

CHAPTER 612
Animals

612.01	Domestic animals running at large.	612.05	Access to public ways and places.
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CROSS REFERENCES

Animal pounds - see M.C.L.A. Secs. 123.301 et seq., 750.70
 Animal diseases generally - see M.C.L.A. Secs. 287.2 et seq.
 Animals generally - see M.C.L.A. Secs. 287.2 et seq., 750.49 et seq.,
 752.21 et seq.

612.01 DOMESTIC ANIMALS RUNNING AT LARGE.

No owner or keeper of domestic animals, such as horses, mules, cattle, sheep, goats or swine, including all variations of each, and/or fowl, including chickens, turkeys, geese, ducks, etc., shall allow the same to run at large and enter or be upon any premises constituting a street, highway, public park or other public land in the City or bordering upon the City.

(Ord. 98. Passed 3-15-66.)

612.02 CRUELTY TO ANIMALS.

No person shall cruelly treat or abuse any animal.

(Ord. 181. Passed 11-16-82.)

612.03 POISONING ANIMALS.

No person shall throw or deposit any poisonous substance on any exposed public or private place where it endangers or is likely to endanger any animal.

(Ord. 181. Passed 11-16-82.)

612.04 DOGS.

(a) Definitions. As used in this section:

- (1) "Hunting" means allowing a dog to roam free within the sight or sound of the owner while in the course of hunting legal game or an unprotected animal.
- (2) "Kennel" means any establishment wherein or whereon dogs are kept for breeding, sale or sporting purposes.
- (3) "Owner," when applied to the proprietorship of a dog, means and includes every person having a right of property in such dog, every person who keeps or harbors such dog or has it in his or her care and every person who permits such dog to remain in or about any premises occupied by him or her.
- (4) "Reasonable control" means keeping a dog on a suitable leash or under the oral control of the owner, custodian or some other person with the permission of the owner or custodian, in all cases other than while upon private property, unless the dog is confined in a closed automobile or shipping receptacle.

(b) Running at Large; Peace Disturbances. No person owning any dog four months of age or over shall permit such dog to be at large at any time in the City in violation of any of the following restrictions:

- (1) No person shall permit any vicious dog of which he or she is the owner to be unconfined unless securely muzzled and led by a leash. A dog which has bitten a person or domestic animal without molestation, or which, by its actions, gives indication that it is liable to bite a person or domestic animal without molestation, shall be deemed vicious.
- (2) No person who is the owner of a female dog shall permit or allow such female dog to go beyond the premises of such owner when such dog is in heat.
- (3) No person who is the owner of a dog shall permit it to be unconfined unless under the reasonable control of a person.
- (4) No person who is the owner of a dog shall permit it to be unconfined at any time unless licensed as required by law and unless wearing its license tag and evidence of rabies immunization.

(5) No person shall own a dog which, by loud, frequent or habitual barking, yelping or howling, causes annoyance to the people of the neighborhood.

(c) Seizure and Impounding. Any dog found at large in the City which is doing any of the acts enumerated in subsection (b) hereof may be seized and impounded by the County Animal Control Officer or any police officer of the City.

(d) Rabies Prevention. Any person who has in his or her possession a dog which has contracted rabies, which has been subjected to the same, which is suspected of having rabies or which has bitten any person shall, upon demand of the County Animal Control Officer, the Police Department or the County Health Department, produce and surrender such dog to be held for observation.

(e) Exposure to Rabies; Notice. Any person owning or harboring a dog which has been attacked or bitten by another dog or other animal showing the symptoms of rabies shall immediately notify the Police Department of his or her possession of such dog.

(f) Impounding and Release. Any dog impounded for observation for rabies shall be held until released by the Health Officer or otherwise disposed of. Any dog impounded for having bitten any person shall be held for not less than five days. If any complaint has been made before any court asking that such dog be killed or confined, then such dog shall be confined until the case is concluded.

No dog shall be released from the pound unless the owner or person entitled to claim the same pays the fees established by the County Animal Control Department.

(g) Licenses.

- (1) Any owner of a dog shall produce proof of a valid dog license or kennel license upon request of a person who is authorized to enforce this section. Any resident in possession of a kennel license shall notify the City of such possession.
- (2) On or before March 1 of each year, the owner of any dog that is six months old or over shall apply to the County Treasurer or the City Treasurer, or his or her authorized agent, in writing, for a license for each dog owned or kept by such owner. Such application shall state the breed, sex, age, color and

markings of such dog and the name and address of the last previous owner. Such application shall be accompanied by proof of vaccination of the dog for rabies and all the necessary requirements as established by the United States Department of Agriculture and shall be signed by an accredited veterinarian. (3) At the time of making application, the owner of such dog shall pay an annual fee so designated by the County.

- (4) Upon application and payment of the license fee, the County Treasurer or the City Treasurer shall then deliver to such owner a license and a tag approved by the State Department of Agriculture. Such tag shall be affixed to a substantial collar to be furnished by the owner, which collar, with the tag attached, shall at all times be kept on the dog for which the license is issued, except when such dog is engaged in lawful hunting.

(h) Criminal Responsibility. Redemption of a dog seized and/or payment of the costs and expenses thereof as herein provided shall not relieve the owner of such dog from criminal responsibility under this section.

(Ord. 181. Passed 11-16-82.)

612.05 ACCESS TO PUBLIC WAYS AND PLACES.

No person shall tie, stake or fasten any animal in such a manner that the animal has access to any portion of any street, alley or public place.

(Ord. 308. Passed 1-19-10.)

612.06 REMOVAL OF DEFECATION.

No owner or person having custody of any dog or other animal shall permit such dog or other animal to defecate on any school grounds, public street, alley, sidewalk, tree, lawn, park, other public grounds or private property in the City, other than on the premises of such owner or person, unless such defecation is removed immediately.

(Ord. 308. Passed 1-19-10.)

612.07 SANITATION OF PREMISES.

The owner or custodian of any animal or bird shall maintain the premises wherein such animal or bird is kept in a clean and sanitary condition, free from rodents, vermin and disagreeable odors.

(Ord. 308. Passed 1-19-10.)

612.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)