

# CHAPTER 36

## CITY OF PRESQUE ISLE

### *Domesticated Animal Ordinance*



Adopted: December 15, 1997

Repassed: March 19, 2001

Amended: June 3, 2002

Repassed: February 23, 2005

Repassed: February 2, 2009

Amended: October 3, 2011

Repassed: January 7, 2013

Repassed: January 4, 2017

Repassed: January 6, 2021

Attest: \_\_\_\_\_

Thomas C. King, City Clerk

City Seal

## CHAPTER 36

### DOMESTICATED ANIMAL ORDINANCE

#### Section 1 Purpose

The purpose of this Ordinance is to control the unreasonable noise disturbances created by domesticated animals or livestock living as domesticated animals and to control domesticated animals running at large.

#### Section 2 Owner

The word "owner" when applied to the proprietorship of a domesticated pet shall include every person having a right of property in such animal, and every person who keeps or harbours such animal or has it in his care, and every person who permits such animal to remain on or about any premises occupied by him.

"Domesticated animal" shall refer to any animal, to include but not limited to, dogs, cats, swine, birds, livestock, or any other animal living or residing as a pet.

#### Section 3 Disturbance

On complaint being made to the Animal Control Officer that any domesticated animal within the City has unreasonably disturbed the quiet of any persons whosoever by continued barking or howling, or in any manner, the Animal Control Officer shall issue notice to the owner of such animal ordering that such animal shall be kept under proper control.

#### Section 4 Not to Create a Nuisance

A domesticated animal shall be considered a nuisance if it soils, defiles or defecates on any public or private property, other than the owner's property; and the owner shall be obligated to remove and properly dispose of such waste promptly from any such public or private property.

## **Section 5 Running at Large**

No person who is an “owner” of a domesticated animal, as defined by Section 2 of this Ordinance, shall cause or permit any animal to run at large within the City, as herein defined. Animals, while on any public way or public place shall be under restraint. The word “restraint” shall mean that an animal shall be controlled by a leash; or, at “heel”, beside the competent person and obedient to that person’s commands; or, on or within a vehicle being driven or parked on any public way. A leash shall not be more than eight (8) feet long. Nothing, within this Ordinance shall be held to require the leashing of any animal while on the property of its “owner”.

## **Section 6 Violation**

Any person found to be in violation of any provision of this Ordinance or any order issued hereunder shall be subject to penalty by fine not to exceed one hundred dollars (\$100.00); and every day during which such violation continues shall constitute a new offense. Said fine to enure to the benefit of the City. Any person previously convicted of violating any section of this chapter, and is found to be in violation again, shall be charged not less than one hundred and one dollars (\$101.00) and not more than two hundred and fifty dollars (\$250.00) per day of each new offense.

## **Section 7**

It shall be the duty of any designated official under the authority of the Presque Isle City manager to include, but not limited to the Chief of Police, the Code Enforcement Office, the City Health Officer or any other authorized designee to enforce the provisions of this section.

## **Section 8 Sunset Provision**

This Ordinance shall be in force for the term of four (4) years from its effective date. This Ordinance shall become null and void upon the completion of four (4) years from said effective date, unless recommended and required by the City Council to remain effective prior to such expiration date.