

ORDINANCE NUMBER 03-2002 ANIMAL/PET CONTROL

THE VILLAGE OF MORLEY ORDAINS:

**Section 1. I Purpose.** This ordinance is intended to control and regulate animals, fowl, and reptiles, in the village of Morley, county of Mecosta.

**Section 1. 2 Purpose** the following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to the:

At large shall mean an animal or pet off the premises of the owner and not under reasonable control.

To harbor shall mean to provide shelter and /or food for any domestic animal /pet on other than a periodic or temporary basis.

Reasonable control shall mean having an animal/pet on a suitable leash or under the oral control of the owner or custodian in all cases other than on private property with permission or in the event such animal/pet is confined in an automobile or suitable cage.

**Section 1. 3 Prohibited at large, barking, impoundment, disposal, and fees.**

- (A) No person shall own, harbor or keep any dog which, by loud or frequent or habitual barking, yelping or howling, shall cause annoyance to a resident of the village of morley.
- (B) No person shall permit any dog ,cat, fowl, reptile, animal, domestic or domesticated, to run at large in the village of Morley.
- (C) Any police officer or any other person so designated by the village is hereby authorized to seize and impound any such dog, cat, fowl, reptile, or domesticated animal for impoundment as further provided herein.
- (D) The village president or other designated village official is hereby authorized to enter into contracts with licensed veterinary hospitals or boarding kennels to carry out the impoundment provisions of this section.
- (E) Any impounded dog, cat, fowl, reptile, or domesticated animal impounded shall be disposed of by the village or such veterinary or kennel operator, as agent of the village, who retains the impounded animal, in the following manner:
  - (1) If such animal , fowl, or reptile, has a collar, license or other evidence of ownership, the village or its agents shall notify the owner in writing or by phone. The owner may retrieve impounded animal/pet upon demand and payment of any fees or proof of any required certificates or licensing. The disposition of such animal/pet otherwise without permission of such owner shall be made only after seven (7) business days from the mailing or phone call.
  - (2) If the owner or harbinger of such animal, fowl, or reptile cannot be reasonably determined, the village or its agents are authorized to dispose of such animal, fowl, or reptile in any humane manner; provided, however, that such disposition shall not be made until after ninety-six (96) hours.
  - (3) If the animal, fowl, or reptile, in the opinion of the village or its agent, is diseased or injured to the extent that the holding period would cause undue suffering to such animal, the same shall be disposed of in a humane manner.
- (F) The village may establish criteria for the release of animals, fowl, and reptiles impounded, to owners and others claiming, such animal, fowl, or reptile including fees for the first and/ or subsequent impoundment of the same animal, fowl, or reptile and where applicable may require immunization certificates, neuterization or proof of licensing.

**Section 1.4 Keeping of animals.**

- (a) No person shall keep or confine horses, ponies, hogs, cattle, sheep or any similar type farm animal within one hundred (100) feet of a public street, alley or the dwelling house of any other person, nor such manner that they become offensive to those residing near or detrimental to the public health.
- (b) No person shall keep or harbor any animal, fowl, or reptile in such a way as to create a nuisance at one residence or business location or on a residential, business or other lot in the village.
- (c) No person shall refuse to show or exhibit for a health inspection or other police investigation any dog, cat, fowl, reptile, or other domestic or domesticated animal in his/her possession or custody to any licensed inspector, police officer or health official of the village, State of Michigan, county of Mecosta.

**Section. 1.5 Cruelty to animals.**

- (a) No person shall wantonly or cruelly ill-treat or injure any dog or other domestic animal.
- (b) No person shall cause dogs to fight with each other or with other animals

**Section. 1.6 Carcass removal and burial**

- (a) When any animal or fowl dies within the village. The owner or person in possession of it shall within twelve (12) hours thereafter cause the carcass to be removed beyond the village limits or bury the same so that the entire carcass shall be covered with earth not less than three (3) feet in depth above such carcass.
- (b) No person shall bring the carcass of any dead animal into the village for the purpose of dumping it in the village.

**Section. 1.7 Animal control officer**

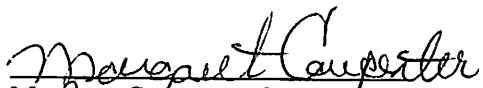
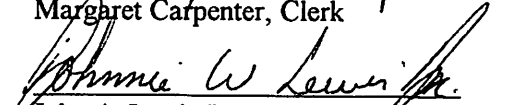
- (A) The county animal control officer is authorized to operate inside the village of Morley for the purpose of enforcing county and state laws.

**Section. 1.8 Penalties**

- (a) Any person who violates or fails to comply with any provisions of the ordinances shall be deemed to be guilty of a misdemeanor and upon conviction thereof may be fined not more than five hundred dollars (500) or imprisoned for a period not to exceed ninety (90) days or both such fine and imprisonment. Each specific violation shall constitute a separate offense and shall be so punishable hereunder. This ordinance shall take effect forty-five (45) days after publication. All ordinances or parts of ordinances in conflict are hereby repealed.

I hereby certify to the adoption of this ordinance at the June 10, 2002 council meeting and cause the same to be published as required by law. Yeas: 7 nays: 0 ordinance declared adopted.

Published: Pioneer 6/14/02 Effective Date: 7/29/02

  
Margaret Carpenter, Clerk  
  
Johnnie Lewis Jr., President