

STATE OF MICHIGAN

COUNTY OF IOSCO

ANIMAL CONTROL ORDINANCE NO. 75-1

(As amended May 3, 1995)

ARTICLE I

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Deeming it advisable to provide for the orderly and uniform administration of the dog licensing provisions of the State of Michigan, and to create the position of Animal Control Officer and to define its duties, authorities and responsibilities and to regulate and control the conduct, keeping and care of dogs and certain other animals, the Iosco County Board of Commissioners does hereby adopt the following ordinance.

ARTICLE II

**ANIMAL CONTROL OFFICER** means any person employed by the County for the purpose of enforcing this ordinance, or state statutes, pertaining to dogs or other animals.

**OWNER** means a person, partnership or corporation, owning, keeping or harboring animals.

**EXOTIC OR WILD ANIMAL** means a wild animal not occurring naturally, either presently or historically in this state.

**NATURE PRESERVE** means an area authorized by the Michigan Department of Natural Resources, where exotic or wild animals are kept in a natural setting where the animals are not hunted or trapped.

**PERSON** means an individual, partnership, association, corporation, trust, estate or other legal entity.

**WILDLIFE SANCTUARY** means an area authorized by the Michigan Department of Natural Resources where exotic or wild animals are protected and where the animals are not hunted or trapped.

**CIRCUSES** means a commercial variety show featuring animal acts for public entertainment.

**WILDLIFE FOR PUBLIC EXHIBITION** means an area authorized by the Michigan Department of Natural Resources where any wild animal or wild bird is kept in captivity for public exhibition.

### **ARTICLE III**

#### **ANIMAL CONTROL OFFICER - DUTIES, AUTHORITY AND RESPONSIBILITIES**

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1. The Animal Control Officer shall be the Sheriff, or one of his deputies, and his salary or fee shall be established and determined by the Board of Commissioners by appropriate resolution.
2. The Animal Control Officer shall fulfill the following duties:
  - A. The Animal Control Officer may promptly seize, take up and place in the animal control facility all dogs or other animals, livestock or poultry, found running at large or being kept or harbored any place within the county in violation of the provisions of this ordinance or the statutes of the state.
  - B. The Animal Control Officer shall have the power and responsibility to issue citations or summons to those persons owning, keeping or harboring dogs contrary to the provisions of this ordinance or the statutes of the state.
  - C. It shall be the duty of the Animal Control Officer, to destroy or have destroyed in a humane manner, all impounded dogs or other animals which are not claimed within four (4) days after being impounded; provided however, if in his judgment, said dog or other animal is valuable or otherwise desirable for keeping, the Animal Control Officer may release said dog or other animal to any person who will undertake to remove said animal within the county in accordance with the provisions of this ordinance and the statutes of the state.
  - D. The bodies of all animals destroyed at the animal control facility shall be disposed of by the Animal Control Officer, in a manner approved by the Department of Agriculture or the Board of Commissioners.
  - E. The Animal Control Officer shall be authorized to investigate complaints of cruelty to dogs or other animals.

- F. The Animal Control Officer shall be authorized to investigate complaints of dogs or other animals alleged to be dangerous to persons or property and shall have the right to seize, take up and impound such animals.
- G. The Animal Control Officer shall determine and locate all unlicensed dogs and cause them to be licensed or list the owners thereof with the County Prosecutor's Office for appropriate action as provided by law.
- H. The Animal Control Officer shall be responsible for the upkeep and cleanliness of the County animal control facility and equipment.
- I. All fees and monies collected by the Animal Control Officers as herein provided shall be accounted for and turned over to the County Treasurer under the standard practices of the Treasurer's accounting system.
- J. Upon request the Animal Control Officer may pick up unwanted cats and dogs at the residence of the owner. The fee shall be \$8.00 per pick-up. If the owner resides outside of the county and transports the animal to the Animal Control Facility, the fee shall be \$15.00 per animal for disposition.
- K. The Animal Control Officer shall have such other duties relating to the enforcement of this ordinance as the Sheriff and/or Board of Commissioners may from time to time provide.
- L. The Animal Control Officer shall have jurisdiction to enforce this ordinance and violation of Act 339 of 1919 in any city, village or township which does not have an animal control ordinance.

## ARTICLE IV

### LICENSING AND VACCINATION

1. It shall be the responsibility of the owner to annually obtain a license for every dog six (6) months of age or older.
2. Licenses can be obtained at the County Animal Control Facility, County Sheriff's Office, or from the County, Township or City Treasurer where the owner resides.
3. Applications for licenses shall state the breed, sex, age, color and marking of such dog, and the name and address of the owner, and last previous owner. No license shall be issued without proof of current rabies vaccination by a veterinarian. Inoculation against distemper is also recommended.

4. License Fees:

- A. Dogs age six (6) months or over on or before March 1, of any year - \$5.00 for male or female dogs, \$3.00 for unsexed dogs. If the license for such dogs is obtained after March 1, the fee will be doubled.
- B. All newly acquired dogs, or dogs attaining the age of six (6) months after March 1, - \$5.00 for male or female dogs, \$3.00 for unsexed dogs.
- C. By motion of the Board of Commissioners, the fees can be changed yearly.

5. Any person who keeps or operates a kennel may, in lieu of individual licenses required under this ordinance, apply for a kennel license entitling him to keep or operate a kennel. The County Treasurer or County Animal Control Officer shall not issue a kennel license for a kennel unless the applicant complies with Section 287.270 et seq. C.L. 1970, as amended.

6. Fees for leader dogs, or dogs in training as such, are hereby waived.

7. Current dog licenses issued by other counties within Michigan, and any other governmental agencies shall be honored in the county until the following March 1.

8. When applicable, animals adopted or released to the owner, must be properly vaccinated within seventy two (72) hours after leaving the Animal Control Facility. The purchase of a license shall be made at the Animal Control Facility and properly recorded on records at the facility at the time of adoption or release. Dog adoption fee - \$10.00. Cat adoption fee - \$5.00. Dog or cat adoption fees for senior citizens are ½ price. 1st offense dog impoundment fee - \$10.00. 2nd offense dog impoundment fee - \$15.00. 3rd offense dog impoundment fee - \$30.00.

9. Any person may mail a request for a license provided the following documents are enclosed with the request:

- 1. The previous year's license receipt.
- 2. Valid rabies certificate.
- 3. A check payable to the Iosco County Animal Control in the proper amount.
- 4. Return address of the sender.

All documents must be enclosed otherwise no license will be issued and all enclosures will be returned. All such requests shall be sent to the following address:

Iosco County Animal Shelter  
3881 W. M-55  
Tawas City, Michigan 48763

## ARTICLE V

### CONFINEMENT

1. Any animal which bites a person shall be quarantined for ten (10) days if ordered by the Director of Public Health or his authorized representative. During quarantine, the animal shall be securely confined and kept from contact with any other animal. At the discretion of the Director of Public Health, the quarantine may be on the premises of the owner. If the Director of Public Health or his authorized representative, requires other confinement, the owner shall surrender the animal for the quarantine to the County Animal Control Facility or shall, at his own expense, place the animal in a veterinary hospital within Iosco County.
  2. If the animal is confined at the County Animal Control Facility, a \$3.00 per day board will be charged.
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## ARTICLE VI

### ANIMAL IMPOUNDMENT

1. Immediately upon impounding any dog hereunder, it shall be the duty of the Animal Control Officer to record the date of impounding, reason for impounding, a description of the dog impounded, and a record as to whether or not such dog has been licensed and tagged as required by the ordinance. If a dog has a collar, license, or other evidence of ownership, the Animal Control Officer shall notify the owner in writing of the impoundment and violations. If such dog is not redeemed by the owner within seven (7) days from the date of mailing the notice the same shall be and is hereby declared to be a public nuisance and may immediately thereafter be disposed of in a humane manner. If the owner cannot be identified, public notice of the impounding of such dog shall be given by posting one copy of the description of such dog and date of impounding at the Animal Control Facility. Any such dog, not redeemed by the owner thereof within four (4) days after the posting of such notice, shall be, and is hereby declared to be a public nuisance. The Animal Control Officer may immediately thereafter dispose of the dog in a humane manner.
2. The owner or owners of any dog impounded hereunder may redeem the same by paying all the costs, charges and penalties assessed that have accrued up to the time of making the redemption, and when the same are paid to the Animal Control Officer, it shall be his duty to release the dog from the control facility to the owner.
3. Any animal may be destroyed immediately with the written consent of the owner.

## ARTICLE VII

### ENUMERATION OF CERTAIN VIOLATIONS AND PROCEDURE

1. It shall be unlawful for the owner of any dog of any age, license or unlicensed, to permit the dog to run at large beyond the premises of the owner, unless the dog is held properly in leash. A licensed dog engaged in hunting need not be leashed when under the reasonable control of some person.
2. It shall also be unlawful for the owner of any livestock, poultry, or other animals to permit the same to run at large beyond the premises of the owner.
3. No person owning any dog shall suffer or permit such dog to disturb the peace and quiet of the neighborhood by barking, making other loud or unusual noises, or by running through or across private or public property.
4. Except as otherwise provided in this article, it is unlawful in this county for a person to possess, breed, exchange, buy, sell, or attempt or offer to buy or sell the following exotic or wild animals:
  - A. Cats (wild family including but not limited to bobcat, cheetah, cougar, jaguar, leopard, lion, lynx, mountain lion, panther, puma or tiger).
5. A person who owns an exotic or wild animal listed in subparagraph 4 on the effective date of this amendment shall within thirty (30) days of the effective date of this amendment remove the animal from the county.
6. Exceptions to this amendment shall be as follows: zoological parks and aquariums that are accredited by the American Association of Zoological Parks and Aquariums, wildlife sanctuaries, nature preserves, and wildlife for public exhibition that are authorized by the Michigan Department of Natural Resources, circuses, and bona fide scientific, medical, or educational research facilities.

## ARTICLE VIII

### PENALTY

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by imprisonment in the county jail for not more than ninety (90) days or be subject to a fine of not more than \$100.00 or by both such fine and imprisonment. Any continuing violation or a repeated violation of this

ordinance shall constitute a nuisance per se and may be abated by an action in circuit court separately or in addition to criminal proceedings.

## ARTICLE IX

### FEES AND EXPENSES

1. The fees and expenses as established by this ordinance may be changed from time to time by actions of the Board of Commissioners. All fees and expenses herein provided for shall be paid in accordance with this ordinance.
2. All other fees relating to the Animal Control Officer shall be determined by resolution, through the Board of Commissioners.

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This ordinance shall take effect January 3, 1977, after submission for approval by the Governor and publication thereof as required by law. All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

This amendment is necessary for the preservation of the public health, safety and welfare and shall be effective immediately upon publication as provided by law. This amendment and each of the various parts, articles, subparagraphs, sentences, phrases and clauses thereof are hereby declared to be severable. If any part, article, subparagraph, sentence, phrase or clause is determined to be invalid, it is hereby provided that the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect.



Clyde Soucie

Chairman of the Iosco County Board of Commissioners