



## **Village of Breedsville**

82 E Main St. PO Box 152  
Breedsville, MI 49027  
(269) 427-9029

### **ORDINANCE 2021-16**

#### **VILLAGE OF BREEDSVILLE DOMESTIC PET AND ANIMAL CONTROL**

An ordinance to secure the public health, safety, and welfare of the residents and property owners of the Village of Breedsville, Michigan, through the control and regulation of the manner in which domestic pets and other animals are controlled in the Village; to provide penalties for the violation thereof and to repeal all ordinances or parts of ordinances in conflict therewith.

#### **NOW, THEREFORE, THE VILLAGE OF BREEDSVILLE, VAN BUREN COUNTY, MICHIGAN ORDAINS:**

##### **SECTION 1: Title and Designee:**

This ordinance shall be known and cited as the Breedsville Domestic Pet Control Ordinance. The Village is authorized to designate a person to enforce the Ordinance

##### **SECTION 2: Purpose:**

The Village hereby finds that the failure of animal owners to control their domestic pets and control other animals present in the Village has a detrimental effect on the public health, safety, and general welfare of the residents and property owners of Breedsville by disrupting the peace, tranquility, and quiet use of property within the Village. Animals that are not properly controlled threaten persons in the Village even if the animals only give the appearance of attacking or otherwise harming residents.

##### **SECTION 3: Definitions:**

For the purposes of this ordinance, the following definitions shall prevail:

- Animal - Dog, cat, other domestic pet.
- Animal Control Authority -The person or persons or Agency designated to enforce this ordinance.
- Animal shelter - Facility designated or recognized by the Village of Breedsville for the purpose of impounding and caring for animals.
- At large - An animal off the property of the owner and not under restraint.
- Humane manner - Care of an animal including, but not limited to, adequate heat, ventilation, sanitary shelter, wholesome food, and water consistent with the normal requirements and feeding habits of the animal's size, species, and breed.
- Kennel - An establishment kept for the purpose of breeding, selling, boarding, or training dogs, cats, or other animals.

- Licensing Authority - The agency or department of Van Buren County or any designated representative thereof charged with administering the issuance or revocation of permits and licenses under the provisions of this ordinance.
- Neutered - Rendered permanently incapable of reproduction.
- Nuisance - An animal that damages, soils, defiles, or defecates on private property other than the owner's or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner; causes unsanitary, dangerous, or offensive conditions; causes a disturbance by excessive barking or other noise making; or chases vehicles or molests, attacks, or interferes with persons or other domestic animals on public property.
- Owner - A person having the right of property or custody of an animal who keeps or harbors the animal or knowingly permits the animal to remain on or about any premises occupied by that person.
- Person - Any individual, corporation, partnership, organization, or institution commonly recognized by law as a unit.
- Dangerous - An animal that without justification attacks a person or domestic animal causing physical injury or death or that behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of serious injury or death to one or more persons or domestic animals.

#### **SECTION 4: Licensing and Vaccination:**

- A.** No person shall own, keep, or harbor any animal within the Village of Breedsville unless such animal is vaccinated and licensed as required by any governmental agency.
- B.** A certificate of vaccination shall be issued to the owner of each animal vaccinated on a form recommended by the Compendium. Each owner shall also receive a durable vaccination tag indicating the year in which it was issued.
- C.** Michigan Compiled Law 287.266 requires that all dogs over 4 months old **MUST** have BOTH a current rabies vaccination AND a current dog license. Dog Licenses must be obtained by March 1 of the current year, or as soon as a puppy has its first rabies shot (around 4 months old). License fees for puppies under 7 months old are \$10 (neutering is not required). After that date penalties apply.

Van Buren County offers both a 1-year and a 3-year dog license. In order to purchase a license, your dog must have a current rabies vaccination. Current is defined as either:

- (1) 30 days remaining in order to purchase a 1-year license, or
- (2) Expiring after April 1st of the year the license expires for a 3-year license.

- D.** Application for a license must be made within 7 days after obtaining an animal. This requirement will not apply to a nonresident keeping a dog or cat within the Village of Breedsville for no longer than 14 days.

## **SECTION 5: Owner Responsibility:**

- A.** All animals shall be kept under restraint
- B.** Every dangerous animal, as determined by the Village of Breedsville or the Van Buren County Sheriff Department, shall be confined by its owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner.
- C.** No animal shall be allowed to cause a nuisance. The owner of every animal shall be held responsible for every behavior of such animal under the provisions of this ordinance.
- D.** Persons who fail to comply with the provisions of this section shall be subject to a fine of \$500 for each instance in which this ordinance is violated.
- E.** Animal owners shall ensure that their animal carries identification at all times in the form of microchip, tag, or other means to allow easy determination of the owners.

## **SECTION 6: Impoundment:**

- A.** Any animal found at large shall be impounded by the Van Buren County Sheriff's Department in an animal shelter and confined in a humane manner. Immediately upon impounding an animal, the Van Buren County Sheriff's Department shall make every reasonable effort to notify the owner and inform such owner of the conditions whereby custody of the animal may be regained. Animals not claimed by their owners within a period of 12 full days in which the shelter is open to the public shall become the property of the Van Buren County Sheriff's Department.
- B.** When an animal is found running at large and its ownership is verified by the Van Buren County Sheriff's Department, the authority may exercise the option of serving the owner with a notice of violation in lieu of impounding the animal.
- C.** In the event that the Van Buren County Sheriff's Department finds an animal to be suffering, it shall have the right forthwith to remove or cause to have removed any such animals to a safe place for care at the owner's expense or to euthanize them when necessary to prevent further suffering. Return to the owner may be withheld until the owner has made full payment for all expenses incurred.
- D.** Disposal of an animal by any method specified herein does not relieve the owner of liability for violations and any accrued charges.

## **SECTION 7: Repeal of Conflicting Ordinances:**

All other ordinances of the Village of Breedsville that are in conflict with this ordinance are hereby repealed to the extent of such conflict.

## **Section 8: Severability:**

If any part of this ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance

## CERTIFICATION

I further certify that trustee L. Weniger moved for adoption of said Ordinance 2021- 16, and that trustee W. Yeager seconded said motion.

I further certify that the following members voted for adoption of said Ordinance:

and that the following members voted against such Ordinance:

Ayes: L. Weniger, W. Yeager, B. Hibma, T. Weniger, S. Rogusta. Nays: None

I further certify that said Ordinance No 2021-16 has been recorded in the Ordinance Book of the Village of Breedsville and that such recording has been authenticated by the signatures of the Village President, and Village Clerk.

Steven Rogusta  
Steven Rogusta, Village President

Linda Norton  
Village of Breedsville, Clerk

I do hereby certify that a synopsis of this Ordinance No 2021-16, in accordance with statutory requirements, was published on December 19, 2021, in the South Haven Tribune, a copy of which is attached hereto.

**PASSED AND APPROVED** by the Village Board of the Village of Breedsville on this 7th day of December 2021

Linda Norton  
Village of Breedsville, Clerk

