

CITY OF SWARTZ CREEK

ORDINANCE NO. 400

AN ORDINANCE TO AMEND SECTION 3-1 OF THE CODE OF ORDINANCES OF THE CITY OF SWARTZ CREEK TO RECOGNIZE THAT CERTAIN ACTIVITIES ARE PROTECTED UNDER THE MICHIGAN RIGHT TO FARM ACT.

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Amendment of Section 3-1 of the Code of Ordinances of the City of Swartz Creek.

Section 3-1 of the Code of Ordinances of the City of Swartz Creek, Michigan, is hereby amended to read as follows:

Sec. 3-1. Keeping of certain animals prohibited.

It shall be unlawful to keep, harbor, own or in any way possess within the corporate limits of the City of Swartz Creek, Michigan unless specifically authorized by an act of Federal, State, or City government:

(1) Any warm-blooded, carnivorous or omnivorous, wild or exotic animals, dangerous or undomesticated animals which are not of a species customarily used as an ordinary household pet, but one which would ordinarily be confined in a zoo, a farm, or one which would ordinarily be found in the wilderness of this or any other country, or one which otherwise causes a reasonable person to be fearful of bodily harm or property damage (including, but not limited to, pigs, horses, sheep, cattle, poultry, reptiles, goats, primates, raccoons, skunks, foxes, and wild and exotic cats; but excluding fowl, ferrets and small rodents of varieties used for laboratory purposes).

(2) Any animal having poisonous bites.

(3) Any person in possession, on the date that this section becomes effective, of a State of Michigan Department of Natural Resources Possession Permit or Game Breeder's License, or Department of the Interior U.S. Fish and Wildlife Service Federal Fish and Wildlife Licenses/Permit, for an animal otherwise prohibited by this section, shall be allowed to keep, harbor, own, or possess the animal(s) specified in said permit and/or license. Said permit and/or license shall not be amended to include additional animal(s) prohibited by this section.

(4) Any farms existing and in possession of any prohibited livestock, on the date that this section becomes effective, shall be allowed to retain said agricultural livestock or similar animals as protected under the Right To Farm Act.

Section 2. Repeal of Inconsistent ordinances.

Ordinances No. 398 and any other ordinances of the City of Swartz Creek which are in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Effective Date.


This ordinance shall be effective on the 15th day of June, 2009.

At a regular meeting of the City Council of the City of Swartz Creek held on May 11, 2009, adoption of the foregoing ordinance was moved by Councilmember Hurt and supported by Councilmember Hicks.

Voting for: Abrams, Binder, Hicks, Hurt, Krueger, Shumaker.

Voting against: None. Motion Declared Carried.

The Mayor declared the ordinance adopted.



Richard Abrams
Mayor

CERTIFICATION

The foregoing is a true copy of Ordinance No. 400 which was enacted by the City Council of the City of Swartz Creek at a regular meeting held on May 11, 2009.

Juana Aguilar, Clerk
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Publish Date: May 24, 2009
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Effective Date: June 15, 2009