

**Memorandum**

**MUSSEY TOWNSHIP, ST. CLAIR COUNTY, MICHIGAN**

**ORDINANCE NO. 36**

**AN ORDINANCE TO REVISE AND CLARIFY THE REGULATIONS ON THE KEEPING OF ANIMALS IN THE MUSSEY TOWNSHIP ZONING ORDINANCE.**

**MUSSEY TOWNSHIP ORDAINS:**

**SECTION I.** The Zoning Ordinance of Mussey Township shall be amended to revise Article 2, Definitions, by **deleting** Section 2.35, Animal Definitions, and renumbering all subsequent sections accordingly.

**SECTION II.** The Zoning Ordinance of Mussey Township shall be amended to revise Article 2, Definitions, by **adding** a new Section 2.05, with the following text, and renumbering all subsequent sections accordingly.

*"5. Animal Definitions:*

- a. Farm Animal: An animal raised for slaughter or kept for the purposes of contributing to an agricultural use through labor or the production of milk, eggs, manure, wool, or other animal-based products.*
- b. Domestic Pet: An animal kept solely for companionship, recreation, and pleasure, regardless of the use of the property where the animal resides. All animals kept for companionship, recreation, and pleasure shall be considered domestic pets for the purposes of this ordinance, except for those defined as "Exotic or Wild Animals."*
- c. Exotic or Wild Animal: Any animal not commonly (in Michigan) domesticated, raised for slaughter, or used for agricultural purposes, especially animals that pose a clear and present danger to humans, including but not limited to big cats, venomous snakes, and large apes.*
- d. Fur-Bearing Animals: Any mammal commonly (in Michigan) domesticated, raised for slaughter, or used for agricultural purposes. An animal may be considered a Fur-Bearing Animal as well as a Farm Animal, Domestic Pet, or Exotic or Wild Animal."*

**SECTION III.** The Zoning Ordinance of Mussey Township shall be amended to revise Article 2, Definitions, to **revise** Section 2.55, Kennel, Commercial, by replacing the word "renumeration" with the word "remuneration."

**SECTION IV.** The Zoning Ordinance of Mussey Township shall be amended to revise Article 4, AG Agricultural District, by **removing** Sections 4.01.B.1 and 4.01.B.2.

**SECTION V.** The Zoning Ordinance of Mussey Township shall be amended to revise Article 13, Special Land Use Approval Requirements, by **removing** the word "farm" from Section 1331.B.3.

**SECTION VI.** The Zoning Ordinance of Mussey Township shall be amended to revise Article 13, Special Land Use Approval Requirements, by **removing** the word "farm" from Section 1331.B.4.

**SECTION VII.** The Zoning Ordinance of Mussey Township shall be amended to revise Article 12, General Provisions, to **add** a new Section 1225, as follows:

*"Section 1225: Keeping of Animals.*

(a) *Domestic pets as defined in Article II may be kept in any Zoning District. Wild and exotic animals as defined in Article II are prohibited in all Zoning Districts. Farm animals as defined in Article II may be kept only on lots used for agriculture, hobby farms, or another conforming use requiring the keeping of farm animals.*

(b) *The animals listed below may be kept according with the following schedule:*

<u><b>Lot Description</b></u>	<u><b>Regulation</b></u>
<p>1. <i>Farms (including hobby farms) on lots of 40 acres or more.</i></p>	<p><i>There shall be no zoning limits on the number of animals kept.</i></p>
<p>2. <i>Farms (including hobby farms) under 40 acres.</i></p>	<p><u><i>Horses, Ponies and Other Equines:</i></u></p> <p><i>No more than two horses or ponies may be kept on lots with a minimum of 3 acres. One additional horse or pony may be kept for each 2.5 acres of lot area in excess of 3 acres.</i></p> <p><u><i>Cattle:</i></u></p> <p><i>No more than one per acre. The combined number of cattle and horses or ponies may not exceed one animal per acre.</i></p> <p><u><i>Pigs, Sheep, or Goats:</i></u></p> <p><i>No more than two per acre, of any combination.</i></p> <p><u><i>Poultry:</i></u></p> <p><i>No more than 35 per acre, in any combination.</i></p>
	<p><u><i>Horses or Ponies and other Equines.</i></u></p>

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*No more than two horses or ponies may be kept on lots with a minimum of 3 acres. One additional horse or pony may be kept for each 2.5 acres of lot area in excess of 3 acres.*

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3. *All other lots.*

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Cattle:

*Cattle shall be prohibited on lots that do not contain agricultural uses or hobby farms.*

Pigs, Sheep, or Goats:

*No more than one per acre, of any combination.*

Poultry

*No more than 10 may be kept on lots under 2.5 acres.  
10 additional may be kept for each 2.5 acres of lot area in excess of 2.5 acres.*

- (c) *All animals shall be properly fenced and contained.*
- (d) *Accumulations of manure shall be limited to a single designated area and shall be a minimum of 150 feet from all public rights-of-way, a minimum of 100 feet from side and rear lot lines, and a minimum of 100 feet from all dwellings.*

**SECTION VII.** The Zoning Ordinance of Mussey Township shall be amended to revise Article 4, AG-Agricultural District, to **add** a new Section 404.H, as follows:

*"The keeping of animals shall be regulated by the standards in Section 1225."*

**ADOPTION:** *Made and passed by the Township Board of Trustees of the Township of Mussey, St. Clair County, Michigan on this 8th day of June, 2016 A.D.*

- 1. *Date of Public Hearing:* *May 24, 2016*
- 2. *Date of Adoption by Township Board:* *June 08, 2016*
- 3. *Date of Publication:* *June 15, 2016*
- 4. *Effective date of Ordinance:* *June 30, 2016*

**CERTIFICATION:**

*I, Sheila McDonald, Clerk of the Township of Mussey, do hereby certify that Ordinance #36- An Ordinance to revise and clarify the regulations on the keeping of animals in the Mussey Township Zoning Ordinance, was adopted by the Township Board at a regular meeting of the Township Board held at the Mussey Township Fire Hall on the 8th day June, 2016.*

*Vote on this Ordinance, 4 members present, was as follows:*

*Ayes: Downey, Libkie, McDonald & Lauwers*

*Nays: None*

*Absent: Standel*

*I further certify that the said Ordinance was adopted by the Township Board on the 8th. day of June, 2016 and was published once in the Tri-City Times, a paper published and circulated in the Township of Mussey, St. Clair County on the 15th. day of June, 2016 this being the first and final day of publication of this Ordinance.*

***Sheila McDonald - Mussey Township Clerk***

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