

Animal control Ordinance
Marshall

Chapter 6

ANIMALS AND FOWL*

*State law reference- Crimes relating to animals and birds, MCL 750.49 et seq., MSA 28.244 et seq.

Art. I In General 6,1--6-15

Art II. Dogs. 6-16. 6-17

ARTICLE L IN GENERAL

Sec. 6-1. Definitions.

The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them:

- (1) At large shall mean an animal off the premises of the owner and not under reasonable control,
- (2) To harbor shall mean to provide shelter and/or food for any domestic animal on other than a periodic or temporary basis.
- (3) Reasonable control shall mean having an animal on a suitable leash or under the oral control of the owner or custodian in all cases other than on private property with permission or in the event such animal is confined in an automobile or suitable cage. (Ord. of 11-17-86) Cross reference—Definitions generally, 1-2.

Sec. 6-2. Prohibited at large, impoundment, disposal, fees.

- (a) No person shall permit any dog, cat, fowl or other animal, domestic or domesticated, to run at large in the city.
- (b) Any police officer or any other person so designated by the city is hereby authorized to seize and impound any such dog, cat, fowl, domestic or domesticated animal running at large within the city limits of the City of Marshall, with the same animal or fowl to be impounded as further provided herein.
© The city manager or other designated city official is hereby authorized to enter into contracts with licensed veterinary hospitals or boarding kennels to carry out the impoundment provisions of this section.
- (d) Any impounded dog, cat, fowl, domestic or domesticated animal impounded shall be disposed of by the city or such veterinary or kennel operator, as agent of the city, who retains the impounded animal, in the following manner:
 - (1) If such animal or fowl has a collar, license or other evidence of ownership, the city or its agents shall notify the owner in writing and return the animal to such owner, upon demand and payment of any fees or proof of any required certificates or licensing. The disposition of such animal otherwise without permission of such owner shall be made only after seven (7) days from the mailing of such written notice.
 - (2) If the owner or harbinger of such animal or fowl cannot be reasonably determined, the city or its agents are authorized to dispose of such animal or fowl in any humane manner; provided, however, that such disposition shall not be made until after ninety-six (96) hours.

(3) If the animal or fowl, in the opinion of the city or its agent, is diseased or injured to the extent that the holding period would cause undue suffering to such animal, the same shall be disposed of in a humane manner.

- (e) The city may establish criteria for the release of animals and fowl impounded to owners and others claiming ,such animal or fowl, including fees for the first and/or subsequent impoundments of the same animal or fowl, and where applicable may require immunization certificates, neuterization or proof of licensing. (Gen. Ords. 1963, 5.08; Ord. of 11-17-86)
State law reference-Similar provisions, MCL 287.388; MCL 433.11 et seq.; MSA 18.789(1) et seq.

Sec. 6-3. Keeping of animals.

- (a) No person shall keep or confine horses, ponies, hogs, cattle, sheep or any similar type farm animal within one hundred (100) feet of a public street, alley or the dwelling house of any other person, nor in such manner that they become offensive to those residing near or detrimental to the public health.
- (b) No person shall keep or harbor any animal in such a way as to create a nuisance at one residence or business location or on a residential, business or other lot in the City of Marshall.
- © No person shall refuse to show or exhibit for a health inspection or other police investigation any dog, cat, fowl or other domestic or domesticated animal in his/her possession or custody to any licensed inspector, police officer or health official of the City of Marshall. (Gen. Ords. 1963, 5.09; Ord. of 11-17-86)

Cross reference—Nuisances generally, Ch. 17.

Sec. 6-4. Keeping of poultry.

No person shall keep chickens or other fowl in any house or yard within fifty (50) feet of the dwelling house of any other person except by permission of such other person. (Gen. Ords. 1963, 5.10; Ord. of 11-17-86)

Cross reference—Nuisances generally, Ch. 17.

Sec. 6-5. Cruelty to animals.

No person shall wantonly or cruelly illtreat or injure any dog or other domestic animal. No person shall cause dogs to fight with each other or with other animals. (Gen. Ords. 1963, 5.11; Ord. of 11-17-86)

State law reference—Cruelty, MCL 752.21 et seq., MSA 28.161 et seq.

Sec. 6-6. Carcass removal and burial

- (a) When any animal or fowl dies within the city the owner or person in possession of it shall within twelve (12) hours thereafter cause the carcass to be removed beyond the city limits or bury the same so that the entire carcass shall be covered with earth not less than three (3) feet in depth above such carcass.
- (b) No person shall bring the carcass of any dead animal into the city. (Gen. Ords. 1963, 5.03; Ord. of 11-17-86)

Cross reference—Nuisances generally, Ch. 17.

State law reference-Sick or dead animals, MCL 287.231, 750.50, MSA 12.581, 28.245.

Sec. 6-7, Penalties.

Any person who violates or fails to comply with any provisions of this chapter shall be deemed to be guilty of a misdemeanor and upon conviction thereof may be fined not more than five hundred dollars (\$500.00) or imprisoned for a period not to exceed ninety (90) days or both such fine and imprisonment. Each specific violation shall constitute a separate offense and shall be so punishable hereunder. (Ord. of 11-17-86)

Secs. 6-8--6-15. Reserved.

ARTIC

Sec. 6-16. Dog law adopted.

The county dog wardens are authorized to operate inside the incorporated limits of the city for the purpose of enforcing the provisions of Act 339 of the Public Acts of Michigan of 1919 [MCL 287.261 et seq., MSA 12.511 et seq.], as amended, which act is known as the Michigan Dog Law. (Gen. Ords. 1963, 5.12)

Sec. 6-17. Barking dogs prohibited.

No person shall own, harbor or keep any dog which, by loud or frequent or habitual barking, yelping or howling, shall cause annoyance to a resident of the city. (Ord. of 4-21-80, 1)

Cross reference- Nuisances generally, Ch. 17.