

**DOG CONTROL  
Ordinance No. 253  
Adopted: July 7, 1976**

An ordinance to regulate barking dogs, dogs running at large, and dogs confined so as to create unsanitary, obnoxious conditions in Fenton Township, and to provide penalties for violations hereof.

THE TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

**SECTION 1. Owning, keeping, harboring, or having charge of a barking dog prohibited.**

It is unlawful for any person to own, keep, or have charge of any dog which by loud, frequent, or persistent barking, howling, or yelping shall cause annoyance or disturbance to the neighborhood in which such dog is so kept or harbored.

**SECTION 2. Running at large-Prohibited.**

It shall be unlawful for any person owning, keeping, harboring, or having charge of any dog to permit such dog to run at large within the Township. A dog shall be deemed to be running at large within the meaning of this ordinance when such dog shall wander unrestrained on any streets, alleys, parks, or public places within the Township or upon any private property within the Township other than that of the person owning, keeping, harboring, or having charge of such dog. It shall be lawful for any Genesee County dog catcher or Sheriff Deputy to seize any dog running at large in the Township in violation of the provisions of this ordinance.

**SECTION 3. Confining so as to create unsanitary, obnoxious, etc., conditions prohibited.**

It shall be unlawful for any person owning, keeping, harboring, or having charge of any dog to confine, keep, or harbor such dog 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 dog shall include a shelter of adequate size for the animal(s) and shall include a place for dry bedding as required by Section 50 (1) (j) of the Michigan Penal Code (PA 328 of 1931) The structure shall not be constructed nor maintained so as to be nearer than 15 feet to any property line.

(Amended: Ord. No. 731, 11-22-10)

**SECTION 4. Penalty for Violation.**

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 528, 5-18-98; Ord. No. 570, 2-5-01)

**SECTION 5. Publication.**

The Township Clerk is directed to publish this ordinance as required by law.

**WILD, DANGEROUS AND VICIOUS ANIMALS**

**Ordinance No. 655**

**Adopted: March 6, 2006**

An ordinance providing for the regulation of wild, dangerous and vicious animals in the Charter Township of Fenton.

THE CHARTER TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN  
ORDAINS

**SECTION 1. Purpose**

To protect the health and safety of township residents, while allowing the responsible breeding, sale and ownership of unusual and exotic animals, this ordinance is intended to regulate the breeding, sale and ownership of animals that pose a threat to the residents in the township.

**SECTION 2. Definitions**

**A. Wild Animal**

Any living member of the animal kingdom, including those born or raised in captivity, except the following: domestic dogs (excluding hybrids with coyotes or jackals and hybrids that are 50% or more wolf), domestic cats (excluding hybrids with ocelots or margays), farm animals, rodents, wild, and captive-bred species of common cage birds. With regard to wolf hybrids, a pedigree or other certified documentation must be furnished to the Township to demonstrate compliance with this section.

**B. Dangerous Animal**

Any animal with the demonstrated capability to inflict serious physical harm on a human being, including venomous reptiles, insects or arachnids and large carnivorous animals as defined in PA 274 of 2000.

**C. Vicious Animal**

Any animal that attacks, bites or injures human beings or domesticated animals without adequate provocation, or which because of temperament, conditioning or training, has a known propensity to attack, bite, or injure human beings or domesticated animals.

**SECTION 3. Regulations**

Upon receipt of a written, verifiable complaint, or as a result of a documented attack, the Township shall investigate. If the Ordinance Enforcement Officer (OEO) determines that a person has a wild, dangerous or vicious animal that poses a potential threat to residents of the Township, the OEO shall order the animal removed from the Township within a period of time not to exceed thirty (30) days.

**SECTION 4. Enforcement and Penalties**

Violations of this ordinance shall be a misdemeanor, which shall be punishable upon conviction by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days or both such fine and imprisonment in the discretion of the Court. Each day a violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Township from taking such other lawful action as is necessary to prevent or remedy any violation.

(Amended: Ord. No. 761, 3-17-14)

**SECTION 5. Validity**

Each section of this ordinance, and each provision of each section, is hereby declared to be separable, and the holding of any section or provision thereof to be invalid or unenforceable shall not affect the validity or enforceability of any other section or provision.

**SECTION 6. Repeal**

All other ordinances or resolutions, insofar as the same or any part thereof may be inconsistent with any provision of this ordinance, are hereby repealed.

**SECTION 7. Effective Date**

This ordinance shall be published as required by law and shall take effect thirty (30) days following publication.

Enacted at a regular meeting of the Fenton Charter Township Board held on the 6th day of March 2006.

**MEDICAL MARIHUANA  
Ordinance No. 720  
Adopted: March 15, 2010**

An Ordinance to regulate the growing, consumption and distribution of marihuana authorized under Michigan’s Medical Marihuana Act.

THE CHARTER TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN ORDAINS:

**SECTION 1. Purpose**

The purpose of this Ordinance is to regulate the growing, consumption and distribution of medical marihuana in a manner that protects the rights of those authorized to do so under Michigan’s Medical Marihuana Act, Initiated Law 1 of 2008 but also to protect the health, safety and welfare of all residents of the Township.

**SECTION 2. Findings**

Fenton Charter Township adopts this ordinance based on the following finding of facts:

- A. Voters in the State of Michigan approved the referendum authorizing the use of marihuana for certain medical conditions.
- B. The intent of the referendum was to enable certain specific persons who comply with the registration provisions of the law to legally obtain, possess, cultivate/grow, use and distribute marihuana and to assist specific registered individuals identified in the statute without fear or criminal prosecution under limited circumstances.
- C. Despite the specifics of the state legislation and the activities legally allowed as set forth therein, marihuana is still a controlled substance under Michigan law and the legalization of obtaining, possessing, cultivation/growth use and distribution under specific circumstances still has a potential for abuse that should be closely monitored and to the extent permissible regulated by local authorities.
- D. If not closely monitored or regulated, the presence of marihuana even for the purposes legally permitted by the legislation, can present an increase in illegal conduct and/or activity and this threat affects the health, safety and welfare of the residents of Fenton Township, Michigan.

**SECTION 3. Definitions**

For purposes of this Ordinance, the words and phrases as contained herein shall have the meanings as set forth in MCLA 333.26423 and the regulations adopted by the State of Michigan, Department of Community Health, pursuant to authority conferred by Section 5 of Initiated Law 1 of 2008.

**SECTION 4. Compliance Required**

Those individuals within Fenton Township who are "qualifying patients" or "primary caregivers" as those terms are used in The Michigan Medical Marihuana Act shall comply with the requirements set forth herein for qualifying patients in Section 5, and for qualified caregivers in Section 6

**SECTION 5. Requirements for Qualifying Patients**

A person within Fenton Township who has been issued and possesses a valid registry identification card as a qualifying patient as set forth in MCL 333.26421 et. seq. shall comply with the following requirements:

- A. Consumption of marihuana shall not occur in any public place.
- B. Growing of marihuana shall only be allowed inside of an enclosed structure or building with walls and roof and secured with locks to prevent unintended or uninvited access.

**SECTION 6. Requirements For Primary Caregivers**

A person within Fenton Township who has been issued and possesses a valid registry identification card as a primary caregiver as set forth in MCL 333.26421 shall comply with the following requirements:

- A. Growing of marihuana shall only be allowed inside of an enclosed structure or building with walls and roof and secured with locks to prevent unintended or uninvited access.
- B. The primary caregiver provides services to a qualifying patient at their legal residence, which shall be owned or leased by the primary caregiver.
- C. The location from which a primary caregiver grows, cultivates or otherwise provides services to a qualifying patient shall not be used by another primary caregiver for that primary caregiver's services as allowed under the Michigan Medical Marihuana Act.
- D. The location from which a primary caregiver provides services to a qualifying patient shall not be within 1,000 feet of any school.
- E. Cultivation/growing or distribution of marihuana shall not occur in connection with or at a location which any other commodity, product or service is also available.
- F. No consumption of marihuana shall occur at a primary caregiver's location for cultivation/growing, or a primary caregiver's legal residence address, unless the primary caregiver is a qualifying patient and then such consumption shall only be by the qualifying patient / primary caregiver.

(Amended: Ord. No. 722, May 3, 2010)

**SECTION 7. Violations and Penalties**

Any person who violates a provision of this Ordinance shall be guilty of a misdemeanor punishable by up to \$500 in fines and/or 90 days in jail. Further, a person who violates the provisions of this Ordinance in addition to the penalties set forth herein shall be presumed to be operating a nuisance per se and shall be subject to suit or injunction to enjoin further conduct in violation of this ordinance.

**SECTION 8. Severability**

This Ordinance and its various articles, paragraphs and clauses thereof are hereby declared to be severable. If any article, paragraph or clause is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

**SECTION 9. Effective Date**

This amendatory ordinance shall be published as required by law and shall take effect

immediately after adoption and publication.

Enacted at a regular meeting of the Fenton Township Board held on the 15th day of March 2010.