

VILLAGE OF FAIRGROVE
TUSCOLA COUNTY, MICHIGAN

ORDINANCE NO. 10
DOGS WITHIN THE VILLAGE

THE VILLAGE OF FAIRGROVE ORDAINS:

Section I. Presumption of Ownership:

Any person in possession of any dog who shall suffer such dog to remain on or about his premises for a period of five days shall be deemed the owner of such dog.

Section II. Restrictions:

It shall be unlawful for any person, firm or corporation to keep, possess, harbor or have the care or charge of any dog, male or female, of the age of four months or over, within the Village of Fairgrove:

1. Unless such dog(s) shall wear a collar or harness to which is attached the license tags provided for by the laws of the State of Michigan.
2. To be of any ugly disposition or dangerous to persons or property, to permit or allow said dog, whether licensed or unlicensed, to be at large at any time in the Village of Fairgrove; and further, it shall be unlawful to permit or allow any dog in their charge or keeping, whether licensed or unlicensed, to run at large or stray beyond the premises of such owner unless said dog is under reasonable control of some person or is engaged in lawful hunting accompanied by its owner or custodian; and further, every dog shall at all times between sunset of each day and sunrise of the following day be confined upon the premises of its owner or custodian except when said dog is under the reasonable control of its owner or custodian.
3. To have the premises of the owner or custodian of such dog to be in an unsanitary condition. All dogs shall be kept and housed in a clean and sanitary manner, free from all rodents, vermin, flies, and all manure, refuse or other litter resulting from their keeping or housing shall be disposed of daily in such a manner as to prevent any nuisance or any unsanitary, odorous or offensive condition.
4. To allow such dog to be beyond the premises of such owner or custodian when said dog is in heat.
5. To allow, permit or keep any dog, which by loud or frequent or habitual barking, yelping or howling shall disturb or annoy the residents in the neighborhood or people passing on the streets or walks or which shall pursue or annoy any motorist, cyclist or pedestrian on the streets or sidewalks within the Village of Fairgrove.
6. To own or harbor a fierce, savage or vicious dog, or a dog that has been bitten by any animal known to be infected by rabies.
7. **All persons in the immediate possession or control of an animal which deposits fecal matter on any public property or private property other than that where the animal is harbored, shall immediately collect and remove the fecal matter to the property where the animal is harbored. All owners of animals shall exercise due care to prevent the animal's fecal matter from being deposited on public property or on the property of others without its prompt collection and removal of his/her own property.**

Section III. Rabies, Prevention, Surrender and Impounding:

Any person who shall have in his possession a dog which has contacted, been exposed to, is suspected of having rabies or which has bitten any person, shall upon demand, surrender such dog to the Police Department of the Village of Fairgrove, to be held for observation as herein after provided. It shall be the duty of any person owning or harboring a dog which has been attacked or bitten by another dog or bitten by another animal having or showing symptoms of rabies, to immediately notify the Police Department of the Village of Fairgrove, and no person shall destroy or dispose of the dog without the permission of the Village of Fairgrove Police Department.

Section IV. Notice to Owners; Impounding:

It shall be the duty of the Police Department of the Village of Fairgrove to notify the owner of every dog which shall be impounded, if the owner of such dog can be ascertained, as soon as possible after said dog has been impounded.

Section V. Warnings and Fines:

Any person violating provision of this Ordinance shall receive the following warnings, fines and cost.

- a. First (1st) incident – verbal warning and recorded.
- b. Second (2nd) incident – written warning to owner of property.
- c. Third (3rd) incident – fifty dollar (\$50) citation.
- d. Fourth (4th) incident – seventy-five dollars (\$75) citation.
- e. Fifth (5th) incident – one hundred dollar (\$100) citation.

Section VI. Penalties:

In addition to the aforementioned warning and fines, upon the sixth (6th) incident, owner or custodian of such dog shall be guilty of civil infraction, and shall appear in court, and fines not to exceed five hundred dollars (\$500) and/or 90 days in jail will be imposed.

Section VII. Separability:

If any section, subsection, 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 separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section VIII. Effective Date:

This Ordinance is hereby declared to be immediately necessary for the preservation of the public health and welfare of the People of the Village of Fairgrove, and will replace and supercede any and all wording in the current Village of Fairgrove Ordinance #10 and shall take immediate effect on and after publication in a newspaper circulated in the Village of Fairgrove.

Dated this 10th day of July, 2000.

ANN MARIE BALL, CLERK

LYNN CRAMER, PRESIDENT

I hereby certify that the foregoing is a true and correct copy of an Ordinance duly adopted by the Council of the Village of Fairgrove on July 10, 2000, and said Ordinance was published in the Tuscola County Advertiser and distributed in the Village of Fairgrove on August 5, 2000.

ANN MARIE BALL, CLERK

Amended this 1st day of May, 2006
Section 7. Added

BEVERLY J PARSELL, CLERK

ROBERT E AHRENS, PRESIDENT