use and enjoyment of premises other than the premises of such owner.

B. It shall be unlawful for the owner of any dog or cat that is vicious, ferocious, or which without provocation, has bitten or otherwise injured any person to own or allow such dog or cat to be kept or maintained in the Township of Manchester, unless so confined as to prevent injury or threat of injury of any person by such dog or cat.

Section 4.01 - Prohibiting Offensive Keeping of Animals

It shall be unlawful for the owner of any animal in the Township of Manchester to allow such animal to be kept or maintained on premises in any manner causing noxious or offensive odors to be emitted from such premises.

Section 5.01 - Prohibiting Animal Running at Large

It shall be unlawful for the owner of any animal in the Township of Manchester to allow such animal to go at large upon the streets or other public ways of the Township, or upon lands of other persons without the consent of the owner or lessee of such lands.

Section 5.02 - Prohibiting Livestock and Poultry Entering Private Lands

It shall be unlawful for the owner of any live stock or poultry in the Township of Manchester to allow such live stock or poultry, while under the control of such owner, to enter upon lands of other persons without the consent of the owner or lessee of such lands.

An Ordinance Relating to the Keeping and Control of Certain Animals

Section 5.03 - Requiring Enclosure of Livestock and Poultry

It shall be unlawful for the owner of any livestock and poultry in the Township of Manchester to allow such livestock and poultry to be kept or maintained on any premises without such livestock and poultry being enclosed within pens, shelter or fences in a manner to prevent such livestock and poultry from straying beyond such premises.

Section 6.01 - Violations and Penalties

Any person violating any of the provisions of this ordinance shall upon conviction thereof be subject to a fine of not more than One Hundred (\$100.00) Dollars, and the costs of prosecution thereof, by imprisonment in the County jail for a period not to exceed ninety (90) days, or both.

Section 7.01 - Repealing Clause

All ordinances, resolutions or orders, or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed, provided that the provisions of this Ordinance shall not be construed to amend or repeal any provision of the Zoning Ordinance of Manchester Township.

Section 7.02 - Severing Clause

It any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not effect any of the other provisions of this Ordinance.

Section 7.03 - Effective Date

A true copy of this Ordinance shall be published in accordance with the law within ten days after the date hereof, in the Manchester Enterprise, a newspaper having general circulation in said Township, and such ordinance shall be effective thirty days after such publication.

Made and Passed: January 10, 1972.


Waldo C. Marx,
Manchester Township Clerk.

CERTIFICATE

I, Waldo C. Marx, Clerk of the Township of Manchester, Washtenaw County, Michigan, hereby certify that the foregoing Animal Control

An Ordinance Relating to the Keeping and Control of Certain Animals.

Ordinance of Manchester Township was duly adopted by the Township Board of Manchester Township duly assembled in a regular meeting of said Board held January 10, 1972.

I further certify that Member Lyle Widmayer moved adoption of said Ordinance and that Member James Lyons, supported said motion.

I further certify that Clarence Fielder, Waldo C. Marx, James Lyons and Lyle Widmayer voted for adoption.

Member Michael Wolfe was absent from meeting.

I further certify that the same was duly printed and published on the 13th day of January, 1972, in the Manchester Enterprise a newspaper circulated in the Township of Manchester, Washtenaw County, Michigan.

Waldo C. Marx
Waldo C. Marx,
Manchester Township Clerk.

Northfield Township

Definitions:

Pet: A domesticated dog, cat, bird, gerbil, hamster, guinea pig, turtle, fish, rabbit, or other animal that is commonly available and is kept for pleasure or companionship.

Exotic animals include a specific animal or breed of animal that has been introduced within an area that is not common or communal to existing species in an area and can be considered alien to animals normally adapted to an area. Animals of this nature that can or may be hazardous to human health are prohibited.

Section 3.0 Anti-Noise Regulations

4. The keeping of any animal, bird or fowl, which emanates frequent or extended noise which shall unreasonably disturb the quiet, comfort or repose of any person in the vicinity; such as allowing or permitting any dog to bark repeatedly in an area where such barking can be clearly heard from nearby residential property. The provisions of this paragraph are not intended to otherwise prohibit generally accepted agricultural and management practices according to policy determined by the Michigan commission of agriculture as permitted by Michigan's Right to Farm Act, being MCL 286.473.

Pittsfield Charter Township

ARTICLE II. - ANIMAL CONTROL

Sec. 4-31. - Authority.

This article is adopted pursuant to the provisions of Public Act No. 246 of 1945 (MCL 41.181 et seq., MSA 5.45(1) et seq.), as amended.

(Ord. No. 238, § 2, eff. 5-22-1999)

Sec. 4-32. - Purpose.

The purpose of this article is to provide for the preservation of public peace and to protect the health, safety and welfare of township citizens by regulating the control of domestic animals by their owners.

(Ord. No. 238, § 3, eff. 5-22-1999)

Sec. 4-33. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adequate care means the provision of sufficient food, water, shelter, sanitary conditions and veterinary medical attention in order to maintain an animal in a state of good health.

Animal means any living, vertebrate creature, domestic or wild, not including a human being.

Animal control officer means any police officer, ordinance enforcement officer or a county animal control officer designated by the township to enforce the provisions of this article.

Animal pound means any animal shelter where a domestic animal may be impounded. The animal pound may be maintained by the township, by the humane society or by any third party which operates an animal shelter and which contracts with the township.

At large means off the owner's premises and not under the control of the owner or another responsible person.

Cat means any animal in the feline family, of either sex or of any age.

Dangerous animal means any animal which, without provocation, attacks or injures a person who is peaceably conducting himself in any place where he lawfully may be. Dangerous animals shall also include any animal which, because of its size, vicious propensity or other characteristic, would constitute a danger to human life, property or domestic animals if not restrained or kept in a safe manner.

Dog means any animal in the canine family, of either sex or of any age.

Domestic animal means an animal kept as a pet including, but not limited to, all dogs and cats.

Kennel operator means any person who operates an establishment, other than an animal shelter, where dogs and/or cats are maintained for boarding, training, or similar purposes for a fee or compensation; or who sells, exchanges, or offers for adoption with or without charge, dogs and/or cats which he produced or raised.

Neglect means failure to sufficiently or properly care for an animal to the extent that the animal's health is jeopardized.

Owner means any person who has a right or property interest in an animal, who keeps or harbors an animal, who has an animal in his care or possession, who acts as custodian of an animal or who knowingly permits any domestic animal to remain on or about any premises occupied by him.

Person means any corporation, partnership, limited liability company, association or other legal entity, as well as a natural human being.

Pet shop operator means any person who operates an establishment, other than an animal shelter, where animals are sold, offered for sale, exchanged or offered for adoption with or without charge. A person who sells, offers to sell, exchanges or offers for adoption only such animals that he has produced or raised shall not be considered a pet shop operator.

Police officer means any person employed by the township or by the state or county and whose duty it is to preserve the peace or to make arrests or to enforce the law.

Public nuisance means any animal which:

- (1) Chases pedestrians or passing vehicles;
- (2) Attacks other animals;
- (3) Is at large three or more times within a year's time;
- (4) Damages private property; or
- (5) Barks, howls, yelps or runs at large, so as to disrupt the peace of any person or resident who is peaceably conducting himself in any place where he may lawfully be.

Restrain/restrained means an animal shall be deemed under restraint if:

- (1) It is under the control of its owner or other responsible person; or
- (2) It is securely enclosed, confined or restrained on the premises where it may lawfully be so as to be unable to enter upon the public way or to molest persons lawfully using the public way.

Sanitary conditions means space free from health hazards including excessive animal waste, overcrowding of animals or other conditions that endanger the animal's health. This definition does not include a condition resulting from any customary and reasonable practice pursuant to farming or animal husbandry.

Shelter means adequate protection from the elements and weather conditions, suitable for the age and species of the animal, and maintains the animal in a state of good health. A shelter may include structures or natural features such as trees and topography.

State of good health means freedom from disease and illness and in a condition of proper body weight and temperature for the age and species of the animal, unless the animal is undergoing appropriate treatment.

Water means potable water that is suitable for the age and species of the animal, made regularly available unless otherwise directed by a veterinarian licensed to practice veterinary medicine.

Wild animal means any animal caught or captured in the wild, the possession of which requires a permit from state. Any animal domestically raised, for which a permit is required, shall also be classified as a wild animal.

(Ord. No. 238, § 4, eff. 5-22-1999)

Sec. 4-34. - Keeping or housing animals.

The keeping or housing of pets including, but not limited to, cats, dogs, household fish, birds, reptiles and other animals shall only be permitted within the township as is authorized by this article and the zoning ordinance of the township.

(Ord. No. 238, § 5, eff. 5-22-1999)

Sec. 4-35. - Dog license.

No owner of any dog shall own, harbor, maintain, possess or permit any dog to remain on such owner's premises within the township unless the owner shall have complied with the laws of the state providing for the licensing and registration of the dog. Every owner of a dog shall be required to provide the dog with a collar to which the license tag issued for that dog shall be affixed. The owner shall be responsible to see that the collar and tag are worn by the dog constantly when it is off the owner's property.

(Ord. No. 238, § 6, eff. 5-22-1999)

Sec. 4-36. - Harboring, keeping domestic animals; prohibitions.

(a) *Prohibited acts.* It shall be unlawful for any owner to keep, harbor or have charge of any domestic animal, whether licensed or unlicensed, when any one or more of the following facts exist:

- (1) The animal has a vicious disposition, shows vicious habits and/or has molested any person or animal lawfully in or upon any public or private street or place;
- (2) The domestic animal has attacked or bitten any person who was peaceably conducting himself in any place he may lawfully be or has destroyed any property or other domestic animal;
- (3) The domestic animal appears to be suffering from rabies, mange or other infectious or dangerous disease;
- (4) The domestic animal, by destruction of property or trespassing upon the property of others, has become a nuisance in the vicinity where kept as witnessed by an animal control officer or any two persons from two separate households in the vicinity where the domestic animal is kept; or
- (5) The domestic animal, by loud barking, howling, yelping, whining, meowing or other sound, has become a nuisance in the vicinity where kept, as witnessed by an animal control officer or any two persons from two separate households in the vicinity where the domestic animal is kept.

(b) *Running at large.* No person shall cause or permit any animal kept by him to run at large within the township. Animals which are off the owner's property, whether on public or private property, without being under the control of the owner or other responsible person, shall be deemed to be running at large. It shall be unlawful to permit any animal to run at large on the property of another without the permission of the owner of that property.

(c) *Animal waste.* The owner of every animal shall be responsible for the removal of any fecal matter deposited by his animal on public property, public easements or private property, before leaving the immediate area.

(d) *Keeping of wild animals.* No person shall keep or permit to be kept on his premises any wild animal such as, but not limited to, bear, deer, snakes, large reptiles or large members of the cat family as a pet or for display or exhibition purposes, unless he has obtained all required permits from the state authorizing such activity and complies with the zoning ordinance the township. This subsection shall not apply to performing animal exhibitions or circuses. An animal control officer shall have the power to release or order the release of any wild animal capable of surviving in the wild and/or surrender the

animal to any agency authorized by the state to house wildlife.

(e) *Keeping of dangerous animals.*

(1) No person shall permit any dangerous animal to be on any private or public property, other than the owner's property, unless such animal is securely muzzled or caged. Adequate safeguards shall be taken to prevent unauthorized access to a dangerous animal on the owner's premises by persons unlawfully on the premises.

(2) Whenever an animal control officer determines upon personal observation or investigation that an animal is a dangerous animal as defined in this chapter, the officer shall notify the owner of the animal in writing of the determination, the reasons for the determination and the requirements of this section regulating the keeping of dangerous animals.

(3) Any dangerous animal running at large and which cannot safely be taken or impounded may be destroyed by an animal control officer, however, in all cases where the animal has seized or bitten any person or animal as to cause a puncture or abrasion of the skin or where the animal is suspected to be rabid, no injury should be done to the head of the animal.

(f) *Diseased animals.* It shall be unlawful for an owner to permit a domestic animal afflicted with a contagious disease to run at large or to be exposed in any public place whereby the health of any other animal or person may be affected.

(g) *Abandoned or unwanted animals.* It shall be unlawful to abandon an animal or cause an animal to be abandoned, in any place, without making provisions for the animal's adequate care, unless the premises are temporarily vacated for the protection of human life during a disaster. An animal that is lost by an owner or custodian while traveling, walking, hiking or hunting shall not be regarded as abandoned under this section when the owner or custodian has made a reasonable effort to locate the animal. Unwanted animals shall be offered to an animal shelter. If an unwanted animal is not accepted by an animal shelter, the animal shall be humanely destroyed by a licensed veterinarian.

(h) *Order to show cause why animal should not be destroyed.* An animal control officer may issue a citation for a violation of this section or a complaint may be filed in the district court of the county, and the district court shall issue a summons to the owner of such animal to show cause why the animal should not be killed or otherwise disposed of. Upon hearing, the district court judge, upon finding that one or more of the facts as set forth in this section exists, shall order the animal to be killed or otherwise disposed of as ordered by the court. All costs incurred for the disposition of the animal shall be paid by the owner. Such action shall be in addition to any penalty imposed pursuant to section 4-35

(Ord. No. 238, § 7, eff. 5-22-1999)

Sec. 4-37. - Care and treatment of animals.

(a) *Humane care.* No person shall cruelly treat, beat, torment, overload, overwork or otherwise abuse any animal. No owner of an animal shall neglect or fail to provide such animal with adequate care.

(b) *Inhumane treatment.* No person shall cause any animal to be subjected to cruel or inhumane treatment, including, but not limited to:

(1) The unnecessary separation of a female animal from its offspring before such time as the offspring can survive such separation;

(2) Painting, dyeing, or otherwise coloring any animal as a novelty or for purposes of sale, exchange or adoption;

(3) Promoting, inciting, or conducting animal fights or the intentional killing of animals for wagering or entertainment;

(4) Keeping an animal in any container or other enclosed area without sufficient food, water, light, ventilation and care for an unreasonable length of time so as to cause undue discomfort or suffering;

(5) Except where taken by legal hunting, trapping or fishing methods, the unnecessary killing of any species of animal except rat, mouse, mole, vole or other animal not protected by law; and

(6) The transporting of any living animal on the running board, fenders, hood or other outside part of any vehicle unless suitable harness, cage or enclosure is provided so as to protect such animal from falling or being thrown therefrom.

(Ord. No. 238, § 8, eff. 5-22-1999)

Sec. 4-38. - Penalties.

Violation of this article shall be a municipal civil infraction subject to the penalties established by section 2-236 et seq., municipal civil infractions of the Pittsfield Charter Township Code. Each day a violation exists shall be deemed a separate offense. The imposition of any penalty shall not exempt the offender from compliance with the requirements herein.

(Ord. No. 238, § 9, eff. 5-22-1999)

SECTION 56.24 - - KENNEL REGULATIONS

A kennel, as defined in Section 2.02, is subject to the following conditions:

- A. Any kennel shall be subject to the permit and operational requirements of State and County regulatory agencies.
- B. All animals shall be kept in an enclosed structure, except for walking and outdoor exercise when accompanied and controlled by an employee of the kennel. The Conditional Use Permit may limit the time during which the animals are permitted out of the building.
- C. Structures in which animals are kept, as well as animal runs and exercise areas, shall not be located in any required front, or rear setback area and shall be located at least fifty (50) feet from any dwelling or building used by the public on adjacent land.
- D. Pet grooming (including bathing, fur and nail trimming, brushing, flea and tick treatment, and similar treatment) shall be permitted for animals being boarded; for animals not being boarded, pet grooming shall be permitted if specifically authorized in the Conditional Use Permit.
- E. The sale of pet and veterinary products shall be incidental to the kennel unless specifically authorized in the Conditional Use Permit.
- F. Veterinary care shall be incidental to the kennel unless specifically authorized in the Conditional Use Permit.
- G.

The sale of animals shall be permitted only if specifically authorized in the Conditional Use Permit.

H.

Training classes shall be permitted only if specifically authorized in the Conditional Use Permit.

I.

In districts other than AG, the kennel shall not be operated for breeding purposes, unless specifically authorized in the Conditional Use Permit.

J.

The Conditional Use Permit shall establish a limit on the number of animals that may be boarded at one time.

K.

The Conditional Use Permit may limit the specific species of animals that are permitted.

L.

The Conditional Use Permit may establish a limit on other measures of the intensity of use

M.

In districts other than Agricultural Districts (Article 11.0), facilities must be connected to public utilities, where available.

N.

Applicant shall include a waste management plan.

Salem Township

Kennel, Commercial: Any building or buildings and/or land used, designed, or arranged for the boarding, breeding, training, or care of dogs and cats for profit.

Kennel, Private: Any building or buildings and/or land used, designed, or arranged for the boarding, breeding, or care of dogs and/or cats belonging to the owner thereof and kept for purposes of show, hunting, or as pets. The keeping of such animals shall be strictly incidental to the principal use of the premises. A private kennel may consist of two (2) adult animals per acre, but not to exceed a total of six (6) adult animals. On parcels less than one acre, two adult dogs are permitted. Any number of adult animals in excess of six (6) shall require a conditional use permit, however, no private kennel shall exceed 12 adult animals. Any kennel of more than 12 adult animals shall be classified as a commercial kennel and subject to the requirements of this Ordinance.

For the purposes of this definition, an adult dog shall mean any dog older than (6) months that resides at the kennel longer than (6) months

Pet: A domesticated dog, cat, bird, gerbil, hamster, guinea pig, turtle, fish, rabbit, or other non-exotic animal that is commonly available and is kept for pleasure or companionship.

“Exotic” animals include a specific animal or breed of animal that has been introduced within an area that is not common or communal to existing species in an area and can be considered alien to animals normally adapted to an area. Animals of this nature that can or may be hazardous to human health or safety are prohibited.

Saline Township

Section 5.106 Kennels.

Kennels shall conform to all applicable permit and operational requirements established by appropriate regulatory agencies, and shall further be subject to the following:

1. **Minimum lot area.** Commercial kennels, as licensed by Washtenaw County, shall have a minimum lot area of ten (10) acres. Private kennels shall have a minimum lot area of five (5) acres.
2. **Setbacks.** Structures or pens where animals are kept, outdoor runs, and exercise areas shall not be located in any required yard setback areas. Such facilities shall be set back at least 300 feet from all road rights-of-way, and 100 feet from all side and rear lot boundaries.
3. **Screening.** Structures where animals are kept, outdoor runs and exercise areas shall be screened per Section 8.04 (Methods of Screening).
4. **Use standards.** Structures where animals are kept, outdoor runs and exercise areas shall have impervious surfaces and an approved system for runoff, waste collection, and disposal. Kennels shall be established and maintained in accordance with all applicable County and Township sanitation and animal control regulations.
5. **Additional conditions.** Such uses shall be subject to site plan approval per Section 12.01 (Site Plan Review). The Planning Commission may impose other conditions and limitations deemed necessary to prevent or mitigate possible nuisances related to noise or odor.

Scio Township

ARTICLE II. DOGS

Sec. 8-19. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Owner , when applied to proprietorship of a dog, means every person having a right of property in the dog, and every person who keeps or harbors the dog or has it in his care, and any person who permits the dog to remain on or about any premises occupied by him or any person who has reasonable control of the dog.

Reasonable control of the dog. A dog shall be deemed to be under reasonable control when the dog is on the premises of its owner, or when the dog, not being on the premises of its owner, is in the custody, possession or command of its owner, his agent or a member of his family.

(Ord. of 4-28-1980, § 2)

Sec. 8-20. Barking dog.

It shall be unlawful for an owner to harbor or keep within the township a dog which, by loud and frequent barking, yelping, growling or other noise, causes material annoyance, disturbance, or discomfort to persons in their reasonable use and enjoyment of premises thereabout.

(Ord. of 4-28-1980, § 3)

Sec. 36-135. Regulation of animals.

(a) *General standards.*

(1) Class I animals may be maintained in any zoning classification district, subject to specific restrictions herein.

(2) Where farm animals are maintained coincident with a farm or farm operation, then and in such event, such farm animals and/or any associated livestock production facility shall be exempt from the regulations herein where a livestock production facility and/or any associated manure storage facilities are regulated, operated, managed and conducted in accordance with a GAAMP as adopted and published by the state commission of agriculture, or its successor, and as amended from time to time. Where a farm or farm operation proposes new and/or expanding livestock production facilities at a capacity of fewer than 50 animal units, such farm or farm operation and/or livestock production facility shall request and received sitting verification from the state department of agriculture.

(3) Where class II and class III animals are not maintained coincident with a farm or farm operation, then the following regulations shall apply:

a. Class II animals may be maintained in the RC, A-1 and ER districts, subject to the following conditions:

1. The minimum lot area required to maintain class II animals is five acres. One class II animal, except horses, shall be permitted for the first five acres. Thereafter, one additional class II animal except horses shall be permitted for each full one acre in excess of five acres.

2. The minimum lot area required to maintain horses is five acres. Two horses shall be permitted for the first five acres. Thereafter, two additional horses shall be permitted for each full 2 1/2 acres.

3. There shall be adequate fencing, or other restraining device, for the purpose of maintaining animals within the restricted areas provided for in this chapter.

4. Structures housing class II animals shall be located no nearer than 200 feet to any dwelling which exists on an adjacent lot and no nearer than 100 feet to any adjacent lot line. Fenced areas shall be located no nearer than 50 feet from any dwelling which exists on an adjacent lot.

5. The refuse and wastes resulting from the maintenance of animals shall be controlled upon the premises, and shall be cared for or disposed of within a reasonable time so as to minimize hazards of health and offensive effects upon neighboring people and uses.

6. All feed and other substances and materials on the premises for the maintenance of animals shall be stored so as to not attract rats, mice, or other vermin.

b. Class III animals may be maintained in the RC, A-1 and ER districts, subject to the following conditions:

1. The minimum lot area required to maintain class III animals shall be 2 1/2 acres. Ten class III animals shall be permitted for the first 2 1/2 acres. Thereafter, one additional class III animal shall be permitted for each full one-quarter acre in excess of 2 1/2 acres.

2. There shall be adequate fencing, or other restraining device, for the purpose of maintaining animals within the restricted areas provided for in this chapter. Fenced areas shall be located no nearer than 50 feet from any dwelling which exist on an adjacent lot.

3. Structures housing class III animals shall be located no nearer than 100 feet to any dwelling which exists on an adjacent lot and no nearer than 50 feet to any adjacent lot line.

4. The refuse and wastes resulting from the maintenance of animals shall be controlled upon the premises, and shall be cared for or disposed of within a reasonable time so as to minimize hazards of health and offensive effects upon neighboring people and uses.

5. All feed and other substances and materials on the premises for the maintenance of animals shall be stored so as to not attract rats, mice or other vermin.

(4) Except as authorized in a wildlife preserve approved by the township, wild animals shall not be permitted to be maintained in the township, temporarily or permanently. For purposes of this section, the term "wild animal" shall mean an animal not otherwise defined as a class I, II, or III animal, and which is not customarily domesticated and customarily devoted to the service of mankind in the township. The term "wild animal" also means any animal which a person is

prohibited from possessing by law. The characterization of an animal as being wild shall not be altered by virtue of the fact that one or several generations of the animal in question have been maintained in captivity.

(b) Hobby and commercial kennels.

(1) Hobby kennels shall be permitted as an accessory use in any zoning district where single-family dwellings are permitted uses.

(2) Commercial kennels shall be a conditional use in the C-2, RC and A-1 districts subject to the following conditions:

a. A minimum lot size of five acres in the C-2 district and ten acres in the RC and A-1 districts shall be maintained.

b. Any building or fenced area where animals are kept shall be located a minimum of 200 feet from any public right-of-way, 100 feet from any property line, and 150 feet from any residential dwelling located off the premises.

c. The kennel shall be established and maintained in accordance with all applicable state, county and township sanitation regulations. Odor, dust, noise, drainage or insects shall not constitute a nuisance to adjoining properties.

d. A site plan shall be submitted in accordance with article VI of this chapter.

(c) Hobby and commercial horse stables.

(1) An indoor riding arena, whether for a hobby or commercial horse stable, shall require a minimum of ten acres.

(2) Hobby stables shall be permitted as an accessory use in the RC, A-1 and ER districts subject to the restrictions set forth in subsection (a)(2) of this section.

(3) Commercial stables shall be a conditional use in the RC and A-1 districts, subject to the restrictions set forth in subsection (a)(2) of this section, and the following additional conditions:

a. The minimum lot area required for a commercial stable shall be ten acres. Six horses shall be permitted for the first ten acres. Thereafter, one additional horse shall be permitted for each full one acre in excess of ten acres.

b. A commercial stable shall be established and maintained in accordance with all applicable state, county and township sanitation regulations.

c. A site plan shall be submitted in accordance with article VI of this chapter.

(Ord. No. 275, § 6.09, 10-21-2003; Ord. No. 2007-02, § 1(6.09), 6-12-2007; Ord. No. 2009-01, § IV(B), 1-27-2009)

Sharon Township

Section 20.16 Keeping of Animals

A. Vicious Animals: No vicious animal shall be kept permanently or temporarily in any District in the Township. For the purposes of this Section, a "vicious animal" shall be defined as any animal that attacks, bites, or injures human beings or domesticated animals without adequate provocation, or which because of temperament, conditioning, or training, has a known propensity to attack, bite, or injure human beings or domesticated animals.

B. Household Pets: The keeping of household pets, including dogs cats, fish, birds, hamsters and other animals generally regarded as household pets is permitted as an accessory use in any Residential District provided such activities do not constitute a kennel as defined in this Ordinance, and the keeping of such animals does not constitute a nuisance due to excessive noise or the lack of adequate containment and supervision.

C. Private Stables and Livestock: The raising and keeping of livestock or other animals generally not regarded as household pets and which do not meet this Ordinance's definition for "vicious animal," may be conducted as accessory to the principal residential use of a lot according to the following conditions. This subsection (C) shall apply only to the keeping of livestock or other animals as accessory to the principal residential use of a lot, including private stables, and shall not apply to a farm.

1. Animals shall be managed by the occupants of the premises.
2. Such keeping of animals shall be permitted in the General Agriculture and Resource Conservation Districts only, but in no case shall occur in platted or condominium subdivisions unless specifically designed to incorporate an equestrian center.
3. All such raising and keeping or killing and dressing of poultry and animals processed upon the premises shall be for the use or consumption by the occupants of the premises.
4. The occupants of the premises shall keep the odor, sounds and movement of the animals from becoming a nuisance to adjacent properties.
5. Manure piles shall be stored, removed, and/or applied to the soil in accordance with the Generally Accepted Agricultural and Management Practices of the Michigan Agriculture Commission for manure management and utilization, and with Michigan Department of Agriculture and County Health Department regulations. No storage of manure, odor, or dust producing materials, shall be permitted within one hundred (100) feet of any adjoining lot line.
6. Maintenance of animals and operation of private stables shall be in conformance with all applicable county, state, and federal regulations.
7. All animal facilities shall be constructed and maintained so that dust and drainage from the facilities shall not create a nuisance or hazard to adjoining property or uses.
8. No living quarters shall be located in any private stable.

D. Compliance with Regulations: The keeping, maintaining, and/or raising of animals shall comply with all county, state, and federal regulations.

Section 5.17 Kennels

A. The following site and developmental requirements shall apply:

1. The lot shall be at least ten (10) acres in size.
2. Kennels shall not be located in a subdivision plat or condominium subdivision.
3. Buildings where animals are kept, runs, and exercise areas shall not be located nearer than one-hundred feet (100) to a side or rear lot line and three hundred (300) feet to a public right-of-way.

B. Special Performance Standards:

1. All kennels shall be operated in conformance with all applicable county, state and federal regulations.
2. All animals must be licensed and maintained in a healthful and careful manner.
3. The kennel building used to house the animals shall be insulated in such a manner that animal noises are minimized.
4. Habitual barking or unusual noise from the kennel which results in a nuisance to neighboring land owners or residents is prohibited.
5. Exercise yards, when provided for training or exercising, shall not be used between the hours of 10:00 p.m. and 7:00 a.m.
6. During the hours of 7 a.m. until 10 p.m. animals shall be permitted in outdoor runs or pens. Animals shall be kept confined and not allowed to run at large on the property, except as part of supervised training.
7. The premises shall be kept in a clean and sanitary manner to prevent the accumulation of flies, the spread of disease or offensive odor.

Superior Township

THE TOWNSHIP OF SUPERIOR, COUNTY OF WASHTENAW, STATE OF MICHIGAN, ORDAINS:

Section 63-01 – Short Title

This Ordinance shall be known and may be cited as: “The Superior Township Dog Control Ordinance”.

Section 63-02 - Definitions

(1) Livestock. The term "livestock" means and includes horses, stallions, colts, geldings, mares, sheep, rams; lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids and swine, and fur-bearing animals being raised in captivity.

(2) Owner. The word "owner", when applied to the proprietorship of a dog, means every person having a right of property in the dog, and every person who keeps or harbors the dog or has it in his care, and every person who permits the dog to remain on or about any premises occupied by him for a period of five (5) days or more.

(3) Poultry. The term "poultry" means all domestic fowl, ornamental birds and game birds possessed or being reared under authority of a breeder's license pursuant to Act NQ 191 of the Public Act of 1929, as amended, being sections 317.71 to 317.85 of the Compiled Laws of 1948.

(4) Reasonable Control. A dog shall be deemed to be under "reasonable control" only under the following circumstances:

(a) When such dog is on the premises of its owner and is controlled by such owner in such a way that it does not do damage to the person or property of any person, other than it's owner, except when in the defense of itself, its owner, his agent, or a member of his family, or their property; and

(b) When such dog, not being on the premises of its owner, is under the custody of a responsible person and is securely held upon a leash of leather or other material of a length of not over six (6) feet or is in a closed motor vehicle, and is controlled in such a way that the dog does not commit damage to the person or property of any person, other than its owner, except when in the defense of itself, its owner, his agent, or a member of his family, or their property.

(5) Law Enforcement Officer. A law enforcement officer means any person employed or elected by the people of the state or any municipality, county, or township, whose duty it is to preserve peace or to conservation officers and members of the state police.

Section 63-03 - Enforcement

It shall be the duty of a law enforcement officer to enforce all the provisions of this ordinance. It shall be the duty of the law enforcement officer to aid in the enforcement of all of the ordinances of the Township.

Section 63-04 - Complaints for Article Violations

A law enforcement officer may make complaint to a District Judge of the

County in regard to any violation of this article of which he or she has knowledge.

Section 63-05 - Control

(1) It shall be unlawful for the owner of any dog not to have such dog under reasonable control at all times, whether on or off the premises of the owner.

(2) It shall be unlawful for the owner of any dog located within the township to allow such dog to stray beyond the premises of such owner, unless such dog is under reasonable control.

(3) It shall be unlawful for the owner of any female dog to permit such female dog to go beyond the premises of such owner when she is in heat, unless such female dog is held properly in leash and is under reasonable control.

Section 63-06 - Noisy Dogs

It shall be unlawful for any person to be the owner of a dog in the township, which dog, by loud and frequent barking, howling, yelping, growling or any other noise, causes serious annoyance to any of the people of the township.

Section 63-07 - Dogs Creating Unsanitary Conditions or Offensive Odors

It shall be unlawful for any person to be the owner or to have in his possession a dog that creates an unsanitary condition or an offensive odor that causes a hazard to the health and welfare of any of the people of the township.

Section 63-08 - Fierce Dogs and Dogs Bitten by Rabid Animals

It shall be unlawful for any person in the township to own a fierce dog, or a dog that has been bitten by any animal known to have been afflicted with rabies.

Section 63-09 - Confinement for Rabies Observation

(1) Any person who shall have in his possession a dog which has contracted rabies or has been subjected to the same, or which is suspected of having rabies, or which has bitten any person shall, upon demand of the dog warden or any police officer of the township, county or state, produce and surrender up such a dog to such officer to be held for observation as hereinafter provided. It shall be the duty of any person owning a dog which has been attacked or bitten by another dog or animal showing symptoms of rabies, or which has bitten any person or any other dog suspected of having rabies, to immediately notify the dog warden or the township clerk that such person has such dog in his possession.

(2) Whenever a dog is reported to have bitten any person, it shall thereupon be the duty of the dog warden to seize such animal and confine the same in one of the veterinarian hospitals in the township or the vicinity thereof, or the Washtenaw County Humane Society, for a period of at least ten (10) days for the purpose of ascertaining whether such animal is afflicted with rabies. The dog warden may notify, in writing, the person owning or possessing such dog, to confine the same in one of the veterinarian hospitals of the township or the vicinity thereof, or with the Washtenaw County Humane Society, for a period of at least ten (10) days for the purpose of ascertaining whether such dog is afflicted with rabies, and it shall thereupon be the duty of such owner to accomplish the confinement of such dog within twelve (12) hours after receiving such

notice from the dog warden in anyone of the places above indicated for such period of ten (10) days, for the purpose-of ascertaining whether such dog is afflicted with rabies. If such dog is not afflicted, it may be returned to its owner.

(3) In the event any dog is confined under the provisions of this section, the owner thereof shall be liable for any fees and costs which accrue because of the detention of such dog.

(4) Whenever a dog confined under this section is suspected of having rabies, it shall be the duty of its custodian or the dog warden to arrange for the delivery of such dog to the state department of health for a laboratory diagnosis' of the presence or absence of rabies.

Section 63-10 - Procedure For Recovery Of Damages For Loss Of or Injury To Livestock or Poultry Caused By Dogs

(1) Whenever any person sustains any loss or damage to any livestock or poultry by dogs, or whenever any livestock of any person is necessarily destroyed because of having been bitten by a dog, such person or his agent or attorney, may complain to the township supervisor or appointed trustee of the township within which the damage occurred. The complaint shall be writing, signed by the person making it, and shall state when, where, what and how much damage was done, and, if known, by whose dog or dogs. The township supervisor or a township trustee appointed by the township board shall at once examine the place where the alleged damage was sustained and the livestock or poultry injured or killed, if practicable. He shall also examine under oath, or affirmation, any witness called before him. After making diligent inquiry in relation to the claim, the township supervisor or appointed trustee shall determine whether any damage has been sustained and the amount thereof, and, if possible, who was the owner of the dog or dogs by which the damage was done. If during the course of the proceedings it shall appear who is the owner of the dog causing the loss or damage to the livestock, the township supervisor or appointed trustee shall request the District Court Judge to forthwith issue a summons against the owner commanding him to appear before the township supervisor or appointed trustee and show cause why the dog should not be killed. The summons may be served anyplace within the county in which the damage occurred, and shall be made returnable not less than two (2) nor more than six (6) days from the date therein and shall be served at least two (2) days before the time of appearance mentioned therein. Upon the return day fixed in the summons the township supervisor or appointed trustee shall proceed to determine whether the loss or damage to the livestock was caused by said dog, and if he shall so find he shall forthwith notify the sheriff or the animal control officer of the county of that fact whereupon it shall be the duty of the sheriff or the animal control officer to kill the dog wherever found. Any owner of keeper of the dog or dogs shall be liable to the county in a civil action for all damages and costs paid by the county on any claims as hereinafter provided.

(2) Any person or law enforcement officer, violating or refusing to comply with any provisions of this ordinance shall be guilty of a misdemeanor and upon conviction shall pay a fine not less than \$10.00 nor more than \$500.00, or shall be imprisoned in the county jail for not exceeding three (3) months, or both such fine and imprisonment. Any person presenting a false claim, knowing it to be false, or receiving any money on such false claim, shall be guilty of a misdemeanor and upon conviction

shall pay a fine of not less than \$10.00 nor more than \$100.00, or shall be imprisoned in the county jail for not exceeding three (3) months or both such fine and imprisonment.

Section 63-11 - License Required

It shall be unlawful for any person to be the owner of any dog over the age of six (6) months, located within the township, unless such dog is currently licensed in accord with the provisions of this division.

Section 63-12 - Application; Proof _Of Rabies Vaccination

(1) On or before the first day of March of each year, the owner of any dog six (6) months old or over, located within the township, shall apply to the township treasurer, in writing, for a license for such dog. Such application shall state the breed, sex, age, color and markings of such dog, and the name and address of the last previous owner.

(2) Any person becoming the owner, after the first day of March of any year, of any dog six (6) months old or over, which has not already been licensed, and any person owning a dog which becomes six (6) months old at anytime, after the first day of March of any year, shall forthwith apply for a license for such dog in the manner set out in this section.

(3) Each application filed under this section shall be accompanied by proof of vaccination of the dog for rabies within the year preceding the date of application. When a dog is vaccinated with modified live rabies virus of chick embryo origin, proof of vaccination within two (2) years preceding the date of the application shall be deemed compliance with this section.

Section 63-13 - Fee

(1) At the time of making application for a dog license, the owner shall pay the fee as set by the county.

(2) All money collected under this section shall be deposited in the General Township Fund.

Section 63-14 - Issuance and Contents

Upon the making of proper application, the payment of the license fee and the presentation of proof of vaccination of the dog for rabies, as required by this Section, the township treasurer shall issue and deliver to the owner a dog license. Such license shall be dated and shall bear a serial number and the name of this township and shall contain a full description of the dog.

Section 63-15 - Issuance, Size and Contents of Tag; Tag to be Worn by Dog

At the time a dog license is issued, the township treasurer shall also issue a license tag, not more than one and half (1 1/2) inches in length, which tag shall have impressed upon it the calendar year for which it is issued and the serial number of the license issued for the dog. The owner shall cause such tag to be affixed to a substantial collar to be furnished by him, which, with the tag attached, shall at all times be kept on the dog for which the license issued. It shall be unlawful for any person to be the owner of any dog six (6) months or over, located within the township, that does not, at all times, wear a collar with a tag attached as provided in this section.

Section 63-16 - Unlawful Removal of Tag

It shall be unlawful for any person, except the owner or his authorized agent, to remove any license tag from a dog.

Section 63-17 – Transfer

No license or license tag issued for one dog shall be transferable to another dog. Whenever the ownership or possession of any dog is permanently transferred from one person to another within the township, the license of such dog may be likewise transferred, upon notice given to the township treasurer, who shall note such transfer upon his record.

Section 63-18 - Report of Unlicensed Dogs

It shall be the duty of the law enforcement officer to make a report to the township treasurer of all unlicensed dogs he finds in the township after the first day of March of each year.

Section 63-19 - Impoundment Generally

(1) It shall be the duty of the dog warden to pick up and impound:

- (a) Any dog which he finds running at large,
- (b) Any dog which he finds not to be under the reasonable control of its owner, his agent, or a member of his family,
- (c) Any dog not duly licensed,
- (d) Any dog not duly inoculated,
- (e) Any dog not wearing a collar with a tag for the current year attached thereto as provided in the article,
- (f) Any dog which he finds to be violating any of the provisions of this article.

(2) Delivery to Humane Society

The law enforcement officer shall turn over all dogs picked up or impounded to the Humane Society and make arrangements for the delivery of all such dogs to the Humane Society.

(3) Notice to Owner

The dog warden shall serve notice in writing upon the owner of any dog impounded under the provisions of this division, if such owner is known, and he shall make a reasonable effort to ascertain the owner of any dog so impounded. .

(4) Holding Period; Redemption By Owner

The Humane Society shall hold a dog delivered to it under this division in custody for a period of three (3) days, excluding Sundays and legal holidays, within which time the owner may reclaim such dog. Such dog shall be released to the owner upon the fulfillment of all of the following conditions:

- (a) The showing of a current license, or in a case of an unlicensed dog, the owner shall procure a license in the manner provided in this article.
- (b) The showing of a proper certificate from a veterinarian showing the dog has been inoculated during the current year, or in the case of an unimmunized dog, the owner shall pay the costs of having the dog then and there immunized before it is released.

(5) Disposition of Unredeemed Dogs -If an impounded dog is not reclaimed by its owner at the E of the period prescribed in section 4-53, the Humane Society me destroy the dog; provided, however, if in the judgment of the Humane Society, the dog is valuable or desirable for keeping, the Humane Society may dispose of the dog to any responsible person who will remove the dog from the township or keep the dog within the township in accordance with the provisions of this article.

(6) Records- The law enforcement officer shall keep a record of the breed, sex, age, color and markings of every dog impounded, together with the date and hour of such impounding and the Dam! of its owner, if known.

Section 63-20 – Effective Date

This Ordinance, No. 63, shall take effect and be in force 30 days after publication in the Ypsilanti Press, a newspaper published in the City of Ypsilanti, and in the Ann Arbor News, a newspaper published in the City of Ann Arbor, Washtenaw County, Michigan.

Section 5.106 Kennel.

The standards of this Section shall not apply to the keeping, or raising of fewer than four (4) animals of the same species that are more than six (6) months old (such as dogs, cats, outdoor fowl, or other domestic animals) for pets, breeding, showing, boarding, training, competition, or hunting purposes. Kennels shall be licensed as required by Washtenaw County or any other governmental agency with jurisdiction, and shall be subject to the following additional standards:

1. Kennels shall have a minimum lot area of ten (10) acres.
2. Structures or pens where animals are kept, outdoor runs, and exercise areas shall not be located in any required yard setback areas.
 - a. Such facilities shall be set back a minimum of 300 feet from road rights-of-way, 100 feet from side and rear lot boundaries, and 50 feet from any watercourse.
 - b. Structures where animals are kept, outdoor runs and exercise areas shall be screened in accordance with Section 14.10D (Methods of Screening).
3. The facility shall be so constructed and maintained that odors, dust, noise, and drainage shall not constitute a nuisance or hazard to adjoining lots and uses.
4. The kennel shall be established and maintained in accordance with applicable sanitation regulations.
5. Animals shall be adequately housed, fenced, and maintained so as not to be or become a public or private nuisance.
6. All animals shall be enclosed within a building at night.
7. All outdoor animal pens shall be enclosed with a six (6) foot high safety fence. Animal pen surfaces shall be of concrete pitched to contain and drain run-off from cleaning to a septic tank or other County approved system.
8. Preliminary and final site plans shall be required in accordance with Article 10.0 (Site Plan Review). The Planning Commission may impose other conditions and limitations deemed necessary to prevent or mitigate possible nuisances related to noise or odor.

Sylvan Township

None

Webster Township

SECTION 5.05 RAISING AND KEEPING OF ANIMALS AS ACCESSORY USES

The raising and keeping of fowl and animals where permitted as an accessory use shall be subject to the following regulations.

- A. The raising and keeping of animals shall be accessory and incidental to the dwelling. (revised 1/7/02)
- B. The animals shall be raised and kept only on a lot on which the dwelling to which the animals are accessory and incidental is located and occupied.
- C. Facilities for the animals, such as pens, runs, sheds, houses, and exercise yards, except pastures for grazing animals, shall meet all yard requirements of the district in which located, and shall be located behind the rear line of the dwelling or set back a minimum of 150 feet from the center line of the road, whichever distance is less. (revised 1/7/02)
- D. Animal feed shall be stored, and animal waste shall be removed and disposed of, in such manner as not to create a public nuisance because of odors, flies, and other insects, rodents, and general unsanitary conditions.
- E. All fowl and other animals and livestock shall be properly housed, fenced, and maintained so as not to become public nuisances.
- F. Two horses are allowed on the first 5 acres; one additional horse may be kept for each additional acre after the first 5 acres. (revised 1/7/02)

SECTION 5.06 KENNELS

- A. The minimum lot area and width shall be 5 acres and 300 feet, respectively.
- B. Structures or pen/runs shall be located not less than 200 feet from a road right-of-way or easement line, or 100 feet from any interior side or rear property line.
- C. Outdoor runs and breeding areas shall be enclosed on all sides by a wall or fence not less than 5 feet high.
- D. Outdoor runs and breeding areas shall have paved surfaces, suitable for cleaning by high-pressure hose water or steam, and shall be provided with a drainage and septic system which prevents pollution of any neighboring properties or water courses or water bodies.
- E. Sight and sound barriers such as walls and vegetation screens shall be provided around all outdoor facilities and use areas.
- F. The kennel shall be licensed by Washtenaw County and shall be established and maintained in accordance with County and Township regulations.

York Township

None

Ypsilanti Charter Township

ARTICLE I. - IN GENERAL

Sec. 14-1. - [Pit bulls.]

(a) *Pit bull* means a Staffordshire Bull Terrier, American Pit Bull Terrier, American Staffordshire Terrier or any mixed breed dog displaying five out of the following eight distinguishing characteristics:

- (1) Head is medium length, with a broad skull and very pronounced cheek muscles, a wide, deep muzzle, a well-defined, moderately deep stop, and strong under jaw. Viewed from the front the head is shaped like a broad, blunt wedge.
- (2) Eyes are round to almond shaped, are low in the skull and set far apart.
- (3) Ears are set high. Un-cropped ears are short and usually held rose or half prick, though some hold them at full prick.
- (4) Neck is heavy and muscular, attached to strong, muscular shoulders.
- (5) Body is muscular, with a deep, broad chest, a wide front, deep brisket, well-sprung ribs, and slightly tucked loins.
- (6) Tail is medium length and set low, thick at the base, tapering to a point.
- (7) Hindquarters are well muscled, with hocks, set low on the legs.
- (8) Coat is a singled coat, smooth, short and close to the skin.

(b) No person may own, keep, reside with or harbor a pit bull within the township that is not spayed or not neutered.

(c) Subsection (b) does not apply to:

- (1) Pit bull puppies 16 weeks or younger;
- (2) Any dog examined by a licensed Humane Society of Huron Valley veterinarian, which is certified as having less than five of the characteristics set forth in subsection (a);
- (3) A pit bull which is registered with the American Kennel Club or United Kennel Club and participates at least once a year in a dog show sponsored by the American Kennel Club or United Kennel Club. A dog owner who presents proof of AKC or UKC registration and participation on an annual basis in an AKC or UKC dog show is exempt from the neutering and spaying requirements of this section.
- (4) A pit bull with a chronic or debilitating disease or medical condition whose health will be seriously, permanently and detrimentally affected if it is spayed or neutered.

(Ord. No. 2010-409, 10-19-10)

Editor's note— Ord. No. 2010-409, adopted Oct. 19, 2010, did not specify manner of inclusion; hence, codification as § 14-1 was at the direction of the city.

ARTICLE II. - ANIMAL CONTROL ^[3]

⁽³⁾ **Editor's note**— Ord. No. 2009-397, §§ 1—9, adopted Sept. 15, 2009, repealed the former Art. II, §§ 14-26—14-85, and enacted a new Art. II as set out herein. The former Art. II pertained to dogs and derived from Code 1975; Ord. No. 96-151, adopted June 18, 1996; Ord. No. 2001-262, adopted Dec. 19, 2000; Ord. No. 2001-271, adopted June 5, 2001; and Ord. No. 2001-282, adopted Oct. 16, 2001.

Sec. 14-26. - Purpose.

The Charter Township of Ypsilanti Board of Trustees finds and determines that there has been a substantial increase in the number of citizen complaints concerning the number of dogs in the township that are running at large, causing physical injury to persons, damage to property, creating a nuisance and preventing the full enjoyment by citizens of their property; and that as a result of the foregoing, there is a condition that is detrimental to the health, safety and welfare of citizens residing in such areas. This article is enacted to provide for animal control within the boundaries of the township.

(Ord. No. 2009-397, § 1, 9-15-09)

Sec. 14-27. - Definitions.

The following words, terms and phrases, when used in this article shall have the meanings described in this section:

Animal control officer: Any person employed by the county for the purpose of enforcing this article or state statutes pertaining to dogs or other animals.

At large: Refers to a dog that is not in an enclosure, or is otherwise not under physical control, or is not under the control of the owner or other responsible person by means of a leash, cord, chain or other means of physical restraint.

Cat: A feral or domestic feline, including a stray.

Dog: A domestic canine including a stray.

Microchip identification: A passive electronic device that is injected into an animal by means of a hypodermic syringe device. Each microchip shall contain a unique and original number that is read by an electronic scanning device for purposes of animal identification and recovery by the animal's owner.

Nuisance: An animal shall be considered a nuisance if any of the following occurs:

- (1) By the frequent barking, howling, yelping, growling or making other noises shall unreasonably interfere with the quiet enjoyment of persons in the vicinity.
- (2) Chases or snaps at a pedestrian, bicyclist or vehicle.
- (3) Defecates on private or public property, other than its owner's, and the animal owner fails to remove the feces deposited by the animal.
- (4) Attacks or bites a person. The person must be lawfully on the property where the attack or bite occurs. This subsection does not apply to an animal tormented or provoked by the person.
- (5) Attacks or bites a domesticated animal while the domesticated animal is on its owner's property or under the lawful control of its owner.
- (6) Charges a person in a manner that restricts the person's freedom of movement by placing the person in reasonable fear of an imminent attack. The person must be lawfully on the property where the charge occurs. This subsection does not apply to an animal tormented by the person.
- (7) Molests passers-by or persons on adjoining property by viciously, continuously, and aggressively barking or growling unless the dog is securely confined in a manner which ensures

that the dog cannot escape the premises.

(8) Causes an offensive stench, odor or smell which extends into the property of another. This provision shall not apply to farm animals (horses, cattle, sheep and chickens).

Owner: The term "owner" when applied to the proprietorship of an animal means: every person having a right of property in the animal, an authorized agent of the owner, every person who keeps or harbors an animal or has it in their care, custody or control, and every person who permits the animal to remain on the premises occupied, owned or controlled by such person.

Premises: That portion of land owned or occupied by an owner not including any portion of such land that is accessible to the public as a right-of-way.

Provoked: A willful act or omission that an ordinary and reasonable person would conclude is likely to precipitate a bite or attack by an ordinary dog or animal.

Rabies suspect animal: The term "rabies suspect animal" shall mean any animal which has been determined by the Michigan Department of Public Health to be a potential rabies carrier and which has bitten a human, or any animal which has been in contact with or been bitten by another animal which is a potential rabies carrier, or any animal which is a potential rabies carrier which shows symptoms suggestive of rabies.

Tormented: An act or omission that causes unjustifiable pain, suffering and distress to an animal, or causes mental and emotional anguish in the animal as evidenced by its altered behavior, for a purpose such as sadistic pleasure, coercion or punishment that an ordinary and reasonable person would conclude is likely to precipitate a bite, attack or charge.

(Ord. No. 2009-397, § 2, 9-15-09)

Cross reference— Definitions generally, § 1-2.

Sec. 14-28. - Nuisance animals prohibited.

It shall be unlawful to be the owner of an animal which is a nuisance as defined in section 14-27.

(Ord. No. 2009-397, § 3, 9-15-09)

Sec. 14-29. - Dog tethering to stationary object.

It shall be unlawful for a person to tether, fasten, chain, tie or restrain a dog or cause such restraining of a dog, to a tree, fence, post, dog house or other stationary object on a tethering device which is less than three times the length of the dog. The length of the dog shall be measured from the tip of its nose to the end of its tail. The weight of the collar shall not exceed more than one-eighth of the dog's body weight and shall not, due to weight, inhibit the free movement of the dog. The tethering shall not cause injury to the dog or entanglement with fixed objects such as fences, trees, or other manmade or natural obstacles.

(Ord. No. 2009-397, § 4, 9-15-09)

Sec. 14-30. - Dog at large prohibited.

It shall be unlawful to be the owner of a dog which is at large as defined in section 14-27.

(Ord. No. 2009-397, § 5, 9-15-09)

Sec. 14-31. - Impoundment of dogs running at large.

(a) Any dog found or kept in violation of this chapter, may be impounded by an animal control officer, law enforcement officer or humane society animal cruelty investigator. If entry is required to a structure or

premises, permission to enter must, prior to entry, be obtained from the owner or occupant. If entry is refused, the township attorney may institute the appropriate legal proceeding to authorize entry to the structure or premises and impoundment of dog(s) found or kept in violation of this chapter.

(b) It shall be lawful for any person to seize any dog running at large in violation of this article and to turn said dog over to the animal control officer or law enforcement officer.

(c) When a dog is found running at large, and its ownership is known or is readily determined by the animal control officer or other law enforcement officer, a citation may be issued to the dog owner in lieu of impoundment.

(d) Immediately upon impounding a dog, the animal control officer shall make every reasonable effort to notify the owner of such dog so impounded and inform such owner of the conditions whereby custody of such dog may be regained pursuant to the regulations for the operation of the humane society.

(e) An owner may redeem a dog from the humane society by executing a sworn statement of ownership, furnishing a license and tag as required by this article and state law, and paying the following fees:

(1) A boarding fee as established by the humane society.

(2) Proof of a current license, a valid certificate of rabies vaccination, and microchip identification.

(3) If a dog owner is unable to prove that the dog has a current license and a valid certificate of rabies vaccination, the owner shall in addition to the fees set forth above, pay the fees established for licensing and rabies vaccination.

(4) If microchip identification is not present, a microchip with the owner's name, address and dog identification code shall be imbedded by the humane society. The owner is responsible to pay the fee as established by the humane society for imbedding the microchip.

(Ord. No. 2009-397, § 6, 9-15-09; Ord. No. 2010-410, 10-19-10)

Sec. 14-32. - Animal control officer; law enforcement officer; authority; violations.

An animal control officer or a deputized law enforcement officer may issue appearance tickets, citations, or summons to persons owning, keeping, caring for, or permitting a dog to remain on the premises occupied by him in violation of this article.

(Ord. No. 2009-397, § 7, 9-15-09)

Sec. 14-33. - Confinement for rabies observation.

(a) Any person who shall have in his possession or control an animal which has contracted rabies or has been subjected to the same, or which is suspected of having rabies, or which has bitten any person or other animal, shall, upon demand of the animal control officer or any law enforcement officer of the township, produce and surrender up such animal to such officer to be held for observation as provided in this section. It shall be the duty of any person owning a animal which has been attacked or bitten by another animal showing symptoms of rabies, or which has bitten any person or any other animal suspected of having rabies, to immediately notify the animal control officer or a local law enforcement officer that such person has such an animal in his possession.

(b) Whenever a dog is reported to have bitten any person, it shall thereupon be the duty of the animal control officer to seize such animal and confine the animal in one of the veterinarian hospitals in the township or the vicinity thereof, or with the Huron Valley Humane Society, for a period of at least ten days for the purpose of ascertaining whether such animal is afflicted with rabies. The animal control officer may notify, in writing, the person owning or possessing such dog, to confine the dog in one of the veterinarian hospitals of the township or the vicinity thereof, or with the Huron Valley Humane Society, for a period of

at least ten days for the purpose of ascertaining whether such dog is afflicted with rabies. It shall thereupon be the duty of such owner to accomplish the confinement of such dog within 12 hours after receiving such notice from the animal control officer in any one of the places above indicated for such period of ten days, for the purpose of ascertaining whether such dog is afflicted with rabies. If such dog is not afflicted, it may be returned to its owner.

(c) If any dog is confined under the provisions of this section, the owner thereof shall be liable for any fees and costs which accrue because of the detention of such dog.

(d) Whenever a dog confined under this section is suspected of having rabies, it shall be the duty of its owner or the animal control officer to arrange for the delivery of such dog to the state department of health for a laboratory diagnosis of the presence or absence of rabies.

(Ord. No. 2009-397, § 8, 9-15-09)

Sec. 14-34. - Penalty for violation of article.

Any person violating a provision of this article is guilty of a misdemeanor punishable by not more than a \$500.00 fine and/or imprisonment for not more than 90 days.

(Ord. No. 2009-397, § 9, 9-15-09)

ARTICLE III. - DOG LICENSING AND VACCINATION ^[4]

⁽⁴⁾ **Editor's note**— Ord. No. 2009-397, §§ (1)—(4), adopted Sept. 15, 2009, repealed the former Art. III, §§ 14-86 and 14-87, and enacted a new Art. III as set out herein. The former Art. III pertained to offensive odors and derived from Ord. No. 2001-282, adopted Oct. 16, 2001.

Sec. 14-66. - Licensing and vaccination.

(a) It shall be unlawful for any person to own any dog four months old or over, unless the dog is licensed as hereinafter provided, or to own any dog four months old or over that does not at all times wear a collar with a tag approved by the director of the Michigan Department of Agriculture, attached, as hereinafter provided, except when engaged in lawful hunting accompanied by its owner; or for any person except the owner, to remove any collar and/or license tag from a dog.

(b) The owner of any dog four months or over, shall annually apply to the township treasurer for a license by the last day of the anniversary month of the dog's current rabies vaccination. Such application shall be in writing and state the breed, sex, age, color and markings of the dog, and the name and address of the last previous owner. The application for a license shall be accompanied by a valid certificate of a current vaccination for rabies, with a vaccine licensed by the United States Department of Agriculture, signed by an accredited veterinarian. The certificate for the vaccination for rabies shall state the month and year of expiration for the rabies vaccination. A license shall not be issued if the dog's current rabies vaccination will expire more than one month before the date on which that license would expire.

(c) A dog may be exempt from the rabies vaccination requirements as herein set forth if in the written opinion of a licensed veterinarian, administration of the rabies vaccine will result in the death of the dog due to a preexisting disease or terminal illness.

(Ord. No. 2009-397, § (1), 9-15-09)

Sec. 14-67. - Fees.

(a) The annual fee for licenses purchased from the township treasurer or the Humane Society of Huron Valley under their pet adoption program for male and female dogs four months of age or over shall be \$6.00.

The annual fee for licenses for unlicensed and unsterilized male or female dogs four months of age or over which are impounded or boarded at the Humane Society of Huron Valley due to violations of this chapter or state law shall be \$120.00 per year.

The annual fee for licenses for unlicensed and sterilized male or female dogs four months of age or over which are impounded or boarded at the Humane Society of Huron Valley due to violations of this chapter or state law shall be \$20.00.

(b) For dogs reaching the age of four months, the owner thereof shall obtain a license within 30 days of the date in which a dog reaches four months of age at the rate set forth in subsection (a).

(c) A dog which is used as a guide or leader dog for a blind person, a hearing dog for a deaf or audibly impaired person, or a service dog for a physically limited person is not subject to any fee for licensing, as provided in MCL 287.291.

(d) Whenever a dog has been licensed for the current year elsewhere in the state and the owner thereof becomes a resident of the township, the owner shall register such dog with the treasurer and otherwise comply with all of the provisions of subsection (a).

(e) No license or license tag issued for one dog shall be transferable to another dog. Whenever the ownership or possession of any dog is permanently transferred from one person to another within the township, the license of such dog may likewise be transferred, upon proper notice, in writing by the last registered owner, given to the treasurer who shall note such transfer upon his/her records. This article does not require the procurement of a new license, or the transfer of a license already secured, when the possession of a dog is temporarily transferred for the purpose of boarding, hunting game, breeding, trial or show.

(Ord. No. 2009-397, § (2), 9-15-09; Ord. No. 2009-401, § (2), 12-15-09)

Sec. 14-68. - Records kept by animal control officer.

The Washtenaw County Animal Control Officer shall keep a record of the breed, sex, age, color and markings of every dog impounded, together with the date, hour and location of such impounding and the name of its owner, if known.

(Ord. No. 2009-397, § (3), 9-15-09)

Sec. 14-69. - Penalty.

Any person violating any provisions of this article shall be responsible for a civil infraction and subject to a fine as follows:

(1) The maximum fine for any first violation of this article shall be \$100.00;

(2) The maximum fine for any violation of this article which the violator has, within the past two years, been found in violation of once before, shall be \$250.00;

(3) The maximum fine for any violation of this article which the violator has, within the past two years, been found in violation of twice before, shall be \$500.00.

(Ord. No. 2009-397, § (4), 9-15-09)