

ORDINANCE NO. 01 OF 2002
AMENDING ORDINANCE NO.2 OF 1997
AND
AMENDING ORDINANCE NO.2 OF 1989

ANIMAL CONTROL ORDINANCE

SECTION 100
PURPOSE

SECTION 100.1. Deeming it advisable to provide for the orderly and uniform administration of the dog and ferret licensing provision of the State of Michigan, to define the duties, authority, and responsibilities of the Animal Control Officer, and to regulate the control, conduct, keeping and care of dogs, cats, and other animals, and for the adoption and disposal of abandoned, lost or unlicensed dogs, cats, ferrets, and other animals, the Antrim County Board of Commissioners does hereby adopt the following Ordinance.

SECTION 200
DEFINITIONS

Section 200.1. As used in this Ordinance:

- A. *"Animal Control Officer"* means any person employed by the County for the purpose of enforcing this Ordinance or state law pertaining to dogs, cats, ferrets, or other animals.
- B. *"Animal"* as used in this Ordinance shall mean any animal except human.
- C. *"Animal control shelter"* or *"animal protection shelter"* means an animal control shelter or animal protection shelter, respectively, registered with the State of Michigan Department of Agriculture under section 6 of 1969 PA 287, being MCL 287.336.
- D. *"Cat"* means a domestic cat of any age of the species *Felis Catus*.
- E. *"Dog"* means an animal of the species *Canis familiaris* or *Canis lupus familiaris*.
- F. *"Farm Dog"* means a dog upon land devoted to an agricultural purpose **and** being used for a particular agricultural or animal husbandry purpose.
- G. *"Ferret"* means an animal of any age of the species *Mustela Furo*.
- H. *"Guard Dog"* means a dog which has been trained and has obtained a certification of training in the protection of property or people, but shall **not apply** to a dog owned by a law enforcement agency or certified law enforcement officer, which has been trained as a K-9 to assist in a law enforcement agency investigation, demonstration, or search for missing persons.

- I. *"Habitual"* means on three (3) or more occasions separated by at least one (1) hour within a one (1) week period.
- J. *"Hunting"* means allowing a dog to range freely within sight or sound of its owner while in the course of hunting legal game or an unprotected sport animal, or while in training as provided for by State law or rules and regulations promulgated by the Department of Natural Resources.
- K. *"Keep" or "Harbor"* means permitting a dog, cat, ferret or animal to remain, to be lodged, or to be fed within a house, single apartment unit, or any type of structure or enclosure; yard or real property, or any other place.
- L. *"Kennel"* means any establishment wherein or whereupon 3 or more dogs are confined or kept for the purpose of breeding, boarding, sale, or training purposes and/or which is licensed pursuant to this ordinance.
- M. *"Leader dog"* means any dog which is used as a guide dog or leader dog for a blind or visibly impaired person, hearing dog for a deaf or audibly impaired person or service dog for a physically limited person pursuant to the Exemption of Leader Dogs Act of 1970, Act 207 of Public Acts of 1970, as amended.
- N. *"Malodorous or unsanitary waste condition"* means the noticeable presence of the odor of animal excrement by any person of normal sensory acuity from any adjoining lot line or public area, or the keeping or storage of animal excrement which has or could become the breeding ground, food source or habitation of bacteria, insects, rodents or vermin but shall not include any activity protected within or upon any farm or farm operation as set forth in Act 93 of the Public Acts of 1981, as amended by Act 240 of the Public Acts of 1987.
- O. *"Owner"* means a person who has a right of property in a cat, dog, ferret or other animal, a person who keeps or harbors a cat, dog, ferret or other animal or has it in her/his care, or a person who shall harbor or keep a cat, dog, ferret or other animal about or upon a property owned or occupied by such person, but shall not include a person who owns or operates a licensed kennel, a veterinary hospital or clinic, an animal control shelter, or an animal protection shelter. Owner shall also mean any person having direct control, custody or supervision over any cat, dog, ferret or other animal.
- P. *"Person"* means and includes an individual, corporation, association, partnership or other legal entity.
- Q. *"Pet shop"* means a pet shop licensed by the State of Michigan, Department of Agriculture under section 3 of 1969 PA 287, being MCL 287.333.
- R. *"Stray Cat or Dog"* means any cat or dog not accompanied by its owner found running at large within the County without a license or such other identifying collar and tag.

- S. *"Running at large"* means a dog or other animal, which is off the property of its owner and, if a dog, not under the immediate control of any person by means of a leash of no longer than six (6) feet. This shall not include leader dogs, guard dogs, farm dogs, or hunting dogs when accompanied by their owner or authorized agent, while actively engaged in activities for which such dogs are trained, except as may be otherwise provided in this Ordinance.
- T. *Veterinarian*" means a person licensed to practice veterinary medicine under article 15 of the Public Health Code, 1978 PA 368, MCL 333.16101 to 333.18838.

SECTION 300
ANIMAL CONTROL DEPARTMENT

Section 300.1. The Board of Commissioners shall appoint an Animal Control Officer, and the Board of Commissioners shall determine his/her salary by an appropriate resolution.

Section 300.2. The Antrim County Board of Commissioners shall adopt minimum employment standards relative to the recruitment, selection and appointment of Animal Control Officers. The minimum standards shall include:

- a. Requirements for physical, educational, mental, and moral fitness.
- b. A minimum course of study of not less than one hundred (100) instructional hours as prescribed by the Department of Agriculture.
- c. Subdivision (b) above shall not apply if the Animal Control Officer is a certified law enforcement officer or has served at least three (3) years as an Animal Control Officer.

Section 300.3. The Animal Control Officer shall be the head of the Animal Control Department. The Animal Control Department and Animal Control Officer may be placed under the supervision of the Antrim County Sheriff, or such other department as determined by the Board of Commissioners.

Section 300.4. The animal shelter and all equipment necessary for the Animal Control Officer to perform the duties and responsibilities established by this Ordinance are assigned to the Animal Control Department. The department head shall be responsible for preparing and submitting an annual operating budget to the Board of Commissioners at a time and in a manner established by the Board of Commissioners.

SECTION 400
DUTIES, AUTHORITY AND RESPONSIBILITY

Section 400.1 The Animal Control Officer is hereby authorized to perform the following duties and responsibilities:

- A. The Animal Control Officer may seize and place in the animal shelter or other appropriate facility all dogs, cats, ferrets or other animals found running at large within the County.
- B. The Animal Control Officer shall be authorized to issue an appearance or civil infraction ticket in violation of this Ordinance or State law.
- C. If the owner of a dog, cat, ferret or other animal is known, the Animal Control Officer shall notify the owner in writing that the dog, cat, ferret or animal has been seized and placed in the animal shelter. If after seven (7) days from the date the written notice was mailed, the owner has not claimed the dog, cat, ferret or other animal, and paid the shelter expenses, the Animal Control Officer shall destroy or have destroyed in a humane manner the dog, cat, ferret or other animal. Provided, however, that if in the judgment of the Animal Control Officer the dog, cat, ferret or other animal is valuable or otherwise desirable for keeping, he/she may release the dog, cat, ferret or other animal as provided by State Law or this Ordinance to any person who shall become the owner of the dog, cat, ferret or other animal, and who shall keep the dog, cat, ferret or other animal in accordance with the provisions of this Ordinance and State law.
- D. If the owner of the dog, cat, ferret or other animal is not known, or the animal is a stray dog or cat, the Animal Control Officer shall retain the dog, cat, ferret or animal for no less than four (4) days. If the owner of the dog, cat, ferret or other animal does not claim the dog, cat, ferret or other animal, and pay the shelter expenses, the Animal Control Officer shall destroy or have destroyed, in accordance with State law, in a humane manner, such dog, cat, ferret or other animal. Provided, however, that if in the judgment of the Animal Control Officer the dog, cat, ferret or other animal is valuable or otherwise desirable for keeping, he/she may release the dog to any person who shall become the owner of the dog, cat, ferret or other animal, and who shall keep the dog, cat ferret or other animal in accordance with the provisions of this Ordinance and State law.
- E. The bodies of all dogs, cats, ferrets or other animals destroyed at the animal shelter or elsewhere in the County shall be disposed of by the Animal Control Officer in a manner as provided by the State of Michigan Department of Agriculture or the Board of Commissioners.
- F. An animal seized pursuant to this Ordinance or pursuant to State law shall either be returned to the owner, adopted by a new owner, destroyed, or sold at public auction following the procedures set forth in the State Animals Running at Large statute, being MCLA 433.11 et seq. as currently enacted, or as may be amended from time to time.

- G. The Animal Control Officer shall be authorized to investigate complaints of dogs, cats, ferrets or other animals alleged to be dangerous to persons or property.
- H. The Animal Control Officer shall be authorized to investigate complaints of cruelty to dogs, cats, ferrets or other animals.
- I. The Animal Control Officer or such other authorized persons shall annually, or as otherwise directed by the Board of Commissioners, make diligent inquiry as to the number of dogs and ferrets owned, harbored, or kept by all persons in the County, and shall on or before June 1st of each year, make a complete report to the County Treasurer on a blank form furnished by the Director of Agriculture, setting forth the name of every owner, or keeper, of any dog subject to license under this Ordinance, how many of each sex are owned by that person, and note if a kennel license is maintained.
- J. The Animal Control Officer shall have such other duties relating to the enforcement of this Ordinance as the Board of Commissioners may from time to time provide and as may be provided by any State law in which an Animal Control Officer may be authorized to enforce.
- K. The Animal Control Officer, under the direction of the County Treasurer, shall at all times maintain a book of receipts, properly numbered in sequence for accounting purposes, for the issuing of dog and ferret licenses as provided in this Ordinance, and may issue such dog and ferret licenses in accordance herewith.
- L. All fees and monies collected by the Animal Control Officer as herein provided shall be accounted for and turned over to the Antrim County Treasurer on or before the last day of each and every week, or more often, or as otherwise directed by the County Treasurer as may be reasonably necessary under the standard practices of the County Treasurer's accounting system.

**SECTION 500.
LICENSING AND VACCINATION**

Section 500.1. DOG LICENSE

The owner of any dog four (4) months old or older shall on or before March 1st of each year apply in writing to the County Treasurer or his/her authorized agent, or a Township Treasurer where the owner resides for a license for each dog owned or kept by him or her. A person who becomes an owner of a dog that is four months old and that is not already licensed shall apply for a license within 30 days. A person who owns a dog that will become 4 months old and that is not already licensed shall apply for a license within 30 days after the dog becomes 4 months old.

Every Township Treasurer shall on or before December 1 each year, apply to the County Treasurer for necessary license blanks and tags for the ensuing year, and shall issue dog licenses and tags in a manner prescribed for issuing licenses by the County Treasurer. A Township Treasurer, for the services of licensing dogs, shall receive a reasonable fee at a rate determined by the County Board of Commissioners for each dog license issued.

Every Township Treasurer shall not later than March 1 of each year, return to the County Treasurer all unused tags, and the book or books from which dog licenses have been issued, containing receipts properly filled out, and showing the name of the person issued each license and the number of each license issued and a full description of each dog licensed. The Township Treasurer shall on or before March 1 of each year pay over all money received for issuing licenses less the amount set by the Board of Commissioners to be retained by the Township Treasurer for each license issued.

A Township Treasurer may enter an agreement with the County Treasurer for the County Treasurer to perform the duties of the Township Treasurer or village treasurer under the Dog Law of 1919.

The County Treasurer may appoint and enter into an agreement with an authorized agent for the sale and issuance of any license under this Ordinance. An authorized agent, for the services of licensing dogs, shall receive a reasonable fee at a rate determined by the County Board of Commissioners for each dog license issued.

The application for each dog license shall state the breed, sex, age, color and markings of such dog, and the name and address of the owner. No license shall be issued for any dog, unless the applicant exhibits proof of vaccination of the dog for rabies by a valid certificate of vaccination, with a vaccine licensed by the United States Department of Agriculture, signed by an accredited veterinarian.

Section 500.2.

When applying for a license, the owner shall pay the license fee-provided for in the County budget. The County Board of Commissioners may set license fees in the County budget at a level sufficient to pay all of the County's expenses of administering this Ordinance as it pertains to dogs. For a spayed or neutered dog, the license fee, if any, shall be set lower than the license fee for a dog that is not spayed or neutered. In addition, the license fee may be set higher for a delinquent application than for a timely application.

Section 500.3 If any dog tag is lost, it shall be replaced without cost by the County Treasurer, upon application by the owner of the dog, and upon production of such license receipt and a sworn statement of the facts regarding the loss of such tag.

Section 500.5 No license or license tag issued for 1 dog shall be transferable to another dog. Whenever the ownership or possession of any dog is permanently transferred from 1 person to another within the same County, the license of such dog may be likewise transferred, upon notice given to the County Treasurer who shall note such transfer upon his/her record. This provision does not require the procurement of a new license, or the transfer of a license already secured, when the possession of a dog is temporarily transferred, for the purpose of hunting game, breeding, trial, show or veterinary care, in the State of Michigan.

Section 500.5 If a dog is licensed before it becomes 5 months old and is subsequently sprayed or neutered before it becomes 7 months old, the owner of the dog may exchange the license for a license for a sprayed or neutered dog and receive a refund for the difference in the cost of the license. The owner shall exchange the license before the dog becomes 7 months old.

Section 500.6 Licenses shall be issued either for a one-year period or a three-year period at the option of owner.

Section 500.7 An owner shall apply for a license by March 1 every year or every third year, at the owner's option. The owner of a dog that is required to be licensed shall keep the dog currently vaccinated against rabies by an accredited veterinarian with a vaccine licensed by the United States Department of Agriculture.

If an owner applies for an annual license under this section for a newly acquired dog, or an animal that has become four months of age after July 1 of a calendar year, the license fee shall be 1/2 of the fee set by the County.

Section 500.8 Fees for leader dogs or leader dogs in training are exempt from any license fee.

Section 500.9 KENNEL LICENSE

Any person who keeps or operates a kennel may, in lieu of individual licenses required under this Ordinance, apply to the County Treasurer for a kennel license entitling him or her to keep or operate a kennel. Proof of vaccination of dogs against rabies shall be required with the application. The license shall be issued by the County Treasurer on a form prepared by the County Treasurer, similar in form to the form prepared and supplied by the Director of the Department of Agriculture, and shall entitle the licensee to keep any number of dogs 4 months old or older, not at any time exceeding a certain number of dogs, which shall be specified in the license.

When applying for a kennel license, the owner shall pay the kennel license fee provided for in the County Budget. The County Board of Commissioners may set kennel license fees in the County Budget at a level sufficient to pay all of the County's expenses of administering this Ordinance as it pertains to the kenneling of dogs. A fee of double the original license fee shall be charged for each previously licensed kennel, whose kennel license is applied for after June 1.

The licensee of a kennel shall at all times, keep 1 of such tags attached to a collar on each dog 4 months old or older kept by him under a kennel license. No dog bearing a kennel tag shall be permitted to stray or be taken anywhere outside the limits of the kennel. This section does not prohibit the taking of dogs having a kennel license outside the limits of the kennel temporarily and on a leash, nor does it prohibit the taking of such dogs out of the kennel temporarily for the purpose of hunting, breeding, trial, show or veterinary care.

Any dog four months old or older, owned by a person other than the kennel licensee, and which is being trained, boarded, bred, or offered for sale by a kennel licensee at his/her licensed kennel must be individually licensed as required in this Ordinance.

With each kennel license, the County Treasurer shall issue a number of metal tags equal to the number of dogs authorized to be kept in the kennel. All the tags shall bear the name of the County issuing them, the number of the kennel license, and shall be readily distinguishable from the individual license tags for the same year.

The County Treasurer shall not issue a kennel license unless the applicant furnishes an inspection certificate signed by the animal control officer stating that the kennel to be covered by the license complies with the reasonable sanitary requirements of the Department of Agriculture, and that the dogs therein are properly fed and protected from exposure

commensurate with the breed of the dog. The inspection shall be made not more than 30 days before filing the application for license.

Section 500.10. Ferret License

The owner of any ferret twelve weeks old or older shall on or before March 1st of each year apply in writing to the County Treasurer or his/her authorized agent, or a Township Treasurer where the owner resides for a license for each ferret owned or kept by him or her. A person who becomes an owner of a ferret that is twelve weeks old and that is not already licensed shall apply for a license within 30 days. A person who owns a ferret that will become twelve weeks old and that is not already licensed shall apply for a license within 30 days after the dog becomes 12 weeks old. The County Board of Commissioners may set license fees in the County budget at a level sufficient to pay all of the County's expenses of administering this Ordinance as it pertains to ferrets. A fee of double the original license fee shall be charged for each previously licensed ferret, whose license is applied for after June 1.

The application for each ferret shall state the breed, sex, age, color and markings or other identification of such ferret, and the name and address of the owner. No license shall be issued for any ferret, unless the applicant exhibits proof of vaccination of the ferret for rabies by a valid certificate of vaccination for rabies, with a vaccine licensed by the United States Department of Agriculture, signed by an accredited veterinarian.

Section 500.11. Dogs and ferrets available for adoption must be properly licensed as set forth in this Ordinance. Any dog, cat or ferret placed for adoption shall be done in accordance with Public Act 287 of 1969, as amended.

**SECTION 600
CONFINEMENT**

Section 600.1 Any dog, cat, ferret or other animal, which bites a person, shall be quarantined for ten (10) days if ordered by the Animal Control Officer or the Director of Public Health or his/her designated representative. During quarantine, the dog, cat, ferret or other animal shall be securely confined and kept from contact with any other animal. At the discretion of the Animal Control Officer or the Director of Public Health, or designated representative, the quarantine may be on the property of the owner. If the Animal Control Officer or the Director of Public Health, or designated representative, requires other confinement, the owner shall surrender the dog, cat, ferret or other animal for the quarantine to the animal shelter, or shall at his/her own expense, place the dog, cat, ferret or other animal in a veterinary hospital.

**SECTION 700
ANIMAL SHELTER AND IMPOUNDMENT**

Section 700.1 Immediately upon seizing any dog, cat, ferret or other animal and placing it in the animal shelter, the Animal Control Officer shall enter upon the records of the animal shelter, in a book to be kept by him/her for such purpose, the date of the seizing, a description of the dog, cat, ferret or other animal seized, and a record as to whether or not the dog or ferret has been licensed and tagged as required by this Ordinance or State law.

Section 700.2 The owner of any dog, cat, ferret or animal taken into the custody and care of the Animal Control Officer or picked up by a law enforcement officer and turned over to the Animal Control Officer, shall pay a fee for such pick up and shelter expenses as set by the County Board of Commissioners in the County budget. The County Board of Commissioners shall set a daily fee for housing a dog, cat, ferret or any other animal at the animal shelter. Before the owner can retrieve his or her dog, cat, ferret or other animal, the owner shall pay such pick-up fee and the actual cost for the sheltering and care of the dog, cat, ferret or other animal. If a dog, cat, ferret or other animal is sheltered at a place other than the animal shelter, or is provided with veterinarian or other outside care, the owner shall pay to the County its actual cost for such shelter, treatment and care, and the same shall be paid before the dog, cat, ferret or other animal is retrieved.

**SECTION 800
ENUMERATION OF CERTAIN VIOLATIONS AND PROCEDURES
THEREFORE**

Section 800.1. It shall be unlawful for the owner of any dog, ferret or other animal, licensed or unlicensed, to permit the dog, ferret or other animal to run at large or to enter upon the property of another without prior permission. This subsection shall not apply to an owner whose dog is running at large assisting a law enforcement agency or investigation; or a dog owned by a law enforcement agency or a certified law enforcement officer which has been trained as a K-9 to assist in a law enforcement agency, investigation, or demonstration; or a dog assisting a law enforcement agency in the search for missing persons or as otherwise permitted by State law.

Section 800.2. It shall be unlawful for the owner of a dog, cat, ferret or other animal to permit a dog, cat, ferret or other animal to be outside, including in an enclosed fenced area used to confine a dog, cat, ferret or other animal, and allowed to whine, yelp, howl yowl, bark or make other sounds common to its species in such a manner that said noise can be heard by any person from an adjoining property or beyond, or from the right-of-way of any adjoining public or private road or beyond between the hours of 10:00 PM and 5:00 AM or at any other time in a habitual manner.

However, this section shall not apply to hunting dogs while engaged in the act of hunting, nor include any activity protected as a farm or farm operation as set forth in Act 93 of the Public Acts of 1981, as amended by Act 240 of the Public Acts of 1987, nor shall this section apply to a person with a current kennel license, to a licensed veterinarian who keeps or harbors dogs, cats, or ferrets in the regular course of operating a commercial veterinary hospital or clinic, or an animal control shelter/ animal protection shelter.

Section 800.3. It shall be unlawful for the owner of a dog, cat, ferret or other animal to permit or to create a malodorous or unsanitary waste conditions on the owner's property or to create a malodorous or unsanitary waste condition anywhere on the property of another person. This provision shall not include any animal or activity protected within or upon any farm or farm operation as set forth in Act 93 of the Public Acts of 1981, as amended by Act 240 of the Public Acts of 1987.

Section 800.4. It shall be unlawful for a dog, cat, ferret or other animal in any manner injure or destroy any real or personal property belonging to another person, including but not limited to breaking or tearing open any garbage bag or container or otherwise spreading garbage or rubbish on another person's real property. In the event that this occurs, the owner of such dog, cat, ferret or other animal shall responsible for such acts.

Section 800.5. It shall be unlawful for any person to have, keep or harbor more than a total of seven (7) or more dogs, cats, or ferrets or any combination of same over the age of four (4) months, at the same house, single apartment unit, or any type of structure or enclosure; yard or real property, or any other place within the County. This section, however, shall not apply to a person with a current kennel license, breeders or hobby breeders of ferrets pursuant to the provisions of Act 358 of Public Acts of 1994, as amended, or to a licensed veterinarian who keeps or harbors dogs, cats, or ferrets in the regular course of operating a commercial veterinary hospital or clinic, animal control shelter or animal protection shelter.

Section 800.6. It shall be unlawful for any owner to have any dog over 4 months of age or any ferret over 12 weeks old without a license securely attached to a substantial collar.

Section 800.7. It shall be unlawful for any person to keep or harbor a guard dog upon any property unless the guard dog is within an enclosed building or fenced area, which has a sign posted upon the property, prominently displayed and clearly visible to the public, containing the words "WARNING-GUARD DOG".

Section 800.8. It shall be unlawful for any owner or authorized agent of an owner of any guard dog to permit such a guard dog to be outside of an enclosed building or fenced area unless such guard dog is upon a leash not longer than 6 feet in length.

SECTION 900 STRAY DOGS CATS OR ANIMALS

Section 900.1 Any dog, cat, ferret or other animal without a collar and tag or license identifying the owner of same shall be deemed to be a stray dog, cat or other animal, and shall be subject to immediate impoundment by the Animal Control Officer or any certified law enforcement officer.

SECTION 1000 PENALTY

Section 1000.1. Unless a different penalty is provided elsewhere in this Ordinance, any person who shall violate any provision of this Ordinance shall be responsible for a municipal civil infraction as provided for in M.C.L.A. 600.8701 et seq, and shall be subject to a fine of not more than Five Hundred (\$500.00) Dollars. Civil infraction tickets may be written by any certified law enforcement officer or by the animal control officer, or by such other persons as may be provided for by law. Each day this Ordinance is violated shall be considered as a separate violation. Any action taken under this Ordinance shall not prevent civil proceedings for abatement or termination of the activity prohibited by this Ordinance.

Pursuant to M.C.L.A. 600.8302, the District Court may issue and enforce any judgment, writ, or order necessary to enforce the Ordinance.

This section shall not prevent enforcement action, including criminal prosecution, pursuant to Dog Law of 1919

**SECTION 1100
AFFIRMATIVE DEFENSE**

Section 1100.1. Any person claiming that a dog is a leader dog, guard dog, farm dog or guard dog has the burden of proving such a defense by a preponderance of the evidence.

**SECTION 1200
INTERFERENCE WITH CAPTURE OF CATS OR DOGS.**

Section 1200.1 It shall be unlawful for any person to hinder, delay, interfere with, or obstruct; or directly or indirectly, to aid, counsel, assist or advise another to hinder, delay, interfere with, or obstruct an animal control officer while he or she is engaged in capturing or securing a cat, dog, ferret or other animal running at large in violation of this Ordinance or State law, or while taking into custody, or having in custody any stray dog, cat, ferret or other animal subject to impoundment pursuant to the provisions of this Ordinance or State law, or to open any vehicle or other place of confinement. A violation of this section shall be a misdemeanor punishable by no more than ninety (90) days in jail and/or a fine not to exceed Five Hundred Dollars (\$500.00), plus the costs of prosecution. This section shall not prevent enforcement action, including criminal prosecution, pursuant to any other section of this Ordinance or State law pertaining to obstructing a Law Enforcement Officer or Animal Control Officer in performance of his/her duty, or any other criminal statute.

**SECTION 1300
SEVERABILITY**

Section 1300.1. If any article, section, subsection, sentence, clause, phrase, or portion of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, the County intends said portion to be disregarded, reduced and/or revised so as to be recognized to the fullest extent possible by law. The County further states that it would have passed and adopted what remains of this Ordinance following the removal, reduction or revision of any portion so found to be invalid or unconstitutional.

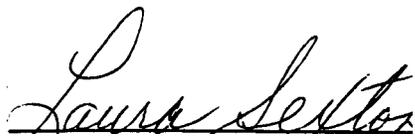
SECTION 1400
EFFECTIVE DATE

Section 1400.1. Amendments to this Ordinance shall take effect upon publication of notice of adoption of the Ordinance. If amendment does not become effective for any reason, the original Ordinance shall remain in full force.

Jack White, Chair
Antrim County Board of Commissioners
Ordinance # _____, 2002, carried by yea and nay vote as follows:

YEAS _____ N A Y S 0
/4bs e4:t _____

The Amendment to this Ordinance shall take effect upon publication of notice of adoption of the Amendments. If within 50 days after the County Board of Commissioners has adopted an Ordinance, a petition, signed by not less than 20% of the electors residing in the district to be affected by the Ordinance, is filed with the County Clerk asking that the Ordinance be submitted to the electors of the district to be affected by the Ordinance for approval or rejection, then the Ordinance shall not take effect until it has been approved by a majority of the electors of the district affected voting on that issue at a regular or special election called for that purpose.



Laura Sexton _____
Antrim County Clerk
Effective date: *Nov. 14, 2002*

ORIGINAL AS/c/wordpr/county/dogord
11/14/2002 VERSION F/SHARED/ORDINANCE FINAL