

20.700

**CAT ORDINANCE
VILLAGE OF MANCELONA, MICHIGAN
ord. no. 79 eff. Nov. 9, 1995**

20.701 Section 1. **DEFINITIONS.**

As used in this Ordinance, the following terms shall have the meanings prescribed in this section:

- A. **“Animal Control Officer”** means the Antrim County Animal Control Officer, or his or her designee.
- B. **“Animal Shelter”** means the Antrim County Animal Shelter.
- C. **“Garbage”** means rejected food wastes, including waste accumulation of animal, fruit or vegetable matter used or intended for food or that related to the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit or vegetables.
- D. **“Keep” or “harbor”** means habitually permitted a cat to remain, to be lodged, or to be fed within a house, apartment, store, yard, enclosure
- E. **“Owner”** means any person or persons owning, keeping, or harboring a cat.
- F. **“Person”** means and includes any individual, firm, corporation, association, or partnership.
- G. **“Rubbish”** means nonputrescible solid wastes consisting of both combustible and noncombustible wastes such as paper, cardboard, metal containers, wood, glass, bedding, crockery, bags, and rages.
- H. **“Running at large” means** a cat which is off the premises of its owner and not under the immediate control of its owner, a member of the owner’s immediate family, or a person authorized by the owner.
- I. **“Village”** means the Village of Mancelona, Antrim County, Michigan.
(ord. no. 79 eff. Nov. 9, 1995)

20.702 Section 2. **LIMITATIONS ON NUMBER OF CATS.**

It shall be unlawful for any person to be the owner of more than five (5) cats over the age of six (6) months at the same house, apartment, store, yard, enclosure, or other place within the Village. This section, however, shall not apply to a licensed veterinarian and his or her employees who keep or harbor cats in the regular course of operating a commercial veterinary hospital or clinic.
(ord. no. 79 eff. Nov. 9, 1995)

20.703 Section 3 **PROHIBITED CONDUCT.**

The owner of a cat shall not permit, or allow another person to permit, that cat to do any of the following:

- A. To run at large within the Village limits;
- B. To in any manner injure or destroy any real or personal property belonging to another person, including but not limited to breaking or tearing open any garbage bay containing garbage or rubbish awaiting pickup or otherwise spreading garbage or rubbish on another person's property.
- C. To create malodorous or offensive waste conditions on the owner's property outside of a totally enclosed structure or anywhere on the property of another person; or
- D. To whine or make other sounds common to its species in an excessively loud or continuous fashion.
(ord. no. 79 eff. Nov. 9, 1995)

20.704 Section 4. **RABIES VACCINATION.**

The owner of a cat six (6) months of age or older who permits, or allows another person to permit, that cat to go outside of a house, apartment, store, yard, enclosure or other place shall have that cat inoculated against rabies. The owner of a cat described above shall display upon demand a certificate of such inoculation against rabies issued by a licensed veterinarian to any village police officer or to the animal control officer.
(ord. no. 79 eff. Nov. 9, 1995)

20.705 Section 5. **IMPOUNDMENT OF CATS.**

Any cat found running at large in violation of this Ordinance shall be subject to impoundment by a village police officer or the animal control officer and shall be held at the animal shelter under the provisions of this Ordinance.
(ord. no. 79 eff. Nov. 9, 1995)

20.706 Section 6. **Holding of Impounded cats; release from impoundment; fees; adoption or destruction.**

- A. Any cat impounded for running at large in violation of this Ordinance shall be held at the animal shelter no less than five (5) days, unless released as hereinafter provided. The animal control officer shall then notify the owner of any cat impounded if such owner's identity and address can be ascertained upon reasonable investigation. The notice shall inform the owner that the cat has been

impounded, the purpose or reason for the impoundment, and the requirements to allow release of the cat.

- B. Any cat held or impounded at the animal shelter for running at large in violation of this Ordinance shall be released to the owner thereof upon proof of ownership of such cat, upon presentation of valid certificate of inoculation against rabies issued by a licensed veterinarian for the current year showing that the cat has been properly inoculated against rabies, and upon payment of the shelter fee established by the animal shelter.
- C. Any cat held or impounded at the animal shelter for five (5) days or more without being released to its owner may either be placed for adoption with another person, who shall then become the owner of the cat, or be destroyed in a humane manner. (ord. no. 79 eff. Nov. 9, 1995)

20.707 Section 7. **ANIMAL SHELTER RECORDS.**

The animal control officer shall keep an accurate account of all cats received for impoundment at the animal shelter and all cats released from the animal shelter, showing the date and from whom received, the description of the cat, and the name and address of the person to whom the cat is released. In addition, the animal control office shall keep an accurate account and description of all cats destroyed at the animal shelter. (ord. no. 79 eff. Nov. 9, 1995)

20.708 Section 8. **Interference with capture of cats.**

It shall be unlawful for any person to hinder, delay, interfere with, or obstruct a police officer or the animal control officer while he or she is engaged in capturing or securing a cat running at large in violation of this Ordinance, or taking a cat subject to impoundment pursuant to the provisions of this Ordinance to the animal shelter, or to break open or in any manner directly or indirectly aid, counsel, or advise the breaking open of any vehicle in which an impounded cat is located. A violation of this section shall be a misdemeanor punishable by no more than ninety (90) days in jail and/or a fine not to exceed Five Hundred Dollars (\$500.00), plus the costs of prosecution. (ord. no. 79 eff. Nov. 9, 1995)

20.709 Section 9. **PENALTY.**

Unless a different penalty is provided elsewhere in this Ordinance, any person who shall violate any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 300.101 – 600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than One Hundred and 00/100 (\$100.00) Dollars. Civil infraction tickets may be written by a village police officer or by the animal control officer. Each day this Ordinance is violated shall be considered as a separate violation. Any action taken under

this Ordinance shall not prevent civil proceedings for abatement or termination of the activity prohibited by this Ordinance.
(ord. no. 79 eff. Nov. 9, 1995)