

ORDINANCE NO. 197

**AN ORDINANCE REGULATING THE POSSESSION AND BEHAVIOR OF ANIMALS
WITHIN THE VILLAGE OF DECATUR, MICHIGAN.**

THE VILLAGE OF DECATUR, MICHIGAN ORDAINS:

SECTION 1. FARM ANIMALS AND FOWL

It shall be unlawful to keep, possess, harbor, shelter, or have custody of any farm animals or fowl within the corporate limits of the Village of Decatur, Michigan, including any horses, ponies, mules, donkeys, calves, cows, steers, bulls, pigs, shoats, sheep, goats, chickens, turkeys, geese, ducks, or any other farm domestic livestock or fowl, except that same may be kept temporarily during parade or festival periods, when they will be ridden, driven or shown.

SECTION 2. WILD OR UNDOMESTICATED ANIMALS

It shall be unlawful to keep, possess, harbor, shelter, or have custody of any wild or undomesticated animals within the corporate limits of the Village of Decatur, Michigan, including any lion, cougar, jaguar, puma, wildcat lynx, tiger, cheetah, bear, monkey, or other non-human primates, or any other wild or undomesticated animal, except temporarily by a duly authorized and licensed circus or an educational institution.

SECTION 3. COMPLIANCE WITH STATE AND COUNTY LICENSE REQUIREMENTS

All animals legally possessed must have and wear a current valid license when required by Van Buren County, Michigan Ordinance or State of Michigan Statute or Regulation, and must have all shots and inoculations required by County Ordinance or State Statute or Regulation. Evidence of all shots or inoculations shall be shown upon request to any enforcement officer.

SECTION 4. PROHIBITION OF DOGS FROM CERTAIN AREAS

It shall be unlawful for any owner, keeper, or person in charge of any dog, to allow any such dog to be present, unless confined to a motor vehicle, in the following areas of the Village of Decatur, or lands owned by the Village of Decatur, to-wit: Any public park, beach, or playground; cemetery; Decatur Public School grounds; and Phelps Street from Sherwood Street to St. Mary's Street, except for the purpose of going to or from a veterinarian office located on said portion of Phelps Street; provided however that this section shall not apply to a Leader Guide Dog for a blind or hearing impaired person, or to a dog used by Law Enforcement Officers in the performance of their official duty.

SECTION 5. ANIMAL NUISANCES

It shall be unlawful for any owner, keeper, or person in charge of any dog, cat, or any other pet, to cause or permit such animal to perform, create, or engage in any animal nuisance, hereinafter defined as follows:

1. To permit or allow such animal to run at large, stray, or go beyond the premises of its owner, keeper or custodian, unless such animal is held properly in a leash not exceeding four (4) feet in length.
2. To permit or allow such animal to molest or disturb persons or vehicles by chasing, barking or biting.
3. To permit or allow such animal to attack other animals.
4. To permit or allow such animal to engage in any continuous or intermittent barking, yelping, growling, whining, howling, mewing, or any other loud or disturbing noises, which shall cause annoyance to neighbors or the public in general.
5. To permit or allow such animal to be kept in unsanitary conditions which create noxious or offensive odors due to an excessive accumulation of excreta to the annoyance of neighbors or public in general.
6. To permit or allow such animal to defecate upon any public place or premises not owned or controlled by the owner, keeper or custodian unless the feces is promptly removed.

SECTION 6. ENFORCEMENT AND IMPOUNDMENT

Any member of the Village of Decatur Police Department or any Animal Control Officer of Van Buren County, Michigan shall have the power to seize, hold and impound any animal or fowl in violation of this Ordinance. The authority to seize and hold such an animal or fowl shall include, but is not limited to, the pursuit of such animal or fowl onto private property for the purpose of capture. All animals and fowl seized and held under this Section shall be held and disposed of by the Van Buren County, Michigan Animal Control Department.

SECTION 7. PENALTIES.

Any person, firm or corporation who shall violate any provision of this Ordinance shall be deemed guilty of a Municipal Civil Infraction and shall, upon conviction thereof, be subject to a fine and assessable court costs. The fine schedule for violations of this ordinance is set in the following schedule:

\$75 ticket for the first citation

\$250 ticket for the second citation

\$500 for the third citation

Any additional citations may result in a Show Cause Hearing

SECTION 8. REPEAL. Ordinance 108, any amendments to Ordinance 108, and any Ordinance in conflict with the provisions of this ordinance are hereby repealed.

SECTION 9. SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable, and if any part is declared invalid for any reason by a Court of competent jurisdiction, it shall not affect the remainder of the Ordinance which shall continue in full force and effect.

