

CODIFIED ORDINANCES OF LITCHFIELD

PART SIX – GENERAL OFFENSES CODE

CHAPTER 604

Animals

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CROSS REFERENCES

Animal pounds - see M.C.L.A. Secs. 123.301 et seq., 750.70

Animal diseases generally - see M.C.L.A. Secs. 287.2 et seq.

Animals generally - see M.C.L.A. Secs. 287.2 et seq., 750.49 et seq., 752.21 et seq.

604.01 COMPLIANCE REQUIRED; EXEMPTIONS FROM APPLICATION OF CHAPTER.

(a) Any person may keep up to five (5) animals per dwelling, including but not being limited to dogs and cats or other animals which are commonly kept as household pets, in the City provided that they comply with the following provisions of this chapter.

(b) This section shall not apply to the following: animal clinic and kennel keeping animals or fowl in connection with the practice of veterinary medicine.
(Ord. 72-2. Passed 10-10-72; Ord. 2015-02. Passed 10-20-15.)

604.02 CIVIL REGULATIONS; PENALTIES FOR VIOLATIONS.

(a) No person who owns, keeps, harbors, or has charge of one or more animals shall:
(1) Keep such an animal or animals in a place which is not neat and sanitary;

- (2) Permit the accumulation of waste from such animal or animals to the extent that such wastes render such person's premises unsanitary, noxious, unhealthful or otherwise a nuisance, by reason of odor or as an attraction to or breeding place for rats or other vermin, flies, mosquitoes or other disease-bearing insects;
- (3) Cause, suffer or allow such animal or animals to soil, defile, defecate, or to commit any nuisance on a public thoroughfare, sidewalk, passageway, bypass, play area, park or any place where people congregate or walk, or upon any public property whatsoever, or upon any private property without permission of the owner of that property unless:
 - A. The person shall immediately remove all droppings deposited by that animal or animals by any sanitary method. The person shall possess a container of sufficient size to collect and remove the droppings and exhibit the container, if requested by an official empowered to enforce this chapter;
 - B. The droppings removed from the aforementioned areas shall be disposed of in a sanitary method on the property of the person owning, harboring, keeping or in charge of such animal or animals.
- (4) Permit any animal or animals to run or be at large in the public streets, lanes, alleys, lots, or other open or public place or places, nor upon any private premises without the consent of the owner or occupant of such private premises, nor upon the private premises of the owner or person keeping, harboring or having charge of the animal or animals; provided, however, that any such animal or animals may be let about outside the premises of the person who owns, keeps, harbors or has charge of the animal or animals on a suitable leash, in the immediate control of a competent person;
- (5) Possess any dog six (6) months old or older, unless the dog is licensed or own any dog six (6) months old or older that does not at all times wear a collar with a tag approved by the City Manager or Clerk attached as required by law, nor shall any person except the owner or authorized agent remove any licensed tag from a dog.

(b) No person shall own, keep, harbor or have charge of one or more animals, either licensed or unlicensed, which:

- (1) By the destruction of property or trespassing on the property of others, becomes a nuisance in the vicinity where it is kept;
- (2) By the loud and frequent emission of noise, disturbs the comfort or repose of persons in the vicinity or otherwise becomes a nuisance in the neighborhood in which such animal is kept.

(c) A violation of any of the regulations set forth in the preceding two subparagraphs shall constitute a municipal civil infraction.

(Ord. 72-2. Passed 10-10-72; Ord. 2015-02. Passed 10-20-15.)

604.03 CRIMINAL REGULATIONS AND PENALTIES FOR VIOLATIONS.

(a) No person shall own, keep, harbor or have charge of any animal or animals, either licensed or unlicensed, which has a vicious disposition or is dangerous to persons or property. Any animal shall be deemed vicious which has bitten a person or domestic animal without molestation, or which, by its actions, has given indications that it is likely to bite a person or domestic animal without molestation.

(b) No person shall cruelly treat or abuse any animal.

(c) No person shall throw or deposit any poisonous substance on any exposed public or private place where it endangers, or is likely to endanger, any animal; unless a licensed pest control professional.

(d) No person, except a police officer acting in his or her official capacity, shall molest, injure, kill or capture any wild bird or molest or disturb any wild bird's nest or the contents thereof; with the exception of authorized agents such as: DNR or other state agencies.

(e) A violation of any of the provisions set forth in this subsection shall constitute a misdemeanor.

(Ord. 72-2. Passed 10-10-72; Ord. 2011-05. Passed 7-12-11; Ord. 2015-02. Passed 10-20-15.)

604.04 ANIMALS RUNNING AT LARGE.

No person shall permit any domestic animal or fowl to run or be at large in the public streets, lanes, alleys, lots, or other open or public place or places, nor upon any private premises of the owner or occupant of such domestic animal or fowl, without the consent of the owner or occupant of such private premises, provided, however, that any such domestic animal or fowl may be led about outside the premises of the owner thereof on a suitable leash, in the immediate control of a competent person or owner thereof.

(Ord. 72-2. Passed 10-10-72.)

604.05 VICIOUS ANIMALS; NUISANCES; PEACE DISTURBANCES.

(a) No person shall own, keep, harbor or have charge of any animal or fowl, either licensed or unlicensed, which has an ugly or vicious disposition or is dangerous to person or property. Any animal or fowl shall be deemed vicious which has bitten a person or domestic animal without molestation, or which, by its actions, has given indications that it is likely to bite a person or domestic animal without molestation.

604.06 RESPONSIBILITY OF OWNERS.

Every person contemplating the keeping of any animal or animals within the City limits shall contact the City Manager for a complete explanation of the provisions of this chapter.

(Ord. 72-2. Passed 10-10-72; Ord. 2015-02. Passed 10-20-15.)

604.07 PRESUMPTION OF OWNERSHIP.

Every person in possession of any animals who or which shall suffer that animal to remain about his or her or its premises for a period of five (5) days, shall be deemed to be the owner thereof for purposes of this chapter.

(Ord. 72-2. Passed 10-10-72; Ord. 2015-02. Passed 10-20-15.)

604.08 CRUELTY TO ANIMALS.

No person shall cruelly treat or abuse any animal or bird.

(1957 Code, Ch. 9002, §1)

604.09 POISONING ANIMALS.

No person shall throw or deposit any poisonous substance on any exposed public or private place where it endangers, or is likely to endanger, any animal or bird.

(1957 Code, Ch. 9002, §2)

604.10 BIRDS AND BIRDS' NESTS.

No person, except a police officer acting in his or her official capacity, shall molest, injure, kill or capture any wild bird or molest or disturb any wild bird's nest or the contents thereof.

(1957 Code, Ch. 9002, §3)

604.99 PENALTY.

(a) A violation of Sections 604.02, 604.03, 604.04, and 604.10 of this Chapter shall constitute a municipal civil infraction.

(b) A violation of subsections (b) and (c) of Section 604.05 of this Chapter shall constitute a municipal civil infraction.

(c) A violation of subsection (a) of Section 604.05 of this Chapter shall constitute a misdemeanor.

(d) A violation of Sections 604.08 and 604.09 of this Chapter shall constitute a misdemeanor.
(Ord. 2016-01. Passed 4-19-16.)

