

Village of Estral Beach

ORDINANCE NO. 1034A

ANIMALS ORDINANCE

An ordinance to regulate the possession, care, treatment and disposal of animals held in private possession and to establish penalties for violation of the ordinance.

THE VILLAGE OF ESTRAL BEACH ORDAINS:

1034A-01. Intent

It is the intent of the Village of Estral Beach to protect the public against health and safety risks that non-domestic animals pose to the community and to protect the welfare of the individual animals held in private possession.

1034A-02. Prohibited and Permitted Animals

- (1) No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that non-vicious dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose.

1034A-03. Permitting Animals to Run At Large or on Private Property

It shall be unlawful for any person to permit or allow any animal to:

- (1) Run or to be at large in the public streets, land, vacant lots or other open or public places. All animals shall be on a leash when not on private property.
- (2) Be upon any private premises other than the premises of the owner of such animal, without the consent of the owner or occupant of such private premises.
- (3) Defecate on public property or on private property not owned by the animal's owner unless such person immediately collects all fecal matter deposited by the animal and deposits such matter in an appropriate receptacle.

1034A-04. Enforcement of Article

The animal control authority, its staff, its agents, local law enforcement agents, or county sheriffs are authorized and empowered to enforce the provisions of this ordinance.

1034A-05. Violations and Penalties

- (1) Any person violating any provision of this Ordinance shall be deemed responsible for a civil infraction. Penalties may be imposed as set forth in the Village of Estral Beach Civil Infractions Ordinance.

- (2) In addition to the foregoing, any violation of this Ordinance shall be deemed a nuisance per se, permitting the Village Board, its officers, agents or any private citizen to take such action in any Court of competent jurisdiction to cause the abatement of such nuisance, including injunctive relief.

1034A-06. Construction

Wherever the word "person" is used in this ordinance it shall also be deemed to include all firms, associations, organizations, partnerships, trust companies and/or corporations as well as individuals; wherever the singular is used it shall also include the plural; wherever the masculine is used it shall also include the feminine and neuter.

1034A-07. Conflicting Provisions Repealed

Any ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

1034A-08. Publication and Effective Date

Publication of this ordinance shall be made by causing a true copy thereof to be inserted once in a newspaper circulating with the Village of Estral Beach, which insertion shall be made within thirty (30) days after its passage. This ordinance shall take effect immediately upon its publication.

Motion by: Debby Dare
Second by: Jennifer Metcalf

YEAS: (4) Debby Dare, Jennifer Metcalf, Chris Mulligan, Jim Wiegand
NAYS: (0) None
ABSENT: (2) Adam Younglove, Greg Knierim

ORDINANCE DECLARED ADOPTED ON August 18, 2020

Danny Swindle
Danny Swindle
Village President

Carol Vandercook
Carol Vandercook
Village Clerk

1034A

Certification

Carol A. Vandercook, the duly elected Clerk of the Village of Estral beach, County of Monroe, State of Michigan, attests and affirms that the above Ordinance is a true copy of the Ordinance adopted by the Village of Estral Beach Council at the Regular Meeting held on August 18, 2020, and published in the Monroe Evening News, which is a duly qualified newspaper circulating within the Village of Estral Beach, on August 22, 2020.

Carol A. Vandercook
Carol Vandercook, Clerk
Village of Estral Beach

AFFIDAVIT OF PUBLICATION

STATE OF MICHIGAN SS
COUNTY OF MONROE

Raimundas Kisonas being first duly sworn, says that he is the Editor of The Monroe News, a newspaper published in the English language for the dissemination of local or transmitted news and intelligence of a general character and legal news and which is a duly qualified newspaper, published and circulated in the County of Monroe. The annexed notice is a printed copy contained in said newspaper, and has been duly published in said newspaper for one insertions, and that the first publication thereof was on the 22nd day of August A.D. 2020 and the last publication thereof was on the 22nd day of August A.D. 2020.

PAID PUBLIC NOTICE
VILLAGE OF ESTRAL BEACH
REVISED ORDINANCES
The Village of Estral Beach revised ordinances 1046E (Flood Plain Management), 1004A (Business Registration), 1016B (Uniform Traffic Code), 1035C (State Construction Code), 1042A (Nuisance Ordinance), 1044A (Parking Ordinance) and 1034A (Animal Ordinance).
These ordinances supersede Ordinances 1046D, 1004, 1016A, 1035B, 1042, 1044 and 1034 respectively.
These ordinances can be viewed in full at the Village Hall by appointment with Village Clerk Carol Vandercook, 586-8380.
AUGUST 22, 2020

Raimundas Kisonas

Sworn to and subscribed before me this 24th day of August
A.D. 2020

Janet Latondress
JANET LATONDRESS
Notary Public, Monroe County, Mich.
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MONROE
My Commission Expires January 25, 2025
Acting in the County of _____

My commission expires _____