

# ANIMALS

## ARTICLE I. IN GENERAL

### Sec. 10-1. Rabies Control

- (a) No person shall keep, harbor or own a fierce or vicious dog or other animal, or a dog or other animal that has been bitten by any animal known to have been afflicted with rabies.
- (b) Any person who shall have in his possession a dog or other animal which has contracted, or is suspected of having contracted rabies, or which has been bitten by any animal known to have been afflicted with rabies, shall upon demand of a city police officer or Eaton County Animal Control, produce and surrender such dog or other animal to the police department or Eaton County Animal Control, to be held for observation or treatment; provided that such dog or other animal may be surrendered to a registered veterinarian.
- (c) It shall be the duty of any person owning or harboring a dog or other animal which has been attacked or bitten by any other dog or animal, showing the symptoms of rabies, immediately to notify the city police department or Eaton County Animal Control that such person has such a dog or other animal in his possession.

**State law references** – Dogs attacking or biting persons, MCL 287.286a, 287.288, 287.351, MSA 12.537, 12.539, 12.544; rules for control of rabies and the disposition of nonhuman agents carrying disease, including rabid animals, MCL 333.5111, MSA 14.15(5111).

### Sec. 10-2 – 10-25. Reserved.

## ARTICLE II. DOGS & CATS

### Sec. 10-26. Penalty.

Any person who shall violate any of the provisions of this article shall be guilty of a civil infraction punishable as follows:

First offense within a calendar year.....\$25.00  
Second offense within a calendar year.....\$50.00  
Third offense within a calendar year.....\$100.00  
Fourth offense within a calendar year.....\$200.00

Such violator shall also be liable for all reasonable costs incurred by the city in enforcing this article.

### Sec. 10-27. License, tag requirement.

It shall be unlawful for any person to own, possess, harbor or have the care or charge of any dog of the age of six months or over, within the city unless the same shall be properly licensed in accordance with the provision of Act No. 339 of the Public Acts of Michigan of 1919 (MCL

287.261 et seq., MSA 12.511 et seq.), as amended; and unless such dog shall wear a collar to which is attached the license tag required by this act.

Upon request of a police officer, any person owning any dog shall exhibit the dog, the required vaccination certificate, and the current license or license tag for such dog. No person shall fail to exhibit a dog, the required vaccination certificate and license or license tag for such a dog.

#### **Sec. 10-28. Limit on number of dogs & cats.**

- (a) Limit on the number of dogs. No owner, of any dog, nor any person who owns, leases, or is otherwise in control of any premises within the city, shall keep dogs or permit dogs to be kept within the city except in compliance with the following:
  - 1. Not more than two (2) dog per unit, may be kept in or about the premises of a dwelling unit in a duplex, apartment, condominium, or other multi-family dwelling unit.
  - 2. Not more than three (3) dogs may be kept in or about the premises of any single-family dwelling.
  - 3. Dogs born to a female dog kept in compliance with the provisions of this section may be kept on the premises with said female dog for a period of not more than six (6) months following the date of birth.
- (b) Limit on the number of cats. No person shall possess, harbor, shelter or keep more than four (4) cats other than cats under six (6) months of age born to a female cat under the care, custody or control of such person.

#### **Sec. 10-29. Determination of harboring.**

Any person in possession of any dog or cat, or who shall permit any dog or cat to be lodged, or to remain on his, her or their premises, or to be fed within his house, store, building, enclosure or premises for a period of two days, shall be deemed to be harboring within the meaning of this article.

#### **Sec. 10-30. Running at large prohibited; Leashed or lead required; Clean-Up required.**

- (a) A person who owns or has custody or control of a dog, cat or any animal shall prevent the animal from running at large. Any person, who owns, or has custody or control of an animal, at any time the animal is off that person's property, shall restrain the animal with a lead or leash no greater than six (6) feet in length.
- (b) A person who owns or has custody or control of any animal shall prevent the animal from defecating on any public sidewalk, public park, public street, or any other public property or any private property, and shall at all times have in his, her, or their possession, devices, implements or materials to immediately carry away fecal matter deposited by the animal in a sanitary manner.
- (c) The provisions of this section shall not apply to:

Any blind person, as defined in Act 260 of the Public Acts of 1978.

Any deaf person, as defined in Act 82 of the Public Acts of 1981.

Any audibly impaired person, as defined in Act 1 of the Public Acts of 1966.

Any physically limited persons, as defined in Act 1 of the Public Acts of 1966.

Any dog being trained to be a guide or service dog for the blind, deaf, audibly impaired or physically limited, participate of a recognized program of training, and provided that the dog is on a leash and the person in charge of the dog has proof with them that the dog is participating in the training program at the time.

**Sec. 10-31. Control of female dogs.**

It shall be unlawful for the owner of any female dog to permit or allow such female dog to go beyond the premises of such owner when such female dog is in heat, except when such female dog shall be under direct and positive control of an adult person.

**Sec. 10-32. Quarantine.**

It shall be unlawful for any person owning, possessing or having charge of any dog or cat to permit it to run at large during periods of quarantine declared by any lawful authority; provided that upon an emergency, the city may declare a quarantine to be effective until the next regular meeting of the city council.

**Sec. 10-33. Confinement at night.**

Every dog and cat shall at all times between sunset of each day and sunrise of the following day be confined upon the premises of its owner or custodian, except when such dog or cat is otherwise under the reasonable control of some person.

**Sec. 10-34. Noisy dogs.**

No person shall own, harbor or keep any dog which by loud or frequent barking, yipping or howling becomes a nuisance in the neighborhood in which the dog is kept.

**Sec. 10-35. Destructive dogs.**

No person shall own, harbor or keep any dog, whether licensed or not, that by destruction of property of others than the owner, or by trespassing on property other than that of the owner, becomes a nuisance in the neighborhood in which the dog is kept.

**Sec. 10-36-10-55. Reserved.**

**ARTICLE III. FOWL**

**Sec. 10-56. Penalty.**

Any person who shall violate any of the provisions of this article shall be guilty of a civil infraction and upon conviction thereof shall be punishable as follows:

First offense within a calendar year.....\$25.00  
Second offense within a calendar year.....\$50.00  
Third offense within a calendar year.....\$100.00  
Fourth offense within a calendar year.....\$200.00

Such violator shall also be liable for all reasonable costs incurred by the city in enforcing this article.

**Sec. 10-57. Confinement required.**

No chickens, turkeys, ducks, geese or other fowl shall be allowed to run at large within the city at any time. All such fowl shall be confined in parks, yards, or buildings all the year round.

**Sec. 10-58. Effective date.**

This Animal Ordinance shall take effect upon publication in the County Journal on July 25, 2009. All City of Olivet Animal Ordinances or parts of ordinances herein are hereby repealed.

**Certification of the City Clerk**

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of Olivet, County of Eaton, State of Michigan, at a Regular Meeting held on July 13, 2009, and that a public notice of said meeting was given pursuant to the Open Meeting Act, being Act No. 267, Public Acts of Michigan, 1076, as amended, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting. I further certify that said Ordinance has been recorded in the Ordinance Book of the City and such recording has been authenticated by signature of the Mayor and City Clerk.

Becky Palmer  
Olivet City Clerk

**Certification of Publication**

I, Becky Palmer, City Clerk of the City of Olivet, County of Eaton, State of Michigan, hereby certify that the Animal Ordinance was published in the County Journal on July 25, 2009.

Becky Palmer  
Olivet City Clerk