

Chapter 6 ANIMALS*

***Cross references:** Offenses and miscellaneous provisions, ch. 38.

State law references: Authority to adopt animal control ordinance, MCL 287.290; crimes relating to animals and birds, MCL 750.49 et seq.; dog law, MCL 287.261 et seq.

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ARTICLE I. IN GENERAL

Secs. 6-1--6-25. Reserved.

ARTICLE II. DOGS

Sec. 6-26. 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 or own means every person having a right or property in a dog, every person who keeps or harbors such dog or has it in his care, and every person who permits such dog to remain in or about premises occupied by him.

(Ord. No. 117, § II(a), 11-25-68)

Cross references: Definitions generally, § 1-2.

Sec. 6-27. Penalty for violation of article.

Any person who violates this article is responsible for a municipal civil infraction and shall be punished by a fine as set forth in the Schedule of Civil Fines [Appendix C] and court costs. Equitable relief may also be awarded as permitted by Michigan law.

(Ord. No. 117, § III, 11-25-68; Ord. No. 2000-03, 8-28-2000)

Sec. 6-28. Keeping of noisy dogs.

No person shall own any dog which by loud or frequent or habitual barking, yelping or howling shall cause annoyance to the people in the neighborhood.

(Ord. No. 117, § II(b), 11-25-68)

Sec. 6-29. Cleanliness of areas of confinement.

Every person shall keep the dog pen, dog house, or any confined area where the dog is housed, reasonably clean, and shall not allow any excess accumulation of dog manure, decaying food substance or other matter which causes odors, smells, or insects which shall cause annoyance to the people in the neighborhood, or endanger their health.

(Ord. No. 117, § II(c), 11-25-68)

ARTICLE III. CATS

Sec. 6-30. 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 or own means every person having a right or property in a cat, every person who keeps or harbors such cat, or has it in his care, and every person who permits such cat to remain in or about premises occupied by him.

(Ord. No. 2002-06, 4-22-02)

Editor's note: Ord. No. 2002-06, adopted April 22, 2002, amended § 6-30 in its entirety. Former § 6-30 pertained to limit on number and derived from Ord. No. 117, § II(d), adopted Nov. 25, 1968. See § 6-35 for similar provisions.

Sec. 6-31. Penalty for violation of article.

Any person who violates this article is responsible for a municipal civil infraction and shall be punished by a fine as set forth in the Schedule of Civil Fines [Appendix C] and court costs. Equitable relief may also be awarded as permitted by Michigan law.

(Ord. No. 2002-06, 4-22-02)

Sec. 6-32. Keeping of noisy cats.

No person shall own any cat which by loud or frequent or habitual howling or making loud noise shall cause annoyance to the people in the neighborhood.

(Ord. No. 2002-06, 4-22-02)

Sec. 6-33. Cleanliness of areas of confinement.

Every person shall keep the confined area where the cat is housed reasonably clean, and shall not allow any excess accumulation of manure, decaying food substance or other matter which causes odors, smells, or insects which shall cause annoyance to the people in the neighborhood, or endanger their health.

(Ord. No. 2002-06, 4-22-02)

ARTICLE IV. DOGS AND CATS-LIMIT NUMBER

Sec. 6-34. Penalty for violation of article.

Any person who violates this article is responsible for a municipal civil infraction and shall be punished by a fine as set forth in the Schedule of Civil Fines [Appendix C] and court costs. Equitable relief may also be awarded as permitted by Michigan law.

(Ord. No. 2002-06, 4-22-02)

Sec. 6-35. Limit on number.

No person or owner shall keep, maintain or house on or about any one parcel of real estate within the township which is less than one acre in size, more than three total, dogs, cats or any combination thereof, at any one time, provided such dogs and/or cats have each attained the age of six months or more.

(Ord. No. 2002-06, 4-22-02)

ARTICLE V. DOGS AND CATS AT-LARGE

Sec. 6-36. Penalty for violation of article.

Any person who violates this article is responsible for a municipal civil infraction and shall be punished by a fine as set forth in the Schedule of Civil Fines [Appendix C] and court costs. Equitable relief may also be awarded as permitted by Michigan law.

(Ord. No. 2005-06, 5-9-05)

Sec. 6-37. Control of dogs and cats.

No person owning, possessing or having charge of any dog or cat shall allow such dog or cat to wander, run or be at-large or stray beyond the premises of such person unless such dog or cat is held properly in leash, meaning a physical restraint not more than ten feet in length, or unless such dog is engaged in lawful hunting or hunting practice and accompanied by a person.

(Ord. No. 2005-06, 5-9-05)

Sec. 6-38. Animal nuisance by defecation and other activities.

No person owning or having custody or control of an animal shall intentionally, or through failure to exercise due care, permit the animal to defecate on any public or private property (other than the property of such person) unless such person immediately collects all fecal matter deposited by the animal.

(Ord. No. 2005-06, 5-9-05)

ARTICLE VI. DANGEROUS AND EXOTIC ANIMALS

Sec. 6-39. Definitions.

For purposes of this article VI, the following words and phrases are defined as follows:

Dangerous animal shall mean any animal that has a dangerous or ferocious disposition, shows vicious habits, or has molested any person unlawfully in or upon any public street or place. This definition also includes any wild or undomesticated animal.

Exotic animal shall mean any animal which is not normally considered to be a household pet or farm animal and which is potentially dangerous. This definition of exotic animal includes, but is not limited to, the following:

- (1) Nonhuman primates.

- (2) Venomous cold-blooded reptiles and other cold-blooded animals that, if in contact with a human being, are capable of inflicting fatal injury to the average human being.
- (3) All poisonous animals.
- (4) Constrictor snakes three (3) feet in length or longer.
- (5) Cats of the wild or exotic family including, but not limited to, bobcat, cheetah, cougar, jaguar, leopard, lion, lynx, mountain lion, panther, puma, or tiger.
- (6) Non-domesticated carnivores including hybrid crosses of non-domesticated carnivores (for example, bears and wolves).
- (7) Crocodiles and alligators.
- (8) Piranha fish.
- (9) Chondrichthyes (for example, sharks).
- (10) Struthie (for example, ostriches or emus).
- (11) Poisonous spiders or venomous or poisonous insects.
- (12) Proboscides or pachyderms (for example, elephants).
- (13) Periasodactyla (generally, nonruminant ungulate mammals with odd-number toes such as a rhinoceros).
- (14) Artiodactyla (for example, a camel).
- (15) Otherwise normally wild animals (including, but not limited to, a wolverine, badger, deer, raccoon, skunk, or coyote).
- (16) Gamecocks and other fighting birds or fowl.

(Ord. No. 2007-03, § 1, 4-9-07)

Sec. 6-40. Prohibitions.

It shall be unlawful for any person to keep, harbor, breed, or have possession of any of the following animals, whether licensed or unlicensed:

- (1) Any exotic animal.
- (2) Any dangerous animal.

- (3) Any animal which has attacked or bitten any person or animal, or has destroyed any property or domestic animal.
- (4) Any animal which appears to be suffering from rabies or affected with hydrophobia, mange, or other infectious or dangerous disease.

(Ord. No. 2007-03, § 1, 4-9-07)

Sec. 6-41. Penalty for violation of article.

Any person who violates this article is responsible for a municipal civil infraction and shall be punished by a fine as set forth in the Schedule of Civil Fines [Appendix C] and court costs. Equitable relief may also be awarded as permitted by Michigan law. Each act of violation and every day upon which any such violation shall occur shall constitute a new and separate offense.

(Ord. No. 2007-03, § 1, 4-9-07)

Sec. 6-42. Civil liability.

In addition to the penalties and other remedies provided for a violation of this article VI, should any person or firm violate any provision of this article VI and should such violation result or contribute to injury or death to any person or damage to any property, the person who so violates this article VI shall also be fully liable for any and all civil damages and liabilities which result in any fashion from such violation.

(Ord. No. 2007-03, § 1, 4-9-07)

Sec. 6-43. Exceptions.

This article VI shall not apply to the following situations:

- (1) A lawful and accredited zoological park or aquarium which complies with the Georgetown Charter Township Zoning Ordinance and all other applicable local township ordinances.
- (2) A lawful and accredited wildlife sanctuary which complies with the Georgetown Charter Township Zoning Ordinance and all other applicable local township ordinances.
- (3) A lawful and accredited nature preserve which complies with the Georgetown Charter Township Zoning Ordinance and all other applicable local Township ordinances.
- (4) A lawful and accredited circus which complies with the Georgetown Charter Township Zoning Ordinance and all other applicable local township ordinances.

- (5) A lawful and accredited bona fide scientific, medical or educational research facility which complies with the Georgetown Charter Township Zoning Ordinance and all other applicable local township ordinances.
- (6) Any animal recognized by the Michigan Right to Farm Act, MCL 286.471 et seq. which complies with all State of Michigan rules, regulations, requirements, and statutes (including being in compliance with the generally accepted management practices regulations) and which complies with the Georgetown Charter Township Zoning Ordinance and any other applicable township ordinances.
- (7) Any domestic cat or dog which complies with all other applicable township ordinances, except for dogs which are predominantly wolf or coyote.
- (8) A lawfully and fully licensed veterinarian office or facility.

(Ord. No. 2007-03, § 1, 4-9-07)