

Northfield Township

Ordinance #14-32

BARKING DOG AND DOG LEASH ORDINANCE

AN ORDINANCE TO SECURE THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE OF THE RESIDENTS AND PROPERTY OWNERS OF NORTHFIELD TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, A MUNICIPAL CORPORATION, THROUGH THE REGULATION AND CONTROL OF BARKING DOGS AND UNLEASHED DOGS WITHIN SAID TOWNSHIP; TO PROVIDE PENALTIES FOR THE VIOLATION OF SAID ORDINANCE; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

Section 1 Short Title

This ordinance shall be known and referred to as the "Barking Dog and Dog Leash Ordinance" and it shall be deemed sufficient in any action for enforcement of the provisions to define same as by the short title and/or by reference to the ordinance number.

Section 2 Purpose

It is the intent and purpose of this article to regulate and control excessive and unreasonable dog barking and unleashed dogs.

Section 3 Barking Dog

A dog which frequently or habitually barks, yips, yelps or howls loud enough to cause annoyance to or materially disturb the peace, quiet and general tranquility of: (a) persons residing on adjacent properties; (b) the neighborhood: and/or (c) a public place, is declared to be a nuisance.

Section 4 Keeper of Barking Dog

- (a) Any person, or agent of such person, who shall own, keep, harbor, or be the custodian of any dog described in Section 3 within the municipal limits of Northfield Township shall be responsible for the offense of a municipal civil infraction.
- (b) If the person described in Section 4 (a) cannot be located, and the dog described in Section 3 cannot be sufficiently confined, the dog may be impounded to return peace to the neighborhood.
- (c) A person found responsible under this ordinance is subject to the penalties set forth in Section 6.

Section 5 Dog Leash

- (a) All dogs within the municipal limits of Northfield Township brought or kept outdoors shall be restrained by leashes, by electronic tethers, or by other acceptable means on the property in which the animal is being kept and in all developments and developed areas of the township as described herein, except working dogs such as service dogs, farm dogs, hunting dogs, and other such dogs, when accompanied by their owner or authorized agent, and while actively engaged in the activities for which the dogs are trained.
- (b) It shall be the responsibility of a dog owner or authorized agent to immediately remove any feces deposited by the dog on any property not owned by the dog's owner or authorized agent that contains development such as but not necessarily limited to, subdivision plats, site condominium developments, multiple family residential developments, mobile home parks, and grounds containing institutional, including public parks, commercial or industrial land use and the landscaped areas, drives and off-street parking areas of such places, but excluding public road rights-of-way and private road easements in undeveloped areas of the township.
- (c) Any dog in violation of Section 5 (a) and/or Section 5 (b) is declared to be a nuisance.
- (d) Any person, or agent of such person, who shall own, keep, harbor, or be the custodian of any dog described in Section 5 (c) within the municipal limits of Northfield Township, or who shall otherwise be in violation of Section 5 (a) or Section 5 (b), shall be responsible for the offense of a municipal civil infraction.
- (e) If the person described in Section 5 (d) cannot be located, and the dog described in Section 5 (c) cannot be sufficiently confined, the dog may be impounded to return peace to the neighborhood.
- (f) A person found responsible under this ordinance is subject to the penalties set forth in Section 6.

Section 6 Penalties

- (a) The provisions of the Northfield Township Municipal Civil Infraction Ordinance (Ord. No.13-22), and as may be amended, shall apply to this article.
- (b) Any person, or agent of such person, who shall violate any of the provisions of this article shall be responsible for the offense of a municipal civil infraction. Each day that a violation continues to exist shall constitute a separate violation, with potentially a separate fine, cost and/or penalty.
- (c) Any person, or agent of such person, found responsible for the offense of a civil infraction for violating this article as herein provided shall suffer the fines, costs, and/or other penalties as outlined in the schedule of fines and/or costs set forth in the municipal civil infraction ordinance. Currently, that schedule is as follows:

First violation: Warning

Second violation: \$50.00

Third repeat offense*: \$100.00

Fourth or subsequent repeat offense*: \$150.00

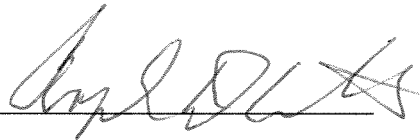
* "Repeat offense" is defined as another violation of the Code and/or ordinance within a two-year period as determined from the dates of the violation(s).

(d) Nothing in this article shall supersede or avoid compliance with state law.

Section 7 Severability and Captions

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, phrase, word, section, subsection, part, or provision is declared unconstitutional, void, or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any remainder of this Ordinance. The captions included at the beginning of each section are for convenience only and shall not be considered a part of this Ordinance.

NORTHFIELD TOWNSHIP BOARD

By: 

Angela Westover, Clerk

I, Angela Westover, Northfield Township Clerk, hereby certify as follows:

A. The above Ordinance was passed by the Northfield Township Board of Trustees on the 12 day of August, 2014. The names of the members voting thereon and how each member voted was as follows:

Yeas: Engstrom, Braun, Westover, Otto, Chick, Dockett, Thomas

Nays: none

Absent: none

B. A true copy of the above Ordinance was published in Ann Arbor News, a newspaper circulating within the Township, on the 17th day of August, 2014;

C. The effective date of the Ordinance is the 16th day of September, 2014; and

D. A true copy of the above Ordinance was filed with the Washtenaw County Clerk on the _____ day of _____, 2014.