

**VILLAGE OF NORTH BRANCH  
DOG CONTROL ORDINANCE  
ORDINANCE NO. 16.3**

An ordinance to regulate the possession, care and control of dogs within the Village and to provide penalties for violations.

**THE VILLAGE OF NORTH BRANCH ORDAINS:**

Section 1. LICENSING. No dog over six (4) months in age shall be kept or harbored within the Village by any person unless a currently valid dog license for the animal

has been issued by the Lapeer County Animal Control Department. For purposes of this ordinance, the term “dog” shall include any canine animal. An owner or renter of property shall be deemed to be “harboring” a dog if the owner or renter allows the dog to remain on his or her premises.

Section 2. LIABILITY. Any person with a dog licensed in his or her name or any person who keeps or harbors a dog within the Village shall be responsible and financially liable for any acts committed by said dog.

Section 3. NUMBER OF DOGS. No more than three (3) dogs over four (4) months in age shall be kept, harbored, or allowed to remain on the premises of any one household. For purposes of this section any building in which people regularly reside shall be considered

a single household. The premises of a household shall include the residence, any outbuildings, and the land around the residence and outbuildings. In no event shall more than one dog of any age be kept or harbored in any apartment.

Section 4. DOG FECES. Dog Feces shall not be piled or otherwise stored in the open. Dog feces shall not be allowed to accumulate in such a manner that odors therefrom

are noticeable beyond the premises on which it is located.

Section 5. CONTROL. All dogs shall be kept either on a leash or inside of a pen or enclosed building at all times. No dog shall be allowed to run at large.

Section 6. NOISE. No person shall keep or harbor any dog which by loud or frequent barking, yelping, or howling shall create a nuisance or disturb other persons in the peaceful

enjoyment of their homes or property.

Section 7. DOG BITES. Any dog which has bitten a person will be isolated for a period of at least ten (10) days. The isolation location may be determined by the Law Enforcement and /or Lapeer County Animal Control.

Section 8. DANGEROUS DOGS.

A. Definitions.

1. Dangerous Dog, for purposes of this Ordinance, means any dog which:

- a. Has attacked any person;
- b. Exhibits a propensity, tendency or disposition to attack, cause injury or threaten the safety of persons without provocation;
- c. Without provocation, chases, or confronts or approaches a person on a street, sidewalk, other public property, or other person’s private

property in a menacing fashion such as would put an average person in fear of attack;

d. Acts in a manner that causes or should cause its owner to know that it is potentially dangerous;

e. Is trained for dog fighting or is owned or kept for the purpose of dog fighting;

B. Restrictions. It shall be unlawful for any person to keep within the Village limits any dangerous dog as defined above except in compliance with the provisions of this Section.

1. Registration. The owner of a dangerous dog, as defined above, who desires to continue to keep the dog within the Village limits shall have sixty (60) days subsequent to the effective date of this Ordinance to register the animal with the Village offices in order that the dog be allowed to remain in the Village, pursuant to the following criteria:

a. The dog must have a valid animal license.

b. The owner must provide proof of rabies and all other vaccinations for the dog.

c. The owner and any dog handler must be at least twenty-one (21) years of age.

d. The owner shall, at his or her own expense, have the dog sterilized and shall present to the Village of North Branch documentary proof from a licensed veterinarian that this state sterilization has been performed.

e. An owner may be exempted from the sterilization requirement if the owner produces documentation from a licensed veterinarian stating that sterilization would place the dog's life at risk or if the owner produces documentation showing that the dog is a registered show/performance dog as defined above.

f. The owner must have a dog under this section equipped with an animal id.

2. Insurance. Owners of dangerous dogs must provide proof to the Village Clerk of public liability insurance in the amount of at least One Hundred Thousand (\$100,000.00) Dollars insuring the owner for any personal injuries inflicted by his or her dangerous dog.

3. Confinement. All dangerous dogs shall be securely confined either indoors or in an enclosed and locked pen or physical structure upon the premises of the owner. The pen or structure must have secure sides and a top attached to the sides. All pens or structures must be kept in a clean and sanitary condition.

4. Muzzles. The owner of a dangerous dog shall not permit the dog to go unconfined unless the dog is securely muzzled and restrained by a chain or leash and under the physical restraint of a person capable of restraining said dog. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with the dog's respiration but shall prevent it from biting any human or other animal.

5. Signs. The owner of a dangerous dog shall display in a prominent place on his property a clearly visible sign warning that there is a dangerous dog on the premises.

Section 9. ENFORCEMENT. This ordinance shall be enforced by the Village Police Department, the Lapeer County Sheriff Department.

Section 10. CIVIL INFRACTIONS. Any person, firm, or corporation who violates any provision of this Ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than One Hundred Fifty and no/100 (\$150) Dollars, plus costs and other sanctions as set forth in Ordinance No. 34.1 for each infraction. Repeat offenses under this Ordinance shall be subject to increased fines and other sanctions as provided by Ordinance No. 34.1. In addition, any violation shall be subject to such injunctive relief as may be granted by the Court.

Section 11. REPEAL. The former Dog Ordinance No. 16.2, adopted on August 7, 2003, is hereby repealed.

The undersigned President and Clerk of the Village of North Branch hereby certify that this

Ordinance was duly adopted by the North Branch Village Council at a meeting held on the

7th day of August, 2008 and was published in the LaView on the 21<sup>st</sup> day of August, 2008.

This Ordinance was made effective twenty (20) days after said date of adoption.

[SIGNED]\_\_\_\_\_

M. Kelly Martin, President

[SIGNED]\_\_\_\_\_

Betty L. Kennedy, Clerk