

**VILLAGE COUNCIL
VILLAGE OF MACKINAW CITY
Cheboygan and Emmet Counties, Michigan**

Trustee S. Newman supported by Trustee R. Glenn, moved the adoption of the following Ordinance:

ORDINANCE NO. 188

AN ORDINANCE TO AMEND SECTIONS 35.151, 35.152, 35.153, 35.154, 35.155, 35.156, 35.157, 35.158, 35.159 AND 35.160 OF THE COMPILED CODE OF THE VILLAGE OF MACKINAW CITY RELATING TO THE CONTROL OF DOGS IN THE VILLAGE

The Village of Mackinaw City ordains:

Sec. 1. Amendment of Compiled Code. Sections 35.151, 35.152, 35.153, 35.154, 35.155, 35.156, 35.157, 35.158, 35.159 and 35.160 of the Compiled Code of the Village of Mackinaw City (Ord. No. 64, June 21, 1967) are amended to read as follows:

Sec. 35.151. Purpose.

This Ordinance is for the control of dogs in the Village and is intended to protect the public health, safety, and general welfare by preventing noise, nuisance and the spread of canine disease.

Sec. 35.152. Licensing.

It shall be unlawful for any person to own a dog over the age of four months within the Village of Mackinaw City that is not licensed as provided by the laws of the State of Michigan.

Sec. 35.153. Straying Beyond Premises.

It shall be unlawful for the owner or other person having charge of any dog in the Village of Mackinaw City to allow such dog to stray beyond the premises of such owner or custodian, except when the dog is securely tethered on a leash, not including any electrical device, and under the control of a person holding the leash who is capable of restraining the dog at all times.

Sec. 35.154. Nuisance; Noise, Annoyance.

It shall be unlawful for any person to own or harbor a dog in the Village of Mackinaw City which by loud and frequent barking, howling, yelping, growling or any other noise, causes annoyance, or becomes a nuisance in the neighborhood in which said dog is kept.

Sec. 35.155. Nuisance; Destruction of Property, Trespassing.

No person shall own, harbor or keep any dog that trespasses and/or causes damage to the property of another person.

Sec. 35.156. Dogs Suspected of Having Rabies; Duties of Owner.

It shall be unlawful for any person in the Village of Mackinaw City to own or harbor a dog that has been bitten by any animal known to have been afflicted with rabies. Any person who shall have in his possession a dog which has contracted rabies or has been or is suspected of having been bitten by any other animal having rabies, or which has bitten any person, shall, upon the demand of the animal control officer, health officer, or any Village of Mackinaw City police officer, produce and surrender such dog to such officer to be held for observation, at the expense of the owner or keeper, at such location as the Village of Mackinaw City shall designate. It shall be the duty of any person owning a dog which has been attacked or has bitten any person or any other dog suspected of having rabies to immediately notify the animal control officer or the police department or the health officer that such person has such a dog in their possession.

Sec. 35.157. Office of Animal Control Officer Established.

The office of animal control officer shall be established in the police department of the Village of Mackinaw City while coordinating duties with the surrounding county animal control units.

Sec. 35.158. Penalty.

Any violation of this ordinance shall be a misdemeanor punishable by a fine not exceeding \$500.00 and costs of prosecution or by imprisonment for a period not exceeding 90 days, or both, with such fine and imprisonment in the discretion of the court.

Sec. 35.159. Effective Date.

This ordinance shall take effect 20 days after its adoption, or upon publication, whichever occurs later.

Sec. 35.160. Reserved.

Sec. 2. Effective Date. This Ordinance shall take effect 20 days after its adoption, or upon publication, whichever occurs later.

Yeas: Trustees: T. Chastain, P. Michalak, B. Mollen, S. Newman, R. Heilman, R. Glenn

Nays: Trustees: None

Abstain: Trustees: None

Absent: Trustees: M. Rodriguez

Ordinance declared adopted.

Robert Heilman, Village President

Lana Jaggi, Clerk

CERTIFICATION

As the Clerk of the Village of Mackinaw City, Michigan, I certify this is a true and complete copy of an ordinance adopted at a meeting of the Village Council held on October 18, 2018, with notice provided as required by law.

October 18, 2018

Lana Jaggi, Clerk