

FREEMAN TOWNSHIP ORDINANCE NO. 35

ORDINANCE FOR THE CONTROL OF DOGS

An ordinance to provide for the control of dogs in all Zoning Districts situated in Freeman Township, Clare County, Michigan, pursuant to MCLA 41.181, (et seq).

The purpose of this ordinance being to protect the health, safety and general welfare of persons and property in Freeman Township and to provide penalties for the violation thereof. Exception; that nothing in this ordinance shall be deemed to conflict with the laws of the State of Michigan which supersede township ordinance(s); nor shall any part of this ordinance be deemed to conflict with Clare County Ordinance Number 18.

THE TOWNSHIP OF FREEMAN, CLARE COUNTY, MICHIGAN ORDAINS:

SECTION 1: TITLE

This ordinance shall be known as the Freeman Township Ordinance Number 35, for the Control of Dogs in all Zoning Districts situated in Freeman Township.

SECTION 2: PURPOSE

The purpose of the ordinance shall be to protect the people and property of persons of Freeman Township, in regards to their health, safety and general welfare by establishing control regulations on dogs.

SECTION 3: DEFINITION(S)

The term “dog” means any dog or dog-like creature of the species *Canis* or the family of *Canidae* which may include domesticated dogs, or wolves, foxes, hyenas, jackals and coyotes; whether male, female or unsexed.

SECTION 4: CONTROL REGULATIONS

- 4.1 No dog shall be allowed to disturb the peace by loud noises which may include (but not limited to) barking, yipping, yelping, whining or howling continuously for more than five (5) minutes at any time of the day or night.**
- 4.2 No dog shall be permitted, at any time, to be on a street or highway, or in a public place, except when held securely in leash, by a leash of suitable strength and of a length not to exceed fifteen (15) feet, by the owner thereof or other responsible person, or when confined in a shipping receptacle or closed automobile.**
- 4.3 No owner shall picket or tie any dog in any of the streets, highways or public areas of Freeman Township.**

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- 4.4 At no time shall a dog be allowed in any cemetery of Freeman Township.**
- 4.5 No owner at any time shall allow any dog to destroy property, other than that of the owner, or trespass on the property of another.**
- 4.6 No owner at any time shall allow any dog to attack, molest or bite another person or other animal.**
- 4.7 No owner shall permit any vicious or ferocious dog, or dog sick with or liable to communicate hydrophobia or any other contagious or infectious disease to be exposed to, or a threat to, any person or other animal or property.**
- 4.8 No owner of a dog shall fail to pick up and remove from any public property, or from the property of another, such feces or solid waste as the dog may deposit there.**
- 4.9 No person, firm or corporation shall keep or cause to be kept on his or her or its premises, or parts thereof, more than three (3) dogs at any time without benefit of a properly approved Kennel License, located in an appropriate district as determined by the Freeman Township Planning Commission; and as issued by the Clare County Department of Animal control.**

SECTION 5: EXCEPTIONS

- 5.1 Service Dog: Any guide dog, signal dog, or other service dog, individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling wheelchairs or fetching dropped items, as defined in federal law.**
- 5.2 Law Enforcement Dog: A dog trained to aid police, in duties such as tracking, disabling or detaining criminals or detecting controlled substances.**
- 5.3 Dogs used within the borders of “State” land, land owned by the State of Michigan, used for, but not limited to, recreation and/or hunting are exempt from SECTIONS 4.3, 4.4, 4.5, 4.6 and 4.11.**
- 5.4 Three (3) or more dogs can be “temporarily boarded” for not more than thirty (30) days and without compensation.**
- 5.5 Other Exemptions:**
 - A. Veterinarian Offices**
 - B. Animal Control Centers**

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C. Dog Obedience Schools

D. Pet Shops

SECTION 6: PENALTIES FOR VIOLATION

This ordinance is to be enforced by the Clare County Sheriff's Department. Any person or other entity who violates any of the provisions of this ordinance is responsible for a municipal civil infraction as defined by Michigan law and subject to a civil fine of not more than one hundred dollars (\$100.00) for the first offense; or two hundred and fifty dollars (\$250.00) for the second offense; or five hundred dollars (\$500.00) for the third and each subsequent offense. In addition to any fine, costs shall be assessed, which may include all direct or indirect expenses to which Freeman Township has been put in connection with the violation. A violator of this ordinance shall also be subject to such additional sanctions, remedies and judicial orders as are authorized under Michigan law. Each day a violation of this ordinance continues to exist constitutes a separate violation. The foregoing penalties shall not prohibit Freeman Township from seeking injunctive relief against a violator or such other appropriate relief as may be provided by law.

SECTION 7:

This ordinance becomes effective thirty (30) days after newspaper publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Newspaper publication date: March 24, 2016

Effective Date: April 24, 2016

Adopted by the Freeman Township Board: _____

Al Housler, Freeman Township Supervisor, Clare County, Michigan

_____, Date _____

Patricia Humphrey, Freeman Township Clerk, Clare County, Michigan

_____, Date _____