

**LYON TOWNSHIP ANIMAL CONTROL
ORDINANCE**

At its regular meeting of October 13, 1993, the Lyon Township Board adopted the following Ordinance, which will become effective thirty (30) days after this publication:

**TOWNSHIP OF LYON
ROSCOMMON COUNTY, MICHIGAN**

ORDINANCE NO. 35

AN ORDINANCE TO REGULATE THE POSSESSION OF ANIMALS IN THE TOWNSHIP OF LYON; AND TO PROVIDE PENALTIES AND TO PROVIDE REMEDIES FOR VIOLATIONS.

THE TOWNSHIP OF LYON, ROSCOMMON COUNTY, MICHIGAN, ORDAINS:

Section 1. Title.

This ordinance shall be known and cited as the "Lyon Township Animal Regulatory Ordinance."

Section 2. Definitions.

As used in this ordinance:

- (a) **FARM ANIMALS** means domestic animals which are typically kept on farms or are typically associated with farms or farming operations. This definition includes such things as cows, pigs, horses, goats, sheep, chickens, pigeons, rabbits, geese and ducks. This definition does not include wild animals as described herein.
- (b) **HOUSEHOLD ANIMALS** (also called household pets) means domesticated animals which are typically found in residential dwellings and which are not typically disruptive to the residential character of an area. This definition would include, by way of example and not by way of exclusion, such things as domesticated dogs, cats, gerbils, hamsters, turtles, tropical fish, parrots, canaries and parakeets. This definition does not include farm animals or wild animals as described herein.

- (c) **WILD ANIMALS** (also called exotic animals) means animals which are not typically domesticated or found on farms or in residential homes, but which are typically found in the wild, or in zoos, circuses, wildlife sanctuaries, or nature preserves. This definition includes such things as elephants, rhinoceroses, camels, lions, tigers, leopards, panthers, cheetahs, cougars, jaguars, lynx, mountain lions, puma, badgers, bears, beavers, bobcats, coyotes, crows, deer, antelope, elk, mink, moose, muskrats, opossums, otters, ostriches, pheasants, quails, peacocks, wild rabbits, raccoons, skunks, snakes, squirrels, wild turkey, crocodiles, alligators, seals, sharks, and whales, wolves and primates such as baboons, orangutans, chimpanzees, monkeys and gorillas.

Section 3. Permitted Animals.

- (a) Household pets may be possessed in the Township of Lyon but only as long as they do not become excessively noisy, excessively odorous, dangerous or in any way disruptive to the character of the area in which they are possessed.
- (b) Farm animals may be possessed in Lyon Township but only if all of the following conditions are met:
- (i) That the property upon which they are possessed consists of at least two acres.
 - (ii) That the animals possessed are housed and/or penned out a distance no closer than 100 feet to any neighboring dwelling.
 - (iii) That the animals possessed do not become excessively noisy, excessively odorous, dangerous, or in any way disruptive to the character of the area in which they are possessed.

(c) Only certain wild animals which are traditionally non-predatory and/or non-dangerous may be possessed in Lyon Township. These include non-poisonous snakes that will not exceed three-feet in length, quails, pheasants, peacocks and turkeys, but may only be possessed if the following conditions are met:

(i) That the animals possessed are possessed under the proper State and Federal permits and/or licenses.

(ii) That the animals possessed are properly caged, penned, housed or secured so as not to leave the property upon which they are possessed.

(iii) That the animals possessed do not become excessively noisy, excessively odorous, dangerous, or in any way disruptive to the character of the area in which they are possessed.

Section 4. Prohibited Animals.

Wild animals not listed in Section 3(c) above may not be possessed in Lyon Township under any conditions or circumstances.

Section 5. Exceptions.

Notwithstanding the above provisions, it shall not be a violation of this ordinance for a person, persons, corporation or business entity in lawful possession of an animal to travel through Lyon Township on a public highway for a destination out of the Township.

Section 6. Penalties.

Any person, persons, corporation, or business entity who violates this ordinance is guilty of a misdemeanor, punishable by imprisonment in the county jail for a term not to exceed 90 days or a fine not to exceed \$500.00, or both, at the discretion of the court. Each day of possession of any animal in violation of this ordinance shall constitute a separate offense.

Section 7. Nuisance Per Se.

Any continuing violation or a repeated violation of this ordinance shall constitute a nuisance per se and may be abated by an action in circuit court separately or in addition to criminal proceedings.

Section 8. Enforcement.

This ordinance shall be enforced by the Township Ordinance Enforcement Officer or such person as may be appointed by the Township Board.

Section 9. Severability.

This ordinance and each of the various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared to be severable. If any part, section, subsection, sentence, phrase, or clause is determined to be invalid, it is hereby provided that the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect.

Section 10. Effective Date.

This ordinance is necessary for the preservation of the public health, safety and welfare and shall be effective immediately upon publication as provided by law.