

ARTICLE 52

SECTION R 52.01 HOUSING, KEEPING AND MAINTENANCE OF LIVESTOCK

An ordinance to adopt a new regulatory ordinance concerning the housing, keeping and maintenance of livestock.

THE TOWNSHIP OF FRUITLAND, MUSKEGON COUNTY, MICHIGAN ORDAINS:

SECTION R 52.02 PURPOSE

This ordinance is enacted for the purpose of preventing pollution and securing the health, safety and general welfare of the persons and property within Fruitland Township.

SECTION R 52.03 DEFINITIONS

“Livestock” for the purpose of this ordinance shall mean any animal ordinarily maintained outside of the main building or dwelling and ordinarily considered as a source of food, riding or profit. It shall include, but not be limited to, horses, mules, ponies, steers, cows, llamas, swine, goats and sheep.

The term “livestock” shall not include the following: poultry, fowl, rabbits and fur-bearing animals which are kept for the purpose of the value of their eggs, meat, pelts or as sport. The aforementioned may be kept within Fruitland Township without permit if kept and maintained for the owner’s personal use and not for commercial profit. When kept, the aforementioned shall be properly fenced and housed and shall not constitute a nuisance.

A “nuisance” is defined for purposes of this ordinance as any condition offensive by way of odor, noise, filth, annoyance or unsightliness.

SECTION R 52.04 FENCING AND ENCLOSURES

Livestock shall be fenced and housed so as not to be able to run at large. Livestock shall be so kept as not to constitute a nuisance.

Fencing and housing for livestock, including, but not limited to, barns, corrals and sheds shall be sufficient to retain the livestock on the owned or leased premises of the keeper of said livestock. All fences and buildings shall be maintained in good, presentable condition and be of regular construction to meet approved building codes.

Fencing or buildings for livestock shall be no closer than one hundred (100) feet to a residence, dwelling or human water supply on the keeper’s property.

Fencing or housing for livestock shall be no closer than two hundred (200) feet from any neighboring residence, or any closer than 100 hundred (100) feet from any adjacent human water supply.

SECTION R 52.05 LIVESTOCK DENSITY

Livestock density shall be the minimum of four (4) contiguous acres for the first horse, mule, pony, llama, steer or cow and two (2) full continuous acres for each additional animal thereafter to a maximum of eight (8) on twenty (20) contiguous acres.

Livestock density shall be a minimum of five (5) contiguous acres for the first swine, goat or sheep and two (2) additional continuous acres for each additional animal thereafter to a maximum of six (6) animals per any contiguous twenty (20) acres.

For the purpose of determining density, no offspring or livestock shall be counted until such animal reaches ninety (90) days of age, provided each offspring were born on the premises.

SECTION R 52.06 PERMIT IS REQUIRED FOR THE FOLLOWING

A permit is required for the keeping of poultry, fowl, rabbits and fur-bearing animals for commercial profit by the respective establishment of an egg or broiler barn, sportsmen's association, shooting preserve or fur-bearing animal ranch.

Such permit can be granted only after proper application for same to the Township Clerk, referral to the Planning Commission for their recommendation prior to Board action, proper written and mailed notice to property owners within three hundred (300) feet, a public hearing for which there has been notice to aforementioned neighboring property owners of at least ten (10) days, and a publication in accordance with zoning ordinance amendments. All applications must demonstrate satisfaction of all local, county, state and federal regulatory and statutory requirements (a State of Michigan permit is also required). Particularly, the application must demonstrate implementation for the proper disposal of animal waste and carcasses, furnishing of adequate water resources, the avoidance of contamination and pollution, and the elimination of noise and odor nuisance.

SECTION R 52.07 RELATIONSHIP WITH OTHER ORDINANCES

This ordinance shall relate to, further emphasize and be a guideline for the Fruitland Township Zoning Ordinance and supercedes any other ordinance which conflicts with it.

SECTION R 52.08 SEVERANCE CLAUSE

Any section found to be invalid due to being unconstitutionality or for any other reason shall be separated, but the remainder of the ordinance shall continue in full force and effect.

SECTION R 52.09 PENALTIES

Any violation of this ordinance shall be a misdemeanor, punishable by ninety (90) days in jail and/or a \$500 fine and each day of violation shall be deemed to be an individual and separate offense.

SECTION R 52.10 EFFECTIVE

Effective October 25, 2000
Amended: April 18, 2005
Published: April 24, 2005
Effective: May 01, 2005