

LYON TOWNSHIP
ROSCOMMON COUNTY, MICHIGAN

ORDINANCE NUMBER 35

ADOPTED: OCTOBER 13, 1993

PUBLISHED: 1993

Effective date 30 days after publication

ANIMAL CONTROL

An ordinance to regulate the possession of animals in the Township of Lyon and to provide penalties and to provide remedies for violations

PURPOSE AND INTENT

This ordinance is necessary for the preservation of the public health, safety and welfare and shall be effective immediately upon publication as provided by law.

TOWNSHIP OF LYON

ROSCOMMON COUNTY, MICHIGAN

ORDAINS:

SECTION 1

TITLE

This ordinance shall be known and cited as Lyon Township Animal Regulatory

SECTION 2

DEFINITIONS

A. Farm animals mean domestic animals which are typically kept on farms or typically associated with farms or farming operations. This definition includes such things as cows, pigs, horses, goats, sheep, chickens, pigeons, rabbits, geese and ducks. This definition does not include wild animals described herein.

B. Household animals (also called household pets) mean domesticated animals which are typically found in residential dwellings and which are not typically disruptive to the residential character of an area. This definition would include, by way of example and not by way of exclusion, such things as domesticated dogs, cats, gerbils, hamsters, turtles, tropical fish, parrots, canaries and parakeets. This definition does not include farm animals or wild animals as described herein.

C. Wild animals (also called exotic animals) mean animals which are not domesticated or found on farms or in residential homes, but which are typically found in the zoos, circuses, wildlife sanctuaries, or nature preservers. This definition includes such things as elephants, rhinoceros, camels, lion, tigers, leopards, panthers, cheetahs, jaguars, lynx, mountain lions, puma, badgers, bears, beavers, bobcats, coyotes, crows, deer, antelope, elk, mink, moose, muskrats, opossums, otters, ostriches, pheasants, quails, peacocks, wild rabbits, skunks, snakes, squirrels, wild turkeys, crocodiles, alligators, seals, sharks, and whales, wolves and primates such as baboons, orangutans, chimpanzees, monkeys and gorillas.

SECTION 3

REGULATIONS

PERMITTED ANIMALS:

A. Household pets may be possessed in the Township of Lyon but only as long as they do not become excessively noisy, excessively odorous, and dangerous or in a way disruptive to the character of the area in which they are possessed.

B. Farm animals may be possessed in Lyon Township but only if all of the following conditions are met:

1. That the property upon which they are possessed consists of at least two acres.
2. That the animals possessed are housed and/or penned out a distance no closer than 100 feet to any neighbor dwelling.
3. That the animals possessed do not become excessively noisy, excessively odorous, dangerous, or in any way disruptive to the character of the area in which they are possessed.

C. Only certain wild animals which are traditionally non-predatory and/or non-dangerous may be possessed in Lyon Township. These include non- poisonous snakes that will not exceed three feet in length, quails, pheasants, peacocks and turkeys, but may only be possessed if the following conditions are met:

1. That the animals possessed are possessed under the proper State and Federal permits and/or licenses.
2. That the animals possessed are properly caged, penned, housed or secured so as not to leave the property upon which they are possessed.
3. That the animals possessed do not become excessively noisy, excessively odorous, dangerous, or in any way disruptive to the character of the area in which they are possessed.

PROHIBITED ANIMALS

Wild animals not listed in Section 3C above may not be possessed in Lyon Township under any conditions or circumstances.

EXCEPTIONS

Notwithstanding the above provision, it shall not be a violation of this ordinance for a person, persons, and corporation or business entity in lawful possession of an animal to travel through Lyon Township on a public highway for a destination out of the Township.

SECTION 4

VIOLATIONS AND PENALTIES

Any person who violates any of the provisions of this ordinance shall be deemed to be responsible for a Municipal Civil Infraction as defined by Michigan statute, punishable by a civil fine determined in accordance with the schedule:

	<u>Minimum Fine</u>	
1 st offense within a 3-year period*		\$ 50.00
2 nd offense within a 3-year period*		\$125.00
3 rd offense within a 3-year period*		\$250.00
4 th or subsequent offense in a three-year period*		\$400.00

*Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Lyon Township has been put in connection with the Municipal Civic Infraction.

In addition, any violation of this ordinance is hereby declared to be a public nuisance per se which may be abated in Circuit Court in lieu of or in addition to other civil infractions.

Each day that a violation exists shall constitute a separate offense for enforcement purposes.

SECTION 5

SEVERABILITY

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any other portion of this ordinance.

SECTION 6

REPEAL

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 7

EFFECTIVE DATE

This ordinance shall take effect 30-days after publication as required by law.