

ORDINANCE 15-02-17

AN ORINANCE TO AMEND DEFINITIONS AND DELETE THE LAST SECTION AND ADD SEC. 1 A, B, C, D, AND SEC. 2 A, B AND SEC. 3 A OF ORDINANCE 99-10-5 "AN ORDIANCE TO REGULATE THE EXISTENCE, OWNERSHIP OF DOGS, CATS, AND OTHER ANIMALS IN THE CITY OF ROSE CITY, FOR THE PURPOSE OF PROTECTING THE HEALTH AND SAFETY OF THE CITIZENS THEREIN, AND TO PROVIDE A PENALTY FOR THE VIOLATION HEREOF, AND TO REPEAL STRAY DOG ORDINANCE 1950."

THE CITY OF ROSE CITY ORDAINS:

This ordinance shall be know and referred to as the Animal Ordinance #15-02-17

DEFINITIONS:

For the purposes of this chapter, certain words used herein are defined as follows:

Animal(s) shall mean any live creature excepting human beings, fish, turtles and birds

Animal Control Officer(s) shall mean any person designated by the State of Michigan or other Units of government as a law enforcement officer who is qualified to perform such duties under the laws of this State.

Nuisance Per Se shall mean any animal which:

- (1) Molests pedestrians or passing vehicles
- (2) Attacks other animals.
- (3) Trespasses on school grounds.
- (4) Is found at large.
- (5) Damages private or public property.
- (6) Barks, whines, howls or makes any noise in excess after 10:00 p.m. and before 8:00 a.m.
- (7) Defecates repeatedly at the same general location creating an accumulation.

Restraint shall mean any animal secured by a leash or lead or under control of a responsible person and obedient to that person's commands or within the real property limits of its owner.

Vicious Animal shall mean any animal or animals that constitute a physical threat to human beings or other animals.

SECTION 1 OFF PREMISES DEPOSITS

- A. Any person who, while walking or escorting a dog or cat or any other animal,
- B. Allows said animal to deposit excrement on private property shall immediately remove and properly dispose of such excrement.

- C. No person shall permit any vicious dog of which he is the owner or caretaker to be unconfined unless securely muzzled and led by a leash. Any dog shall be deemed vicious which has bitten a person or domestic animal without molestation or which, by its actions gives indication that it is liable to bite any person or domestic animal without molestation.
- D. No person shall own, harbor, or keep a dog which by loud or frequent or habitual barking, yelping, or howling, shall cause annoyance to the people in the neighborhood.

SECTION 2 RAISING AND KEEPING FOWL OR ANIMALS

- A. No more than three (3) adult dogs shall be kept or housed per each dwelling unit in any Residential District without first obtaining a kennel license.
- B. Any other provision of this Ordinance notwithstanding, the keeping, housing, raising, or use of fowl or animals other than domesticated animals of an occupant of the premises, is prohibited in any Residential District.
 - 1. On lots of one-half (1/2) acre, but less than one (1) acre: raising and keeping fowl, roosters are not allowed, and/or rabbits and/or other small animals for pets, not to exceed three (3) per family; all being kept in an enclosure.
 - 2. On lots of one (1) acre, but less than five (5) acres: raising and keeping fowl, roosters are not allowed, and/or rabbits and/or other small animals commonly raised for human consumption in numbers no greater than is required to satisfy the personal needs of the human occupants of the premises; all must be kept in an enclosure.
 - 3. On lots of five (5) acres, but less than ten (10) acres; the uses permitted by paragraph 2, above, plus one (1) horse or one (1) cow or one (1) pig per acre over five (5) acres, provided that any pig pen or building or structure housing farm animals shall be minimum of fifty (50) feet from any property line.
 - 4. On lots of ten (10) acres or more: the above restrictions shall not apply.

SECTION 3 PENALTIES

- 1. Shall be enforced as a Civil Infraction.

This amendment is hereby declared to have been adopted and passed by the regular City Council of The City of Rose City, County of Ogemaw, State of Michigan, at a regular meeting thereof duly called and held on the 17TH. Day of Febuary, 2015.

This ordinance will be in effect 20 days after passage.

Dave Reasner, Mayor

Cindy Rosebrugh, City Clerk

CERTIFICATION:

I, Cindy Rosebrugh, City Clerk for The City of Rose City, County of Ogemaw, State of Michigan, do hereby certify that the attached is a full, true, and correct copy of an Ordinance duly made, passed and adopted by the City Council of the City of Rose City, Michigan, at a regular meeting of the Council held on the ___ day of _____ 2015.

Cindy Rosebrugh, City Clerk

NOTICE

The Rose City Council adopted Ordinance #15-02-17, an ordinance to regulate animals, at the regular Council Meeting held on 02/17/2015. The ordinance is posted at Council Chambers, 310 N. Williams and in the information center at City Hall, 410 N. Williams St. Rose City for the next 20 days, starting on 02/18/2015 until 03/11/2015

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