

PART II - CODE OF ORDINANCES

Chapter 14 ANIMALS

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ARTICLE I. - IN GENERAL

ARTICLE II. - CRUELTY TO ANIMALS AND RELATED OFFENSES

ARTICLE III. - DOGS AND CATS

FOOTNOTE(S):

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Charter reference— General powers of city, § 1.01. [\(Back\)](#)

Cross reference— Environment, ch. 34. [\(Back\)](#)

ARTICLE I. IN GENERAL

[Sec. 14-1. Prohibited animals.](#)

[Secs. 14-2—14-30. Reserved.](#)

Sec. 14-1. Prohibited animals.

No person shall keep or house any animals or domestic fowl within the city except dogs, cats, birds, fowl or animals commonly classed as pets.

(Code 1989, § 9.64)

Secs. 14-2—14-30. Reserved.

ARTICLE II. CRUELTY TO ANIMALS AND RELATED OFFENSES [\[2\]](#)

[Sec. 14-31. Cruelty to animals.](#)

[Sec. 14-32. Poisoning animals.](#)

[Sec. 14-33. Injuring birds or bird nests.](#)

[Secs. 14-34—14-60. Reserved.](#)

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Sec. 14-31. Cruelty to animals.

No person shall cruelly treat or abuse any animal or bird.

(Code 1989, § 9.61)

Sec. 14-32. Poisoning animals.

No person shall throw or deposit any poisonous substance on any exposed public or private place where it endangers, or is likely to endanger, any animal or bird.

(Code 1989, § 9.62)

State Law reference— Exposing poisonous substances where likely to be eaten by animals, MCL 750.437.

Sec. 14-33. Injuring birds or bird nests.

No person, except a public officer acting in his official capacity, shall molest, injure, kill or capture any wild bird, or molest or disturb any wild bird's nest or the contents thereof.

(Code 1989, § 9.63)

Secs. 14-34—14-60. Reserved.

FOOTNOTE(S):

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State Law reference— Offenses relating to animals, MCL 750.49 et seq. ([Back](#))

ARTICLE III. DOGS AND CATS [↗](#)

[Sec. 14-61. Definitions.](#)

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Sec. 14-61. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Owner, when applied to the proprietorship of any dog or cat, shall include every person having a right of property in such dog or cat, and every person who keeps or harbors such dog or cat or has it in his care, and every person who permits such dog or cat to remain in or about any premises occupied by him, and every person who feeds wild dogs or feral cats.

Reasonable control means keeping a dog on suitable leash or under the oral control of the owner or custodian or some other person with the permission of the owner or custodian, in all cases other than while upon private property, or unless the dog is confined in a closed automobile or shipping receptacle.

Reasonable control further means keeping a cat under the physical control of the owner or custodian or some other person with the permission of the owner or custodian, in all cases other than while upon private property, or unless the cat is confined in a closed automobile or shipping receptacle.

Feed means to give, place, expose, deposit, distribute, scatter, or otherwise make available any edible material with the intention of feeding or attracting wild dogs or feral cats.

(Code 1989, § 9.68; Ord. No. 261, § 2, 9-17-2007)

Cross reference— Definitions generally, § 1-2.

Sec. 14-62. Conflicts with state law.

Nothing in this article shall be construed as to conflict with any of the provisions of the Dog Law of 1919 (MCL 287.261 et seq.).

(Code 1989, § 9.73)

Sec. 14-63. Impoundment.

- (a) *Authorized*. It shall be the duty of the police officers of the city to seize forthwith any dog, whether licensed or otherwise, found running at large, or upon any public street, alley, or other public place within the city contrary to any of the provisions of section 14-64 and to confine such dog in the city dog pound.
- (b) *Disposition of unlicensed dogs*. If it shall not appear from the records in the office of the dog warden of the county that any dog so impounded is licensed under a valid license pursuant to the provisions of the Dog Law of 1919 (MCL 287.261 et seq.), the chief of police shall, at the expiration of 72 hours after impounding such dog, surrender such dog to the sheriff of the county or any member of the state constabulary, for disposition pursuant to the provisions of section 17 of the Dog Law of 1919 (MCL 287.277).
- (c) *Disposition of licensed dogs*. If any person owning or having custody of any dog so impounded which has been licensed pursuant to the Dog Law of 1919 (MCL 287.261 et seq.) under a valid subsisting license shall, within 72 hours after the impounding of such dog, apply to the chief of police for the release of the dog and pay the city treasurer an impounding fee in the amount set forth in the annual

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fee resolution adopted by the city council, together with the current charges made by the county dog pound for the care of the dog, the chief of police shall authorize the surrender of such dog to such owner or person having custody thereof; otherwise, upon the expiration of such 72 hours, the chief of police shall authorize the surrender of such dog to the sheriff of the county or any member of the state constabulary for disposition pursuant to such law, provided, however, if a complaint shall have been made by any person pursuant to section 26a of the Dog Law of 1919 (MCL 287.286a), and knowledge of such complaint shall be communicated to the chief of police, such dog shall be retained in the county pound until the disposition of such complaint, subject to the orders of the court having jurisdiction of such complaint.

(Code 1989, §§ 9.70—9.72)

Sec. 14-64. Running at large.

No person owning any dog four months of age or over shall permit such dog to be at large at any time in the city in violation of any of the following restrictions:

- (1) No person shall permit any vicious dog of which he is the owner to be unconfined unless securely muzzled and led by a leash. Any dog shall be deemed vicious which has bitten a person or domestic animal without molestation, or which, by its actions, gives indication that it is liable to bite any person or domestic animal without molestation.
- (2) No person who is the owner of any female dog shall permit or allow such female dog to go beyond the premises of such owner when the dog is in heat.
- (3) No person who is the owner of any dog shall permit it to be unconfined unless under the reasonable control of some person.
- (4) No person who is the owner of any dog shall permit it to be unconfined at any time unless licensed as required by law and unless wearing its license tag and evidence of rabies immunization.

(Code 1989, § 9.69)

Sec. 14-65. Feeding of wild dogs and feral cats.

No person shall feed any wild dog or feral cat within the City of Montague on either public land or private land.

(Ord. No. 261, § 3, 9-17-2007)

Sec. 14-66. Veterinary care.

No owner of any dog or cat shall neglect to provide such dog or cat with appropriate veterinary care, including without limitation vaccinations for rabies, distemper, feline leukemia, and parvovirus.

(Ord. No. 261, § 4, 9-17-2007)

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Sec. 14-67. Number of cats and dogs per household.

No person shall have more than four dogs, or four cats, or any combination of dogs and cats exceeding four, in a household, building, structure, or land, that are over six months of age without first obtaining a kennel license.

(Ord. No. 261, § 5, 9-17-2007)

FOOTNOTE(S):

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Editor's note—Ord. No. 261, § 1, adopted Sept. 17, 2007, amended the title of Art. III to read as herein set out. Former Art. III pertained to Dogs, and derived from Code 1989, §§ 9.68, 9.70—9.73. [\(Back\)](#)

State Law reference— Dog Law of 1919, MCL 287.261 et seq. [\(Back\)](#)