

ORDINANCE NO. 10-200

AN ORDINANCE TO REGULATE THE BARKING OF DOGS

THE CITY OF ISHPEMING ORDAINS:

Section 10-201. Definition.

- a) "Owner" as used in this ordinance shall include every person having a right of property in a dog, and every person who keeps or harbors a dog or has it in his or her care, and every person who permits a dog to remain on or about any premises occupied by such person.
- b) "Out of doors" as used in this ordinance shall mean any place other than within the confines of a home, a residence or a building regularly occupied by people.

Section 10-202. Prohibited Conduct.

It shall be unlawful for the owner of any dog within the City of Ishpeming to permit, cause or suffer such dog to remain out of doors when such dog is repeatedly, continuously, or frequently barking, after the Owner has received a complaint or notice from any person that the barking of such dog is causing a disturbance; provided, however, that the owner may permit such dog to remain out of doors if the owner shall prevent such barking.

Section 10-203. Punishment.

- a) Every person charged with a violation of the provisions of this ordinance may be issued an appearance ticket, and the disposition of such charge shall follow the procedure for the processing of appearance tickets as generally specified under State law, being M.S.A. 28.868(3) et. seq.
- b) Violation of any of the provisions of this ordinance shall constitute a municipal civil infraction. A person, firm or corporation determined to be responsible or responsible "with explanation" for a municipal civil infraction shall be subject to a civil fine of not more than One Hundred (\$100.00) Dollars plus costs, and if applicable, damages and expenses as provided by law. A municipal civil infraction action brought for any violation of this ordinance shall follow the procedures set forth in Act No. 12, P.A. 1994, as amended, and a Defendant charged with a municipal civil infraction violation shall have all of the rights, duties, responsibilities and obligations set forth therein.
- c) Each twenty-four hour period during which the conduct prohibited under Section 10-202 above continues shall constitute a separate offense for purposes of imposing the punishment provided hereinabove.

Section 10-204. This Ordinance shall become effective upon legal publication.

Adopted: March 6, 1985

Amended: June 8, 1994