

GENERAL LAW TOWNSHIP OF SANDS

MARQUETTE COUNTY, MICHIGAN

ORDINANCE NUMBER 4

Dog Control Ordinance

An ordinance 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.

THE GENERAL LAW TOWNSHIP OF SANDS, MARQUETTE COUNTY,
MICHIGAN, ORDAINS:

Section 1: Title

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

Section 2: Definitions

Owner: Any person who (1) harbors or keeps any dog; (2) has right or 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.

Working Dog: A dog used for sporting purposes, search/rescue, personal aid, herding, sledding, or skijoring.

Section 3: Noise Control

No person shall own, keep, or have charge of any dog which by loud, frequent, or persistent barking, howling, or yelping shall cause annoyance, disturbance, or a nuisance to occupiers of neighboring property.

Section 4: 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 leather or other durable material 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 5: 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 6: 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.

Section 7: Exception

Working dogs, while in performance of their duties in non residential areas, shall be exempt from Sections 4 and 5 of this Ordinance.

Section 8: Registration

Any dog four months of age or older is required to be licensed as required by Marquette County.

Section 9: Penalties

Any person who violates any provision of this Ordinance is responsible for a municipal civil infraction. Any person who is found responsible or admits responsibility for a municipal civil infraction shall be subject to a civil fine of \$100.00. However, in no case shall costs of less than \$9.00 or more than \$500.00 be ordered. Each violation shall be considered a separate offense. Repeat offenses shall be subject to increased fines of an additional \$50.00 per violation in any given three year period. A violation of this Ordinance shall also be subject to such additional sanctions, remedies and judicial orders as provided by Michigan law.

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 10: Enforcement

This Ordinance shall be enforced by the Sands Township Ordinance enforcement Officer, Supervisor, Local law enforcement, and/or any other such person the board may designate.

Section 11: Seizure

In addition to other penalties provided in this Ordinance, enforcement may include seizure of any dog in violation of Section 4 of the Ordinance. Any official authorized under Section 10 of this Ordinance shall have the authority to take up, seize, and place any dog in violation of Section 4 at any animal shelter, dog pound, or any other place or facility deemed appropriate by the authorized official. Such impoundment shall be at the cost of the owner of the dog impounded. The authorized official has the authority to move the impounded dog to a registered kennel at the owner's request.

Section 12: Effective Date

This ordinance shall take effect thirty days after its publication. All ordinances or parts of ordinance in conflict herewith are hereby repealed.

Section 13: Publication

A summary of this ordinance shall be published in a newspaper circulated within Sands Township, Marquette County, Michigan within thirty days following the adoption hereof.

Section 14: Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 15: Severability and Saving Clause

Should any section, clause, or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof, other than the part declared to be invalid.