

**ARMADA TOWNSHIP  
MACOMB COUNTY, MICHIGAN  
ORDINANCE NO. R2026-04  
ANIMAL CONTROL ORDINANCE**

**MOTION BY: Swiacki**

**SUPPORTED BY: Job**

**TO ADOPT AND PUBLISH THE FOLLOWING AMENDMENT TO THE ARMADA TOWNSHIP ANIMAL CONTROL ORDINANCE, R2015-17, AND TO PROVIDE FOR REPEALER, SEVERABILITY AND EFFECTIVE DATE.**

**THE TOWNSHIP BOARD OF THE TOWNSHIP OF ARMADA, COUNTY OF MACOMB, MICHIGAN, ORDAINS:**

**Section A. Preamble.** The purpose of this ordinance is to promote and protect the public health, safety and welfare and provide for the consistent and safe regulation of in order to preserve public health, safety and welfare, promote efficient feasible and safe processes, and provide for the harmonious and reliable development of property in a cost effective, efficient and safe manner.

**Section B.** The Animal Control Ordinance for the Township of Armada, R2015-17, is amended to read as follows:

**SECTION 1. SHORT TITLE**

This Ordinance shall be known and cited as the Armada Township Animal Control Ordinance.

**SECTION 2. PURPOSE**

The purpose of this Ordinance is to regulate the possession and control of domestic animals; to protect the public health, safety and welfare by preventing unsanitary conditions from occurring; and to provide penalties for violations hereof.

**SECTION 3. ENABLING AUTHORITY.**

This Ordinance is adopted pursuant to, and in accordance with MCL 41.181, Public Act 246 of 1945 as amended. To the extent that this ordinance is contrary to any

provisions in the Michigan Right to Farm Act, MCL 286.471, *et. seq.*, as may be amended, the Michigan Right to Farm Act is controlling.

#### **SECTION 4. DEFINITIONS**

**Owner:** Any person who (1) harbors or keeps a domestic animal; (2) has a right or property interest in any domestic animal; or (3) any person who shall permit any domestic animal to remain about any premises owned or occupied by him or her for a period of five (5) days shall be deemed to be the owner of such domestic animal for the purpose of this Ordinance.

**Custodian:** A person who has charge of the domestic animal but does not necessarily own the animal.

**Domestic Animal:** An animal that has traditionally, through a long association with humans, lived in a state of dependence upon humans or under the dominion and control of humans and has been kept as a household pet, including but not limited to dogs, cats, hamsters, gerbils, ferrets, mice, rabbits, cockatiels, cockatoos, canaries, finches, parakeets, parrots, and tropical fish. For the purpose of this ordinance only, domestic animals include Service Animals and Emotional Support Animals except as may be prohibited by law.

**Livestock** “Livestock” means that term as defined in section 3 of the animal industry act, 1988 PA 466, [MCL 287.703](#)

**Service Animal** An animal that has been individually trained to perform specific tasks for a person with a disability. These tasks can include guiding individuals with visual impairments, alerting those with hearing difficulties to sounds, assisting in mobility, or retrieving items. Under the Americans with Disabilities Act (ADA), service animals are distinct from emotional support animals, which do not have the same legal protections.

#### **Emotional Support Animal**

An Emotional Support Animal (ESA) is an animal that provides a therapeutic benefit (*e.g.*, emotional support, comfort, companionship) to a person with a mental health or psychiatric disability (such as a serious mental health

condition). Any domesticated animal may be considered as an ESA (e.g., cats, dogs, mice, rabbits, birds, hedgehogs, rats, minipigs, ferrets, etc.) and they can be any age. However, an ESA must be able to be manageable in public and does not create a nuisance.

**SECTION 5. DOG LICENSE REQUIRED**

It shall be unlawful for any person to own, maintain, keep or harbor any dog within the corporate limits of the Township without first obtaining a license from Macomb County, as required by Public Act 339 of 1919, MCL 287.266 et seq., as amended.

**SECTION 6. NOISE CONTROL**

It shall be unlawful for any person to own, harbor or keep any domestic animal which shall cause annoyance or disturbance to persons by frequent or habitual barking, howling, yelping or habitual crying.

**SECTION 7. LEASH REQUIREMENTS/ANIMALS AT LARGE PROHIBITED**

All domestic animals shall be kept under restraint. It shall be unlawful for any person to cause or permit any domestic animal owned, kept, possessed or harbored by such person, under his or her control, to run at large or unattended, upon the public streets, walks, alleys, parks, public places within the Township, or upon the premises of another, without express permission of the owner or occupant of the private premises.

It shall be unlawful for any person to permit or cause to permit a domestic animal to leave, stray, roam or wander beyond the boundaries of the premises owned or occupied by its owner, unless that animal is under leash or other means of direct control by its owner or his agent.

**SECTION 8. INJURY TO PROPERTY**

It shall be unlawful for any person owning or possessing a domestic animal to permit a domestic animal to go upon private lands or premises without the permission of the owner of such premises and break, bruise, tear up, crush or injure any lawn, flower bed, plant shrub, tree or garden in any manner whatsoever.

#### **SECTION 9. WASTE REMOVAL**

It shall be unlawful for any person to permit any domestic animal owned or harbored by him/her to deposit fecal matter in any place other than the premises where the animal is harbored or kept, unless that fecal matter is immediately collected, removed and properly disposed of.

#### **SECTION 10. CONFINEMENT**

It shall be unlawful for any person owning, keeping, harboring, or having charge of any domestic animal to confine, keep, or harbor such animal in a structure, pen coop or yard, or otherwise, so as to create an unsanitary, unwholesome, malodorous, or obnoxious condition. Any structure, pen, or coop maintained for the purpose of confining, keeping, or harboring any domestic animal shall not be constructed nor maintained so as to be nearer than 15 feet to any property line.

All pens, yards or runs or other structures wherein any animal is kept shall be of such construction so as to be easily cleaned and kept in good repair.

Fences which are intended as enclosures for any animal shall be securely constructed, shall be adequate for the purpose, kept in good repair and shall not become unsightly.

#### **SECTION 11. VICIOUS DOGS**

No person shall own or harbor a vicious or dangerous dog, or an animal which has bitten any person, or an animal that has been bitten by an animal known to have been affected by rabies.

## **SECTION 12. FOOD AND SHELTER**

It shall be unlawful for any person in charge of an animal to fail, refuse or neglect to provide such animal with food, potable water, shade or shelter, or to cruelly or unnecessarily expose any such animal in hot, stormy, cold or inclement weather, or to carry such animal in or upon any vehicle in a cruel or inhumane manner.

“Shade” shall mean protection from the direct rays of the sun during the months of June through September. “Shelter”, as it applies to domestic animals, shall mean a moisture-proof structure of suitable size to accommodate the domestic animal and allow retention of body heat, made of durable material with a solid floor raised at least two inches from the ground and with the entrance covered by a flexible, wind-proof material. Such structure shall be provided with a sufficient quantity of suitable bedding to provide insulation and protection against cold and dampness.

## **SECTION 13. CRUELTY TO ANIMALS**

It shall be unlawful for any person to willfully or maliciously inflict unnecessary or needless cruelty, torture, abuse, or cruelly beat, strike or abuse any animal, or by any act, omission or neglect, cause or inflict any unnecessary or unjustifiable pain, suffering or injury or death to any animal, whether such animal belongs to such person or to another, except that reasonable force may be employed to drive away vicious or trespassing animals. Any unwanted animals shall be delivered to the Humane Society

for proper disposal or care.

#### **SECTION 14. PENALTIES**

Any person who violates the provisions of this Ordinance shall upon conviction thereof, be guilty of a misdemeanor and subject to a penalty not to exceed five hundred dollars (\$500) or imprisonment in the county jail for a period not to exceed ninety (90) days, or both such fines and imprisonment.

#### **SECTION 15. ENFORCEMENT**

a. In accordance with the Michigan Right to Farm Act, MCL 286.471, et. seq., and as may be amended, the Michigan Department of Agriculture and Rural Development (or their designee) shall investigate all complaints involving a farm or farm operation, including, but not limited to, complaints involving the use of manure and other nutrients, agricultural waste products, dust, noise, odor, fumes, air pollution, surface water or groundwater pollution, food and agricultural processing by-products, care of farm animals, and pest infestations.

b. In addition, the Township Board hereby authorizes the Township code enforcement officer or his designee, the Macomb County Sheriff's Department officers and their agents/assignees, the Michigan State Police officers and their agents/assignees and the Macomb County Animal Control officers and their agents/assignees to enforce or assist in the enforcement of this Ordinance and to issue citations under this Ordinance.

c. The Township may also sue in any court of competent jurisdiction for civil relief, including damages or injunctive relief, and may recover its fees, costs and

expenses incurred from any person, partnership, firm, association or corporation who violates the Animal Control Ordinance.

**Section C. Repealer.** All ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary give this ordinance full force and effect.

**Section D. Severability.** If any article, section, subsection, sentence, clause, phrase, portion of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of remaining portions of the ordinance, it being the intent of the Township that this ordinance shall be fully severable.

**Section E. Effective Date.** This ordinance shall become effective thirty (30) days after publication following adoption.

AYES: Nikkel, Swiacki, Job, Goetzing and Krotche

NAYS: None

ABSENT: None

**ORDINANCE DECLARED ADOPTED.**

### **CERTIFICATE OF TOWNSHIP CLERK**

I certify that the foregoing constitutes a true and complete copy of the Ordinance duly adopted by the Township Board of the Township of Armada, Macomb County, Michigan, at a meeting held on the 11th day of March, 2026.

I further certify that the following Township Board Members were present at the meeting: Nikkel, Swiacki, Job, Goetzinger and Krotche and the following Township Board members were absent: None.

I further certify that Member Swiacki moved for the adoption of the Ordinance, and that motion was supported by Member Job. I further certify that the following Township Board Members voted for the adoption of the Ordinance: Nikkel, Swiacki, Job, Goetzinger and Krotche and that the following Township Board Members voted against adoption of the Ordinance: None.

*Mary K. Swiacki*

Mary K. Swiacki, CMMC, MiPMC  
Armada Township

### **CERTIFICATE OF PUBLICATION**

I, the undersigned Township Clerk of the Township of Armada, do hereby certify that on 18<sup>th</sup> day of March, 2026, the foregoing Ordinance, or Summary thereof, was duly published in the Armada Times, a newspaper having general circulation within the Township of Armada.

*Mary K. Swiacki*

Mary K. Swiacki, CMMC, MiPMC  
Armada Township