

VILLAGE OF BOYNE FALLS ORDINANCE CERTIFICATION

At a regular meeting of the Village Council of the Village of Boyne Falls, Charlevoix County, Michigan, held in the Village Hall located in Boyne Falls, Michigan on September 9 at 7:00 p.m.

PRESENT: Mike Kondrat, William Ericker, Gladys Bell, and David Gillespie.

ABSENT: Anthony Securo

It was moved by David Gillespie and supported by William Bricker that the following ordinance be adopted:

(See attached VILLAGE OF BOYNE FALLS ORDINANCE No. 59)

YES: 5

NO: 0

ORDINANCE DECLARED ADOPTED.

VILLAGE OF BOYNE FALLS

BY: William P. Carson
William P. Carson, Village President

I, the undersigned, the Clerk of the Village of Boyne Falls, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Boyne Falls Village Council of said County at its regular meeting held on September 9, 2014, relative to adoption of the ordinance therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be made available as required by said Act; this ordinance was published in the Boyne Gazette.

Dated: September 17, 2014

Debra Taylor
Debra Taylor, Village Clerk

VILLAGE OF BOYNE FALLS

ORDINANCE NO. 59

SECTION I. Title:

This ordinance shall be known as the Village of Boyne Falls Animal Waste Ordinance

SECTION II. PURPOSE:

An ordinance to establish requirements for the proper disposal of animal solid waste in the Village of Boyne Falls so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION III. Definitions:

For the purpose of this ordinance, the following terms, phrases, and words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Immediate – shall mean that the animal waste is removed at once, without delay.
- b. Owner/Keeper – any person who shall possess, maintain, or harbor any animal or otherwise have custody of any animal, whether or not the owner of such animal.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of the State subject to municipal jurisdiction.
- d. Animal – an animal (other than a disability assistance animal) kept for amusement or companionship
- e. Animal solid waste – waste matter expelled from the bowels of the animal: excrement
- f. Proper Disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

SECTION IV. Requirement for Disposal:

All animal owners and keepers are required to immediately and properly dispose of their animal's solid waste deposited on any property, public or private, not owned or possessed by that person.

SECTION V Exemptions:

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

SECTION VI Enforcement:

The provisions of this Article shall be enforced by the Charlevoix County Sheriff Department and the Charlevoix County Board of Health for the Village of Boyne Falls.

SECTION VII. Violations and Penalty

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$ 50.00 (Fifty Dollars) per occurrence.

SECTION VIII. Severability:

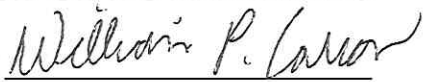
Each section, subsection, sentence, clause and phase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phase, and the finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

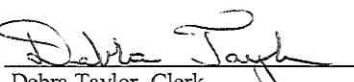
SECTION IX. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

ALL OF WHICH is ADOPTED this 10th day of September 2014 by the Village of Boyne Falls council.

VILLAGE OF BOYNE FALLS

By: 
William P. Carson, President

By: 
Debra Taylor, Clerk