

LENAWEE COUNTY ANIMAL CONTROL ORDINANCE
AS ADOPTED BY THE LENAWEЕ COUNTY BOARD OF COMMISSIONERS ON
MAY 12, 1976 AND FURTHER ADMENDMENTS

WHEREAS, the County of Lenawee in the State of Michigan adopted Ordinance No. 4, Animal Control Ordinance on October 12, 1976, and forwarded same to the Governor of said State for approval, and,

WHEREAS, Pursuant to the Governors request, the Attorney General of the State has recommended certain amendments to the Ordinance, now therefore, to accomplish said amendments,

BE IT RESOLVED, That the said Ordinance adopted May 12, 1976 be rescinded, and,

BE IT RESOLVED, That Ordinance No. 4, First Amended, Animal Control Ordinance be adopted as follows:

Section 1. Purpose.

There is hereby established a Lenawee County Animal Control Agency which shall employ at least one (1) animal control officer. The Animal Control Agency shall have jurisdiction to enforce this ordinance and the dog licensing statutes of the State of Michigan, and particularly Act 339 of the Public Acts of 1919, as amended (the Dog Law of 1919); and Act 132 of the Public Acts of 1974, as amended in an city, village or township of the County which does not have an animal control ordinance.

Section 2. Definitions.

- (a) Animal Control Officer means any person employed by the County for the purpose of enforcing this ordinance, or State statutes, pertaining to dogs or other animals.
- (b) The term “owner” when applied to the propertiership of an animal means every person having a right of property in the animal, an authorized agent of the owner, and every person who keeps or harbors the animal or has it in his care, custody or control, and every person who permits the animal to remain on or about the premise occupied by him.

Section 3. Duties of the Animal Control Officer and Appointing Authority.

The appointment of an Animal Control Officer shall be made by the Board of Commissioners and in addition to the duties listed shall have such other duties relating to the enforcement of this ordinance as the Board of Commissioners may from time to time provide.

The Animal Control Officer shall be authorized to carry out the following duties and responsibilities:

- (a) To investigate complaints concerning dogs and other animals alleged to be dangerous to persons or property and shall have the right to cease, take up and impound or destroy such animals. As to a licensed dog or a dog with evidence of ownership, the animal control officer shall notify the owner of the dog by written notice and sent by certified mail, 7 days prior to disposition of said animal, that said owner would be afforded a hearing prior to the destruction of licensed dog which had been running loose if said owner made and delivered such a demand in writing within 7 days from date of mailing said notice.
- (b) To investigate complaints concerning alleged cruelty to dogs and other animals.
- (c) To dispose of bodies of all animals destroyed in accordance with this ordinance or the statutes of the State of Michigan in a manner approved by the Department of Agriculture or the Board of Commissioners.
- (d) To carry dog licenses and receipts numbered in sequence for accounting purposes and to issue same and to account to the County Treasurer for same on or before the last day of each month.
- (e) To carry and issue violation citations to persons violating the terms of this ordinance or the statutes enforced under this ordinance.

The Animal Control Officer shall be paid a fee or salary established by the Board of Commissioners, in lieu of all fees and other remunerations established by statute.

Section 4. Violations

- (a) It shall be a violation of this ordinance for any person to permit a dog within his possession, control or supervision to cause a nuisance and disturbance by loud and frequent barking, howling, yelping or the like.
- (b) If any dog, at any time, licensed or unlicensed, destroys property real or trespasses in a damaging way on private property of persons other than the owner, the owner of said dog shall be legally liable.
- (c) Costs, as in civil cases, shall be taxed against the owner of the dog, animal, livestock, or poultry, and collected by the court from the person complained against upon a finding of guilty.

Section 5. Licensing

- (a) An application for a license hereunder shall state the dogs breed, sex, age, color, and markings, and the owner's name and address, and shall be accompanied by a valid certification of vaccination for rabies, with a vaccine licensed by the United States Department of Agriculture.

- (b) Fees for all dogs, male or female, sexed or unsexed, of the age of six (6) months or older shall be established by the Board of Commissioners. Set fees will apply is said license is obtained on or before March 1 of each year. A higher fee may be assessed thereafter.
- (c) A kennel license shall require inspection and approval of the kennel and dogs by the Animal Control Officer.
- (d) Fees for leader dogs or dogs in training as such are hereby waived, however, same must be licensed.
- (e) Current dog license issued by other Counties within Michigan, and any other governmental agency shall be honored in the County until the following March 1st.

Section 6. Confinement of Animal.

- (a) Any animal including wild animals which shall bite a human shall, if located, be confined for the required ten (10) days at the animal pound or other suitable location at the discretion of the Animal Control Officer. Confinement costs are to be borne by the owner if known.
- (b) Every dog and other animal shall at all times be confined upon the premises of its owner except when said dog or other animal is otherwise under the reasonable control of the owner.
- (c) An owner may redeem a dog from the animal pound executing a statement of ownership, or a license and tag as required by this ordinance and State statute, and paying the required fees posted at the pound. If the dog is unlicensed a license and tag, as required by this ordinance and State statute, must be purchased by the owner and said license and tag inspected by the Animal Control Officer or other designated officer within ten (10) days of the date the dog is claimed and redeemed from the animal pound or place of confinement.

Section 7. Dog Census.

The method and fees for taking the annual dog census shall be established by resolution of the Board of Commissioners.

Section 8. Fees and Expenses.

All fees for viewing an area where livestock has been killed or injured by dogs and all other fees and expenses required for the administration and enforcement of this ordinance and the State statutes enforced hereunder shall be from time to time established by the Board of Commissioners.

Section 9. Penalty.

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by imprisonment in the county jail for not ninety (90) days or by a fine of not more than One Hundred (\$100.00) Dollars or by both such fine and imprisonment.

Section 10. Treasurer's Records and Duties.

- (a) On March 1 of each year, the County Treasurer shall make a comparison of his records of the dogs actually licensed in each city or township of the County with the report of the annual census to determine and locate all unlicensed dogs.
- (b) On and after April 1 of each year, every unlicensed dog, subject to license provisions of this ordinance or the Statutes of the State, is hereby declared to be a public nuisance and the County Treasurer shall immediately thereafter list all such unlicensed dogs, as shown by the results of the annual census, and shall deliver copies of such lists to the Animal Control Officer and the Director of the Michigan Department of Agriculture as well as those officers listed and set forth in Act 339 of the Public Acts of 1919, being section 287.277 of the Compiled Laws of 1948. (MSA Section 12.527)

Section 11. Severability.

Every section and every part of each section is hereby declared to be an independent section and part of section, and a holding of any section or part of section to be void and ineffective for any cause, or the modification of or addition to any section or part of section shall not be deemed to affect any other section or part of section.

Section 12. Effective Date.

The effective date of the Animal Control Ordinance established by this Ordinance No. 4 First Amended, shall be November 1, 1976, or the earliest date thereafter permitted by law.

Adopted by the Lenawee County Board of Commissioners at a regular meeting of the Commission held the 12th day of October, 1976.

Approval by the Governor of the State of Michigan

The forgoing ORDINANCE NO. 4, First Amended, for the County of Lenawee is hereby approved and this approval signed the 17th day of December, 1976.