

TOWNSHIP OF VERGENNES  
COUNTY OF KENT, MICHIGAN

A General Law Ordinance

Number 2004-0419-2

Adopted Date: April 19, 2004

An Ordinance to Regulate the Raising and/or Possession  
of Domesticated Farm Animals Upon Residential Property.

THE TOWNSHIP OF VERGENNES (the "Township") HEREBY ENACTS THE  
FOLLOWING ORDINANCE:

Section 1. Intent, Purpose and Short Title.

(a) Pursuant to MCLA 41.1a et seq., as amended, the Township recognizes and concludes that, in order to protect the public health, safety and welfare of the Township, it is necessary to regulate the raising and/or possession of Domesticated Farm Animals upon Residential Property in the Township.

(b) This ordinance shall be known as the "Vergennes Township Residential Property Farm Animal Ordinance".

Section 2. Definitions.

(a) "Residential Property" shall mean every Lot located in the Township in all zoning districts other than the R-A and R-1 zoning districts and which Lot is used primarily for residential purposes.

(b) Domesticated Farm Animals means common farm animals, poultry, fur-bearing animals and similar species. Exotic and/or dangerous animals, including non-native species and predatory animals and birds of prey, shall be prohibited.

(c) All other terms and provisions of this ordinance shall have the same meaning given to such terms and provisions by the Vergennes Township Zoning Ordinance, including the definition of "Lot".

Section 3. Permit Required. A person or entity shall only be permitted to possess and/or raise up to the number and species of Domesticated Farm Animals upon Residential Property in the Township for educational and recreational purposes and further provided only if such person or entity receives a permit as required by this ordinance. A permit to possess or raise Domesticated Farm Animals shall not exceed twelve (12) months from the date of issuance. However, a permit may be renewed for successive additional periods of twelve (12) months upon an existing Permittee completing and receiving a new permit for each successive period of time.

Section 4. Form of Application. An application to keep or raise Domesticated Farm Animals shall include the following information:

- (a) The species of animals proposed to be kept
- (b) The number of each type of animal proposed to be kept
- (c) A description of how such animals will be housed or confined
- (d) A description of the methodology for keeping any enclosure clean and for disposal of wastes and bedding
- (e) The purpose for keeping the animals
- (f) The anticipated duration for keeping the animals
- (g) A temporary animal permit fee as may be established by the township board by resolution from time to time
- (h) A site plan showing location of buildings and animal shelters, cages, fences and distances to the property lines and road right of way. Include distances to adjacent neighboring houses.

Section 5. Review. The Zoning Administrator shall review the permit application to determine if the application includes all the required information. The Zoning Administrator may, at the Zoning Administrator's discretion, advise any neighboring property owner of the request for the permit and may solicit information from such property owner. The Zoning Administrator shall grant the permit if the Zoning Administrator determines that the requirements of this ordinance are met and that granting the permit will not result in any negative material impact upon the health, safety or welfare of the Township or the areas near the property for which a permit is sought.

Section 6. Appeal. If the Zoning Administrator denies a permit, then the applicant shall be entitled to appeal such decision to the Township Board. The Township Board shall review the findings and conclusions made by the Zoning Administrator. The Township Board, at its discretion, may advise adjacent property owners of the appeal and may solicit information from such property owners. The Township Board shall affirm the decision of the Zoning Administrator unless the Township Board determines that the decision made by the Zoning Administrator is arbitrary and/or is not supported by competent and material facts.

Section 7. Interpretation.

(a) In the event that any one or more sections, provisions, phrases or words in this ordinance shall be found to be invalid by a court of competent jurisdiction, such holdings shall not affect the validity or the enforceability of the remaining sections, provisions phrases or words of this ordinance.

(b) To the extent any word, phrase or provision of this ordinance is inconsistent with any provisions of the Vergennes Township Zoning Ordinance, then the provisions of the Vergennes Township Zoning Ordinance shall prevail.

Section 8. Penalties and Enforcement.

(a) This ordinance shall be enforced and administered by the Township Zoning Administrator or such other township official as may be designated from time to time by resolution of the Township Board.

(b) A violation of this ordinance is a civil infraction. In addition, the Township may institute an action to enforce this ordinance by way of a claim for injunctive or equitable relief.

Section 9. Effective Date. The provisions of this ordinance shall take effect 30 days following the date of publication of this ordinance or a summary of its provisions.

Approved:

Yeas: Stone, Hoffman, Wittenbach, Baird

Nays:

Absent: Nauta

Abstain:

ORDINANCE DECLARED ADOPTED.

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Mari C. Stone, Vergennes Township Clerk

Certification

I, Mari C. Stone, Township Clerk of the Township of Vergennes, hereby certify the foregoing to be a true copy of an ordinance adopted by the Township Board of the Township of Vergennes at a regular meeting held on April 19, 2004. A summary of Ordinance 2004-0419-2 was published in the Lowell Ledger on April 28, 2004.

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Mari C. Stone, Vergennes Township Clerk