

ORDINANCE #02-2017

ORDINANCE TO AMEND “CHAPTER 10 – ANIMALS” OF THE CITY OF MARLETTE CODE OF ORDINANCES

WHEREAS, the City of Marlette has completed a thorough review of its Code of Ordinances in pursuit of publishing a comprehensive update of the Code of Ordinances book; and

WHEREAS, the following amendments are necessary to complete the update.

THE CITY OF MARLETTE ORDAINS

Section 1. That Section 10-2 of Chapter 10 of the City of Marlette Code of Ordinances is hereby amended in its entirety as follows:

Sec. 10-2. Restrictions on keeping.

(a) *Restrictions.* No animals, livestock or poultry, other than dogs, cats, pheasants, rabbits, chickens or other common household pets, shall be kept, bred or raised within the city; provided, however, that any such allowable animal or pet shall be housed, kept or maintained so as not to become a nuisance in the neighborhood within which the animal is so kept, and shall be maintained subject the requirements of the Marlette Zoning Ordinance.

(b) *Municipal civil infraction.* A person who violates any provision of this section is responsible for a Grade B municipal civil infraction, subject to payment of a civil fine as set forth in section 44-38. Repeat offenses under this section shall be subject to increased fines as set forth in section 44-38.

Section 2. That Section 10-32 of Chapter 10 of the City of Marlette Code of Ordinances is hereby amended in its entirety as follows:

Sec. 10-32. Municipal civil infraction.

A person who violates any provision of this section is responsible for a Grade B municipal civil infraction, subject to payment of a civil fine as set forth in section 44-38. Repeat offenses under this section shall be subject to increased fines as set forth in section 44-38.

Section 3. That Section 10-33 of Chapter 10 of the City of Marlette Code of Ordinances is hereby amended in its entirety as follows:

Sec. 10-33. Dogs creating nuisance.

No person shall own, harbor or keep any dog which by loud or frequent barking, yelping or howling shall become a nuisance in the neighborhood in which the dog is so kept. No person shall own, harbor or keep any dog, whether licensed or unlicensed, that has a propensity and history of trespassing on property, so as to become a nuisance in the neighborhood. No person shall own, harbor or keep any dog with a propensity, tendency or disposition to attack, to cause injury or to otherwise endanger the safety of human beings or other domestic animals.

Section 4. This Ordinance is declared necessary for the peace, health and safety of the residents of the City of Marlette and shall become effective upon twenty five days after enactment and publication.

Mayor

City Clerk

Approved as to form:

City Attorney

First Reading: _____
Second Reading: _____
Published: _____

The foregoing ordinance was offered by Council Member ____ and supported by Council Member _____:

AYES:

NAYS:

ABSENT:

The Clerk declared the ordinance adopted.

I, Sandra Cargill, the duly qualified and acting Clerk of the City of Marlette, Sanilac County, Michigan do hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Council at a regular meeting held on Monday, _____, 2017, the original of which is on file in the City Office.

Sandra Cargill, City Clerk