

**RAY TOWNSHIP
MACOMB COUNTY, MICHIGAN
ORDINANCE NO. 76
ANIMAL CONTROL ORDINANCE**

AN ORDINANCE adopted to protect the public health, peace, safety and welfare of property and persons in the Township; to regulate the possession and control of domestic animals; 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 RAY, COUNTY OF
MACOMB, MICHIGAN, ORDAINS:**

SECTION 1. SHORT TITLE

This Ordinance shall be known and cited as the Ray Township Animal Control Ordinance.

SECTION 2. PURPOSE

The purpose of this Ordinance is to regulate the possession and control of domestic animals; to protect the public health by preventing unsanitary conditions from occurring; and to provide penalties for violations hereof.

SECTION 3. ENABLING AUTHORITY

This Ordinance is adopted pursuant to, and in accordance with MCL 287.261 et seq, MCL 287.266 et seq., and Public Act 246 of 1945 as amended.

SECTION 4. DEFINITIONS

- Owner: Any person who (1) harbors or keeps a domestic animal; (2) has right or property interest in any domestic animal; or (3) any person who shall permit any domestic animal 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 domestic animal for the purpose of this Ordinance.
- Custodian: A person who has charge of the domestic animal.
- Domestic Animal: An animal that has traditionally, through a long association with humans, lived in a state of dependence upon humans or under the dominion and control of humans and has been kept as a household pet, including but not limited to dogs, cats, hamsters, gerbils, ferrets, mice, rabbits, cockatiels, cockatoos, canaries, finches, parakeets, parrots, and tropical fish.

SECTION 5. DOG 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 thereof, as required by Public Act 339 or 1919, MCL 287.266 et seq., as amended.

SECTION 6. NOISE CONTROL

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

SECTION 7. LEASH REQUIREMENTS/ANIMALS AT LARGE PROHIBITED

All domestic animals shall be kept under restraint. It shall be unlawful for any person to cause or permit any domestic animal owned, kept, possessed or harbored by

such person, under his or her control, to run at large or unattended, upon the public streets, walks, alleys, parks, public places within the Township, or upon the premises of another, without express permission of the owner or occupant of the private premises.

It is unlawful for any person to permit or cause to permit a domestic animal to leave, stray, roam or wander beyond the boundaries of the premises owned or occupied by its owner, unless that animal is under leash or other means of direct control by its owner or his agent.

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 8. WASTE REMOVAL

It shall be unlawful for any person to permit any domestic animal owned or harbored by him/her to deposit fecal matter in any place other than the premises where the animal is harbored or kept, unless that fecal matter is immediately collected, removed and properly disposed of.

SECTION 9. CONFINEMENT

It shall be unlawful for any person owning, keeping, harboring, or having charge of any domestic animal to confine, keep, or harbor such animal 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 domestic animal shall not be constructed nor maintained so as to be nearer than 15 feet to any property line.

SECTION 10. VIOIOUS DOGS

No person shall own or harbor a vicious or dangerous dog, or an animal that has been bitten by an animal known to have been affected by rabies, or an animal which has bitten any person.

SECTION 11. PENALTIES

Any person who violates the provisions of this Ordinance shall upon conviction thereof, be guilty of a misdemeanor and subject to a penalty not to exceed five hundred dollars (\$500) or imprisonment in the county jail for a period not to exceed ninety (90) days, or both such fines and imprisonment.

SECTION 12. ENFORCEMENT

The Township Board hereby authorizes the Township code enforcement officer or his designee, the Macomb County Sheriff Department officials and their agents/assignees, and the Macomb County Animal Control officers and their agents/assignees to enforce or assist in the enforcement of this Ordinance and to issue citations under this Ordinance.

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 Animal Control Ordinance.

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 twice in a newspaper of general circulation in the Township of Ray.

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.

CERTIFICATE OF TOWNSHIP CLERK

I certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the Township Board of the Township of Ray, Macomb County, Michigan, at a meeting held on the 16th day of December A.D., 2014.

I further certify that the following Township Board Members were present at the meeting: Stier, Zoccola, Artman, Grader and Bohm

and the following Township Board members were absent: None

I further certify that Member Stier moved for the adoption of the Ordinance, and that motion was supported by Member Zoccola.

I further certify that the following Township Board Members voted for the adoption of the Ordinance: Stier, Zoccola, Artman, Grader and Bohm

and that the following Township Board Members voted against adoption of the Ordinance: None


TOWNSHIP OF RAY CLERK

CERTIFICATE OF PUBLICATION

I, the undersigned Township Clerk of the Township of Ray, do hereby certify that on December 24 & 31, 2014, the foregoing Ordinance, or Summary thereof, was duly published in the Romeo Observer, a newspaper having general circulation within the Township of Ray.


TOWNSHIP OF RAY CLERK