

**ORDINANCE NO. 78
TOWNSHIP OF WHITEFORD, COUNTY OF MONROE, STATE OF MICHIGAN
LEASH LAW**

An ordinance regulating the control of dogs on public property within Whiteford Township; to protect the public health by preventing unsanitary conditions from occurring; and the establishment of penalties for violations thereof.

Be it ordained by Whiteford Township, State of Michigan:

SECTION 1. TITLE

This ordinance shall be known and cited as the Whiteford Township Dog Leash Ordinance.

SECTION 2. DEFINITIONS

“Custodian” shall mean a person who is in control of or in charge of a dog on a temporary basis.

“Owner” shall mean any person who: 1) harbors or keeps any dog; 2) has a right or a property interest in any dog; or 3) shall permit any dog to remain on his or her premises for a period of five (5) days.

“Public property” shall mean those public spaces and facilities owned or maintained by Whiteford Township including but not limited to the township parks, recreation areas, roads, township hall and cemeteries.

“Service dog” shall mean a dog that qualifies under the Americans with Disabilities Act as a service animal.

“Working dog” shall mean a dog used for sporting purposes, search and rescue or personal aid.

SECTION 3. LEASH REQUIREMENTS

All dog owners and custodians shall be required, while on public property within Whiteford Township, to:

- a) Keep their dog on a leash and under control so as to not be aggressive toward other animals or people; or
- b) Securely hold a dog in a cage, crate or similar receptacle or within a closed motor vehicle.

SECTION 4. EXCEPTIONS

A dog shall not be required to be leashed under the following circumstances:

- a) A working dog is performing its duties on public property;
- b) A leash would interfere with a service dog performing its duties or the owner’s disability prevents the use of a leash.

SECTION 5. WASTE REMOVAL

The owner or custodian of a dog on public property shall be required to pick up, remove and properly dispose of all waste left by the dog.

SECTION 6. VIOLATIONS

A violation of this Ordinance is a municipal civil infraction, for which the fine shall be not less than \$50.00 nor more than \$100.00 for the first offense and not less than \$100.00 nor more than \$250.00 for subsequent offenses, in the discretion of the Court, and such fine shall be in addition to all other costs, attorneys' fees, damages, expenses, and other remedies provided by law. For purposes of this section "subsequent offense" means a violation of the provisions of this Ordinance committed by the same owner or custodian within twelve (12) months of a previous violation.

SECTION 7. ENFORCEMENT

This Ordinance shall be enforced by the Whiteford Township ordinance enforcement office, supervisor, local law enforcement and/or any other person the township board of trustees may designate. Such person may seize any dog running at large in Whiteford Township in violation of this Ordinance.

SECTION 8. SEIZURE

In addition to other penalties provided in this Ordinance, enforcement may include seizure of any dog in violation of Section 3 of the Ordinance. Any official authorized under Section 7 of this Ordinance shall have the authority to take up, seize, and place any dog in violation of Section 3 at any animal shelter, dog pound, or any other place or facility deemed appropriate by the authorized official. Such impoundment shall be at the cost of the owner of the dog impounded. The authorized official has the authority to move the impounded dog to a registered kennel at the owner's request.

SECTION 9. SEVERABILITY AND SAVINGS CLAUSE

Should any section, clause, or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof, other than the part declared to be invalid.

SECTION 10. SUPPLEMENTAL NATURE OF ORDINANCE

This ordinance is supplemental to and does not supersede the Michigan Dog Law of 1919 (M.C.L. 287.261 et seq.).

SECTION 11. CONFLICTING ORDINANCE(S)

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

SECTION 12: EFFECTIVE DATE

This ordinance shall take effect thirty (30) days after publication.

THE TOWNSHIP BOARD OF THE
TOWNSHIP OF WHITEFORD, COUNTY
OF MONROE, STATE OF MICHIGAN

AUTHENTICATED:

By: Christine Bischoff
Christine Bischoff
Whiteford Township Clerk

By: Walter Ruhl
Walter Ruhl,
Whiteford Township Supervisor

I, Christine Bischoff, do hereby certify that I am the duly elected and acting Clerk of the township of Whiteford, and I do hereby certify that this Ordinance was adopted by the Township Board of the township of Whiteford, County of Monroe, State of Michigan, at a regular meeting of the Township Board held at the Whiteford Township Hall, 8000 Yankee Road, Suite 100, Ottawa Lake, Michigan 49267, on the 18th day of June, 2024.

The vote on said Ordinance, **five (5)** members being present and **zero (0)** members being absent, was as follows:

AYES: Walter Ruhl, Christine Bischoff, Bernice Heidelberg, Tim Hill, Don Sahloff

NAYS: None

I, Christine Bischoff, the Township Clerk of the Township of Whiteford, do hereby certify that this Ordinance, or a summary of it, was published on the **1st** day of **July** 2024 in the Monroe Evening News, located in the City of Monroe, Monroe County, Michigan, a newspaper of general circulation in the Township of Whiteford, within thirty (30) days after adoption of the Ordinance.

Dated: June 18, 2024

Christine Bischoff
Christine Bischoff,
Whiteford Township Clerk

ATTEST:

Walter Ruhl
Walter Ruhl,
Whiteford Township Supervisor

ADOPTED: June 18, 2024

PUBLISHED: July 1, 2024

EFFECTIVE: July 31, 2024

