

Ordinance No. 14

DOG CONTROL

AN ORDINANCE TO REPEAL EXISTING ORDINANCE 14 AND TO REPLACE WITH A NEW ORDINANCE 14 FOR THE REGULATION AND CONTROL OF DOGS AND TO DESCRIBE PENALTIES FOR VIOLATION OF THIS ORDINANCE.

THE TOWNSHIP OF ROLLIN, LENAWEE COUNTY, MICHIGAN, ORDAINS:

Section 1. Definitions

- A. Owner shall mean any person who keeps or harbors any dog(s), or has dog(s) in his or her care, or permits any dog to remain about any premise owned or occupied by him or her.
- B. Person shall mean any natural person, corporation, firm or partnership.
- C. Kennel shall mean any keeping of four or more dogs over the age of six months whether confined or free to roam.

Section 2. Number of Dogs allowed

It shall be unlawful for any person to own, possess, shelter, keep or harbor more than three dogs over six months of age at any one time on or in any premise within Rollin Township. This provision shall not apply to dogs being kept by a veterinarian or veterinarian hospital, a commercial pet shop, or a licensed kennel in an appropriate zoning district, helper, police and military dogs are included in the count.

Section 3. Dogs to be leashed

It shall be unlawful for the owner of any dog to allow such dog to go beyond the premise of the owner unless the dog is held securely on a leash not more than twelve (12) feet in length and held at all time by a person over ten (10) years of age.

Section 4. Barking Dogs

It shall be unlawful for any person to own a dog which by loud and frequent barking, howling, yelping, growling or any other noise, causes annoyance to the people of the neighborhood.

Section 5. Vicious Dogs

It shall be unlawful for a person to own a fierce or vicious dog. Any dog shall be deemed vicious which has bitten a person or domestic animal without provocation.

Section 6. Kennels

Kennels shall be permitted in agriculturally zoned districts on parcels of 10 acres or more. A zoning permit is required for a kennel.

Section 7. Nuisance Per Se

Any violation of this ordinance is deemed to be a nuisance per se.

Section 8. Enforcement and Penalty

Upon discovering a violation of this ordinance, the Zoning Enforcement Officer shall notify the violator orally or in writing by means of first class letter. Such notice shall give up to 5 days for the violation to be abated or a civil infraction shall be issued. No further notification is required for subsequent violations in a three year period.

- A. Any person violating any provision of this ordinance shall be deemed responsible for a civil infraction. Penalties may be imposed as set forth in Ordinance 34, the Rollin Township Municipal

Civil Infractions Ordinance, together with costs and all expenses, direct and indirect, to which the plaintiff has been put in connection with the municipal civil infraction, including actual attorney fees, up to the entry of judgment. Costs of not more than \$500.00 shall be ordered.

- B. Each and every day during which a violation of this ordinance shall exist shall be deemed to be a separate offense.
- C. In addition to pursuing a municipal civil infraction proceeding pursuant to subsection A hereof, the Township may also initiate an appropriate action in a court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce or interpret In addition this ordinance or any provision of the ordinance. The Township shall be entitled to receive actual attorney fees expended for enforcement of this ordinance from any person found in violation.
- D. All remedies available to the Township under this ordinance and Michigan law shall be deemed to be cumulative and not exclusive.
- E. Any person, firm or entity that assists with or enables the violation of this ordinance shall be responsible for aiding and abetting, and shall be considered to have violated the provision of this ordinance involved for which such aiding and abetting occurred. Furthermore, any attempt to violate this ordinance shall be deemed a violation of the provision of this ordinance involved as if the violation had been successful or completed.

Section 9. Severability

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word or section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of the ordinance other than the said part or portion thereof.

Section 10. Repealer

All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance, including without limitation prior Ordinance 14, the Rollin Township Dog Control Ordinance, are hereby repealed.

Section 11. Effective Date

This ordinance shall take effect 30 days after the publication of this ordinance.

Ordinance declared adopted on _____, 2015

YEAS: () _____
NAYS: () _____
ABSENT: () _____

John Jenkins
Supervisor for the
Township of Rollin

CERTIFICATE OF ADOPTION AND PUBLICATION

I, Denice Combs, the duly elected Clerk of the Township of Rollin certify that the foregoing ordinance is a true and correct copy of the ordinance enacted by the Township Board of the Township of Rollin on January 14, 2015 and published in the _____, a newspaper circulated in the Township of Rollin on _____, 2015.

Denice Combs
Township Clerk
Township of Rollin