

**VILLAGE OF LAKEWOOD CLUB
MUSKEGON COUNTY, MICHIGAN
ORDINANCE NO. 102**

THE VILLAGE COUNCIL OF THE VILLAGE OF LAKEWOOD CLUB HEREBY ORDAINS:

1. An Ordinance of the Village of Lakewood Club, Michigan, concerning Animals is adopted to read as follows:

ANIMALS

1. Purpose.

The Village enacts this ordinance to secure the public peace, health safety and welfare of the residents and property owners of the Village of Lakewood Club, Muskegon County, Michigan. The purpose of the ordinance is designed to regulate and limit the keeping, owning, caring, feeding, raising or control over domestic and exotic animals within the boundaries of the Village; provide regulations for animals designated as dangerous; and to provide penalties for the violation of this ordinance and to repeal any ordinance/s or parts of ordinances in conflict herewith, specifically Village Ordinances 7 and 7a.

2. Definitions.

- a. Ownership of animal shall mean the keeping, feeding, caring, sheltering, or control over an animal, whether or not the animal is licensed or titled in the name of the owner.
- b. Household shall mean any/all occupants/residents of the property address/legal description.
- c. Handler means any person having control of an animal, whether or not by the consent or direction of the owner.
- d. Exotic Animals – any animal other than what is listed in C(1).
- e. Dangerous animals means and includes:
 - i. Any mammal, amphibian, reptile or fowl which is of a species which, due to size, vicious nature or other characteristics would constitute a danger to human life, physical well-being, or property, including but not limited to lions, tigers, leopards, panthers, bears, wolves, apes, gorillas, monkeys of any species, foxes, elephants, alligators, crocodiles, and snakes which are poisonous or otherwise present a risk of serious physical harm or death to human beings as a result of their nature or physical makeup, including all constrictors.

ii. Any dog or cat having a disposition or propensity to attack or bite, or threaten to attack or bite, any person or animal without provocation is hereby defined as a “dangerous animal.”

3. General Regulations.

- a. The ownership of animals in the Village of Lakewood Club is restricted to dogs, cats, rabbits, hamsters, guinea pigs and domesticated or caged birds (excluding chickens, ducks, and guinea hens). The ownership of any other animal is strictly forbidden and is contrary to the intent of this ordinance.
- b. No household may have ownership of more than any three (3) animals in any combination.
- c. All animals shall be properly housed and restricted within the household’s boundaries unless properly leashed. Owners and handlers are strictly liable for any animal having become a nuisance pursuant to the Village of Lakewood Club’s nuisance ordinance.
- d. The ownership of any animals for commercial purposes is prohibited unless approved by the Village Council and permitted by the Village Zoning Ordinance. Approved commercial animal ownership is subject to all state licensing requirements.
- e. The regulations set forth in this ordinance are supplemental to and not in substitution of the county animal control department, any county ordinance related thereto, or state law concerning county animal control. This ordinance shall not be construed to limit or substitute for the authority or functions of the county animal control shelter or animal control department. Every owner and handler is responsible for ensuring their animal(s) comply with all state and county regulations.
- f. This ordinance shall be construed to impose primary responsibility for compliance with its provisions on the owner or on any personal in control of the animal. Both the owner and handler shall be jointly and severally liable for the actions of any animal and any violations of this ordinance.
- g. Except as provided in this ordinance, no animal may be kept, owned, or handled in the Village of Lakewood Club.

4. Animals at Large.

It shall be unlawful for any owner, handler, or other person having charge of any animal to be at large at any time in the Village or stray beyond the premises of such owner or household. Animals on leash or being held by the owner or handler shall not be deemed to be running at large.

5. Dangerous Animals.

No person shall own, keep, feed, shelter or harbor any dangerous animal in the Village except as follows:

- a. Leash and Muzzle. No person shall permit a dangerous animal to go outside its kennel or pen unless such dangerous animal is securely leashed with a leash no longer than four (4) feet in length. No person shall permit a dangerous animal to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dangerous animals may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all dangerous animals on a leash outside the animal's kennel must be muzzled by a muzzling device sufficient to prevent such dangerous animals from biting persons or other animals.
- b. Confinement. All dangerous animals shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as above provided. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine registered dangerous animals must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two (2) feet. All such structures must be adequately lighted and ventilated and kept in clean and sanitary conditions.
- c. Confinement Indoors. No dangerous animal may be kept on a porch, patio or in any part of a house or structure that would allow the dangerous animal to exit such building of its own volition. In addition, no such animal may be kept in a house or structure when the windows or screen doors are the only obstacle preventing the dangerous animal from exiting the structure.
- d. Signs. All owners, keepers or handlers of dangerous animals within the Village shall within ten (10) days of the effective date of this ordinance display in a prominent place on their premises a sign easily readable by the public using the words Beware of Dangerous Animal. In addition, a similar sign is required to be posted on the kennel or pen of such animal.
- e. Insurance. All owners, keepers or handlers of dangerous animals must within ten (10) days of the effective date of this ordinance provide proof to the Village Clerk of public liability insurance in a single incident amount of Fifty Thousand Dollars (\$50,000) for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. At the time of initial registration, the owner, keeper or handler must present proof to the Village Clerk of the required insurance. At the time of subsequent registration, the owner, keeper or handler must show proof of insurance for the present registration period and proof that there was insurance coverage throughout the period of the prior registration year. In the event the liability insurance is canceled, lapsed, or

for any other reason becomes unenforceable, the owner, keeper, or handler shall be in violation of the provisions of this division and subject to the penalties provided herein.

- f. Identification Photographs. All owners, keepers or handlers of dangerous animals must within ten (10) days of the effective date of this ordinance provide to the Village Clerk two (2) color photographs of the animal clearly showing the color and approximate size of the animal.
- g. Reporting Requirements. All owners, keepers or handlers of dangerous animals must, within ten (10) days of the below criteria being met, report the following information in writing to the Village Clerk:
 - i. The removal from the Village or death of a registered dangerous animal.
 - ii. The birth of offspring of a dangerous animal.
 - iii. The new address of the dangerous animal owner should the owner move.
- h. Number. No more than one dangerous animal as determined by this ordinance shall be kept on any premises within the Village.

6. Penalties.

Any person violating this ordinance shall be subject to one or more of the following penalties, as applicable:

- a. Any person violating this ordinance shall be responsible for a civil infraction. Violations of this ordinance shall be punishable as stated in the Village of Lakewood Club's General Penalty Ordinance.
- b. All persons found in violation of shall be subject to further injunctive or equitable relief as the Village may determine to pursue, including destruction of the animal.

7. Severability.

The various parts, sentences, paragraphs, sections, and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause of this ordinance is adjudged unconstitutional or invalid by a court or administrative agency of competent jurisdiction, the unconstitutionality or invalidity shall not affect the constitutionality or validity of any remaining provisions of this ordinance.

8. Repeal of Conflicting Ordinances.

Any Ordinances of the Village of Lakewood Club, or any section therein, in conflict with this Ordinance to the extent of such conflict are hereby repealed. Ordinance 7 and 7a are specifically repealed and replaced with this ordinance.

This ordinance is effective ten (10) days from the date of publication.

CERTIFICATE

The undersigned, being the duly qualified Clerk of the Village of Lakewood Club, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Village Council of the Village of Lakewood Club, at a regular meeting of the Village Council on the 25th day of September, 2023, at which meeting a quorum was present and remained throughout, and that the meeting was conducted and public notice was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

Date: September 25, 2023

SIGNED ON ORIGINAL _____

Susan West
Village Clerk

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

**VILLAGE OF LAKEWOOD CLUB
NOTICE OF ADOPTION**

TO: ALL PERSONS INTERESTED

Please take notice that on September 25, 2023, the Village Council of the Village of Lakewood Club adopted an ordinance of the Village of Lakewood Club Code of Ordinances concerning animals, summarized as follows:

To regulate and limit the keeping, owning, caring, feeding, raising or control over domestic and exotic animals within the boundaries of the Village; provide regulations for animals designated as dangerous; and to provide penalties for the violation of this ordinance and to repeal any ordinance/s or parts of ordinances in conflict herewith, specifically Village Ordinances 7 and 7a

Copies of the ordinance may be viewed and purchased at reasonable cost at the Village Office of the Village Clerk in the Village Office, 6681 Automobile Road, Twin Lake, Michigan, during regular business hours.

This ordinance is effective ten (10) days from the date of this publication.

Published: October 1, 2023

VILLAGE OF LAKEWOOD CLUB

By SIGNED ON ORIGINAL _____

Susan West
Village Clerk