

Article II. Dogs

Sec. 2-16. Running at large.

No dog shall be permitted to run at large in the Village of Ubyly at any time, provided however, that dogs may be walked or exercised when they are under restraint, or direct control of the owner or handler, and are prevented from trespassing upon private property not owned by the said dog owner or handler.

Sec. 2-17. Disturbing the peace.

No person owning or boarding any dog shall suffer or permit such dog to disturb the peace and quiet of the neighborhood by barking, howling or making other loud or unusual noises.

Sec. 2-18. Nuisances.

Any dog found in the village running at large or disturbing the peace under conditions set forth in this ordinance is declared to be a nuisance and shall be impounded as provided by law.

Sec. 2-19. Certain acts unlawful.

It shall be unlawful for any person to own any dog 6 months old or over, unless the dog is licensed pursuant to MCL 287.266, or to own any dog 6 months old or over that does not at all times wear a collar with a tag approved by the director of agriculture, attached pursuant to MCL 287.267, except when engaged in lawful hunting accompanied by its owner or custodian; or for any owner of any female dog to permit the female dog to go beyond the premises of such owner when she is in heat, unless the female dog is held properly in leash; or for any person except the owner or authorized agent, to remove any license tag from a dog; or for any owner to allow any dog, except working dogs such as leader dogs, guard dogs, farm dogs, hunting dogs, and other such dogs, when accompanied by their owner or his authorized agent, while actively engaged in activities for which such dogs are trained, to stray unless held properly in leash.

Sec. 2-20. Penalties.

The owner or handler of any dog who knowingly suffers or allows any dog to become a nuisance under the conditions set forth in this ordinance shall be guilty of a misdemeanor punishable by a fine of not more than Five Hundred (\$500.00) Dollars, or by imprisonment in the County Jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment.

Sec. 2-25. Dangerous Dog Prohibited.

It shall be unlawful for any person to own or board a dangerous dog within the Village.

Sec. 2-26. Dangerous Dog Defined.

(a) "Dangerous dog" means 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 animal.

(iii) A dog that is responding in a manner that 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.

(b) "Owner" means a person who owns or harbors a dog.

(c) "Provoke" means to perform a willful act or omission that an ordinary and reasonable person would conclude is likely to precipitate the bite or attack by an ordinary dog.

(d) "Serious injury" means permanent, serious disfigurement, serious impairment of health, or serious impairment of a bodily function of a person.

(e) "Torment" means an act or omission that causes unjustifiable pain, suffering, and distress to a dog, or causes mental and emotional anguish in the dog as evidenced by its altered behavior, for a purpose such as sadistic pleasure, coercion, or punishment that an ordinary and reasonable person would conclude is likely to precipitate the bite or attack.

Sec. 2-27. Penalty.

Whosoever violates any of the provisions of this chapter shall be guilty of a misdemeanor punishable by a fine of not more than Five Hundred (\$500.00) Dollars, or by imprisonment in the County Jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment.

Secs. 2-28 – 2-30. Reserved.