

ORDINANCE NO. 203

GRAND RAPIDS CHARTER TOWNSHIP ANIMAL CONTROL ORDINANCE

ARTICLE I - General

1. It is deemed by the Charter Township of Grand Rapids that the ownership of an animal is a privilege which carries with it responsibilities to the Township and residents with regard to the care and custody of said animal. It is the intent of the Ordinance to protect the people of Grand Rapids Charter Township from problems caused by unrestrained or annoying animals.

2. This Ordinance shall be known as, and may be cited and referred to as ~~A~~The Animal Control Ordinance of Grand Rapids Charter Township.~~@~~

3. If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance. **[Original Section 3 repealed and former Section 4 renumbered as Section 3 8/4/99 by Ord. No. 383]**

ARTICLE II - Definitions

1. Definitions. Whenever, in this Ordinance, the following terms are used they shall have the meaning as described to them in this article, unless it is apparent from the context thereof that some other meaning is intended.

2. Animal. As used in this Ordinance animal shall mean dog, cat, bird, reptile, mammal, fish or any other dumb creature.

3. Animal Control Officer. The Animal Control Officer shall mean the agent of the Kent County Department of Animal Control or any other officers designated for such duties by the Township.

4. Animal Shelter. The Animal Shelter may mean either Kent County Animal Shelter or the Humane Society of Kent County.

5. Township. As used in this Ordinance shall mean the Charter Township of Grand Rapids.

6. County. As used in this Ordinance shall mean the County of Kent.

7. Director. As used in this Ordinance shall refer to the director of the Kent County Department of Animal Control.

8. Department. As used in this Ordinance shall refer to the Kent County Department of Animal Control.

9. Impounded. If any animal pursuant to this Ordinance or any statute has been received into the custody of any animal shelter, such animal will have been Aimpounded@ as that word is used in this Ordinance.

10. Owner. Owner when applied to the proprietorship of an animal means every person having a right of property in the animal, or every person who keeps or harbors the animal or has it in his care, or every person who permits the animal to remain on or about any premises occupied by him. For the purposes of this act any person keeping or harboring any animal for seven consecutive days shall be deemed the owner thereof within the meaning of this ordinance.

11. Person. Includes an individual, partnership, corporation, trust, and any association of persons.

ARTICLE III - Dogs

1. Licenses. All dogs over the age of 6 months within the Township shall at all times be currently licensed in accordance with the requirements of State Law and of the County Animal Control Ordinance. A License tag issued by the County shall be securely affixed to a collar, harness, or other device which shall be worn by the dog at all times unless the dog is within the confines of the residence of the owner or of a dog run or other secure enclosure on the owner=s premises.

2. Limit on Number of Dogs. No person shall have within his care, custody or control within the Township more than 3 dogs other than dogs under 6 months of age born to a female under the care, custody or control of such person, provided that this provision shall not be construed to require any person to dispose of any licensed dog owned by such person at the effective date of this Ordinance. This limit on the number of dogs shall not apply in townships permitting kennel licenses if such kennel complies with existing County and State Laws.

3. Barking Dogs. No person owning or having charge, care, custody or control of a dog shall permit such dog at any time, by loud or frequent or habitual barking, yelping or

howling, to cause annoyance to people in the neighborhood or to persons utilizing the public walks or streets of the neighborhood.

4. Dogs Running at Large. No person owning or having charge, care, custody or control of any dog shall cause, permit, or allow the same to run at large or to be upon any highway, street, lane, alley, court, or other public place, or upon any private property or premises other than those of the person owning or having charge, care, custody, or control of such dog, within the Township, unless such dog is restrained by a substantial chain or leash not exceeding six (6) feet in length and is in the charge, care, custody, or control of a person with the ability to restrain it.

5. Female Dogs in Heat. No person owning or having charge, care, custody or control of an unspayed female dog shall permit such dog to be or to run at large during the copulative season (i.e., when said dog is in heat as that term is commonly understood) unless such dog shall be restrained as provided in number 4 above at all times other than when the dog is within the confines of the residence of the owner or of a dog run or other secure enclosure on the owner=s premises.

ARTICLE IV - Vicious Animals

1. A vicious animal shall at all times when not securely confined be securely muzzled and led by a leash. Any animal shall be deemed vicious which has bitten a person or domestic animal without molestation, or, which by its actions, gives indications that it is liable to bite any person or domestic animal without molestation.

2. Prosecutions. On sworn complaint that any one of the following facts exist:

(1) That any animal has attacked or bitten a person;

(2) That any animal shows vicious habits or molests passers-by when lawfully on the public highways;

The County may secure a summons against the owner of said animal commanding him to appear and show cause why said animal should not be ordered to be confined or destroyed. Upon such hearing, the District Court shall proceed to determine whether it shows vicious habits or molests passers-by when lawfully on the public highway, and if the Court shall so find, it shall forthwith either order said animal confined to the premises of the owner or shall order the Director of Animal Control to cause said animal to be destroyed or shall enter such other order relative to the care of such animal as the Court shall determine to be appropriate.

3. Civil Liability. Nothing in this Chapter shall be construed as limiting the common law liability of the owner of an animal for damages committed by it.

4. **[Section 4 repealed 8/4/99 by Ord. No. 383]**

ARTICLE V - Kennels

1. Each person having a kennel shall have a valid kennel license from the Kent County Treasurer.

2. Each kennel must be inspected and approved by the Kent County Director of Animal Control or his agents on an annual basis.

3. If dog kennel runs shall be on concrete, they must provide adequate draining for sanitation. If sand or pea gravel is used, droppings must be picked up and disposed of promptly and the runs treated regularly with an effective disinfectant. Runs made of other materials require special approval from the Director of Animal Control.

4. If at any time the Township Board determines that it is not in the interest of the community to permit a kennel license, such license may be revoked.

5. If at any time the Township Board determines it is in the interest of the community to change the conditions of licensure, such conditions may be changed after reasonable notice.

Section 2. This Ordinance shall be effective on March 1, 1980.

ARTICLE VI – SANCTIONS

1. Municipal Civil Infraction. Any person who violates an order to confine an animal owned by the person to the person's premises pursuant to the provisions of this Ordinance, or who shall, on demand, refuse to surrender any animal owned by the person to avoid the destruction thereof pursuant to any order made under this Ordinance, or who violates any other provision of this Ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$50.00, plus costs and other sanctions, for each violation (as authorized by Section 21 of Act No. 359 of the Public Acts of 1947, as amended, and the Grand Rapids Charter Township Municipal Civil Infraction Ordinance).

2. Repeat Offenses. Repeat offenses under this Ordinance shall be subject to

increased fines as provided by this Section, below. As used in this Section “repeat offense” means a second (or any subsequent) violation of the same requirement or provision of this Ordinance (i) committed by a person within any 90 day period and (ii) for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under this Ordinance shall be as follows:

(a) The fine for any offense which is a first repeat offense shall be not less than \$250.00, plus costs.

(b) The fine for any offense which is a second repeat offense, or any subsequent repeat offense, shall be not less than \$500.00 each, plus costs.

3. Continuing Violation. Each day on which any violation of this Ordinance occurs or continues constitutes a separate offense subject to separate sanctions.

4. Designated Official. The Building Inspector is hereby designated as the authorized township official to issue municipal civil infraction citations for violations of this Ordinance, as provided by the Grand Rapids Charter Township Municipal Civil Infraction Ordinance. As used in this Ordinance, “Building Inspector” means the township official, employee, agent or other entity appointed by resolution of the Township Board to perform the functions and tasks assigned by this Ordinance to the “Building Inspector.”

5. Additional Remedies. In addition to any remedies available at law, the township may bring an action for an injunction or other process against any person to restrain, prevent or abate any violation of this Ordinance. **[New Article VI added 8/4/99 by Ord. No. 383]**

6. Effective Date. This ordinance shall become effective immediately upon publication in a newspaper in general circulation within the Charter Township of Grand Rapids.

