

Ordinance Number 124

AN ORDINANCE TO PROVIDE FOR THE REGULATION OF ANIMALS WITHIN THE VILLAGE OF PERRINTON

The Village of Perrinton ordains:

This ordinance shall be known as the "Financial Regulatory Ordinance."

1. Definitions

For the purposes of this chapter, certain words used herein are defined as follows:

Animal shall mean any live creature excepting human beings and fish, turtles and birds.

Animal Control Officer shall mean any person designated by the State of Michigan or other unit of government as a law enforcement officer who is qualified to perform such duties under the laws of this state.

Animal Shelter shall mean any facility operated by a human society, governmental agency or its authorized agents for the purpose of impounding or caring for animals held under the authority of this chapter or state law.

Circus shall mean a commercial variety show featuring animal acts for public entertainment.

Domestic Animal shall mean an animal that has traditionally, through a long association with humans, lived in a state of dependence upon humans or under the dominion and control of humans and has been kept as tame pets, no longer possessing a disposition or inclination to escape, raised as livestock, or used for commercial breeding purposes.

Exotic or wild animal shall mean an animal not occurring naturally in the village, either presently or historically, which animals are normally found in the wild.

Nature preserve shall mean an area where exotic or wild animals are kept in a natural setting where the animals are not hunted or trapped.

Nuisance per se shall mean any animal which:

- (1) Molests passersby or passing vehicles
- (2) Attacks other animals
- (3) Trespasses on school grounds
- (4) Is found at large
- (5) Damages private or public property
- (6) Defecates repeatedly at the same general location

Owner shall mean any person, partnership, corporation or association owning, keeping or harboring one or more animals.

Pet shall mean an animal, including cats, kept for pleasure rather than utility.

Restraint shall mean any animal secured by a leash or lead or under the control of a responsible person and obedient to that person's commands or within the real property limits of its owner.

Vicious Animal shall mean any animal or animals that constitute a physical threat to human beings or other animals.

Wild life sanctuary shall mean an area where exotic or wild animals are protected and where the animals are not hunted or trapped.

2. Number of Animals to be kept as pets

It shall be unlawful for any person in the village to possess, harbor, shelter or keep more than four (4) adult animals one year of age or older, except kennels, veterinary hospitals, clinics, pet shops or nature preserves in properly zoned districts. An unlimited number of fish can be kept in an aquarium not to exceed one hundred-gallon capacity.

3. Running at large

It shall be unlawful for any person to permit any animal owned by him or in his possession or control to run at large upon the public streets, walks, alleys, parks, public places within the village, or upon the premises of another, without express permission of the owner or occupant of the private premises.

4. Abandonment prohibited

No owner of an animal shall abandon such animal.

5. Control of manure and offal

Every person lawfully keeping or harboring any animal shall keep or cause to be kept all manure or offal therefrom, which shall be deposited by or which accumulated from such animal, securely and closely confined to or buried upon his premises and in such manner as will prevent it from being scattered from such place of deposit into or upon any street, sidewalk, alley or gutter of the village, and shall so cover and care for it as to prevent any malodorous or offensive condition to exist and to prevent any nuisance to arise therefrom.

6. Impoundment of animals when article violated

In the case of any violation of this chapter, it shall be the option of any duly appointed enforcement officer to seize such animal and provide the necessary care and attention and such animal shall not be returned until all expenses for such care and attention shall have been paid.

7. Animals excluded; removal; application

(a) Except as otherwise provided in this section, it shall be unlawful for a person to possess, breed, exchange, buy or sell, or attempt or harbor the following wild and exotic animals:

1. Apes, monkeys and related forms, excepting monkeys used to assist disabled persons;
2. Poisonous reptiles and other animals, spiders and insects;
3. Constrictor snakes four (4) feet or more in length; snakes kept under four (4) feet must be kept in cages and not permitted to roam freely;
4. Cats from the wild family, including, but not limited to, bobcats, cheetahs, cougars, jaguars, leopards, lions, lynxes, mountain lions, panthers, pumas, tigers;
5. Nondomesticated carnivorous animals including hybrid crosses of nondomesticated carnivorous animals, including, but not limited to raccoons, skunks, foxes, etc.
6. Crocodylia, including, but not limited to, crocodiles and alligators;
7. Piranha fish;

8. Chondrichthyes, including, but not limited to, sharks;
9. Struthio, including, but not limited to, ostriches;
10. Proboscidea, including, but not limited to, elephants;
11. Perissodactyla, including, but not limited to, rhinoceros and other animals with an odd number of toes;
12. Artiodactyla, including, but not limited to, camels and other hoofed mammals with an even number of toes;

(b) A person who owns or keeps an exotic or wild animal listed in this section on the effective date of this chapter shall, within thirty (30) days of the effective date of this chapter, remove the animal from the village.

(c) Section 9 shall not apply to the following:

1. Zoological parks and aquariums that are accredited by the American Association of Zoological Parks and Aquariums;
2. Wildlife sanctuaries and nature preserves;
3. Circuses;
4. Bona fide scientific, medical or educational research facilities

8. Penalties

Any person who violates this chapter shall be responsible for a civil infraction, and shall be subject to a civil fine, pursuant to the Municipal Civil Infraction Ordinance, being Ordinance number 12~~6~~ of the Ordinances of the Village of Perrinton.

Any continuing violation or a repeated violation of this chapter shall constitute a nuisance per se and may be abated by an action in circuit court separately or in addition to criminal proceedings.

9. Separability

If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

10. Ordinances Repealed

All ordinances and/or parts of ordinances inconsistent with this ordinance are hereby repealed.


11. Effective Date

This ordinance shall take effect and be in force fifteen days from and after its enactment as provided by the Village Council.

Passed and approved by the Village Council of the Village of Perrinton, Gratiot County, Michigan, in regular session, July 8, 2013.

We, the undersigned President and Clerk of the Village of Perrinton, Michigan, do hereby certify that the above and foregoing Ordinance, known as Ordinance # 124 of the Village of Perrinton, Michigan was adopted at a regular meeting of the Village Council, held on July 8, 2013 and published in a newspaper circulated within the Village on November 25, 2013, not less than fifteen days having elapsed between adoption and publication.

Dated at Perrinton, Michigan, this 7th day of November, 2014.



Douglas Antes
Its President



Julie Henry
Its Clerk