

SEVILLE TOWNSHIP

DOMESTIC ANIMAL AND LIVESTOCK ORDINANCE

ORDINANCE NO. 2022-1214-2

SEVILLE TOWNSHIP ORDAINS:

Section 1. Purpose.

The purpose of this Article is to protect the health, safety and welfare of citizens and animals by regulating the ownership, harboring, or maintaining of animals; by preventing injury to person and property, by limiting the number of certain animals that may be kept by regulating the confinement of animals, by prohibiting the keeping of certain animals, by requiring that sanitary conditions be maintained both inside structures and on premises within the Township, by licensing certain animals, by requiring rabies shots for certain animals, and by regulating noise made by animals.

Any raising and keeping of animals in Seville Township, including livestock, shall be conducted in compliance with any applicable Michigan Department of Agriculture; Generally Accepted Agricultural and Management Practices (GAAMPs) and the Michigan Right to Farm Act, PA 93 of 1981 et seq. Predatory and Wild Animals. Predatory and wild animals may not be kept and raised domestically.

Upon noncompliance with the requirements of this section, the township may initiate prosecution for a civil infraction violation. Each week a violation exists shall constitute a separate offense, with a \$50 fine per offense. If found in noncompliance, livestock or poultry to be removed at the owner's expense within 30 days of notification

Section 2. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal means any living organism typically capable of moving about, but not of making its own nourishment by photosynthesis, including any mammal, reptile, bird, snake, turtle, fish, mollusk, crustacean, or any other vertebrate other than a human being.

Control means any form of regulation or dominion, including a possessory right.

Livestock means animals used for human food and fiber or animals used for service to human beings. Livestock includes, but is not limited to, horses, cattle, swine, sheep, goats and fur-

bearing animals of either gender, being raised in captivity. Livestock does not include animals that are human companions, such as dogs and cats.

Owner and *persons owning premises* mean both the owner of title of record and persons occupying, or in possession of, any property or premises. The term "owner," when applied to the proprietorship of any animal, means every person having a right of property/ownership in the animal, an authorized agent of the animal and every person who keeps or harbors the animal or has it in his care, custody or control, and every person who permits the animal to remain on, or about, the premises occupied by him.

Poultry means all domestic fowl, ornamental birds and game birds possessed or being reared under the authority of a breeder's license

Section 3. Animal Units on Less than one acre.

1. A person on less than one acre may raise and keep poultry and rabbits on a non-commercial basis on his or her property as an accessory use subject to the following requirements:
 - a. Raise and keep no more than a combination total of 5 poultry and/ or rabbits
 - b. The principal use of the person's property is for a single-family dwelling.
 - c. Roosters are not permitted.
 - d. The poultry shall be provided with a covered enclosure and must be kept in the covered enclosure or an adjoining fenced enclosure at all times. Fenced and covered enclosures are subject to all zoning provisions. No free range animals.
 - e. A person shall not raise and keep poultry in any location on the property other than in the rear yard as defined in zoning.
 - f. No covered enclosure or fenced enclosure shall be located closer than twelve feet to any property line of an adjacent property;
 - g. All enclosures for the raising and keeping of poultry shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure. A covered enclosure or fenced enclosure shall not be located closer than 40 feet to any dwelling on an adjacent property.
 - h. If the raising or keeping of poultry should become offensive in sight or odor, due to the poor care of poultry or the chickens' housing, pasture, or pens, they shall be declared a nuisance.

Section 4. Animal Units on greater than one to less than five acres

1. A person on greater than one to less than five acres may raise and keep poultry, rabbits and livestock on a non-commercial basis on his or her property as an accessory use subject to the following requirements:
 - a. The number of poultry and rabbits shall not exceed a combination of 5 total per acre.

- b. Livestock are limited to a total of 2 livestock animals which are under 600lbs each
- c. Animals may only be raised from April 1st to October 1st
- d. All manure shall be properly disposed.
- e. The animals shall be provided with a covered enclosure and must be kept in the covered enclosure or an adjoining fenced enclosure at all times. Fenced and covered enclosures are subject to all zoning provisions. No free range animals.
- f. No covered enclosure or fenced enclosure shall be located closer than twelve feet to any property line of an adjacent property;
- g. All enclosures shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure. A covered enclosure or fenced enclosure shall not be located closer than 40 feet to any dwelling on an adjacent property.
- h. If the raising or keeping of animals should become offensive in sight or odor, due to the poor care of the animal(s), their housing, pasture, or pens, they shall be declared a nuisance.

SECTION 5. VALIDITY AND SEVERABILITY.

Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

SECTION 6. REPEALER.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall be published and take effect seven days after publication as provided by law.

Approved this 14 day of December, 2022