

Appendix H: Animal Waste Management Ordinances

1. Animal Waste Ordinance
2. Waterfowl Ordinance

Animal Waste Ordinance

This sample ordinance is general guidance to assist local communities interested in implementing an animal waste control ordinance. This ordinance is NOT legal advice. Details of both substance and process in an ordinance will vary from community to community based on local conditions and institutional structures. Proposed ordinances should not be finalized without advice and involvement of legal counsel.

Animal Excrement Control

- (a) Every person having any animal under his or her ownership, custody, supervision, or control shall promptly and thoroughly remove all excrement left by the animal upon any private or public property. Provided, however, a person may fail to remove such excrement from private property which that person owns or in which he or she has a lawful possessory interest, or on which he or she is an invitee with permission of the owner or lawful possessor to not remove animal excrement.
- (b) It shall be unlawful for any person to appear with any animal or any private or public property unless that person has then in his or her possession an appropriate device for the immediate and thorough removal of any excrement left by that animal. Provided, however, a person may fail to have in his or her possession an appropriate device for the immediate and thorough removal of animal excrement from private property which that person owns or in which he or she has a lawful possessory interest, or on which he or she is an invitee with permission of the owner or lawful possessor to not have such a device.
- (c) Penalty
 - (1) A violation of this provision shall constitute a municipal civil infraction, which, upon an admission or finding of responsibility, shall result in a fine of not less than fifty dollars (\$50).
 - (2) A second violation of this provision within two (2) years shall constitute a municipal civil infraction which, upon an admission or finding of responsibility, shall result in a fine of not less than one hundred dollars (\$100.00).
 - (3) A third or subsequent violation of this provision within two (2) years of the first such violation shall constitute a municipal civil infraction which upon an admission or finding of responsibility shall result in a fine of not less than three hundred dollars (\$300.00).
 - (4) All police officers, public service department technicians, and the Building Inspector and Zoning Administrator are authorized to issue civil infraction citations pursuant to this section.

Waterfowl Ordinance

This sample ordinance is general guidance to assist local communities interested in implementing a waterfowl control ordinance. This ordinance is NOT legal advice. Details of both substance and process in an ordinance will vary from community to community based on local conditions and institutional structures. Proposed ordinances should not be finalized without advice and involvement of legal counsel.

Prohibition of Waterfowl Feeding Ordinance

- (a) No person may feed waterfowl on public or private property within the (Township/City/Village), or place or permit to be placed on the ground, shoreline, waterbody, or any structure, food, food by-products, garbage, or animal food, which may reasonably be expected to intentionally result in waterfowl feeding, unless such items are screened or protected in a manner that prevents waterfowl from feeding on them.
- (b) This prohibition shall not apply to:
 - (1) Veterinarians, municipal animal control officers, or state or federal game officials who while operating within the course and scope of their duties have waterfowl in custody or under their management;
 - (2) Persons authorized by the (Township/City/Village) to implement a Canada goose management program or any other waterfowl management programs approved by the (Township/City/Village) council;
 - (3) Any food place upon the property for purposes of trapping or otherwise taking geese or other waterfowl, where such trapping or taking is pursuant to a permit issued by the Michigan Department of Natural Resources.
- (c) Penalty
 - (1) The first violation of this section shall result in a written warning from the (Township/City/Village);
 - (2) Subsequent violations shall be a municipal civil infraction, which, upon an admission or finding of responsibility, shall result in a fine of not less than fifty dollars (\$50).

