



MINUTES
St. Clair County Board of Commissioners

Board of Commissioners' Room
County Administrative Office Building, 2nd Floor
200 Grand River Avenue
Port Huron, MI 48060

April 16, 2026 at 6:00 PM

Moment of Silence, Prayer or Personal Reflection

1. Call to Order

Chairperson Simasko called the meeting to order at 6:00 p.m.

2. Pledge of Allegiance

Pledge of Allegiance was lead by Chairperson Simasko.

3. Roll Call

Present: Kerry Ange, Lisa Beedon, Paul Zeller, Dave Rushing, Dave
Vandenbossche, Steve Simasko

Absent: Joi Torello

4. Additions/Deletions/Changes to the Agenda

None

5. Approval of Agenda

Moved by Commissioner Beedon, seconded by Commissioner Zeller, to approve the agenda as presented. Carried - Voice Vote 6-0. Aye: Commissioner Simasko, Commissioner Beedon, Commissioner Rushing, Commissioner Vandenbossche, Commissioner Ange, Commissioner Zeller Nay: None

6. Minutes of Previous Meeting

Moved by Commissioner Beedon, seconded by Commissioner Ange, to approve and file the minutes of the 03/19/26 Commission Meeting and the 04/02/26 Standing Committee Meetings. Carried - Voice Vote 6-0. Aye: Commissioner Simasko, Commissioner Beedon, Commissioner Rushing, Commissioner

Vandenbossche, Commissioner Ange, Commissioner Zeller Nay: None

A. 03-19-2026 Commission Meeting

B. 04-02-2026 Standing Committee Meetings

7. Proclamations

None

8. Consent Agenda

Moved by Commissioner Vandenbossche, seconded by Commissioner Rushing, to approve items 8A through 8D on the Consent Agenda. Carried - Voice Vote 6-0.
Aye: Commissioner Simasko, Commissioner Beedon, Commissioner Rushing, Commissioner Vandenbossche, Commissioner Ange, Commissioner Zeller Nay:
None

A. Summary Budget to Actual Report — March 2026

B. American Rescue Plan Spending Report — March 2026

C. Assessing System Solution Renewal

D. Imaging Software Client Renewal

9. Reports of Standing and Special Committees

Commissioner Ange - Grand Re-Opening of Legacy Paper — Oral

Commissioner Beedon - Grand Re-Opening of Legacy Paper - Oral
Advisory Board of Health - Oral

Commissioner Rushing - Advisory Board of Health - Oral
CSCB - Oral

Commissioner Vandenbossche - Swatting incident in Marine City - Oral
Northern Michigan Flooding - Oral

10. Citizens Wishing to Address the Board

Joseph Pavlov - Kimball, MI
RE: Updates

Jennifer Jambor
RE: Introduction Comcast - Government & Community Affairs

Mary Lou Creamer - Port Huron, MI
RE: Measles Outbreak

Sherry Mercurio - Clyde Twp., MI
RE: CSCB

Dawn Davey - Algonac, MI
RE: CSCB

Vincent Sudomir - North Street, MI
RE: Health Department

Vicki Blackburn - Port Huron, MI

RE: Advisory Board of Health

Rene Smit - Fort Gratiot, MI

RE: Health Department Concerns

Dorothy Yope - St. Clair, MI

RE: Immunization Exemption Launched Online

Lauren Kriewall - Port Huron, MI

RE: Commissioner Concerns

Chavenia Hernandez - Columbus, MI

RE: Animal Control/ Sheriff Department

Charlene Dupuis - St. Clair Twp., MI

RE: Animal Control

Laura Wilhelm-Bruzck - Casco, MI

RE: Animal Control

Tonya Compton - Port Huron, MI

RE: Animal Control

Dave Sharrard - Port Huron, MI

RE: St.Clair County Animal Control & Tuckers

Karen Michalski - St. Clair, MI

RE: St. Clair County Animal Control

Kevin Watkins - Wales, MI

RE: Commissioners

Chairperson Simasko read the following into the record, which was sent by email from him to all the Commissioners.

Commissioners,

I am sending this email to let all of you know that I attended a meeting yesterday at the Sheriff Department set up by our administrator to discuss criminal investigations involving dangerous animals, animal care, abuse and animal sheltering. It was attended by the Sheriff, two additional command officers, County Prosecutor, Dispatch Director, County Administrator, the Animal Control Director and myself. The meeting lasted about an hour and a half. In addition to discussing criminal investigations, we discussed the need to seizing animals as evidence, seeking judicial forfeiture of animals, costs to the county associated with caring for seized animals and options for allowing citizens formally accused of criminal violations to remain in possession of some or all of their animals under certain circumstances. Our county prosecuting attorney spoke in favor of having all animal investigations for criminal violations conducted by

MCOLES certified police officers. He also advised that his office would advise on what evidence is needed and how it would be preserved for court purposes. We also discussed options for how decisions would be made going forward regarding what animals will be seized, whether by consent or judicial process, how forfeitures of citizens animals would be initiated and options for holding and disposition of sheltered animals. Our animal control director strongly advocated continuing operations without major changes including that department conducting animal protection investigations as the lead agency preparing the investigative reports, making decisions on charges to request, and animal seizure and forfeiture. I advised all in attendance that the BOC would need to consider this at a public meeting before we could provide directions to the county administrator as supervisor for that department and before any decision could be made. As a result of that meeting and discussion I have asked corporation council to review our present Animal Control and Protection Ordinance (18-21) in the context of the legal basis for county animal regulations and animal sheltering. I requested that corporation provide appropriate legal options and recommendations to the BOC to assure that our county animal control ordinance comports with state law generally, and specifically the Dog Law of 1919 and the County Commission act MCL 46.11j. I asked him to exercise complete independent judgement in the matter. I did provide his office with our present ordinance and two former St Clair County Dog Control Ordinances from 1975 and 2008 that proceeded the 2010. 2011 and 2018 ordinances that contain added provisions for matters that appear to be outside of state enabling authority for our animal control ordinance as presently written. I advised that there is board interest in revising the present animal control ordinance if need be to comply with state law. I requested he provide a legal review of the matter and make recommendations for public comment and consideration at the May 7th BOC Committee meeting. I copied the meeting attendees and corporation counsel on this email.

A. Dog Ordinances

11. Unfinished Business

None

12. New Business

A. Approval of County Disbursements — March 2026

Moved by Commissioner Rushing, seconded by Commissioner Ange, to approve the March 2026 County Disbursements in the amount of \$28,328,287.74. Carried - Roll Call Vote 6-0. Aye: Commissioner Simasko, Commissioner Beedon, Commissioner Rushing, Commissioner Vandenbossche, Commissioner Ange, Commissioner Zeller Nay: None

B. 2026 St. Clair County Equalization Report

Moved by Commissioner Ange, seconded by Commissioner Beedon, to adopt Resolution 2026-10 approving the 2026 St. Clair County Equalization Report. Carried - Voice Vote 6-0. Aye: Commissioner Simasko, Commissioner Beedon, Commissioner Rushing, Commissioner Vandenbossche, Commissioner Ange, Commissioner Zeller Nay: None

C. Commission on Aging Vacancy Appointment

Moved by Commissioner Zeller, seconded by Commissioner Ange, to appoint Jared Shirkey to the Commission on Aging as District 5 representative for the remainder of a 3-year term, expiring 12/31/2028. Carried - Voice Vote 6-0. Aye: Commissioner Simasko, Commissioner Beedon, Commissioner Rushing, Commissioner Vandenbossche, Commissioner Ange, Commissioner Zeller Nay: None

D. Juvenile Intervention Unit - Medical Assessment Services Agreement

Moved by Commissioner Vandenbossche, seconded by Commissioner Rushing, to approve the agreement between the 31st Circuit Court and Tri-Hospital EMS for Medical Assessments for the Juvenile Intervention Unit at \$335 per clearance. Carried - Roll Call Vote 6-0. Aye: Commissioner Simasko, Commissioner Beedon, Commissioner Rushing, Commissioner Vandenbossche, Commissioner Ange, Commissioner Zeller Nay: None

E. Intervention Center YesCare Contract Amendment - Medically Assisted Treatment Program

Moved by Commissioner Zeller, seconded by Commissioner Beedon, to approve the first amendment to the Health Services Agreement with YesCare for the Intervention Center, increasing the amount by \$109,024 for the term of 05/01/26 through 12/31/26. Carried - Roll Call Vote 6-0. Aye: Commissioner Simasko, Commissioner Beedon, Commissioner Rushing, Commissioner Vandenbossche, Commissioner Ange, Commissioner Zeller Nay: None

F. Blue Voice, Inc. Software Subscription - Sheriff Department

Moved by Commissioner Ange, seconded by Commissioner Beedon, to approve the agreement with Blue Voice for a software subscription for the Sheriff's Department for a term of 3 years in the amount of \$60,000. Carried - Roll Call Vote 6-0. Aye: Commissioner Simasko, Commissioner Beedon, Commissioner Rushing, Commissioner Vandenbossche, Commissioner Ange, Commissioner Zeller Nay: None

G. FY 2025 Edward Byrne Memorial Justice Assistance Grant Program Application

Moved by Commissioner Rushing, seconded by Commissioner Ange, to approve the FY 2025 Edward Byrne Memorial Justice Assistance Grant Program application in the amount of \$13,943. Carried - Roll Call Vote 6-0. Aye: Commissioner Simasko, Commissioner Beedon, Commissioner Rushing, Commissioner Vandenbossche, Commissioner Ange, Commissioner Zeller Nay: None

H. Resolution 26-22 Approving Michigan Department of Natural Resources Trust Fund Grant - North Channel County Park

Moved by Commissioner Beedon, seconded by Commissioner Vandenbossche, to adopt Resolution 26-11 approving the extension of the Michigan Department of Natural Resources Trust Fund Grant for the North Channel County Park. Carried - Voice Vote 6-0. Aye: Commissioner Simasko, Commissioner Beedon, Commissioner Rushing, Commissioner Vandenbossche, Commissioner Ange, Commissioner Zeller Nay: None

I. 2026 Survey & Remonumentation Grant Agreement

Moved by Commissioner Rushing, seconded by Commissioner Ange, to approve the 2026 Survey and Remonumentation Grant Agreement in the amount of \$77,574. Carried - Roll Call Vote 6-0. Aye: Commissioner Simasko, Commissioner Beedon, Commissioner Rushing, Commissioner Vandenbossche, Commissioner Ange, Commissioner Zeller Nay: None

J. People Driven Technology Purchase/Agreement

Moved by Commissioner Beedon, seconded by Commissioner Ange, to approve the purchase/agreement with People Driven Technology to replace the library's SAN (storage area network) in the amount of \$141,474.08. Carried - Roll Call Vote 6-0. Aye: Commissioner Simasko, Commissioner Beedon, Commissioner Rushing, Commissioner Vandenbossche, Commissioner Ange, Commissioner Zeller Nay: None

13. Administrator's Report

The April 2026 Administrator's Report is included in the Board of Commissioners Packet.

Administrator Hull touched on a few key points from the April 2026 Administrator's Report.

- Health Department Contract Revisions will be at the May 7th Committee Meeting for general discussion.
- Airport Obstruction Removal Project Notification to local citizens in regard to Phase 1 — removing trees on airport property.
- Tonnage trending upward at the Landfill — Revenues are increasing.
- Would like to open up discussions with commissioners in regard to the Animal Control Building renovations.
- Establish Board Priorities

Moved by Commissioner Rushing, seconded by Commissioner Ange, to accept and file the Administrator's Report. Carried - Voice Vote 6-0. Aye: Commissioner Simasko, Commissioner Beedon, Commissioner Rushing, Commissioner

Vandenbossche, Commissioner Ange, Commissioner Zeller Nay: None

A. April 2026

14. Miscellaneous Business

Commissioner Beedon would like to put on the Ways and Means Committee for May 7th, a discussion of what the next steps are for Tom Hull and make him full time and drop the "interim" position as Administrator/Controller.

Commissioner Zeller brought up that Robert Fielitz was currently listed as the representative of the Board of Commissioners for the Metropolitan Planning Commission Board.

Moved by Commissioner Rushing, seconded by Commissioner Ange, to appoint Paul Zeller to the Metropolitan Planning Commission Board. Carried - Voice Vote 6-0. Aye: Commissioner Simasko, Commissioner Beedon, Commissioner Rushing, Commissioner Vandenbossche, Commissioner Ange, Commissioner Zeller Nay: None

Commissioner Vandenbossche stated that they did find the issue with the first responder tower for Yale and Kimball Township. He also stated that corporation counsel was going to review the contract terms with Motorola. He stated that there may be some grant opportunities available for these types of projects.

15. Receive and File Packets and all Information Present

Moved by Commissioner Ange, seconded by Commissioner Beedon, to receive and file packets that were sent to Commissioners, packets at their places and any other information presented. Carried - Voice Vote 6-0. Aye: Commissioner Simasko, Commissioner Beedon, Commissioner Rushing, Commissioner Vandenbossche, Commissioner Ange, Commissioner Zeller Nay: None

16. Adjournment

Moved by Commissioner Beedon, seconded by Commissioner Vandenbossche to adjourn at 7:21 p.m. Carried -Voice Vote 6-0. Aye: Commissioner Simasko, Commissioner Beedon, Commissioner Rushing, Commissioner Vandenbossche, Commissioner Ange, Commissioner Zeller Nay: None

Angie Waters
St. Clair County Clerk\Register

**ST. CLAIR COUNTY
DOG CONTROL ORDINANCE**

**Dog Control Enforcement Ordinance
County of St. Clair, Michigan**

An ordinance relating to and providing for dog control within the boundaries of St. Clair County; purpose of ordinance; definitions; county Dog Control Officer, his duties, authority, responsibilities and removal from office; licensing and vaccination of dogs; confinement of dogs under certain circumstances; County Dog Pound and impoundment of dogs; killing and seizing of dogs; enumeration of certain violations and procedure therefore; penalties; preservation of certain rights; County Treasurer's duties and records; fees and expenses; receipts and disbursements of fund, construction; repeal

The people of the County of St. Clair, Michigan do ordain:

**ARTICLE I
PURPOSE**

Deeming it advisable in the interest of protection the public health, safety, convenience and welfare and to provide for the orderly and uniform administration of the dog licensing provisions of the State of Michigan and in particular Act 339 of the Public Acts of 1919, as amended, being Sections 287.261-287.293 of the compiled laws of 1948, (MSA Sections 12.511-12.5430, and to create the position of Dog Control Officer and define his duties, authority and responsibilities, and to regulate and control the conduct, keeping and care if dogs; the County of St. Clair, Michigan, does hereby adopt the following ordinance.

ARTICLE II

DEFINITIONS

For the purpose of this Ordinance, the following terms shall have the following meanings respectively designated for each:

(a) **ANIMALS.** Unless otherwise stated the word "Animal" as used in this Ordinance shall include birds, fish, mammals and reptiles.

(b) **LIVESTOCK** means horses, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids, hogs, swine, and forbearing animals being raised in captivity.

(c) **POULTRY** means all domestic fowl, ornamental birds, and game birds possessed of being reared under authority of a breeder's license pursuant to Act 191 of the Public Acts of 1929, as amended, being Sections 317.71 to 317.85 of the Compiled Laws of 1948 (MSA Sections 131271-13.1285).

(d) **POLICE OFFICER OR PEACE OFFICER** means any person employed or elected by the people of the State of Michigan, or by any city, village, county or township whose duty it is to preserve peace or to make arrest or to enforce the law, and includes game, fish and forest fire wardens and members of the State Police and Conservation Officers.

(e) **DOG CONTROL OFFICER** means any person employed by the county for the purpose of enforcing this Ordinance or state statutes pertaining to dogs as well as persons or deputies employed by the county to act in the Dog Control Division. For purposes of this Ordinance, Dog Control Officer may also be referred to as the Animal Control Officer and shall have the duties assigned to an animal control officer under the Act 339 of the Public Acts of 1919, as amended.

(f) **OWNER.** The term "Owner" and "persons owning premises" shall mean both the other of title of record and those occupying or in possession of any property or premise. The

term "Owner" when applied to the proprietorship of an animal, an authorized agent of the owner, and every person who keeps or harbors the animal or has it in he's care, custody or about the premise occupied by him.

(g) **PERSON.** The word "person" shall include state and local officers or employees, individuals, corporation, co partnership and associations.

(h) **KENNEL.** The term "kennel" shall mean any establishment whereon dogs are kept for the purpose of breeding, boarding, and sale, leasing, trading, or sporting purposes. Any non-agricultural area of St. Clair County, wherein or wherein more than four (4) dogs in any combination are kept, except a duly licensed pet shop, shall also be deemed to be a kennel except as provided in Article IV, section 8 of this ordinance.

(i) **RABIES SUSPECT ANIMAL.** The term "rabies suspect animal" shall mean any animal which has bitten a human, or any animal which has been in contact with or been bitten by a rabid animal, or any animal which shows symptoms suggestions of rabies.

(j) **POUNDMASTER: CHIEF, ANIMAL CONTROL SERVICES: DOG WARDEN: DOG CATCHER.** The terms "Pound master", "Chief, Animal Control Services", "Dog Warden" or "Dog Catcher" are synonymous with "Dog Control Officer" and shall include the deputies of such person.

(k) **DAY** shall mean working days which shall include Monday through Friday. It shall not include Saturdays, Sundays or Holidays.

(l) **BOARD OF COMMISSIONERS** shall mean the St. Clair County Board of Commissioners. Treasurer shall mean the St. Clair County Treasurer.

(m) **NON-AGRICULTURAL Area** shall mean any area zoned by a city, village, township or other governmental body, agency or commission as other than for agricultural purposes.

ARTICLE III
DOG CONTROL OFFICER,
DUTIES, AUTHORITY AND RESPONSIBILITY

Section 1. A Dog Control Officer shall be appointed by the Board of Commissioners and shall serve as Director of the Dog Control Department.

Section 2. In lieu of all fees and other enumeration under the statutes of this state, the Dog Control Officer, his deputies and assistants, except census takers, shall be paid a salary as established and determined by appropriate resolution of the Board of Commissioners.

Section 3. The Dog Control Officer shall fulfill the following duties:

(a) The Dog Control Officer shall promptly seize, take up and place in the Dog Pound all dogs found running at large or being kept or harbored any place within the county contrary to the provisions of this Ordinance or the statutes of the state.

(b) The Dog Control Officer shall be legally authorized (MCL 287.264) to have the power and it shall be his duty to issue appearance tickets, citations or summonses to those persons owning, keeping or harboring dogs contrary to the provisions of this Ordinance.

(c) It shall be the duty of the Dog Control Officer, his deputies or assistants, not to sell or otherwise dispose of a dog within four (4) days after its acquisition. If the dog has a collar, license, or other evidence of ownership, the Dog Control Officer, his deputies or assistants, shall notify the owner in writing and disposition of the animal shall not be made within seven (7) days from the date of mailing the notice. The Dog Control Officer shall be required to maintain a record on each identifiable dog acquired, indicating a basic description of the dog, the date it was acquired and under what circumstances. The record shall also indicate the date of notice sent to the owner of the dog and subsequent disposition. Provided, however, if in their judgment, said dog is valuable or otherwise desirable for keeping, the Dog Control Officer, his deputies or assistants, may release said dog to any person who will undertake to remove said dog from the county or keep said dog within the county in accordance with the

provisions of this Ordinance and the statutes of the state, including compliance with licensing and vaccination requirements, upon payment of the proper charge for the care and treatment of said dog while kept in the Dog Pound, or the Dog Control Officer, his deputies or assistants, may, at the expiration of said four (4) or seven (7) day period, dispose of said dog as approved by the Board of Commissioners. Such regulations regarding the sale of dogs from the Dog Pound and Boarding and other charges shall be posted in a conspicuous place at the Dog Pound or elsewhere in the county shall be disposed of by the Dog Control Officer, his deputies or assistants, in a manner approved by the St. Clair County Health Department and the Board of Commissioners. Any dogs voluntarily turned in to the Dog Pound by the owners thereof for disposition need not be kept for the minimum period of days before release or disposal of such dog is made by the Dog Control Officer, his deputies or assistants, as provided herein. This section does not apply to dogs which are sick or injured to the extent that the holding period would cause undue suffering.

(d) The Dog Control Officer shall promptly investigate all dog bite cases involving human exposure and shall search out and attempt to discover the dog involved and shall either impound or quarantine it for examination for disease in accordance with the applicable provisions of this Ordinance and/or the statutes of the state. He shall also be obliged to seize and impound any rabies suspect dog.

(e) The Dog Control Officer shall assume the duty (provided in Section 316 of Act 339 of the Public Acts of 1919, being Section 287.276 of the Compiled Laws of 1948, (MSA Section 12.526), as amended) to determine and locate all dogs in the county, to list such dogs, and to deliver said list to the Treasurer for the necessary proceeding as provided by this Ordinance and/or the statutes of the state.

(f) The Dog Control Officer, his deputies or assistants are hereby authorized and empowered in accordance with the provisions of this Ordinance to enter upon private premises for the purpose of inspecting same for the purpose of determining the harboring, keeping or possessing of any dog or for the specific purpose of determining if the owners of said dogs have complied with the appropriate provisions of this Ordinance and to apprehend and take

with him any dogs for whom no license has been procured in accordance with this Ordinance or for any other violation hereof. The provisions of this subsection shall specifically include, but not be limited to, investigation of or seizure for cruelty to dogs.

(g) The Dog Control Officer shall have the right to inspect any kennel, a license for which has been issued by the Treasurer or Dog Control Officer pursuant to this Ordinance and the statutes of the state, and shall have the duty to suspend said license if, in their opinion, conditions exist which are unhealthy or inhumane to the dogs kept herein pending correction of such conditions, and further shall have the duty to revoke said license if such conditions are not corrected within a reasonable period of time.

(h) The Dog Control Officer shall have the right to investigate complaints of dogs alleged to be dangerous to persons or property and shall have the right to seize, take up and impound such dogs.

(i) The Dog Control Officer shall have the right to investigate complaints of cruelty to dogs and shall have the right to seize, take up and impound any dog which has been subject to such cruelty.

(j) The Dog Control Officer shall be responsible for the sale of dog and kennel licenses and the keeping of appropriate records and books of account with respect thereto.

(k) The Dog Control Officer shall have such other duties relating to the enforcement of this Ordinance as the Board of Commissioners may from time to time provide.

Section 4. It shall be the further duties of the Dog Control Officer, his deputies or assistants, to enforce the provisions of this Ordinance and the statutes of the state pertaining to dogs, and he may make complaint to the appropriate District Court or other appropriate court in regard to any violation thereof.

Section 5. The Dog Control Officer, his deputies or assistants, shall dispose of

any dog seized, taken up and/or impounded as provided for herein, in accordance with the provisions of this Ordinance and/or the statutes of the state.

Section 6. All suspensions and/or revocations of licenses and all seizures for cruelty or dangerousness as provided for herein, shall be in accordance with such rules and regulations that the Board of Commissioners adopts from time to time.

Section 7. The Dog Control Officer may be removed from office for good cause shown after a hearing before the Board of Commissioners and after first being given reasonable notice of a time, date and place of said hearing. A vote for removal or non-removal shall be by a majority vote of the Board of Commissioners.

Section 8. The Dog Control Officer, his deputies or assistants are further authorized and shall at all times carry a book of receipts properly numbered in sequence for accounting purposes, for the issuing of dog and kennel licenses as provided in this Ordinance and shall issue such dog and kennel licensed in accordance herewith.

Section 9. All fees and monies collected by the Dog Control Officer, his deputies or assistants as herein provided shall be accounted for and turned over to the Treasurer on or before the first of each and every month or more often if reasonably necessary under the standard practices of the Treasurer's accounting system.

ARTICLE IV

LICENSING AND VACCINATION

Section 1. It shall be unlawful for any person to own any dog four (4) months old or over, unless the dog is licensed as hereinafter provided, or to own any dog four (4) months old or over that does not at all times wear a collar with a tag approved by the Director of the Michigan Department of Agriculture, attached as hereinafter provided, except when engaged in lawful hunting accompanied by its owner; or for any owner of any female dog to permit the female dog to go beyond the premises of such owner when she is in heat, unless the female dog is held

properly in leash; or for any person except the owner, to remove any collar and/or license tag from a dog; or for any owner to allow any dog, except working dogs such as leader dogs, farm dogs, hunting dogs, and other dogs, when accompanied by there owner, to stray unless held properly in leash.

Section 2. On or before March 1 of each year, the owner of any dog four (4) months old or over, except as provided in Section 3 of this Article, shall apply to the county, township or city treasurer if his authorized agent, where the owner resides, in writing, for a license for each dog owned or kept by him. Such application for a license shall be accompanied by proof of vaccination for rabies by a valid certificate of vaccination for rabies, with a vaccine licensed by the United States Department of Agriculture, signed by and accredited veterinarian. Dogs attaining the age of four (4) months after March 1 shall have seven (7) days in which to obtain a license.

Section 3. The license fee for all dogs in accordance with this Ordinance shall be as follows.

(a)	License for sterilized dogs	\$ 4.00
	License for unsterilized dogs	\$10.00
	Delinquent license for sterilized dogs	\$ 8.00
	Delinquent license for unsterilized dogs	\$20.00
	Dogs purchased at Pound	\$ 4.00

(b) Fees for leader dogs or dogs in training as such, are hereby waived

(c) The license fee for any dog, which has not been obtained in accordance with paragraph (a) above, shall be considered delinquent and such license fee throughout the balance of each year shall be the sum of \$8.00 for sterilized dogs and \$20.00 for unsterilized dogs.

(d) The dog license fees as herein established may be changed from time to time as established by the Board of Commissioners.

(e) Current dog licenses issued by other counties within Michigan and any other government agencies shall be honored in St. Clair County until the following March 1.

Section 4. No license or license tag issued for one dog shall be transferable to another dog. Whenever the ownership or possession of any dog is permanently transferred from one person to another within the same county, the license of such dog may be likewise transferred, upon proper notice in writing, by the last registered owner, given to the Treasurer or Dog Control Officer, and the Treasurer shall note such transfer upon his records. This Ordinance does not require the procurement of a new license, or the transfer of a license already secured where the possession of a dog is temporarily transferred for the purpose of boarding, hunting game, breeding, trial or show.

Section 5. If the dog license tag is lost, it shall be replaced by the Treasurer or Dog Control Officer, upon application by the owner of the dog, and upon production of such license and a sworn statement of the fact regarding the loss of such tag. The tag shall be replaced without cost if proper documentation is presented.

Section 6. Any person who owns, keeps or operates a kennel may, in lieu of individual licenses required under this Ordinance and under the laws of the State of Michigan, apply to the Treasurer or Dog Control Officer for a kennel license entitling him to own, keep or operate such kennel in accordance with the applicable laws of the state or as established by the rules and regulations for licensing fees by the Board of Commissioners.

Section 7. Any person who, at any one time, owns more than three (3) dogs in any combination, except a duly licensed pet shop, at any single location within the boundaries of St. Clair County shall, on or before March 1st of the year following such ownership, obtain a kennel license from the Treasurer or Dog Control Officer if the person qualifies under Act 339, Public Acts of 1919, as amended. This section shall not apply to a litter of puppies when with the mother of such, so long as said dogs are less than four (4) months of age. Failure to obtain such kennel license shall be punished as set forth in the penalty provisions of this Ordinance.

ARTICLE V CONFINEMENT

Section 1. Any dog kept as a pet that shall bite a person, animal or livestock shall be securely confined by the owner thereof inside an appropriate building or enclosure for a minimum period of ten (10) days following the biting of such person, animal or livestock. In the event that the owner of such dog shall fail to securely confine the dog for such period of time, then in that event, the Dog Control Officer, his deputies or assistants, may take possession and custody of said dog, confine him at the Dog Pound until the expiration of said ten (10) days period and upon satisfactory evidence that said dog is not suffering from rabies. Said dog shall be kept at the Dog Pound at the expense of the owner thereof in the event that the person charged with the duty to securely confine said dog as aforesaid shall fail to do so. Any dog running loose after biting a person, animal or livestock, and whose owner cannot be determine, shall be confined with the provisions of this section, and thereafter disposed of in accordance with the provisions of this Ordinance, or such regulations are in effect at the Dog Pound.

Section 2. Any other animal not kept as a pet, including wild animals, which shall bite a human or animal, shall, if located, be confined for a required ten (10) days at the Dog Pound or other suitable location.

Section 3. Every dog shall at all times between sunset and sunrise of the following day be confined upon the premises of its owner except when said dog is otherwise under the reasonable control of the owner.

ARTICLE VI DOG POUND AND IMPOUNDMENT

Section 1. All dogs found running at large shall be seized by the Dog Control Officer, his deputies or assistants, or other peace officers, and impounded for a period of not less than four (4) days for those dogs not wearing a collar, licenses or other evidence of ownership, and for a period of not less than seven (7) ownership, and may thereafter be sold or disposed of if

not chained by the owner.

Section 2. When dogs are found running at large, and their ownership is known to the Dog Control Officer, his deputies or assistants, or other peace officers, such dog need not be impounded but the Dog Control Officer, his deputies or assistants, or other peace officers may, in their discretion, cite the owner of such dog to appear in court to answer charges of violation of this Ordinance.

Section 3. Immediately upon impounding a dog, the Dog Control Officer shall make every reasonable effort to notify the owner of such dog so impound and inform such owner of the conditions whereby custody of such dog may be regained pursuant to the regulations for the operation of the Dog Pound.

Section 4. An owner may redeem a dog from the Dog Pound by executing a sworn statement of ownership, furnishing a dog license and valid rabies certificate as required by this ordinance and state law, and paying the required fees posted at the Dog Pound.

Section 5. The Board of Commissioners shall maintain a Dog Pound for the purpose set fourth herein.

ARTICLE VII

KILLING AND SEIZING OF DOGS

Section 1. Any person may kill any dog which he sees in the act of pursuing, attacking or about to attack, or wounding any livestock or poultry or attacking persons, and there shall be no liability on such person in damages or otherwise, for such killing. Any dog that enters any field or enclosure which is owned or leased by a person producing livestock or poultry, unaccompanied by his owner, shall constitute a private nuisance, and the owner or lessee of such field or other enclosure, or his agent or servant, may kill such dog while it is in the field or other enclosure without liability for such killing. In no event shall the provisions of this section exonerate a person from compliance with the criminal laws of this state, including, by

way of example, the safe discharge of firearms.

Section 2. It shall be lawful for any person to seize any dog running at large in violation of this Ordinance and to turn said dog over to the Dog Control Officer, his deputies or assistants.

ARTICLE VIII
ENUMERATION OF CERTAIN VIOLATIONS
AND PROCEDURE THEREFOR

Section 1. It shall be unlawful for:

(a) Any dog of any age, licensed or unlicensed, wearing a collar or not wearing a collar, to run at large, provided, however, that a dog engaged in hunting need not be leashed when under the reasonable control of its owner.

(b) Any dog of any age, licensed or unlicensed, wearing a collar or not wearing a collar, except a leader dog accompanied by its owner, to be within the confines of any public park when such park, by appropriate designation at its entrance, prohibits dogs.

(c) Any dog at any time, licensed or unlicensed, to destroy property, real or personal, or to trespass in a damaging way on property of persons other than the owner.

(d) Any dog at any time, licensed or unlicensed, to attack or bite a person.

(e) Any dog to show vicious habits and molest passers-by when such persons are lawfully on the public highway or right of way.

(f) Any person to own any dog which, by loud and frequent barking, howling or yelping, is nuisance in the neighborhood in which said dog is kept, possessed or harbored.

(g) Any person to remove a collar or tag from any dog without the permission of its owner, or to decoy or entice any dog out of an enclosure or off the property of its owner, to seize, molest or tease any dog while held or led by any person while on the property of its owner.

Section 2. In the event of any of such violations or of a violation of any other

provision of this Ordinance or of the laws of the state, the Dog Control Officer, his deputies or assistants or other peace officer may issue an appearance tickets, citation or summons to the owner of said dog, or other person, summoning them to appear before a district court or other appropriate court within the county to answer the charges made in violation of this Ordinance. The said Dog Control Officer, his deputies or assistants or other peace officer may sign a complaint before said court for violations of the provisions of this Ordinance, proceed to obtain the issuance of a warrant and make arrest of the person to whom said violation of the provisions of this Ordinance, proceed to obtain the issuance is charged and bring them before the court to answer the charges.

Section 3. In the event of any of such violations or of a violation of any other provision of this Ordinance or of the laws of the state, the Dog Control Officer, his deputies or assistants or other peace officer or any other person may proceed to obtain an authorization of the Prosecuting Attorney and make complaint before a district court or the appropriate court within the county and obtain the issuance of a summons similar to that provided in Act 339 of the Public Acts of 1919, (MSA 122.530), as amended, to show cause why such dog should not be killed. Upon such hearing, the judge may order the dog confined to the premises of the owner, or make such other order regarding the dog as it deems proper and necessary under the circumstances, in addition to any of the penalties enumerated herein. This section shall in no way affect the provisions of Article III, Section 3(c) of this Ordinance.

Section 4. Costs, as in civil cases, shall be taxed against the owner of the dog and collected by the court from the person complained against upon a finding of guilty. The provisions of this paragraph shall be in the alternative to the provisions for violations set forth in the preceding paragraph and the Dog Control Officer, his deputies or assistants or other peace officer may, in his discretion, proceed under either section hereof.

ARTICLE IX

PENALTY

Any person, firm or corporation violating any of the provisions of this Ordinance shall be

deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by imprisonment in the county jail or not more than ninety (90) days or by a fine of not less than Ten Dollars (\$10.00) and not more than One Hundred Dollars (\$100.00), or by both fine and imprisonment.

ARTICLE X

PRESERVATION OF CERTAIN RIGHTS

Section 1. Nothing in this Ordinance shall be construed to prevent the owner of a licensed dog from recovery in an action at law from any peace officer or any other person, except as herein provided.

Section 2. Nothing in this Ordinance shall be construed as limiting the common law liability of the owner of a dog for damages committed by said dog.

ARTICLE XI

TREASURER'S RECORDS AND DUTIES

Section 1. The Treasurer may, based on records of the dogs actually licensed in each city or township of the county, identify and locate all unlicensed dogs. If a dog is required to be licensed under this act but is unlicensed, the dog is a public nuisance. The Treasurer shall immediately list all unlicensed dogs identified by the section and shall deliver copies of the list to the prosecuting attorney of the County and to the director of the department of agriculture.

Section 2. The Treasurer shall keep a record of all dog licenses and all kennel licenses issued during the year in each city and township in the county. Such record shall contain the name and address of the person to whom each license is issued and the expiration date of each license. In the case of all individual licenses, the record shall also state the breed, sex, age, color and markings of the dog licensed; and in case of kennel licenses, it shall state the place where the business is conducted. The record shall be a public record and open to inspection during business hours. He shall also keep an accurate record of all license fees collated by him or paid over to him by any city or township treasurers.

Section 3. In all prosecutions for violations of this ordinance, the records of the Treasurer's Office, or lack of same, showing the name of the owner and the license number to whom any license was issued, and the license tag affixed to the collar or harness of the dog showing a corresponding number shall be prima-facie evidence of ownership or non-ownership of any dog and of issuance or non-issuance of a dog licenses or tag.

ARTICLE XII

FEES AND EXPENSES

Section 1. Every township and city treasurer of St. Clair County, Michigan, shall receive the sum of Twenty-five cents (\$.25) for each dog license issued for the issuing and recording of same. The remuneration as herein established shall be deemed additional compensation for additional service for each township or city treasurer who receives a salary in lieu of fees, when so designated by the appropriate township board or city council.

Section 2. It shall be the duty of the Dog Control Officer annually to make a census of the number of dogs owned by all persons in St. Clair County, Michigan, in accordance with state law. The Dog Control Officer is hereby empowered to employ what-ever personnel he reasonably believes necessary to conduct this census; such personnel shall receive for their services in listing such dogs such sum as shall be set from time to time by the Board of Commissioners.

Section 3. The duties and obligations herein imposed upon the respective designated officials may be delegated to some other appropriate person or persons by each of said officials with like force and effect.

Section 4. The fees and expenses as established by this Ordinance may be changed from time to time by action of the Board of Commissioners.

Section 5. All fees and expenses, as herein provided for, shall be paid in accordance

with Article XIII of this Ordinance.

ARTICLE XIII

RECEIPTS AND DISBURSEMENTS OF FUNDS

All Fees and Monies Collected under the Provisions of this Ordinance Shall Be Transferred to the General Fund of St. Clair, Michigan, in accordance with the standard Practices of the Treasurer and the monies paid out in accordance with this Ordinance shall be drawn upon the General Fund of St. Clair County, Michigan.

ARTICLE XIV

CONSTRUCTION

Section 1. When not inconsistent with the context, words used in the present tense include the future. Words in the singular include the plural and words in the plural include the singular. Masculine shall include the feminine and neuter. The word "shall" is always mandatory and not merely directive. Words or terms not defined herein shall be interpreted in the manner of their common meaning. Headings shall be deemed for convenience and shall not limit the scope of any article or section of this Ordinance.

Section 2. The regulations of this code are minimum standards supplemental to the rules and regulations duly enacted by the Michigan Department of Health and to the laws of the State of Michigan relating to public health. Where any of the provisions of these regulations and the provisions of any other local or state ordinance or regulations applies, the more restrictive of any or all ordinances or regulations shall prevail.

Section 3. If any part of this Ordinance shall be held void, such part shall be deemed several and the validity thereof shall not affect the remaining parts of this Ordinance.

ARTICLE XV

REPEAL

All Ordinance or Parts of Ordinances Inconsistent Herewith Are Hereby Repealed.

EFFECTIVE DATE OF ORDINANCE

This Ordinance shall take effect sixty (60) days after the date of its adoption.

Dated: August 13, 1975

Amended: October 15, 2008

Effective: December 15, 2008

A TRUE COPY
Angie Waters
County Clerk

St Clair County Dog Control Ordinance

Adopted
August 13, 1975



St Clair County Animal Control
3378 Griswold Road
Port Huron, Michigan 48060
(810) 984-3155 Fax (810) 984-3156
E-Mail: animalcontrol@stclaircounty.org

ST. CLAIR COUNTY
DOG CONTROL ORDINANCE

Dog Control Enforcement Ordinance
County of St. Clair, Michigan

An ordinance relating to and providing for dog control within the boundaries of St. Clair County; purpose of ordinance; definitions; county Dog Control Officer, his duties, authority, responsibilities and removal from office; licensing and vaccination of dogs; confinement of dogs under certain circumstances; County Dog Pound and impoundment of dogs; killing and seizing of dogs; enumeration of certain violations and procedure therefore; penalties; preservation of certain rights; County Treasurer's duties and records; fees and expenses; receipts and disbursements of fund, construction; repeal

The people of the County of St. Clair, Michigan, do ordain:

Article I

Purpose

Deeming it advisable in the interest of protection the public health, safety, convenience and welfare and to provide for the orderly and uniform administration of the dog licensing provisions of the State of Michigan and in particular Act 339 of the Public Acts of 1919, as amended, as amended, being Sections 287.261-287.293 of the compiled laws of 1948, (MSA Sections 12.511-12.5430, and to create the position of Dog Control Officer and define his duties, authority and responsibilities, and to regulate and control the conduct, keeping and care if dogs; the County of St. Clair, Michigan, does hereby adopt the following ordinance.

Article II

Definitions

For the purpose of this Ordinance, the following terms shall have the following meanings respectively designated for each:

(a) **ANIMALS.** Unless otherwise stated the word "Animal" as used in this Ordinance shall include birds, fish, mammals and reptiles.

(b) **LIVESTOCK** Means horses, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids, hogs, swine, and forbearing animals being raised in captivity.

(c) **POULTRY** means all domestic fowl, ornamental birds, and game birds possessed of being reared under authority of a breeder's license pursuant to Act 191 of the Public Acts of 1929, as amended, being Sections 317.71 to 317.85 of the Compiled Laws of 1948 (MSA Sections 131271-13.1285).

(d) **POLICE OFFICER** means any person employed or elected by the people of the State of Michigan , or by any city, village, county or township whose duty it is to preserve peace or to make arrest or to enforce the law, and includes game , fish and forest fire wardens and members of the State Police and Conservation Officers.

(e) **DOG CONTROL OFFICER** means any person employed by the county for the purpose of enforcing this Ordinance or state statutes pertaining to dogs as well as persons or deputies employed by the county to act in the Dog Control Division.

(f) **OWNER** The term "Owner" and "persons owning premises" shall mean both the other of title of record and those occupying or in possession of any property or premise. The term "Owner" when applied to the proprietorship of an animal, an authorized agent of the owner, and every person who keeps or harbors the animal or has it in he's care, custody or about the premise occupied by him.

(g) **PERSON** The word "person" shall include state and local officers or employees, individuals, corporation, co partnership and associations.

(h) **KENNEL.** The term "kennel" shall mean any establishment whereon dogs are kept for the purpose of breeding, boarding, and sale, leasing, trading, or sporting purposes. Any non-agricultural area of St. Clair County, wherein or wherein more than four (4) dogs in any combination are kept, except a duly licensed pet shop, shall also be deemed to be a kennel except as provided in Article IV, section 8 of this ordinance.

(i) **RABIES SUSPECT ANIMAL.** The term "rabies suspect animal" shall mean any animal which has bitten a human, or any animal which has been in contact with or been bitten by a rabid animal, or any animal which shows symptoms suggestions of rabies.

(j) **POUNDMASTER: CHIEF, ANIMAL CONTROL SERVICES: DOG WARDEN: DOG CATCHER.** The terms "Pound master", "Chief, Animal Control Services", "Dog Warden" or "Dog Catcher" are synonymous with "Animal Control Officer" and shall include the deputies of such person.

(k) **DAY** shall mean working days which shall include Monday through Friday. It shall not include Saturdays, Sundays or Holidays.

(l) **BOARD OF COMMISSIONERS** shall mean the St. Clair County Board of Commissioners. Treasurer shall mean the St. Clair County Treasurer.

(m) **NON-AGRICULTURAL** Area shall mean any area zoned by a city, village, township or other governmental body, agency or commission as other than for agricultural purposes.

ARTICLE III
DOG CONTROL OFFICER,
DUTIES, AUTHORITY AND RESPONSIBILITY

Section 1. A Dog Control Officer shall be appointed by the Board of Commissioners and shall serve as Director of the Dog Control Department.

Section 2. In lieu of all fees and other enumeration under the statutes of this state, the Dog Control Officer, his deputies and assistants, except census takers, shall be paid a salary as established and determined by appropriate resolution of the Board of Commissioners.

Section 3. The Dog Control Officer shall fulfill the following duties:

(a) The Dog Control Officer shall promptly seize, take up and place in the Dog Pound all dogs found running at large or being kept or harbored any place within the county contrary to the provisions of this Ordinance or the statutes of the state.

(b) The Dog Control Officer shall be properly deputized as a peace or police officer for the purposes of this Ordinance and shall be legally authorized to have the power and it shall be his duty to issue appearance tickets, citations or summonses to those persons owning, keeping or harboring dogs contrary to the provisions of this Ordinance.

(c) It shall be the duty of the Dog Control Officer, his deputies or assistants, not to sell or otherwise dispose of a dog within four (4) days after its acquisition. If the dog has a collar, license, or other evidence of ownership, the Dog Control Officer, his deputies or assistants, shall notify the owner in writing and disposition of the animal shall not be made within seven (7) days from the date of mailing the notice. The Dog Control Officer shall be required to maintain a record on each identifiable dog acquired, indicating a basic description of the dog, the date it was acquired and under what circumstances. The record shall also indicate the date of notice sent to the owner of the dog and subsequent disposition. Provided, however, if in their judgment, said dog is valuable or otherwise desirable for keeping, the Dog Control Officer, his deputies or assistants, may release said dog to any person who will undertake to remove said dog from the county or keep said dog within the county in accordance with the provisions of this Ordinance and the statutes of the

state, including compliance with licensing and vaccination requirements, upon payment of the proper charge for the care and treatment of said dog while kept in the Dog Pound, or the Dog Control Officer, his deputies or assistants, may, at the expiration of said four (4) or seven (7) day period, dispose of said dog as approved by the Board of Commissioners. Such regulations regarding the sale of dogs from the Dog Pound and Boarding and other charges shall be posted in a conspicuous place at the Dog Pound or elsewhere in the county shall be disposed of by the Dog Control Officer, his deputies or assistants, in a manner approved by the St. Clair County Health Department and the Board of Commissioners. Any dogs voluntarily turned in to the Dog Pound by the owners thereof for disposition need not be kept for the minimum period of days before release or disposal of such dog is made by the Dog Control Officer, his deputies or assistants, as provided herein. This section does not apply to dogs which are sick or injured to the extent that the holding period would cause undue suffering.

(d) The Dog Control Officer shall promptly investigate all dog bite cases involving human exposure and shall search out and attempt to discover the dog involved and shall search out and attempt to discover the dog involved and shall either impound or quarantine it for examination for disease in accordance with the applicable provisions of this Ordinance and/or the statutes of the state. He shall also be obliged to seize and impound any rabies suspect dog.

(e) The Dog Control Officer shall assume the duty (provided in Section 316 of Act 339 of the Public Acts of 1919, being Section 287.276 of the Compiled Laws of 1948, (MSA Section 12.526), as amended) to determine and locate all unlicensed dogs, to list such dogs, and to deliver said list to the Prosecuting Attorney for the necessary proceeding as provided by this Ordinance and/or the statutes of the state.

(f) The Dog Control Officer, his deputies or assistants are hereby authorized and empowered in accordance with the provisions of this Ordinance to enter upon private premises for the purpose of inspecting same for the purpose of determining the harboring, keeping or possessing of any dog or for the specific purpose of determining if the owners of said dogs have complied with the appropriate provisions of this Ordinance and to apprehend and take with him any dogs for whom no license has been procured in accordance with this Ordinance or for any other violation hereof. The provisions of this subsection shall specifically include, but not be limited to, investigation of or seizure for cruelty to dogs.

(g) The Dog Control Officer shall have the right to inspect any kennel, a license for which has been issued by the Treasurer pursuant to this Ordinance and the statutes of the state, and shall have the duty to suspend said license if, in their opinion, conditions exist which are unhealthy or inhumane to the dogs kept herein pending correction of such conditions, and further shall have the duty to revoke said license if such conditions are not corrected within a reasonable period of time.

(h) The Dog Control Officer shall have the right to investigate complaints of dogs alleged to be dangerous to persons or property and shall have the right to seize, take up and impound such dogs.

(i) The Dog Control Officer shall have the right to investigate complaints of cruelty to dogs and shall have the right to seize, take up and impound any dog which has been subject to such cruelty.

(j) The Dog Control Officer shall be responsible for the sale of licenses and the keeping of appropriate records and books of account with respect thereto.

(k) The Dog Control Officer shall have such other duties relating to the enforcement of this Ordinance as the Board of Commissioners may from time to time provide.

Section 4. It shall be the further duties of the Dog Control Officer, his deputies or assistants, to enforce the provisions of this Ordinance and the statutes of the state pertaining to dogs, and he may make complaint to the appropriate District Court or other appropriate court in regard to any violation thereof.

Section 5. The Dog Control Officer, his deputies or assistants, shall dispose of any dog seized, taken up and/or impounded as provided for herein, in accordance with the provisions of this Ordinance and/or the statutes of the state.

Section 6. All suspensions and/or revocations of licenses and all seizures for cruelty or dangerousness as provided for herein, shall be in accordance with such rules and the Board of Commissioners adopts regulations as from time to time.

Section 7. The Dog Control Officer may be removed from office for good cause shown after a hearing before the Board of Commissioners and after first being given reasonable notice of a time, date and

place of said hearing. A vote for removal or non-removal shall be by a majority vote of the Board of Commissioners.

Section 8. The Dog Control Officer, his deputies or assistants are further authorized and shall at all times carry a book of receipts properly numbered in sequence for accounting purposes, for the issuing of dog licenses as provided in this Ordinance and shall issue such dog licensed in accordance herewith.

Section 9. All fees and monies collected by the Dog Control Officer, his deputies or assistants as herein provided shall be accounted for and turned over to the Treasurer on or before the first of each and every month or more often if reasonably necessary under the standard practices of the Treasurer's accounting system.

ARTICLE IV

LICENSING AND VACCINATION

Section 1. It shall be unlawful for any person to own any dog six (6) months old or over, unless the dog is licensed as hereinafter provided, or to own any dog six (6) months old or over that does not at all times wear a collar with a tag approved by the Director of the Michigan Department of Agriculture, attached as hereinafter provided, except when engaged in lawful hunting accompanied by its owner; or for any owner of any female dog to permit the female dog to go beyond the premises of such owner when she is in heat, unless the female dog is held properly in leash; or for any person except the owner, to remove any collar and/or license tag from a dog; or for any owner to allow any dog, except working dogs such as leader dogs, farm dogs, hunting dogs, and other dogs, when accompanied by there owner, to stray unless held properly in leash.

Section 2. On or before March 1 of each year, the owner of any dog six (6) months old or over, except as provided in Section 3 of this Article, shall apply to the county, township or city treasurer if his authorized agent, where the owner resides, in writing, for a license for each dog owned or kept by him. Such application for a license shall be accompanied by proof of vaccination for rabies by a valid certificate of vaccination for rabies, with a vaccine licensed by the United States Department of Agriculture, signed by and accredited veterinarian. Dogs attaining the age of six (6) months after March 1 shall have seven (7) days in which to obtain a license.

Section 3. No dog shall be exempt from the rabies vaccine requirements as herein set fort unless a registered and practicing veterinarian of the State of Michigan certified, in writing, that such rabies vaccine would be detrimental to the health to said dog and thereafter, if the Prosecuting Attorney of St. Clair County, Michigan, shall approve the same in writing, he shall issue a license without such rabies vaccine and such dog shall be licensed accordingly under the provisions of this Ordinance.

Section 4. The license fee for all dogs in accordance with this Ordinance shall be as follows.

(a)	License for sterilized dogs	\$ 4.00
	License for unsterilized dogs	\$10.00
	Delinquent license for sterilized dogs	\$ 8.00
	Delinquent license for unsterilized dogs	\$20.00
	Dogs purchased at Pound	\$ 4.00

(b) Fees for leader dogs or dogs in training as such, are hereby waived

(c) The license fee for any dog, which has not been obtained in accordance with paragraph (a) above, shall be considered delinquent and such license fee throughout the balance of each year shall be the sum of \$8.00 for sterilized dogs and \$20.00 for unsterilized dogs.

(d) The dog license fees as herein established may be changed from time to time as established by the Board of Commissioners.

(e) Current dog licenses issued by other counties within Michigan and any other government agencies shall be honored in St. Clair County until the following March 1.

Section 5. No license or license tag issued for one dog shall be transferable to another dog. Whenever the ownership or possession of any dog is permanently transferred from one person to another within the same county, the license of such dog may be likewise transferred, upon proper notice in writing, by the last registered owner, given to the Treasurer who shall note such transfer upon his records. This Ordinance does not require the procurement of a new license, or the transfer of a license already secured where the possession of a dog is temporarily transferred for the purpose of boarding, hunting game, breeding, trial or show.

Section 6. If the dog license tag is lost, it shall be replaced by the Treasurer, upon application by the owner of the dog, and upon production of such license and a sworn statement of the fact regarding the loss of such tag. The cost of said replacement shall be \$.50 (fifty cents), or as otherwise determined by the rules and regulations of the Board of Commissioners.

Section 7. Any person who owns, keeps or operates a kennel may, in lieu of individual licenses

required under this Ordinance and under the laws of the State of Michigan, apply to the Treasurer for a kennel license entitling him to own, keep or operate such kennel in accordance with the applicable laws of the state or as established by the rules and regulations for licensing fees by the Board of Commissioners.

Section 8. Any person who, at any one time, owns more than four (4) dogs in any combination, except a duly licensed pet shop, at any single location within the boundaries of St. Clair County shall, on or before March 1st of the year following such ownership, obtain a kennel license from the Treasurer if the person qualifies under Act 339, Public Acts of 1919, as amended. This section shall not apply to a litter of puppies when with the mother of such, so long as said dogs are less than six (6) months of age. Failure to obtain such kennel license shall be punished as set forth in the penalty provisions of this Ordinance.

ARTICLE V

CONFINEMENT

Section 1. Any dog kept as a pet that shall bite a person, animal or livestock shall be securely confined by the owner thereof inside an appropriate building or enclosure for a minimum period of ten (10) days following the biting of such person, animal or livestock. In the event that the owner of such dog shall fail to securely confine the dog for such period of time, then in that event, the Dog Control Officer, his deputies or assistants, may take possession and custody of said dog, confine him at the Dog Pound until the expiration of said ten (10) days period and upon satisfactory evidence that said dog is not suffering from rabies. Said dog shall be kept at the Dog Pound at the expense of the owner thereof in the event that the person charged with the duty to securely confine said dog as aforesaid shall fail to do so. Any dog running loose after biting a person, animal or livestock, and whose owner cannot be determine, shall be confined with the provisions of this section, and thereafter disposed of in accordance with the provisions of this Ordinance, or such regulations are in effect at the Dog Pound.

Section 2. Any other animal not kept as a pet, including wild animals, which shall bite a human or animal, shall, if located, be confined for a required ten (10) days at the Dog Pound or other suitable location.

Section 3. Every dog shall at all times between sunset and sunrise of the following day be confined upon the premises of its owner except when said dog is otherwise under the reasonable control of the owner.

ARTICLE VI
DOG POUND AND IMPOUNDMENT

Section 1. All dogs found running at large shall be seized by the Dog Control Officer, his deputies or assistants, or other peace officers, and impounded for a period of not less than four (4) days for those dogs not wearing a collar, licenses or other evidence of ownership, and for a period of not less than seven (7) ownership, and may thereafter be sold or disposed of if not chained by the owner.

Section 2. When dogs are found running at large, and their ownership is known to the Dog Control Officer, his deputies or assistants, or other peace officers, such dog need not be impounded but the Dog Control Officer, his deputies or assistants, or other peace officers may, in their discretion, cite the owner of such dog to appear in court to answer charges of violation of this Ordinance.

Section 3. Immediately upon impounding a dog, the Dog Control Officer shall make every reasonable effort to notify the owner of such dog so impound and inform such owner of the conditions whereby custody of such dog may be regained pursuant to the regulations for the operation of the Dog Pound.

Section 4. An owner may redeem a dog from the Dog Pound by executing a sworn statement of ownership, furnishing a dog license and valid rabies certificate as required by this ordinance and state law, and paying the required fees posted at the Dog Pound.

Section 5. The Board of Commissioners shall maintain a Dog Pound for the purpose set fourth herein.

ARTICLE VII
KILLING AND SEIZING OF DOGS

Section 1. Any person may kill any dog which he sees in the act of pursuing, attacking or about to attack, or wounding any livestock or poultry or attacking persons, and there shall be no liability on such person in damages or otherwise, for such killing. Any dog that enters any field or enclosure which is owned or leased by a person producing livestock or poultry, unaccompanied by his owner, shall constitute a private nuisance, and the owner or lessee of such field or other enclosure, or his agent or servant, may kill such dog while it is in the field or other enclosure without liability for such killing. In no event shall the provisions of this section exonerate a person from compliance with the criminal laws of this state, including, by way of example, the safe discharge of firearms.

Section 2. It shall be lawful for any person to seize any dog running at large in violation of this Ordinance and to turn said dog over to the Dog Control Officer, his deputies or assistants.

ARTICLE VIII
ENUMERATION OF CERTAIN VIOLATIONS
AND PROCEDURE THEREFOR

Section 1. It shall be unlawful for:

(a) Any dog of any age, licensed or unlicensed, wearing a collar or not wearing a collar, to run at large, provided, however, that a dog engaged in hunting need not be leashed when under the reasonable control of its owner.

(b) Any dog of any age, licensed or unlicensed, wearing a collar or not wearing a collar, except a leader dog accompanied by its owner, to be within the confines of any public park when such park, by appropriate designation at its entrance, prohibits dogs.

(c) Any dog at any time, licensed or unlicensed, to destroy property, real or personal, or to trespass in a damaging way on property of persons other than the owner.

(d) Any dog at any time, licensed or unlicensed, to attack or bite a person.

(e) Any dog to show vicious habits and molest passers-by when such persons are lawfully on the public highway or right of way.

(f) Any person to own any dog which, by loud and frequent barking, howling or yelping, is nuisance in the neighborhood in which said dog is kept, possessed or harbored.

(g) Any person to remove a collar or tag from any dog without the permission of its owner, or to decoy or entice any dog out of an enclosure or off the property of its owner, to seize, molest or tease any dog while held or led by any person while on the property of its owner.

Section 2. In the event of any of such violations or of a violation of any other provision of this Ordinance or of the laws of the state, the Dog Control Officer, his deputies or assistants or other peace officer may issue an appearance tickets, citation or summons to the owner of said dog, or other person, summoning them to appear before a district court or other appropriate court within the county to answer the

charges made in violation of this Ordinance. The said Dog control Officer, his deputies or assistants or other peace officer may sign a complaint before said court for violations of the provisions of this Ordinance, proceed to obtain the issuance of a warrant and make arrest of the person to whom said violation of the provisions of this Ordinance, proceed to obtain the issuance is charged and bring them before the court to answer the charges.

Section 3. In the event of any of such violations or of a violation of any other provision of this Ordinance or of the laws of the state, the Dog Control Officer, his deputies or assistants or other peace officer or any other person may proceed to obtain a authorization of the Prosecuting Attorney and make complaint before a district court or the appropriate court within the county and obtain the issuance of a summons similar to that provided in Act 339 of the Public Acts of 1919, (MSA 122.530), as amended, to show cause why such dog should not be killed. Upon such hearing, the judge may otherwise disposed of , or may order the dog confined to the premises of the owner, or make such other order regarding the dog as it deems proper and necessary under the circumstances, in addition to any of the penalties enumerated herein. This section shall in no way affect the provisions of Article III, Section 3(c) of this Ordinance.

Section 4. Costs, as in civil cases, shall be taxed against the owner of the dog and collected by the court from the person complained against upon a finding of guilty. The provisions of this paragraph shall be in the alternative to the provisions for violations set forth in the preceding paragraph and the Dog Control Officer, his deputies or assistants or other peace officer may, in his discretion, proceed under either section hereof.

ARTICLE IX

PENALTY

Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by imprisonment in the county jail or not more than ninety (90) days or by a fine of not less than Ten Dollars (\$10.00) and not more than One Hundred Dollars (\$100.00), or by both fine and imprisonment.

ARTICLE X

PRESERVATION OF CERTAIN RIGHTS

Section 1. Nothing in this Ordinance shall be construed to prevent the owner of a licensed dog from recovery in an action at law from any peace officer or any other person, except as herein provided.

Section 2. Nothing in this Ordinance shall be construed as limiting the common law liability of the owner of a dog for damages committed by said dog.

ARTICLE XI
TREASURER'S RECORDS AND DUTIES

Section 1. On April 1 of each year, the Treasurer shall make a comparison of his records of the dogs actually licensed in the county with the report of the Dog Control Officer to determine and locate all unlicensed dogs.

Section 2. On and after April 1 of each year, every unlicensed dog, subject to license under provisions of this Ordinance or the statutes of the state, is hereby declared to be a public nuisance and the Treasurer shall immediately thereafter list all such unlicensed dogs, as shown by the returns in his office of the supervisors and assessors, and shall deliver copies of such lists to the Dog Control Officer and the Director of the Michigan Department of Agriculture as well as those officers listed and set forth in Act 339 of the Public Acts of 1919, being Section 287.277 of the Compiled Laws of 1948, MSA 12.527 as amended.

Section 3. The Treasurer shall keep a record of all dogs licenses and all kennel licenses issued during the year in each city and township in the county. Such record shall contain the name and address of the person to whom each license is issued. In the case of all individual licenses, the record shall also state the breed, sex, age, color and markings of the dog licensed; and in case of kennel licenses, it shall state the place where the business is conducted. The record shall be a public record and open to inspection during business hours. He shall also keep an accurate record of all license fees collated by him or paid over to him by any city or township treasurers.

Section 4. In all prosecutions for violations of this ordinance, the records of the Treasurer's Office, or lack of same, showing the name of the owner and the license number to whom any license was issued, and the license tag affixed to the collar or harness of the dog showing a corresponding number shall be prima-facie evidence of ownership or non-ownership of any dog and of issuance or non-issuance of a dog licenses or tag.

ARTICLE XII
FEES AND EXPENSES

Section 1. Every township and city treasurer of St. Clair County, Michigan, shall receive the sum of Twenty-five cents (\$.25) for each dog license issued for the issuing and recording of same. The remuneration as herein established shall be deemed additional compensation for additional service for each township or city treasurer who receives a salary in lieu of fees, when so designated by the appropriate township board or city council.

Section 2. It shall be the duty of the Dog Control Officer annually to make a census of the number of dogs owned by all persons in St. Clair County, Michigan, in accordance with state law. The Dog Control Officer is hereby empowered to employ what-ever personnel he reasonably believes necessary to conduct this census; such personnel shall receive for their services in listing such dogs such sum as shall be set from time to time by the Board of Commissioners.

Section 3. The duties and obligations herein imposed upon the respective designated officials may be delegated to some other appropriate person or persons by each of said officials with like force and effect.

Section 4. The fees and expenses as established by this Ordinance may be changed from time to time by action of the Board of Commissioners.

Section 5. All fees and expenses as herein provided for, shall be paid in accordance with Article XIII of this Ordinance.

ARTICLE XIII
RECEIPTS AND DISBURSEMENTS OF FUNDS

All Fees and Monies Collected under the Provisions of this Ordinance Shall Be Transferred to the General Fund of St. Clair, Michigan, in accordance with the standard Practices of the Treasurer and the monies paid out in accordance with this Ordinance shall be drawn upon the General Fund of St. Clair County, Michigan.

ARTICLE XIV
CONSTRUCTION

Section 1. When not inconsistent with the context, words used in the present tense include the future. Words in the singular include the plural and words in the plural include the singular. Masculine shall include the feminine and neuter. The word "shall" is always mandatory and not merely directive. Words or terms not defined herein shall be interpreted in the manner of their common meaning. Headings shall be deemed for convenience and shall not limit the scope of any article or section of this Ordinance.

Section 2. The regulations of this code are minimum standards supplemental to the rules and regulations duly enacted by the Michigan Department of Health and to the laws of the State of Michigan relating to public health. Where any of the provisions of these regulations and the provisions of any other local or state ordinance or regulations applies, the more restrictive of any or all ordinances or regulations shall prevail.

Section 3. If any part of this Ordinance shall be held void, such part shall be deemed several and the validity thereof shall not affect the remaining parts of this Ordinance.

**ARTICLE XV
REPEAL**

All Ordinance or Parts of Ordinances Inconsistent Herewith Are Hereby Repealed.

EFFECTIVE DATE OF ORDINANCE

This Ordinance shall take effect sixty (60) days after the date of its adoption.

Dated: August 13, 1975

A TRUE COPY
Angie Waters
County Clerk