

**ORDINANCE 26-13
ST. CLAIR COUNTY
ANIMAL CONTROL ORDINANCE**

An Ordinance related to maintaining a county animal control shelter as defined by MCL 287.331(f); for establishing a county animal control agency pursuant to the authority provided by the Michigan Dog Law of 1919, Act 339 of the Public Acts of 1919, as amended, MCL 287.261 et seq.; providing for the employment of a county Animal Control Director with prescribed duties and responsibilities; regulating licensing and vaccination of dogs; providing for the confinement of animals under certain circumstances, including those that are at large or surrendered to the animal control shelter; for the humane euthanizing of animals; for the enumeration of certain violations and penalties; preservation of certain rights; Treasurer's duties and records; fees and expenses; receipts and disbursements of fund; construction; and repeal.

**ARTICLE I
PURPOSE**

Deeming it advisable in the interest of protecting the public health, safety, convenience and welfare and to provide for the orderly and uniform administration of the sheltering and adoption of animals pursuant to the Michigan Animal Shelter Law, Act 287 of 1969, MCL 287.331 et seq., and for the licensing and regulation of dogs pursuant to the Michigan Dog Law of 1919, Act 339 of the Public Acts of 1919, as amended, MCL 287.261 et seq., and to create the position of Animal Control Director and define the duties, authority and responsibilities of the office, and to regulate and control the conduct, keeping and care of animals, the County of St. Clair, Michigan, hereby adopts 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 be limited to dogs and cats and distinct from livestock as defined in paragraph (k) below.
- (b) ANIMAL CONTROL DEPARTMENT means the department established by the Board of Commissioners and which is responsible for the control, impoundment, and disposition of animals.
- (c) ANIMAL CONTROL DIRECTOR means an individual employed by the St. Clair County Board of Commissioners to operate and manage the Animal Control Shelter consistent with this Ordinance, state law, and the direction of the County Administrator/Controller.
- (d) ANIMAL CONTROL OFFICER(S) means any person(s) employed by the County for the purpose of enforcing this Ordinance or state law. Animal Control Officer(s) shall have the duties assigned to an animal control agent under Michigan Dog Law of 1919, Act 339 of the Public Acts of 1919, as amended.
- (e) BOARD OF COMMISSIONERS shall mean the St. Clair County Board of Commissioners.
- (f) DANGEROUS DOG, pursuant to MCL 287.321, shall mean a dog that bites or attacks a person, or a dog that bites or attacks and causes serious injury or death to another dog while the other dog is on the property or under the control of its owner. However, a dangerous dog does not include any of the following:
 - (i) A dog that bites or attacks a person who is knowingly trespassing on the property of the animal's owner;

- (ii) A dog that bites or attacks a person who provokes or torments the dog; or
 - (iii) A dog that is responding in a manner than an ordinary and reasonable person would conclude was designed to protect a person if that person is engaged in a lawful activity or is the subject of an assault.
- (g) DAY shall mean working days which shall include Monday through Friday. Day shall not include Saturdays, Sundays or Holidays.
- (h) KENNEL. The term “kennel” shall mean any establishment wherein more than four (4) dogs are kept for the purposes of breeding, boarding, and sale, leasing, trading, or sporting purposes, as defined by MCL 287.261(2)(d).
- (i) LAW ENFORCEMENT AGENCY means a government agency separate from the Animal Control Department and responsible for general law enforcement with jurisdiction within St. Clair County, Michigan for the employment and deployment of law enforcement officers and their resources, including but not limited to, Sheriff Deputies, members of the Michigan State Police, and Michigan Conservation Officers.
- (j) LAW ENFORCEMENT OFFICER means a sworn law enforcement officer responsible for maintaining public order, protecting life and property, and enforcing laws and ordinances that has been certified by the Michigan Commission on Law Enforcement Standards (MCOLES) being a person appointed, 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 shall include Sheriff Deputies, members of the Michigan State Police and Michigan Conservation Officers.

- (k) 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 fur-bearing animals being raised in captivity, as defined by MCL 287.261(2)(a).
- (l) OWNER. The term “owner” when applied to the proprietorship of an animal means every person having a right of property in the animal, and every person who keeps or harbors the animal or has it in their care, and every person who permits the animal to remain on or about any premises occupied by them, as defined by MCL 287.261(2)(c).
- (m) PERSON. The word “person” shall include individuals, corporations, partnerships, and other lawful associations.
- (n) POULTRY means all domestic fowl, ornamental birds, and game birds possessed or being reared under authority of a breeder’s license, as defined by MCL 287.261(2)(b).
- (o) 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 suggestive of rabies.
- (p) TREASURER shall mean the duly elected St. Clair County Treasurer.

**ARTICLE III
ANIMAL CONTROL DEPARTMENT
DUTIES, AUTHORITY AND RESPONSIBILITY**

Section 1. The Administrator/Controller shall appoint a person to serve as Director of the Animal Control Department.

Section 2. In lieu of all fees and other enumeration under the statutes of this state, the Animal Control Director and Animal Control Officer shall be paid a salary as established and determined by the Board of Commissioners.

Section 3. The Animal Control Department shall fulfill the following duties:

- (a) The Animal Control Department may promptly seize, take up and place in the Animal Control Shelter any Animal 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 of Michigan.
- (b) The Animal Control Department shall be legally authorized to enforce the licensing and regulation of dogs and the protection of livestock and poultry from dogs and may seek assistance from a law enforcement agency as defined herein for the enforcement of this Ordinance. The Animal Control Department shall have the authority to issue municipal civil infraction citations to those persons owning dogs contrary to the provisions of this Ordinance. Nothing in this Ordinance shall be construed to diminish the ability of any law enforcement agency, the prosecuting attorney or court of law to enforce duly enacted state laws that protect the public, protect animals, and regulate the care and treatment of animals.
- (c) Any Animal that comes into the possession of the Animal Control Department shall be disposed of in a manner approved of by the Board of Commissioners. It shall be the duty of the Animal Control Department not to sell or otherwise dispose of an Animal within four (4) days after it comes into the possession of the Animal Control Department. This section does not apply to Animals that are sick or injured to the extent that the holding period would amount to undue suffering. If the animal has a collar, license, or other evidence of ownership, the Animal Control Department shall notify the Owner in writing and disposition of the Animal shall not be made prior to seven (7) days from the date of mailing the notice. The Animal Control Department shall be required to maintain a record on each Animal acquired, indicating a basic

description of the Animal, the date it was acquired, and the circumstances under which it was acquired. The record shall also indicate the date of notice sent to the Owner of the Animal, and subsequent disposition. If the Animal is valuable or otherwise desirable for keeping, the Animal Control Department may adopt out the Animal in accordance with the provisions of this Ordinance and the statutes of the state of Michigan, including compliance with licensing and vaccination requirements and payment for the care and treatment of the Animal while kept in the Animal Control Shelter. Any Animal voluntarily surrendered to and accepted by the Animal Control Shelter by the Owner thereof for disposition need not be kept for the minimum period of days before adoption or disposal of such Animal.

- (d) The Animal Control Department shall notify the St. Clair County Health Department if any Animal is found to be or reasonably suspected to present an immediate public health risk, including but not limited to, cases of suspect or actual Rabies or other animal borne risks to public health. The St. Clair County Health Department will accordingly report and release information relating to public health, quarantine orders, education and facilitation of post exposure prophylaxis (vaccine). The Animal Control Department will provide for the general care and custody of the Animal in question, while continually communicating outcomes between the departments to protect public health.
- (e) All dog bite cases involving human contact or exposure shall be investigated by the Animal Control Department, which shall attempt to locate the dog involved and determine if the dog shall be impounded or placed in quarantine for examination of diseases in accordance with the applicable provisions of this Ordinance and the statutes

of the state of Michigan. Any dog suspected of having rabies shall be seized and impounded.

- (f) The Animal Control Department shall assume the duty of locating and listing all dogs in the County and delivering said list to the Treasurer for the necessary proceeding provided by this Ordinance and the statutes of the state of Michigan.
- (g) The inspection authority of the Animal Control Department under this Ordinance is limited to dog licensing enforcement only and it shall not make general livestock welfare inspections of premises unless requested to do so at the direction of a law enforcement agency.
- (h) The Animal Control Department has the right to inspect any kennel, a license for which is issued by the Treasurer or Animal Control Department pursuant to this Ordinance and the statutes of the state of Michigan, and shall have the duty to suspend said license if they determine conditions exist which are unhealthy or inhumane to the dogs kept therein, pending correction of such conditions. The Animal Control Department shall have the duty to revoke said license if such conditions are not corrected within 30 days. The Animal Control Department shall ask for the assistance of law enforcement to seek and execute an administrative search warrant allowing entry onto any premises wherein the Owner has refused to consent to entry to make inspection for compliance with this Ordinance.
- (i) All cases concerning dogs who may be deemed Dangerous Dogs pursuant to MCL 287.321, shall be investigated by the Animal Control Department. In the event that the Animal Control Department believes a dog meets the definition of a dangerous dog pursuant to MCL 287.321, it shall file a complaint before an appropriate court within

the County and obtain the issuance of a summons to show cause why such dog should not be destroyed.

- (j) Under the direction of the Board of Commissioners and/or the Treasurer, the Animal Control Department shall be responsible for the sale of dog and kennel licenses, and the keeping of appropriate records and accounting with respect thereto.
- (k) The Animal Control Department 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. The Animal Control Department shall dispose of any dog seized and/or impounded as provided herein, in accordance with the provisions of this Ordinance, County policy, and/or the statutes of the state of Michigan.

Section 5. All suspensions and/or revocation of licenses and all seizures, adoptions and other disposition of animals, as provided for herein, shall be in accordance with such rules and regulations that the Board of Commissioners approves.

Section 6. The Animal Control Director shall be a County CANU employee appointed by and acting under the direction of the Administrator/Controller. The Veterinary Technician shall be a County CANU employee. The Animal Control Officers, Kennel Custodians and the Account Clerk shall be County employees, and the terms of their employment shall be governed by the collective bargaining agreement between St. Clair County and AFSCME 1089.

Section 7. The Animal Control Department shall maintain a current and up to date book of receipts properly numbered in sequence for accounting purposes, for the issuance of dog and kennel licenses as provided in this Ordinance and shall issue such dog and kennel licenses in accordance herewith.

Section 8. All fees and monies collected by the Animal Control Department shall be accounted for and turned over to the Treasurer as may be directed by the Board of Commissioners and/or the Treasurer according to and under practices established by 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, unless the dog is engaged in lawful hunting accompanied by its Owner; 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 such as leader dogs, arm dogs, and hunting dogs, to stray unless held properly by way of leash. It shall be further unlawful for any Owner of a female dog to permit the female dog to go beyond the premises of such Owner when she is in heat, unless held properly by way of 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 where the Owner resides, in writing, for a license for each dog owned or kept by them. Such application for a license shall be accompanied by a valid certificate of vaccination for rabies, with a vaccine licensed by the United States Department of Agriculture and signed by a licensed veterinarian. Dogs attaining the age of four (4) months after March 1 shall have seven (7) days to obtain a license.

Section 3. The license fee for all dogs shall be in accordance with this Ordinance and may be determined by resolution of the Board of Commissioners. Current dog licenses issued by other counties within the state of 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 and given to the Treasurer or Animal Control Department, who shall note such transfer in their 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 Animal Control Department upon application by the Owner of the dog and upon production of such license, along with a sworn statement of the fact regarding the loss of such tag. The tag shall be replaced without cost if the 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 Animal Control Department for a kennel license entitling them to own, keep or operate such kennel in accordance with the applicable laws of the state of Michigan 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 six (6) 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 Animal 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, 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 bites 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 fails to securely confine the dog for such period of time, the Animal Control Department may investigate the matter and take possession of said dog with the owners consent or otherwise under judicial process, and confine the dog at the Animal Control Shelter until the expiration of the ten (10) day period and upon satisfactory evidence that said dog is not suffering from rabies. Said dog shall be kept at the expense of its Owner. Any dog running loose after biting a person, animal or livestock, and whose Owner cannot be determined, shall be confined with the provisions of this section, and thereafter disposed of in accordance with the provisions of this Ordinance.

Section 2. Every dog shall at all times be confined upon the premises of its Owner except when said dog is engaged in night hunting or otherwise under the reasonable control of the Owner at the time.

ARTICLE VI

ANIMAL CONTROL SHELTER

Section 1. Any dogs found running at large may be seized by the Animal Control Department and impounded for a period of not less than seven (7) days for those animals not wearing a collar or other evidence of ownership and may thereafter be sold or disposed of if not claimed by the Owner.

Section 2. When dogs are found running at large, and their ownership is known, such dog need not be seized and impounded but rather the Animal Control Department may, in its discretion, leave the dog in the possession of the Owner and cite the Owner of such dog to a municipal civil infraction for a violation of this Ordinance.

Section 3. Immediately upon impounding a dog, the Animal Control Department shall make every reasonable effort to notify the Owner of such dog to inform them of the conditions whereby custody of such dog may be regained pursuant to the regulations for the operation of the Animal Control Shelter.

Section 4. An Owner may redeem their dog from the Animal Control Shelter 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 Animal Control Shelter.

Section 5. The Board of Commissioners may maintain an Animal Control Shelter for the purposes set forth herein.

ARTICLE VII SEIZING AND DISPOSITION OF ANIMALS

Section 1. Any person may kill any dog which is in the act of pursuing, attacking or about to attack, or wounding any persons, livestock or poultry, and there shall be no liability on such person in damages or otherwise. 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 Animal Control Department.

ARTICLE VIII CRIMINAL INVESTIGATIONS

Section 1. All cases concerning allegations of cruelty to animals, animal abuse, or other matters which could result in criminal charges shall be investigated by a law enforcement officer with an appropriate law enforcement agency, who may request the assistance of the Animal Control Department. At any time an Animal Control Officer is assisting a law enforcement agency in an investigation, they shall be at the direction and under the control of the law enforcement agency in charge. In any such investigations, the law enforcement agency shall be responsible for determining if there has been a violation of state law such that the animal must be seized and impounded to protect the animal and/or to preserve the animal as evidence.

Section 2. Upon a finding by a law enforcement officer that probable cause exists that there has been a state law violation concerning an animal, that law enforcement officer may request that the Animal Control Department take possession of the animal to be housed at the County Animal Control Shelter for later disposition under the provisions of this Ordinance or as directed by any law enforcement agency, the County prosecuting attorney, or order issued by a court of law. For purposes of this Article only, "animal" means a vertebrate other than a human being as defined in the Michigan Penal Code, MCL 740.49(1)(a).

Section 3. The provisions of this Ordinance shall not prevent the Animal Control Department from investigating and dealing with non-criminal nuisance complaints and shall not prevent the Animal Control Department from working with citizens on corrective action plans.

ARTICLE IX
ENUMERATION OF VIOLATIONS AND PENALTY THEREOF

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 service 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 or to trespass in a damaging way on property of persons other than its 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 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 a 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, to entice any dog out of an enclosure or off the property of its Owner, or 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 any person, firm or corporation violates any of the of the violations enumerated above or of a violation of any other provision of this Ordinance, the Animal Control Department may issue them a municipal civil infraction citation, unless otherwise stated. Upon a finding of responsibility of said municipal civil infraction, the person, firm or corporation shall pay a fine no more than Five Hundred Dollars (\$500.00) and no less than Nine Dollars (\$9.00).

ARTICLE X
PRESERVATION OF CERTAIN RIGHTS

Section 1. Nothing in this Ordinance shall be construed to prevent the owner of an Animal from recovery in an action at law from any 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 caused by said dog.

Section 3. Nothing in this Ordinance shall be construed as authorizing, providing enforcement jurisdiction, or otherwise empowering the Animal Control Department to enforce this Ordinance in any city, village or township within St. Clair County that has adopted an animal control ordinance contrary to the Michigan Dog Law of 1919, Act 339 of Public Acts 1919, MCL 287.289a.

ARTICLE XI TREASURER RECORDS AND DUTIES

Section 1. The Treasurer or staff of any other county department at the direction of the Board of Commissioners may, based on records of the dogs 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 Ordinance but is unlicensed, the dog shall be a public nuisance. The Treasurer, with the consent of the Board of Commissioners, shall immediately list all unlicensed dogs identified by this section and shall deliver copies of the list to the County Prosecuting Attorney.

Section 2. The Treasurer or staff of any other county department at the direction of the Board of Commissioners 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. The Treasurer or staff of any other county department at the direction of the Board of Commissioners shall also keep an accurate record of all license fees collected or paid over to them by any City or Township treasurers.

ARTICLE XII FEES AND EXPENSES

Section 1. Every township and city treasurer of St. Clair County, Michigan, shall receive monetary payment for each dog license issued in an amount to be determined by the Board of Commissioners for the issuing and recording of said license. The payment 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 Animal Control Department to annually make a census of the number of dogs owned by all persons in St. Clair County, Michigan, in accordance with state law. The Animal Control Department shall employ personnel it reasonably believes necessary to conduct such census and such personnel shall receive compensation for their services in an amount to be determined 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 modified or 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 XII of this Ordinance.

**ARTICLE XIII
RECEIPTS AND DISBURSEMENTS OF FUNDS**

All fees and monies collected under this Ordinance shall be transferred to the general fund of St. Clair County, 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. 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 Ordinance are supplemental to other laws, rules and regulations duly enacted by the state of Michigan in any form, including the Michigan Department of Public Health. Where provisions of state law, other state regulations or ordinances apply, the other ordinances or regulations shall prevail.

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

**ARTICLE XV
REPEAL**

All prior St. Clair County Animal Control Ordinances are hereby revoked and repealed.

ARTICLE XVI
EFFECTIVE DATE OF ORDINANCE

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

Dated: June 4, 2026

Effective: August 6, 2026