

**RAY TOWNSHIP  
MACOMB COUNTY, MICHIGAN  
ORDINANCE NO. 76 - A  
AMENDMENT TO ANIMAL CONTROL ORDINANCE**

**AN ORDINANCE** amending the Ray Township Animal Control Ordinance, being Ordinance No. 76, to provide additional regulations regarding care of and tethering of animals; to prohibit the possession of dangerous and vicious animals; require the proper licensing and rabies vaccination of all dogs within Ray Township and repealing all ordinances and/or resolutions in conflict therewith.

**THE TOWNSHIP BOARD OF THE TOWNSHIP OF RAY, COUNTY OF  
MACOMB, MICHIGAN, ORDAINS:**

**SECTION 1. AMENDMENTS**

**Sec. 1.1 – Section 4 (Definitions)** shall have the following added thereto:

**Adequate Care** means the provision of sufficient food, water, shelter, sanitary conditions, exercise, and veterinary medical attention in order to maintain an animal in a state of good health. To the extent of responsible practice of animal husbandry, handling, confinement, protection, transportation, treatment, and when necessary, euthanasia, appropriate for the age, species, condition, size, and type of the animal, and the provision of veterinary care when needed to prevent suffering, impairment of health, or the treatment of illness or injury.

**Adequate Shelter** means the provision of and access to shelter that is suitable for the species, age, condition, size and type of each animal; provides adequate space for each animal, is safe and protects each animal from injury, rain, sleet, snow, hail, direct sunlight, the adverse effects of heat or cold, physical suffering, and impairment of health; is properly lighted; is properly cleaned, enables each animal to be clean and dry, except when detrimental to the species, during hot weather, is properly shaded and does not readily conduct heat; during cold weather, has a windbreak at its entrance and provides a quantity of bedding material consisting of straw, wood shavings, or the equivalent that is sufficient to protect the animal from cold and promote the retention of body heat; and, for dogs and cats, provides a solid surface, resting platform, pad, floor mat, or similar device that is large enough for the animal to lie on in a normal manner and can be maintained in a sanitary manner. Shelters whose wire, grid, or slat floors permit the animals' feet to pass through the openings, sag under the animals' weight, or

otherwise do not protect the animals' feet or toes from injury, are not adequate shelter.

**Animal** means any living vertebrate creature, wild or domestic, except humans.

**Dangerous Animal** means an animal which has done any of the following:

- (a) Bitten a person so as to cause visible trauma such as a puncture wound, laceration, or other piercing of the skin, or caused broken bones; or
- (b) Repeatedly attacked, chased, provoked, or menaced any person or dog; or
- (c) Damaged the property (including animals) of persons other than the owner.

An animal shall not be considered dangerous solely because:

- (a) It has bitten or attacked a person or any animal attacking its owner or its owner's family; or
- (b) If it bites or injures a person who has, without justification, provoked it by attacking it or its young; or
- (c) Because of its breed or perceived breed.

**Tethering** means the restraint and confinement of an animal by used of a chain, rope or similar device.

**Vicious Animal** means an animal that without provocation or justification:

- (a) Bites or attacks a person and causes a person serious bodily injury, including but not limited to, injuries resulting in hospital confinement, reconstructive surgery, or impairment of a bodily function.
- (b) Repeatedly bites or in any way injures people or a domestic animal.

**Sec. 1.2 Section 5 (Dog License Required)** shall be repealed and the following substituted therefor:

## **SECTION 5. Licensing, Vaccination**

Section 5.1. Licensing. All dogs shall be licensed in accordance with State law

(MCL 287.266) except:

- (a) A dog under four months of age;
- (b) A dog licensed by another state in which the dog and owner reside.

Section 5.2. Rabies Vaccination. All dogs shall be protected by a rabies vaccine at the time of license issuance; Such vaccine shall be administered by a veterinarian except when a veterinarian states annually in writing that the dog should not be vaccinated for medical reasons and indicates when/if the dog can be vaccinated.

**Sec. 1.3 – Section 9 (Confinement)** shall have the following subparagraphs added thereto:

- (a) Ventilation and Light. Every building or enclosure where domestic animals are maintained shall be constructed of materials easily cleaned and shall be kept in a sanitary condition. The structure shall be properly ventilated to prevent drafts and to remove odors.
- (b) Tethering. It shall be unlawful for any person to:
  - (1) Attach chains or tethers, restraints or implements directly to a dog without the proper use of a collar, harness or other device designed for that purpose and made from a material that prevents injury to the animal.
  - (2) Tether a dog without the presence of a responsible individual over the age of 18 on the premises at all times that the dog is restrained.
  - (3) Tether a dog on a choke chain or in such a manner to cause injury, strangulation or entanglement of the dog on fences, trees or other man made or natural obstacles.
  - (4) Tether a dog without access to shade when sunlight is likely to cause overheating or without appropriate shelter to provide insulation and protection against cold and dampness when the atmospheric temperature falls below 40 degrees Fahrenheit.
- (c) It shall be unlawful to fail to provide adequate care and shelter for domestic animals.

**Sec. 1.4 – Section 10. (Vicious Dogs)** shall be deleted and the following substituted therefor:

**SECTION 10. Dangerous; Vicious Animals.**

- (a) No person shall own, possess, breed, exchange, buy, sell or harbor any dangerous or vicious animal.
- (b) No person shall own, possess or harbor an animal that has been bitten by an animal known to have been affected by rabies.

**SECTION 2. PENALTIES**

Any person who violates the provisions of this Ordinance shall upon conviction thereof, be guilty of a misdemeanor and subject to a penalty not to exceed five hundred dollars (\$500) or imprisonment in the Macomb County Jail for a period not to exceed ninety (90) days, or both such fines and imprisonment.

**SECTION 3. REPEAL OF CONFLICTING PROVISIONS**

All resolutions, ordinances or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

**SECTION 4. SEVERABILITY**

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

## **SECTION 5. PUBLICATION**

A true copy of this Ordinance or a summary thereof shall be published twice in a newspaper of general circulation in the Township of Ray.

## **SECTION 6. EFFECTIVE DATE**

This Ordinance shall take effect thirty (30) days after the publication of a true copy or summary thereof as provided in Section 5.

**CERTIFICATE OF TOWNSHIP CLERK**

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance Amendment duly adopted by the Township Board of the Township of Ray, Macomb County, Michigan, at a meeting held on the 16<sup>th</sup> day of July, 2024.

I hereby further certify that the following Township Board members were present at the meeting: Joe Jarzyna, Lori Lascoe, Betsy Bart, Betty Grader and Doug Stier following Township Board Members were absent: None.

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I further certify that Member Grader moved for the adoption of the Ordinance, and that motion was supported by Member Lascoe.

I further certify that the following Township Board Members voted for the adoption of the Ordinance: Grader, Lascoe, Bart, Stier, Jarzyna and that the following Township Board members voted against adoption of the Ordinance: None.

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Lori R. Lascoe, Clerk  
Township of Ray

**CERTIFICATE OF PUBLICATION**

I, the undersigned Township Clerk of the Township of Ray, do hereby certify that on July 24, 2024, a Summary of the Ordinance Amendment adopted was duly published in a newspaper having general circulation within the Township.

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Lori R. Lascoe, Clerk  
Township