

CHAPTER 3 FOOD AND HEALTH

3.01 SIGNS OR NOTICES REGARDING PUBLIC HEALTH

- (A) It shall be unlawful for any person, firm or corporation to remove, deface or conceal any sign or notice posted upon any building, structure or premises by an Officer or Employee of the City of Lapeer, relating to any Public Health, Safety Regulations or precautions.
- (B) That it shall be the duty of the owner, lessee, tenant, or other person lawfully in possession of such building, structure or premises to maintain and preserve such posted signs and notices, and upon proof of the removal, defacement, or concealments of such posted signs or notices, the owner, lessee, tenant or other person lawfully in possession shall be presumed to have removed, defaced or concealed said signs or notices, as the case may be, **PROVIDED**, that nothing shall preclude the rebuttal of said presumption upon presentation of sufficient evidence.

3.02 NOXIOUS WEEDS.

- (A) Any weeds such as jimson, burdock, ragweed, thistle, cocklebur, or other weeds of a like kind, found growing in any lot or tract of land in the city are hereby declared to be a nuisance, and it shall be unlawful to permit any such weeds to grow or remain in any such place.

History: (Amnd 07-23-09;-)

- (B) It shall be unlawful for anyone having control of property in the City of Lapeer, whether as owner, owner's agent, or occupant, to permit poison ivy, poison sumac, poison oak, or other plants injurious to health, to grow where they may cause injury or discomfort to any person or to permit any weeds, grass or plants, other than trees, bushes, flowers, or other ornamental plants to grow to a height exceeding eight (8) inches anywhere in the city; any such plants or weeds exceeding such height are hereby declared to be a nuisance.

History: (Amnd 07-23-09;-)

- (C) It shall be the duty of any persons having control of property in the City of Lapeer, whether as owner, owner's agent, or occupant, within two hundred (200) feet of streets, public right-of-ways or improved property, public or private, to cause to be cut or destroyed all noxious weed or other weeds, grass, brush, or uncontrolled tree growth which are the height of eight (8) inches or more in such manner as shall effectually prevent such weeds from

bearing seeds or spreading to adjoining property, as often as may be necessary from May 1st through October 31st each year.

History: (Amnd 04-10-96; Amnd 07-23-09;-)

(D) No person, after having been notified by the code enforcement officer, shall permit or cause to be maintained upon his or her premises a public nuisance as defined in subsection A of this section.

History: (Amnd 07-23-09;-)

(E) It shall be the duty of the owner, owner's agent or occupant in charge of any land in the City of Lapeer to remove from that land any plant material specifically listed in paragraph (B) above or weeds of eight (8) or more inches in height within seven days, Sundays and legal holidays excepted, after notice to do so.

History: (Amnd 07-23-09;-)

(F) Whenever there are upon any defined lands within the municipality, the plant material specifically listed in paragraph (B) above or weeds of eight (8) or more inches in height, and no person can be found in the City of Lapeer who either is or claims to represent the owner, the City Manager shall give notice by publication once in one newspaper of general circulation in the City, requiring the removal of the weeds. The notice shall specify the land from which weeds are to be removed, the character of the work to be done and the time allowed for doing the same.

History: (Amnd 07-23-09;-)

(G) If the plant material specifically listed in paragraph (B) above or weeds are not removed as provided and within the time so specified by the notice required by subsection (F) of this section, it shall be the duty of the City Manager to cause their removal and the owner of the property shall be held liable to the municipality for the cost incurred for the removal of the plant material or weeds, including the cost of advertising.

History: (Amnd 07-23-09;-)

(H) If any such person, firm, or corporation shall fail to comply with the provisions of this Section, the City may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense shall be presented to the City Treasurer with a minimum of one hour per lot or parcel, plus the actual cost of inspection, scheduling, and any other associated cost.

History: (Amnd 07-23-09;-)

(I) The City Treasurer shall add to all said accounts, twenty (20) percent of the amount of all such expenditures to cover the administrative costs of the Treasurer and said total charges shall immediately constitute a lien and tax upon the land upon which work was performed. The City Treasurer shall forward a statement of the total charges assessed on each parcel of property to the owner as shown by the last current assessment or tax roll and said

assessment shall be payable within thirty (30) days without additional cost. If said assessments are not paid within thirty (30) days a penalty of ten (10) percent shall be added, and the total amount of the assessments and penalty will be transferred or reassessed upon the next City tax roll. The City Treasurer shall, on or before the thirty-first (31st) day of May of said year, prepare a report of all parcels of property upon which said assessments have been placed upon the City tax roll and which shall be collected and paid in all respects as provided for the collection of County taxes. When these assessments are collected they shall be paid into the City Treasury to reimburse the outlay therefrom as hereinbefore provided.

History: (Amnd 07-23-09;-)

- (J)** The City Clerk shall on or before the thirtieth (30th) day of April of each year give notice of the requirements and provisions of this Ordinance by causing notice thereof published once a week for two (2) successive weeks in a newspaper of general circulation in the City of Lapeer. The foregoing notice shall be in substantially the following form:

**CITY OF LAPEER
NOTICE OF PROVISIONS OF
NOXIOUS WEED ORDINANCE**

**TO ALL OWNERS, OWNER'S AGENTS, OR OCCUPANTS OF
PROPERTY:**

Notice is hereby given that in accordance with Ordinance 3.02 of the City of Lapeer, all noxious weeds, or other weeds, grass, brush or uncontrolled tree growth which are a height of eight (8) inches or more growing upon any property in the City, shall be cut down, destroyed, or removed as the case may be, as often as may be necessary from May 1st through October 31st each year.

In case any owner, owner's agent, or occupant shall fail or refuse to comply with the above mentioned Ordinance the City may cause said weeds, grass, brush, or uncontrolled tree growth, to be cut down, destroyed or removed. All expenses incurred by the City will be charged against the property and will be collected in the manner provided in said ordinance.

CITY CLERK

History: (Amnd 07-23-09;-)

- (K)** Any person, firm or corporation violating any provision of this Ordinance shall be responsible for a civil infraction and/or a civil action for abatement of nuisance.

History: (Amnd 04-10-96; Amnd 07-23-09;-)

3.03 DISPLAY OF FRUITS AND VEGETABLES.

- (A) It shall be unlawful for any person, firm or corporation to display for the purpose of public sale, upon the streets or sidewalk in the City of Lapeer, any fruits or vegetables, unless said fruits or vegetables, so displayed, are placed upon stands, benches or other containers reaching to height of not less than two (2) feet above the sidewalk or ground upon which same is located, and extending not more than three (3) feet from the front of the store or building from which said display is made.
- (B) If said fruits or vegetables are contained in waterproof containers then the above provisions relative to height shall not be effective.

3.04 MILK PRODUCTS.

- (A) No person shall, within the City of Lapeer, deliver, sell, offer or expose for sale, or have in his possession with intent to sell for direct consumption, any milk or milk product which is, or has been, produced, stored, handled, processed or transported in any unclean or unsanitary manner, or which is adulterated or misbranded, or produced, stored, handled, processed or transported in violation of the laws of this State or rules and regulations promulgated by the Department of Agriculture of the State of Michigan pertaining thereto.
- (B) No person shall sell or deliver or offer for sale or delivery within the City any milk from any source other than a source approved by the Health Officer. The Health Officer shall inspect any farm or plant supplying milk for sale or deliver in the City but may accept the certification of inspection of any officer of the State Board of Health or Agriculture or that of any duly qualified officer of any State or municipality enforcing equivalent standards.

3.05 RESTAURANT REGULATIONS

This Section is deleted in its entirety.

3.06 TAVERN REGULATION

(A) Definitions:

1. ALCOHOLIC BEVERAGES

"Alcoholic beverage" shall include any spirituous, vinous, malt or fermented liquor, liquids and compounds, whether or not medicated, proprietary, patented, and by whatever name called, containing one half (1/2) of one (1) percent or more of alcohol by volume which are fit for use for beverage purposes.

2. APPLICANT

"Applicant" shall mean any person who seeks approval from the City of Lapeer to sell alcoholic beverages.

3. CITY COMMISSION

"City Commission" shall mean the City Commission of the City of Lapeer, Michigan.

4. CLUB

"Club" shall mean an association whether incorporated or unincorporated, the majority of whose members shall be citizens for the promotion of some common object (not including associations organized for any commercial or business purpose, the object of which is money profit), owning, hiring or leasing a building, or space in a building, of such extent and character as in the judgement of the City Commission may be suitable and adequate for the reasonable and comfortable use and accommodations of its members and their guests, and which shall have been in existence for a period of not less than two (2) years prior to application for license under the provisions of this act.

5. HOTEL

"Hotel" shall mean a building which in the judgement of the City Commission has been regularly used and kept open as such in a bona fide manner for the feeding and lodging of guests, where all who conduct themselves properly and who are able and ready to pay for such services are received if there be accommodations for them.

6. LICENSEE

"Licensee" shall mean any person who has been granted a license to sell alcoholic beverages in the City of Lapeer by the Michigan Liquor Control Commission.

7. PERSON

"Person" shall mean any person, firm, partnership, association or corporation.

8. SALE

"Sale" shall include exchange, barter or traffic, furnishing or giving away any alcoholic liquor.

9. SPIRITS

"Spirits" shall mean any beverage which contains alcohol obtained by distillation, mixed with potable water and other substances in solution

and includes, among other things, wine containing an alcoholic content of over sixteen (16) percent by volume.

(B) QUALIFICATIONS OF APPLICANTS

1. No application to sell alcoholic beverages by the glass shall be approved unless the applicant or transferee is a citizen of the State of Michigan and of the United States.
2. No application to sell alcoholic beverages by the glass shall be approved if the applicant has been convicted of three (3) or more liquor violations or a felony in this State in any court or before the Liquor Control Commission within a period of five (5) years preceding the receipt of the application, provided that this requirement may be waived by an affirmative vote of the majority of the elected members of the City Commission.

(C) STANDARDS REQUIRED OF PREMISES

1. SANITATION

- a. All licensees, and his agents and servants and employees shall wear clean clothing and be clean about their person. No person who has an infectious disease in a communicable form, or who is a carrier of such an infectious disease, shall be employed where food or beverages are prepared, handled, stored or served.
- b. All licensed establishments shall be equipped with two (2) tanks and one (1) power spray or three (3) tanks for the purpose of washing, rinsing, disinfecting and sterilizing all bar and table service.
- c. All dishes, glasses, mugs, steins, cups and table service used in the serving of food or beverages shall be effectively washed and cleansed in clean hot water of not less than 110`F. Such wash water shall contain an effective detergent or cleansing agent. Immediately after washing and before using, the dishes, glasses and utensils shall be effectively sanitized. Effectively washed and cleansed dishes, glasses, and silverware or utensils shall be interpreted to be that the dish, glass, silverware or utensils is free of film and foreign material including lipstick, lip marks and fingerprints on the food and lip contact areas.

- d. Following sanitization, all dishes, glasses, silverware and utensils shall be drained in an inverted position on sanitary drain racks, trays or boards, with protection from flies, dust and other contamination during storage.
- e. All bars, tables, counters, coolers, extra beer tap rods, refrigerators and all other fixtures or equipment and all basements, rooms or other places used to serve or store beer, wine or liquor, shall be kept in a clean and sanitary manner at all times.
- f. All open windows, doors, and other openings to the outside shall be screened and protected against flies.
- g. All licensed establishments dispensing alcoholic beverages shall provide properly designated flush toilets for each sex. Such toilets shall be so constructed as to assure complete privacy as to segregation of the sexes.
- h. Toilets shall be easily accessible with no entrance through a kitchen, or other room where food is prepared.
- i. Each toilet shall have outside ventilation provided by an exterior window at least three (3) square feet in area, fully operable, or a verticle duct not less than forty-eight (48) square inches in area, leading to the exterior of the building.
- j. The minimum floor space of each toilet shall be five (5) feet by seven (7) feet or thirty-five (35) square feet.
- k. Such toilet rooms shall have close fitting, tight doors and shall have a nonabsorbent interior finish on floors, walls and ceilings. All floors shall be equipped with a drain.
- l. Toilets for men shall have the following equipment:

One (1) wash bowl with running water (hot and cold); one (1) intermittent or flush-type wall urinal (minimum length three (3) feet); one (1) flush stool complete with cover (same to be segregated from urinal by a partition and door) for each one hundred (100) patrons based on seating capacity of the establishment; individual sanitary towels; plenty of soap, sanitary toilet paper; and a metal receptacle for accumulated wastes.

- m. Toilets for women shall have the same equipment as for men except urinal, the amount of equipment to be determined the same as for men.
- n. All toilets and wash rooms, including walls, floors, ceilings and fixtures shall be kept in a clean and sanitary condition; walls and ceilings shall be light-colored. All such toilets and washrooms shall be adequately lighted.
- o. All licensed establishments shall be equipped with hot and cold running water from a source approved by the City of Lapeer.
- p. All licensed establishments shall be connected with a public sewerage system, or to sanitary sewerage facilities approved by the City of Lapeer.

2. SAFETY

- a. All licensed establishments dispensing alcoholic beverages shall have not less than two (2) exits which in no way shall be obstructed. Exit doors shall open outward. During the period of occupancy, no exit door shall be locked, bolted or otherwise fastened so that the door cannot be opened from the inside by use of an ordinary door latch or knob or by pressure on the door or on a panic release device. Every exit doorway from an area with an occupant load of more than one hundred (100) persons shall be marked with an exit sign. Exit sign letters shall be at least five (5) inches in height. Exits shall be illuminated at all times with light having an intensity of not less than one (1) foot candle at floor level.
- b. The number of persons permitted in any building or portion thereof used for dispensing alcoholic beverages shall not exceed an occupancy density of one person per fifteen (15) square feet of floor area. The maximum number of persons permitted shall be conspicuously posted by the owner of the building by means of a durable metal sign in each room where fixed seats are not installed, and it shall be unlawful to remove or deface such notice or to permit more than this legal number of persons within such space.
- c. In each room where chairs, or tables and chairs, are used, the arrangement shall be such as will provide for ready access by aisles to each exit doorway. Aisles leading directly to exit doorways shall have not less than thirty-six (36) inches clear width which shall not be obstructed by chairs, tables or other

objects. Aisles shall be located so that there will be not more than six (6) intervening seats between any seat and the nearest aisle.

- d. No decorative materials shall be used which will ignite and allow flames to spread over the surface when exposed to a match flame test applied to a piece removed from the material. Testing shall be done in a safe place with the following procedure: The piece of material shall be exposed to a flame from a common match held in a horizontal position, one half (1/2) inch underneath the piece, and at a constant location for a minimum of fifteen (15) seconds; if the material ignites it shall not be used as decoration. Treatments used to accomplish this flameproofing shall be renewed as often as may be necessary to maintain the flameproof effect.
- e. It shall be the duty of the owner and the occupant of each licensed establishment dispensing alcoholic beverages to provide and maintain in good working condition suitable fire detecting devices or extinguishing appliances as may be specified by the City of Lapeer. Such devices or appliances may consist of automatic fire alarm system, automatic sprinkler or water spray system, stand pipe and hose, fixed or portable fire extinguisher of a type suitable for the probable class of fire, or suitable asbestos blankets, manual or automatic covers, or carbon dioxide or other inert gas extinguishing systems. Any of the foregoing devices or appliances installed in compliance with any requirement of the City of Lapeer shall be maintained in operative condition at all times and it shall be unlawful for any owner or occupant to reduce the effectiveness of the protection so required.

It shall be the duty of the owner and occupant of each building, or part of building, to properly train sufficient regular employees in the use of fire appliances so that such appliances can be quickly put in operation.

3. ILLUMINATION

The minimum intensity of illumination prevailing in all parts of licensed establishments at tabletop level, shall be one (1) foot candle.

4. VENTILATION

All buildings or portions of buildings customarily used for dispensing or consuming alcoholic beverages shall be provided with light and

ventilation by means of windows or skylights with an area not less than one eighth (1/8) of the total floor area or shall be provided with artificial lights and a mechanically operated ventilating system. At least four changes of air per hour must be provided.

5. GENERAL

- a.** No licensee shall erect or maintain any artificial blinds, screen, shades or other obstructions which prevent a reasonable clear view of the premises wherein alcoholic beverages are served.
- b.** Every establishment dispensing alcoholic beverages shall be maintained in good, safe repair. All buildings or structures which are structurally unsafe or are not provided with adequate egress or which constitute a fire hazard, or are otherwise dangerous to human life, or constitute a hazard to safety or health by reason of inadequate maintenance shall not be approved as a licensed establishment.

(D) CONDUCT ON THE PREMISES

1. LICENSEES

a. PROHIBITIONS

No licensee, his agents, servants, or employees shall:

- (1)** Sell, give or furnish any alcoholic liquor to a person under 21 years of age.
- (2)** Sell, give or furnish any alcoholic liquor to any person in an intoxicated condition.
- (3)** Be in an intoxicated condition upon the licensed premises or allow an intoxicated person to frequent, loiter or be employed upon the licensed premises.
- (4)** Engage in any illegal occupation or illegal act on or beyond his licensed premises.
- (5)** Refuse, fail or neglect to cooperate with any law enforcement officer in the performance of such officer's duties.
- (6)** Allow in or upon his licensed premises any improper conduct, disturbances, lewdness, immoral activities,

indecent, profane or obscene language, songs, entertainment, literature, pictures or advertising material, or cause to have printed or distributed and lewd, immoral, indecent, or obscene literature, pictures or advertising material.

- (7) Suffer or allow in or upon his licensed premises the annoying or molesting of patrons or employees by other patrons or employees, or any accosting and/or soliciting for immoral purposes.
- (8) Permit his licensed premises to be frequented by or become the meeting place, hangout or rendezvous for persons known to engage in the use, sale or distribution of narcotics or any other illegal occupation or business.
- (9) Allow upon his licensed premises, slot machines, punch or pull boards, dice games, or any gambling devices, machines or apparatus whatsoever, or any other mechanism that has been judicially determined to be a gambling device, or in any way contrary to the laws of the State of Michigan. The presence of any such device, machine, apparatus, or mechanism upon the premises of any licensed establishment shall be prim facie evidence of a violation of this subsection. Except for the Michigan State Lottery, no gambling or gaming of any kind shall be permitted on the premises of any licensed establishment.

History: (Amnd 12-01-78;-)

- (10) Serve to or permit any patron to consume alcoholic liquor unless such patron is either seated or standing at a bar or seated at a table or counter.
- (11) Have or maintain any rooms in connection with the licensed premises, excepting rooms used for toilets and kitchens, provided, however, that this sentence shall not apply to premises operated as a hotel or club. No licensee shall have or permit any inside connection, entrance, doorway or aperture between his licensed premises and the premises of another person.
- (12) Permit any person engaged in the serving of food or alcoholic beverages in this establishment to eat, drink, or mingle with the patrons.

- (13) Give away any alcoholic liquor, in connection with the licensee's business, except in those limited circumstances permitted by the Michigan Liquor Control Act.
- (14) Permit the sale of alcoholic beverages upon any portion of his premises for which he may have leased, sold or transferred the right of possession to another person not licensed.

b. REQUIREMENTS

Every licensee shall have posted in a conspicuous place on his licensed premises a plainly visible printed list or menu showing the various types and prices of alcoholic drinks which he offers for sale.

2. PERSONS UNDER THE AGE OF TWENTY-ONE YEARS

- a. Any person under the age of twenty-one (21) years purchasing or offering to purchase beer or wine, or any alcoholic beverage, who represents himself falsely to be over the age of twenty-one (21) years, or who makes false statement or gives false information regarding his age to any police officer or licensee or his agent, servant or employee in charge of any place where beer and wine and other alcoholic beverages are sold or any other person who makes false representation in order to procure the sale or furnishing of beer, wine or other alcoholic beverage to a person under the age of eighteen (18) years, shall be deemed guilty of a misdemeanor and subject to the penalties provided in this Ordinance.
- b. Deleted.

(E) ENFORCEMENT AND INSPECTION

Enforcement of this Ordinance and inspections thereunder shall be conducted by the City Manager and or other enforcement officers, assistants, or employees that may be designated by the City Manager from time to time to enforce the provisions of this Ordinance.

The premises of any licensee shall be open at all reasonable times for inspection by City enforcement officers and no licensee shall fail, refuse or neglect to obey any order of such officer issued relative to the operation of his establishment.

(F) SUSPENSION OR REVOCATION OF APPROVAL

The City Commission shall have the right at any time by resolution to suspend the sale, furnishing, gift or delivery of alcoholic beverages for consumption on the premises throughout the entire City of Lapeer or any part thereof, whenever the Commission deems such action necessary by reasons of any public emergency.

Violations either of this Ordinance, the rules and regulations of the Liquor Control Commission, or of any law or ordinance relative to the use of the premises or the conduct of any licensee, may be used as the basis for a request to the Liquor Control Commission to revoke or suspend such licenses issued by that organization. The City Commission shall in matters involving revocation, by resolution direct that a hearing be had before the City Commission upon the giving of not less than three (3) days notice to the approved applicant involved. Service of such notice may be made personally upon the approved applicant or by posting a copy of this resolution at the premises where his sales of alcoholic beverages are conducted or at his usual place of abode. A majority vote of the elected members of the City Commission is necessary to carry any proposition to request revocation of such license.

(G) AUTHORITY OF CITY COMMISSION

This Ordinance shall not operate in limitation of any power of authority vested in the City of Lapeer or the City Commission by virtue of any existing constitutional or statutory provisions, and shall be considered to be only supplementary to the exercise or use of such vested authority and not in derogation thereof.

(H) PENALTIES

Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any other provision of this Ordinance is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than five hundred dollars (\$500) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment together with the costs of prosecution for each violation.

3.07 NUISANCES

- (A)** No person having control or management of any dwelling, building, structure, excavation, business pursuit, matter or thing, shall allow any public nuisance to be created or to exist on the premises of which such person is the owner or exercises control or management thereof; nor shall any person, firm or corporation owning or occupying any public or private street, alley-way or any premises whatever, or having control, or management thereof, within the City of Lapeer, create or maintain a nuisance therein.
- (B)** No person shall himself or by another throw, place or deposit in any street, highway, lane, alley, or public place or square, or in any private place or premises, any glass bottles; tin cans; glass, broken or unbroken; any metal, earthenware, tacks, cinders or other substance of a nature likely to cause injury to travelers or pedestrians, or to bicycles or motor vehicles, or which might injure, cut or puncture any pneumatic tire; nor shall any person, firm or corporation, himself or by another throw, place, deposit, permit to remain or leave on any street, highway, alley, lane, public place or square, or in any private place or premises, any animal or vegetable substance, dead animal, fish, dirt or rubbish, garbage, excrement, filth, rot, unclean or nauseous water, liquid or gaseous fluids or any other substance whatever injurious to the health and comfort and public welfare, In the case of any alley or private premises where any substance above named shall exist or be or has been deposited, it shall be the duty of every owner or occupant of any lot or premises within twenty-four (24) hours after having been notified by the City Health Officer or Chief of Police to remove from the half of said alley adjoining said lot or from said private premises all such substances.
- (C)** No person, shall permit on his, or her or its premises within the boundaries of the City, of which he, she or it may be the occupants or occupant, agent or agents, having charge thereof, the exercise of any unwholesome or offensive trade of calling, or suffer any building, sewer or other thing whatsoever to remain on such premises until in any manner the same shall become offensive, hurtful, dangerous or unwholesome to the neighborhood or travelers.
- (D)** Whenever any dwelling, building, structure, excavation, business pursuit, matter or thing, or the lot upon which it is situated, or the plumbing, sewerage, lighting or ventilation thereof is, in the opinion of the City Health Officer or Chief of Police, in condition or in effect dangerous or detrimental to the life, safety or health or is likely to cause any unwholesome, noisome or offensive smell, which, in the opinion of such City Health Officer or Chief of Police, may declare the same to the extent he may testify is a public nuisance and may order the same to be remedied, removed, abated, suspended, altered or otherwise improved or purified as the order may specify. If any order of the City Health Officer or Chief of Police issued under the authority of this section is not complied with or so far complied with as they may regard as reasonable, within such time as said order may

designate, then such order may be executed by said City Health Officer of Chief or Police, their officers, agents, employees, or contractors.

3.08 ANIMALS AND PETS

(A) DOG LAW ADOPTED

The Lapeer County Dog Wardens are authorized to operate inside the incorporated limits of the City of Lapeer for the purpose of enforcing the provisions of Act 339 of the Public Acts of Michigan of 1919, as amended, which act is known as the Michigan Dog Law.

(B) ANIMALS OR FOWL AT LARGE

No person shall permit any fowl or animal to run at large in the City.

(C) KEEPING OF ANIMALS

No person shall keep or confine horses, ponies, hogs, cattle, sheep or any other animals in such manner that then become offensive to those residing near or to the public health.

(D) KEEPING POULTRY

No person shall keep chickens or other fowl in any house or yard within fifty (50) feet of the dwelling house of any other person except by permission of such other person.

(E) CRUELTY TO ANIMALS

No person shall not wantonly or cruelly ill-treat or injure any dog or other domestic animal. No person shall cause dogs to fight with each other or with other animals.

(F) CARCASS REMOVAL AND BURIAL

1. When any beast, bird or animal dies within the City the owner or person in possession of it shall within twelve (12) hours thereafter cause the carcass to be removed beyond the City limits or bury the same so that the entire carcass shall be covered with earth no less than three (3) feet in depth above such carcass.
2. No person shall bring the carcass of any dead animal into the City except for the purpose of eating the same.

(G) PIT BULL DOGS

The owner of any pit bull dog shall:

1. Keep such dog in a securely enclosed area or on a leash and muzzled at all times.
2. In addition to the other requirements of this Ordinance or of State law, register such dog with the Lapeer City Police Department. The registration shall be made on a form furnished by the Police Department and shall provide the name and address of the dog's owner, the address of where the dog is kept, and shall identify or describe the dog as much as reasonably possible.

History: (Effective Date of Section G 06-24-87;-)

(H) LIMITATION ON NUMBER OF DOGS

No person shall keep or allow to remain on premises they own, occupy, or control, more than three (3) dogs. Provided, however, that this section shall not apply to:

1. Commercial kennels operated in accordance with Chapter 7 (Zoning Ordinance) in zoning districts providing for commercial kennels.
2. A female dog with her puppies, up to the first ninety (90) days from the date of birth of the puppies, so long as the puppies are not being bred or raised for renumeration or as a business operation.

History: (Effective Date of Section H 04-25-90;-)