

**IRA TOWNSHIP
ST. CLAIR COUNTY, MICHIGAN
ORDINANCE NO. 76
ANIMAL CONTROL ORDINANCE**

AN ORDINANCE adopted to regulate the possession and control of dogs; to protect the public health by preventing unsanitary conditions from occurring; and to provide penalties for violations hereof, and repealing all ordinances and/or resolutions in conflict therewith.

**THE TOWNSHIP BOARD OF THE TOWNSHIP OF IRA, COUNTY OF
ST. CLAIR, MICHIGAN, ORDAINS:**

SECTION 1. SHORT TITLE

This Ordinance shall be known and cited as the Ira Township Dog Control Ordinance.

SECTION 2. PURPOSE

The purpose of this Ordinance is to regulate the possession and control of dogs; to protect the public health by preventing unsanitary conditions from occurring; and to provide penalties for violations hereof, pursuant to the authority set forth in MCL 287.261 et seq.

SECTION 3. DEFINITIONS

Owner: Any person who (1) harbors or keeps any dog; (2) has a right or a property interest in any dog; or (3) any person who shall permit any dog to remain about any premises owned or occupied by him or her for a period of five (5) days shall be deemed to be the owner of such dog for the purpose of this Ordinance.

Custodian: A person who has charge of the dog.

SECTION 4. LICENSE REQUIRED

It shall be unlawful for any person to own, maintain, keep or harbor any dog within the corporate limits of the Township without first obtaining a license as required by Act No. 339, page 603 of the Public Acts of Michigan of 1919 (MCL 287.266 et seq., as amended).

SECTION 5. NOISY DOGS

It shall be unlawful for any person to own, harbor or keep any dog which shall cause any annoyance or disturbance to persons by frequent and habitual barking, howling or yelping.

SECTION 6. LEASH REQUIREMENTS.

No person who owns or has custody of a dog shall permit any dog to run unleashed on property open to the public or on private property not owned or leased by the owner or custodian of the dog unless that owner or custodian has permission; provided, however that if such dog is removed from the owner's premises it shall be securely held upon a leash of durable material of a length not to exceed six feet and in the custody of a responsible person, or the dog shall be securely held in a shipping receptacle or in a closed motor vehicle.

It shall be lawful for any enforcement officer(s) to seize any dog running at large in the Township in violation of this ordinance.

SECTION 7. VICIOUS DOGS

It shall be unlawful for any person to permit a vicious, fierce or dangerous dog to be unconfined and unrestrained on such person's premises.

SECTION 8. REPORTS OF PERSONS BITTEN

If any person is bitten by a dog, it shall be the duty of the owner or custodian of that dog to report the biting to the animal control officer or any police officer within twelve (12) hours thereafter. If the owner or custodian of any dog has reason to believe or suspect that such dog has become infected with rabies, it shall be the duty of that person to report such belief or suspicion to the animal control officer or police officer within twelve (12) hours thereafter.

SECTION 9. WASTE REMOVAL

If a dog is not within the limits of the owner's premises, the person in custody of the dog shall be required to pick up, remove and properly dispose of all waste left by the dog.

SECTION 10. CONFINEMENT

It shall be unlawful for any person owning, keeping, harboring, or having charge of any dog to confine, keep, or harbor such dog in a structure, pen coop or yard, or otherwise so as to create an unsanitary, unwholesome, malodorous, or obnoxious condition. Any structure, pen, or coop maintained for the purpose of confining, keeping,

or harboring any dog shall not be constructed nor maintained so as to be nearer than 15 feet to any property line. Such structure, pen or coop shall be greater than 50 sq. ft. with opposing walls being greater than 5 ft. apart.

SECTION 11. PENALTIES

A person who violates any provision of this Ordinance is guilty of a misdemeanor. The Township may sue in any court of competent jurisdiction for civil relief, including damages or injunctive relief, and may recover its fees, costs and expenses incurred from any person, partnership, firm, association or corporation who violates the Dog Control Ordinance.

SECTION 12. ENFORCEMENT

The Township Board hereby authorizes Township Code Enforcement Officer or any other law enforcement official and their agents/assignees to enforce or assist in the enforcement of this Ordinance. The Township Code Enforcement Officer or his or her designee is authorized to issue citations for violations. See Zoning Ordinance Article II DEFINITIONS: *Kenel, Commercial* and XVI GENERAL PROVISIONS: Sec. 1607 (g) for additional regulations.

SECTION 13. REPEALING OF CONFLICTING PROVISIONS

All resolutions, ordinances or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 14. SEVERABILITY

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 15. PUBLICATION

A true copy of this Ordinance or a summary thereof shall be published in a newspaper of general circulation in the Township of Ira.

SECTION 16. EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after the publication of a true copy or summary thereof as provided in Section 15.