

**DOGS: KEEPING OF
CHARTER TOWNSHIP OF BRIDGEPORT, MICHIGAN
Ord. No. 78-7, eff. Nov. 24, 1978 (as amended)**

41.000 PURPOSE:

An Ordinance to provide for regulating the keeping of dogs; providing for the enforcement of the Ordinance; providing penalties for the violation of the Ordinance; and to provide exceptions as to the licensing of dogs and the determination and payment of damages done by dogs to livestock and poultry.

THE CHARTER TOWNSHIP OF BRIDGEPORT,
SAGINAW COUNTY, MICHIGAN, ORDAINS:

41.001 TERMS DEFINED.

The Ordinance shall be known as the "Dog Control Ordinance."

For purpose of this Ordinance, the following terms shall have the following meanings respectively designated for each.

The word "person" shall include the state and local officers or employees, individuals, corporations, co-partnerships, and association.

The word "owner", when applied to the proprietorship of a dog, shall include every person having a right of property in such dog, and every person who permits such dog to remain on or about any premises occupied by him.

The term "police officer" shall include any Township Officer either elected or appointed to fulfill the duties of said office.

The term "dog warden" shall mean the county Dog Warden and/or his agents or employees.

The term "dog pound" shall mean the facilities as provided by the county of Saginaw. (Ord. No. 78-7, eff. Nov. 24, 1978)

41.002

ENABLING AUTHORITY.

This Ordinance is adopted pursuant to Act 359 of the Public Acts of Michigan, 1947, and amendments thereto. (Ord. No. 78-7, eff. Nov. 24, 1978)

41.003 LICENSE REQUIRED.

It shall be unlawful for any person to own, maintain, keep or harbor any dog within the Township limits without first obtaining a license therefor as provided for by the "Dog Law of 1919 of the State of Michigan", and the regulations or orders of the Board of Commissioners of Saginaw County.

All dogs will wear a collar with license and an identification tag identifying the owner at all times that they are of f the premises of the owner. (Ord. No. 78-7, eff. Nov. 24, 1978)

41.004 DOGS; RUNNING LOOSE PROHIBITED ON PUBLIC PROPERTY.

It shall be unlawful for the owner, or any person having the possession, care, custody, or

control thereof, to permit any dog to run at large upon the public streets, walks, parks, or other public places within the Township unless such dog shall be attached to a leash of sufficient strength to retain such dog in such manner as to be kept under the control of the person accompanying it. It shall further be unlawful for the owner or any other person having the possession, care, custody and control thereof, to permit any dog to urinate and/or defecate upon any land other than his premises.
(Ord. No. 78-8, eff. Nov. 24, 1978)

41.005 DOGS; RUNNING LOOSE PROHIBITED ON PROPERTY OF PERSONS OTHER THAN THE OWNER.

It shall be unlawful for the owner, or any other persons having the possession, care, custody, or control thereof, to permit any dog to stray beyond his premises unless under reasonable control of some person or when engaged in lawful hunting, accompanied by his owner or custodian.

(Ord. No. 78-8, eff. Nov. 24, 1978)

41.006 ANNOYING DOGS PROHIBITED.

It shall be unlawful for any person to own, harbor, or keep any dog which shall cause annoyance or disturbance to persons by frequent habitual and unreasonable barking, howling or yelping, or to maintain a dog pen or dog run which shall emit offensive odors.

(Ord. No. 78-8, eff. Nov. 24, 1978)

41.007 VICIOUS DOGS PROHIBITED.

It shall be unlawful for any person to suffer or permit a vicious, fierce or dangerous dog to go unconfined and unrestricted on such person's premises, or to run at large.

(Ord. No. 78-8, eff. Nov. 24, 1978)

41.008 FEMALE DOGS, RESTRICTIONS.

It shall be unlawful for the owner or custodian of any female dog to permit such dog off the premises of the owner or custodian when in heat unless the dog is under and attached to a leash.

(Ord. No. 78-8, eff. Nov. 24, 1978)

41.009 PAYMENT OF CLAIMS; DAMAGE TO LIVESTOCK AND POULTRY.

The determination and payment of damages done by dogs to livestock and poultry shall remain as so provided by "The Dog Law of 1919" of State of Michigan~and the regulations or orders of the Board of Commissioners of Saginaw County. (Ord. No. 78-8, eff. Nov. 24, 1978)

41.010 EXCEPTIONS.

The provisions of this Ordinance shall not be applied to working dogs such as leader dogs, hunting dogs when accompanied by their owner or his authorized agent and actively engaged in activities for which such dogs are trained.

(Ord. No. 78-8, eff. Nov. 24, 1978)

41.011 ENFORCEMENT; IMPOUNDING DOGS AND DISPOSITION.

It shall be the duty of the Dog Warden or any police officer to seize and impound any dog found anywhere in the Township contrary to the provisions of the Ordinance. Any dog seized by other than the Dog Warden shall forthwith be delivered to him for disposition. The

disposition of the dog by the Dog Warden shall be as provided by laws for the State of Michigan. (Ord. No. 78-8, eff. Nov. 24, 1978)

41.012 ENFORCEMENT; SWORN COMPLAINT; DISTRICT COURT HEARING.

Any person who has knowledge of facts that constitute a violation of this Ordinance may, upon sworn complaint to any District Court Judge, request that a Summons be issued to show cause why such dog should not be impounded by the Dog Warden. Said Judge may, upon such hearing, either order the dog impounded by the Dog Warden or confined to the premises of the owner. If the owner disobeys such an order, he shall be liable to be punished as hereinafter provided.

In any arrest and prosecutions for violations of this Ordinance, appearance tickets shall be issued. The District Court Clerk shall accept any plea of guilty, which is made in the same manner as pleas of guilty for moving traffic violations are accepted. Persons pleading guilty of violations of the Ordinance shall be allowed to render the sum of \$25.00 to the District Court Clerk as a full and complete satisfaction and discharge of liability, and no appearance before a District Judge or other judicial officer shall be required. (amended by Ord. 03-07)

41.013 PENALTY.

Any person or other entity who violates any of the provision of this Ordinance is responsible for a municipal civil infraction as defined by Michigan law and subject to a civil fine determined in accordance with the following schedule including Sections 2A, 2B and 2C:

#			nt	ost	
3 year period					
on period					
on within a 3 year period					
struction ions					
3 year period					
3 year period					
on within a 3 year period					

* The Court shall exercise its discretion in setting the appropriate fine, and shall take into consideration, among other relevant factors, the ongoing, flagrant and/or abusive nature of the violation and the potential for harm to the Township's efforts to eliminate blight in light of the repeated nature of the offense. (Amended Ord. 03-07, July 9, 2003)

2A. Each day a violation of this Ordinance continues to exist after the date of the citation shall subject the violation to an additional fine amount of \$5.00 per day. (Amended Ord. 03-07, July 9, 2003)

2B. Additionally, the violator shall be ordered to pay restitution to the Township, which may

include all direct and indirect expenses which the Township has incurred in connection with the violation enforcement action for each such citation. In no case, however, shall restitution of less than \$9.00 or more than \$500.00 be ordered each such citation. (Amended Ord. 03-07, July 9, 2003)

- 2C. A violator of the Ordinance shall also be subject to such additional sanctions, remedies, and judicial orders as are authorized under Michigan law. (Amended Ord. 03-07, July 9, 2003)

41.014 LEGAL PROCEEDINGS.

Legal proceedings to enjoin the violation of any of the provisions of this Ordinance may be brought in any Court of competent jurisdiction in the name of the Charter Township of Bridgeport. Such action shall be taken only as authorized by the Charter Township Board. (Ord. No. 78-8, eff. Nov. 24, 1978)

41.015 INVALIDITY.

If any section, paragraph, sentence, clause, phrase or part of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance which shall remain in full force and effect and to this end the provisions of this Ordinance are hereby declared to be severable. (Ord. No. 78-8, eff. Nov. 24, 1978)

41.016 EFFECTIVE DATE.

This Ordinance shall be effective thirty (30) days from and after publication thereof.

Effective: November 24, 1978
Amended: July 9, 2003 (Ord. 03-07)