

ANIMALS

ARTICLE I. IN GENERAL

Sec. 4-1. Deposit of dead, sick or injured animals on public or private property.

It shall be *unlawful* for any person to deposit, throw or place any dead, sick or injured dog or other animal on any public or private property.

Sec. 4-2. Enforcement of chapter.

This chapter shall be enforced by the chief of police *or any police officer* of the village, or by any dog warden or assistant dog warden duly appointed by the county.

Sec. 4-3. Penalty for violation of chapter.

If any person shall violate the provisions of this chapter, he shall be guilty of a misdemeanor and punished by a fine not exceeding the sum of \$100.00 or imprisonment in the county jail not exceeding 90 days, or by both such fine and imprisonment in the discretion of the court.

Sec 4-4 – 4-35. Reserved.

ARTICLE II. DOGS

Sec. 4-36. Running at large.

It shall be unlawful for the owner of any dog to allow the dog to run at large *or stray beyond the premises on which it is kept in the village unless said dog is under leash control, by a fixed leash no longer than six (6') feet, by a person of such age and discretion as necessary to physically control such dog.*

Sec. 4-37. Confinement; control.

Every dog within the village shall at all times be confined upon the premises of its owner or custodian except when such dog is otherwise under control as required by Section 4-36.

Sec. 4-38. Causing disturbance.

It shall be unlawful for any person to own, harbor or keep any dog which shall cause annoyance or disturbance to persons by frequent and habitual barking, howling, or yelping continuously for ten minutes more.

Sec. 4-39. Vicious, fierce, or dangerous dogs.

A person who owns, possessed or keeps a dog which attacks, bites, or physically injures human beings, domestic animals, or livestock without adequate provocation, or which, because of temperament or training, has a known propensity to attack, bite or physically injure human beings, domestic animals, or livestock:

- (1) shall confine such dog to a building or secure enclosure; and*
- (2) Shall, whenever such dog is off the premises on which it is kept, keep such dog securely muzzled and restrained with a chain having a minimum tensile strength of three hundred (300) pounds and not more than three (3') feet in length, or caged.*

Sec. 4-40. Killing or removal to pound.

It shall be lawful for every police officer or other person charged with the enforcement of this chapter to kill, or to remove to any pound, any dog found running at large in the village not accompanied by the owner or keeper.

Sec. 4-41. Dogs; Offensive Conduct.

No person who is either an owner or in possession of a dog shall violate any of the following:

(1) No person shall keep a dog which destroys property or trespasses on the property of others, to the extent such dog becomes a nuisance in the vicinity where kept.

(2) No person shall permit a dog to defecate on land owned by another or on public land unless such person immediately removes the feces and places it in a refuse disposal container to which he/she is authorized to use.

(3) No person shall walk or otherwise accompany a dog on land owned by another or on public land unless such dog is secured by a

leash and such person is in possession of a bag or other container or other visible means for removing dog feces from such land.

A person who violates this section shall be responsible for a municipal civil infraction, and shall be subject to the penalty provisions of §2-199 of the Village of Capac Code.

SECTION 2. Severability

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, rule, regulation, section or subsection is declared void or inoperable for any reason by any court, it shall not affect any other part or portion thereof other than the part declared void or inoperable.