

Chapter 3

**ANIMALS\***

Art. I. In General, §§3-1 – 3-20

Art. II. Dogs, §§3-21 – 3-35

**ARTICLE I. IN GENERAL**

**Sec. 3-1 Keeping of livestock**

The keeping of livestock, horses, cattle, goats, sheep or poultry shall not be permitted except by express permission of the village council.

(Ord. No. 24, § 401:11,11-5-84)

**Sec. 3-2. Livestock running at large.**

It shall be unlawful for any person to allow any horses, sheep, cattle, hogs or other livestock belonging to him, or in his charge or possession, to run at large in any public street, lane, alley, place or highway within the village or upon any lands or premises not owned or controlled by him except by permission of the owner or occupant of such land.

(Ord. No. 9, § 1, 6-19-44)

**Secs. 3-3 – 3-20. Reserved.**

**ARTICLE II. DOGS †**

**Sec. 3-21. Wearing of license tags.**

It shall be unlawful for any person to keep, possess, harbor or have the care or charge of any dog, male or female, of the age of four (4) months or over, within the village unless such dog wears a collar or harness to which is attached the license tags provided for by the laws of the state; provided, that this section shall not apply to any person transporting a dog through the village.

(Ord. No. 15, § 1, 2-11-56)

**Sec. 3-22. Ownership criteria.**

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\* **Cross reference** – Noise as nuisance, § 9-2(9).

**State law references** – Authority to adopt animal control ordinance, MCL 287.290, MSA 12.541; crimes relating to animals and birds, MCL 750.49 et seq., MSA 28.244 et seq.

† **State law reference** – Dog law, MCL 287.261 et seq., MSA 12.511 et seq.

Every person in possession of any dog who shall suffer such dog to remain on or about his premises for a period of five (5) days shall be deemed the owner thereof.  
(Ord. No. 15, § 2, 2-11-56)

**Sec. 3 – 23 Leash control.**

All dogs being walked within the confines of the village shall be under full control of their owner or custodian on a leash or chain less than ten (10) feet in length, attached to a choke collar or appropriate collar or harness.  
(Ord. No. 15B, § 1, 7-20-87)

**Sec. 3 – 24 Running at large.**

It shall be unlawful for any person owning, possessing or having in charge any dog known to be of an ugly disposition or dangerous to persons or property to permit or allow the dog, whether licensed or unlicensed, to be at large at any time in the village. It shall be unlawful for any person to permit or allow any dog in their charge or keeping whether licensed or unlicensed, to run at large or stray beyond the premises of the owner unless the dog is under reasonable control of some person or is engaged in lawful hunting accompanied by its owner or custodian. Every dog shall at all time between sunset of each day and sunrise of the following day be confined upon the premises of its owner or custodian except when the dog is under the reasonable control of its owner or custodian.  
(Ord. No. 15, § 3, 2-11-56)

**Sec. 3 – 25. Females in heat.**

It shall be unlawful for the owner or custodian of any female dog to permit or allow such dog to go beyond the premises of such owner or custodian when she is in heat.  
(Ord. No. 15 § 4, 2-11-56)

**Sec. 3 – 26. Noise.**

No person shall harbor or keep any dog which by loud or frequent or habitual barking, yelping or howling shall disturb or annoy the residents in the neighborhood or people passing on the streets or walks.  
(Ord. No. 15, § 5, 2-11-56)

**Cross reference** – Nuisances, Ch 9.

**Sec. 3 – 27. Vicious dogs, biting dogs, dogs exposed to rabies.**

No person shall own or harbor a fierce, savage or vicious dog, or a dog that has been bitten by any animal know to have been afflicted by rabies. Any person who shall have in his possession a dog which has contracted, been exposed to or is suspected of having rabies, or which has bitten any person, shall upon demand surrender the dog to the police department of the village to be held for observation as hereinafter provided. It shall be the duty of any person

owning or harboring a dog which has been attached or bitten by another dog or animal having or showing symptoms of rabies, to immediately notify the police department, and no person shall destroy or dispose of the dog without the permission of the police department. Whenever a dog is impounded for having bitten a person, the police department shall hold the dog for observation and examination by a veterinarian of good standing and may, if deemed necessary and advisable after having held the dog for a sufficient length of time to meet the requirement of the laws of the state, cause such dog to be destroyed as a vicious dog.

(Ord. No. 15, § 5, 2-11-56)

**State law reference** – Regulation of dangerous animals, MCL 287,322 et seq., MSA 12,545(21) et seq.

### **Sec. 3 – 28. Impoundment.**

The village shall provide a pound and it shall be the duty of the police department and every other person who may be employed by the village council for that purpose to promptly seize, take up and place in the pound all dogs found running at large or being kept or harbored in any place within the village contrary to the provisions of this article.

(Ord. No. 15, § 6, 2-11-56)

### **Sec. 3 – 29. Recording of impoundment; notice to owner.**

It shall be the duty of the police department or other person designated by the village council to keep a record of the breed, sex, age, color and markings of every dog impounded, together with the date and hour of impounding and to serve written notice upon the owner or custodian, if known, that the dog is impounded.

(Ord. No. 15, § 7, 2-11-56)

### **Sec. 3 – 30. Unauthorized release of impounded dog.**

It shall be unlawful for any unauthorized person to release any dog, which is in the custody of the police department.

(Ord. No. 15, § 8, 2-11-56)

### **Sec. 3 – 31. Redemption of impounded dogs; fees.**

Dogs impounded under the provisions of this article may be claimed by their owners or custodians upon the payment of five dollars (\$5.00) for each day or part of day that the dog is in custody, plus a twenty-five-dollar impounding fee, provided that a proper license and record of health shots for the dog is produced. No dog shall be released to the owner or custodian until a rabies shot has been given to the dog and paid for by the person seeking the release of the dog, unless proof of recent rabies shot is provided. No dog shall be released which by the provisions of section 3-27 is required to be destroyed.

(Ord. No. 15, § 9, 2-11-56; Ord. No. 15B, § 1, 7-20-87)

### **Sec. 3 – 32. Receipt issued upon release from impoundment.**

The police department or other authorized person when delivering a dog to its owner, custodian or purchaser shall make out a receipt in triplicate describing the dog as to breed, sex, age, color and markings and state thereon the hour and date of delivery and the amount collected for impounding fees or purchase or both as the case may be. The original receipt shall be given to the owner, custodian or purchaser, one (1) copy kept in the files of the police department and one (1) copy filed with the village clerk with all monies collected.  
(Ord. No. 15, § 10, 2-11-56)

### **Sec. 3 – 33. Disposal of unredeemed dogs.**

All dogs placed in custody in accordance with the provisions of this article shall be kept for a period of forty-eight (48) hours, except dogs suspected of having rabies, which dogs shall be kept in accordance with the laws of the state, and if the owners cannot be ascertained or do not claim their dog it shall be disposed of in the following manner:

- (1) If the dog is diseased and is not being held under the provisions of the laws of the state, it shall be destroyed in a humane manner.
- (2) If the dog is a mixed breed, it may be held for sale for a period of two (2) days, and if not sold, then it will be released to the county animal shelter.
- (3) If the dog appears to be a thoroughbred, it shall be kept for an additional two (2) weeks, after which it may be held for sale for a period of two (2) weeks, and if not sold, then it will be released to the county animal shelter.

(Ord. No. 15B, § 11, 7-20-87)

### **Sec. 3 – 34. Kennel permit.**

(a) It shall be unlawful for any person to keep, possess, harbor or have the care or charge of more than two (2) dogs, male or female of the age of four (4) months or over, within the village without a kennel permit and the dogs shall wear a collar or harness to which is attached the license tags provided for by the laws of the state. This section shall not apply to any person transporting a dog through the village.

(b) Requirements to obtain a kennel permit are as follows:

- (1) Permits will be acquired through the village council.
- (2) Each dog must have license and required health shots.
- (3) Each dog will have separate housing and adequate pen space required by law.

(Ord. No. 15B, § 1, 7-20-87)

**State law reference** – Dog kennels, MCL 287.270 et seq., MSA 12.520 et seq.

### **Sec. 3 – 35. Disposition of revenue.**

All fines collected under this article shall be transferred to the reserve police officer fund.  
(Ord. No. 15, § 11, 2-11-56; Ord. No. 15B § 1(e), 7-20-87)

**Sec. 3 – 36. Municipal civil infraction.**

A person who violates any provision of the chapter is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than fifty dollars (\$50.00), plus costs and other sanctions, for each infraction. Repeat offenses under this chapter shall be subject to increased fines as provided by section 1-9(c)(2) of this code.  
(Ord. No. 62, § 1, 8-12-96)