

**DOG CONTROL
Ordinance No. 253
Adopted: July 7, 1976**

An ordinance to regulate barking dogs, dogs running at large, and dogs confined so as to create unsanitary, obnoxious conditions in Fenton Township, and to provide penalties for violations hereof.

THE TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

SECTION 1. Owning, keeping, harboring, or having charge of a barking dog prohibited.

It is unlawful for any person to own, keep, or have charge of any dog which by loud, frequent, or persistent barking, howling, or yelping shall cause annoyance or disturbance to the neighborhood in which such dog is so kept or harbored.

SECTION 2. Running at large-Prohibited.

It shall be unlawful for any person owning, keeping, harboring, or having charge of any dog to permit such dog to run at large within the Township. A dog shall be deemed to be running at large within the meaning of this ordinance when such dog shall wander unrestrained on any streets, alleys, parks, or public places within the Township or upon any private property within the Township other than that of the person owning, keeping, harboring, or having charge of such dog. It shall be lawful for any Genesee County dog catcher or Sheriff Deputy to seize any dog running at large in the Township in violation of the provisions of this ordinance.

SECTION 3. Confining so as to create unsanitary, obnoxious, etc., conditions prohibited.

It shall be unlawful for any person owning, keeping, harboring, or having charge of any dog to confine, keep, or harbor such dog in a structure, pen, coop, or yard, or otherwise so as to create an unsanitary, unwholesome, malodorous, or obnoxious condition. Any structure, pen, or coop maintained for the purpose of confining, keeping, or harboring any dog shall include a shelter of adequate size for the animal(s) and shall include a place for dry bedding as required by Section 50 (1) (j) of the Michigan Penal Code (PA 328 of 1931) The structure shall not be constructed nor maintained so as to be nearer than 15 feet to any property line.

(Amended: Ord. No. 731, 11-22-10)

SECTION 4. Penalty for Violation.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 528, 5-18-98; Ord. No. 570, 2-5-01)

SECTION 5. Publication.

The Township Clerk is directed to publish this ordinance as required by law.

WILD, DANGEROUS AND VICIOUS ANIMALS

Ordinance No. 655

Adopted: March 6, 2006

An ordinance providing for the regulation of wild, dangerous and vicious animals in the Charter Township of Fenton.

THE CHARTER TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN
ORDAINS

SECTION 1. Purpose

To protect the health and safety of township residents, while allowing the responsible breeding, sale and ownership of unusual and exotic animals, this ordinance is intended to regulate the breeding, sale and ownership of animals that pose a threat to the residents in the township.

SECTION 2. Definitions

A. Wild Animal

Any living member of the animal kingdom, including those born or raised in captivity, except the following: domestic dogs (excluding hybrids with coyotes or jackals and hybrids that are 50% or more wolf), domestic cats (excluding hybrids with ocelots or margays), farm animals, rodents, wild, and captive-bred species of common cage birds. With regard to wolf hybrids, a pedigree or other certified documentation must be furnished to the Township to demonstrate compliance with this section.

B. Dangerous Animal

Any animal with the demonstrated capability to inflict serious physical harm on a human being, including venomous reptiles, insects or arachnids and large carnivorous animals as defined in PA 274 of 2000.

C. Vicious Animal

Any animal that attacks, bites or injures human beings or domesticated animals without adequate provocation, or which because of temperament, conditioning or training, has a known propensity to attack, bite, or injure human beings or domesticated animals.

SECTION 3. Regulations

Upon receipt of a written, verifiable complaint, or as a result of a documented attack, the Township shall investigate. If the Ordinance Enforcement Officer (OEO) determines that a person has a wild, dangerous or vicious animal that poses a potential threat to residents of the Township, the OEO shall order the animal removed from the Township within a period of time not to exceed thirty (30) days.

SECTION 4. Enforcement and Penalties

Violations of this ordinance shall be a misdemeanor, which shall be punishable upon conviction by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days or both such fine and imprisonment in the discretion of the Court. Each day a violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Township from taking such other lawful action as is necessary to prevent or remedy any violation.

(Amended: Ord. No. 761, 3-17-14)

SECTION 5. Validity

Each section of this ordinance, and each provision of each section, is hereby declared to be separable, and the holding of any section or provision thereof to be invalid or unenforceable shall not affect the validity or enforceability of any other section or provision.

SECTION 6. Repeal

All other ordinances or resolutions, insofar as the same or any part thereof may be inconsistent with any provision of this ordinance, are hereby repealed.

SECTION 7. Effective Date

This ordinance shall be published as required by law and shall take effect thirty (30) days following publication.

Enacted at a regular meeting of the Fenton Charter Township Board held on the 6th day of March 2006.

PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS

Ordinance No. 809

Adopted: June 3, 2019

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of the Charter Township of Fenton pursuant to Initiated Law 1 of 2018, MCL 333.27951, *et seq.*; to provide penalties for violation of this ordinance; to provide for severability; to repeal all ordinances or parts of ordinances in conflict therewith; and to provide an effective date.

THE CHARTER TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN ORDAINS:

SECTION 1. Title

This ordinance shall be known as and may be cited as the Fenton Township Prohibition of Marihuana Establishments Ordinance.

SECTION 2. Definitions

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2018, MCL 333.27951, *et seq.*

SECTION 3. No Marihuana Establishments

The Charter Township of Fenton hereby prohibits all marihuana establishments within the boundaries of the Township pursuant to Initiated Law 1 of 2018, MCL 333.27951, *et seq.*

SECTION 4. Violations and Penalties

1. Any person who disobeys neglects or refuses to comply with any provision of this ordinance or who causes allows or consents to any of the same shall be deemed to be responsible for the violation of this ordinance. A violation of this ordinance is deemed to be a nuisance per se.
2. A violation of this ordinance is a civil infraction, for which the fines shall not be less than \$100 nor more than \$500, in the discretion of the Court. The foregoing sanctions shall be in addition to the rights of the Township to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township incurs in connection with the civil infraction.
3. Each day during which any violation continues shall be deemed a separate offense.
4. In addition, the Township may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.

SECTION 5. Enforcement

This ordinance shall be enforced by the Ordinance Enforcement Officer of the Township, by any Police Officer, or by such other persons as designated by the Township Board from time to time.

SECTION 6. Severability

Each and every article, section and subsection of this Ordinance, and each provision of

each article, section and subsection is hereby declared to be separable and severable. If any article, clause, sentence, word, section, subsection or provision of this Ordinance is hereafter declared void, invalid or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such Ordinance, which shall continue in full force and effect.

SECTION 7. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8. Effective Date

This Ordinance shall be published as required by law and the provisions contained herein shall become effective thirty (30) days, or as soon as legally allowed, after adoption and publication hereof.

Enacted at a regular meeting of the Fenton Township Board held on the 3rd day of June 2019.