

CITY OF SALINE
WASHTENAW COUNTY, MICHIGAN

ORDINANCE NO. 761

AN ORDINANCE TO AMEND CHAPTER 14 OF THE CODE OF ORDINANCES, CITY OF SALINE, MICHIGAN TO REGULATE ANIMAL CONTROL AND THE OWNERSHIP OF ANIMALS

The City of Saline Ordains:

Section 1. Amendment. Chapter 14 of the Code of Ordinance, City of Saline, Michigan, entitled "Animals," shall be amended to read in its entirety:

Sec. 14-1. Definitions.

The following words, terms and phrases shall mean the following when used in this article:

- (1) *Animal* means any animal, including without limitation, any cat, dog, bird, reptile, fish or any other creature, of any age.
- (2) *Animal shelter* means any animal shelter maintained or contracted for by the city, a humane society or Washtenaw County.
- (3) *At large* means off the premises of the owner and not under the control of the owner, the owner's agent, or some member of the owner's family by leash, cord, chain, or other restraint up to six feet in length, or by leash up to 25 feet in length which is attached to a retracting mechanism held by the owner, his agent, or some member of the owner's family. Electronic controls are not adequate constraints for purposes of this article. A dog shall not be considered to be at large when being watched by the owner, owner's agent, or some member of the owner's family in a dog park or other area designated and posted for unleashed use.
- (4) *Impound* means taking an animal for transport to and leaving it with an animal shelter or other place as may be legally provided.
- (5) *Owner* means any person who has a right of property in an animal, harbors an animal, has an animal in his or her care, or allows an animal to remain on or about the property or premises occupied by such person.
- (6) *Without justification* means an action taken by an animal if: (a) the recipient of the action was not trespassing on the property of the animal's owner; (b) the recipient of the action was not tormenting the animal; or (c) the animal was not responding in a manner that an ordinary and reasonable person would conclude was designed to protect a person engaged in lawful activity.

Sec. 14-2. License and inoculation tags required.

It shall be unlawful for any person to own any dog over the age of six months within the city that does not at all times wear a collar with a license tag attached thereto as provided for by state law, and with a required rabies inoculation tag.

Sec. 14-3. Prohibition on keeping excessive numbers of animals.

It shall be unlawful to keep or harbor more than a total of three dogs or cats, or combination thereof, over two months' of age, in any single dwelling within the city, except as otherwise permitted in the city code or zoning ordinance. For purposes of this section, the term "dwelling" means a building or portion thereof which is used as a residence and provides complete, independent living facilities for one or more persons.

Sec. 14-4. Ownership of certain animals prohibited.

It shall be unlawful for any owner to keep, harbor, or have charge of any animal when any one or more of the following conditions exist:

- (1) The animal has a dangerous or ferocious disposition, shows vicious habits, or has without justification molested any person lawfully in or upon any public street or place;
- (2) The animal has without justification attacked or bitten any person or animal, or has destroyed any property or any animal not posing a threat to the offending animal;
- (3) The animal appears to be suffering from rabies, mange or other infectious or dangerous disease. However, an owner shall not be deemed to be in violation of this subsection if the animal is under the care of a licensed veterinarian for the condition and is properly quarantined;
- (4) The animal is of a type prohibited in the zoning district in which the owner's property is located; unless the owner has obtained a permit for keeping such animal pursuant to the zoning ordinance; or
- (5) The animal is of a species otherwise unfit for keeping in the City either because of a tendency toward viciousness, including but not limited to lions, tigers, apes, alligators, etc.

Sec. 14-5. Animals at large.

It shall be unlawful for any owner to:

- (1) Intentionally permit an animal to be at large within the limits of the city. The owner of any animal found at large shall be responsible for a violation of this section, regardless of whether such owner resides in the city.
- (2) House an animal in a manner so as to accidentally allow an animal to escape and be at large, if such animal causes injury or damage to the person or property of another.
- (3) House an animal in a matter so as to accidentally allow an animal to be at large two or more times.

Sec. 14-6. Reasonable control of animals.

It shall be unlawful for:

- (4) Any person having control of a dog by leash, cord, chain, or other restraint, or any person supervising a dog in a dog park, to allow the dog to defecate on or upon any premises other than his or her own, or the premises where the dog resides, unless the person cleans up the resulting feces.
- (5) Any person having control of a dog by leash, cord, chain, or other restraint to allow the dog to damage property or injure any person.

Sec. 14-7. Foul odors and disturbing noises.

It shall be unlawful for any person owning an animal to allow that animal to disturb the quiet enjoyment of one or more neighboring properties by:

- (1) Producing foul odors.
- (2) Barking, howling, bleating, quacking, crowing, or producing any other noise that prevents the quiet enjoyment of one or more neighboring properties;

Sec. 14-8. Duty to report dangerous and rabid animals.

- (1) It shall be the duty of any person owning an animal which has been attacked or bitten by another dog or animal showing symptoms of rabies to immediately notify a police officer or animal control officer.
- (2) It shall also be the duty of any person having knowledge of a vicious or dangerous animal to report such animal to a police officer or animal control officer.

Sec. 14-9. Impoundment.

- (1) Police officers or other persons designated by the chief of police or city council are authorized to impound:
 - (a) Animals that are at large;

- (b) Animals that have bitten or threatened other humans or animals;
 - (c) Animals that appear to be suffering from rabies, mange or other infectious or dangerous disease; or
 - (d) Animals that are making noises that can be heard off the premises of the owner.
- (2) Any animal impounded shall be released to the owner only if the following conditions are satisfied:
- (a) The owner has paid the applicable impounding fee.
 - (b) The owner has paid the cost of boarding the animal, if the animal was impounded for more than 24 hours.
 - (c) The owner has presented proof of all required immunizations and licenses.
 - (d) Release from impoundment will not immediately result in a violation of section 14-2.

Sec. 14-10. Municipal civil infraction.

Any violation of this chapter shall be a municipal civil infraction, and each day that a violation remains or occurs shall be separate offense.

Section 2. Effective Date. This ordinance shall become effective 10 days after its publication.

YEAS: Marl, Girbach, Rhoads, Roth, Sibb-Koenig, TerHaar


NAYS: _____

ABSTAIN: _____

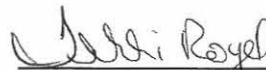
ABSENT: Dillon

CERTIFICATION

This is a true and complete copy of Ordinance No. 761 adopted at a regular meeting of the Saline City Council held on March 16, 2015.



 Brian Marl, Mayor



 Terri Royal, City Clerk

Adopted: March 16, 2015
 Published: April 2, 2015
 Effective: April 12, 2015