

ORDINANCE NO 146

AN ORDINANCE PROVIDING FOR THE REGULATION OF ANIMALS WITH THE CITY OF MICHIGAN CITY,
NORTH DAKOTA

RESOLUTION FOR AMENDMENT JANUARY 2024

Amendment September 2025

ARTICLE I – DEFINITIONS

1. “PET” shall be intended to mean either cat or dog, male or female.
2. “OWNER” shall be intended to mean any person or persons, firm, association, or corporation owning, keeping, or harboring a pet.
3. “AT LARGE” shall be intended to mean off premises of the owner, and not in the immediate presence and under control of the owner or member of the immediate family either by leash, cord, and chain or otherwise.

ARTICLE II – GENERAL REGULATIONS

1. No person shall cruelly treat any animal in the city in any way, any person who inhumanely beats, underfeeds, overloads, or abandons any animal shall be deemed guilty of a violation of this section.
2. It shall be unlawful to permit any dangerous animal or vicious animal of any kind to run at large within the City.
3. It shall be unlawful to harbor or keep any animals, which disturb the peace by loud noises at any time of day or night.
4. Members of law enforcement or any other person in the city are authorized to kill any dangerous animals of any kind when it is necessary for the protection of any person or property.
5. No domestic animal afflicted with a contagious or infectious disease shall be allowed to run at large or be exposed in any public place whereby the health of man or beast may be affected: nor shall such diseased animal be shipped or removed from the premises of the owner thereof, except under the supervision of the chief of police or the health officer. It is hereby made the duty of law enforcement or dog or cat warden to secure such disposition of any diseased animal and such treatment of affected premises as to prevent communication and spread of the contagion or infection, except in cases where the state veterinarian is empowered to act.
6. No person shall cause or allow any place where any animals are kept becoming unclean or unwholesome.

ARTICLE III – DOGS AND CATS

1. No dog or cat shall be permitted to be or remain in the City of Michigan without being licensed as hereinafter provided if over one (1) month of age. No license shall be issued for a dog or cat over six (6) months of age unless it has been inoculated against rabies.
2. It shall be the duty of the owners or person in custody of any dog or at kept in the city of have the dog or cat inoculated against rabies at least once (1) a year if the vaccine used was Penalized vaccine and within three (3) years if the vaccine used was Avianized vaccine.
3. All dogs and cats kept in the City shall be registered as to sex, breed, name, and name and address of owner. At the time of such registration, such owner shall obtain a license for such dog or cat and shall pay a biannual \$15.00 fee for each dog or cat. It shall be the duty of said owner to cause such license tag to be securely attached around the dog or cats' neck whether said pets go outside or not. The biannual fee is due on even years by August 1. After September 1, of the even year, a late fee of \$10.00 will be assessed to each dog or cat license to obtain it. Failure to pay such licenses(s) will result in fees being assessed to owners' utilities billing.
4. All dogs or cats must be leashed when outside owners said home. Dogs or cats kept outside on owners property must be securely collared and leashed if not in an enclosure. If kept in an enclosure said enclosure must be a physical fence of 5 feet high and said animal cannot have means of digging under said physical fence. No Electronic, Bluetooth or invisible fence is allowed in city limits.
5. It shall be unlawful to harbor any more than two (2) dogs, six (6) months of age or older, in any single-family dwelling in the City of Michigan City.
6. It shall be unlawful to harbor any more than one (1) dog, six (6) months of age or older in any multi-family dwelling in the City of Michigan City.
7. It shall be unlawful to harbor any vicious/aggressive dogs in the City of Michigan City. Formal written complaints on a dog will be addressed by the city and appropriate action will be taken and possible removal will be enforced.
8. No Aggressive, vicious, dangerous, ferocious dog or cat, or sick dog or cat with or liable communicate hydrophobia or other contagious infectious disease shall be permitted to run at large in the City of Michigan City.

ARTICLE IV – PENALTIES FOR VIOLATION OF ORDINANCE

1. Unrestrained dogs or cats may be taken by law enforcement or the city dog or cat warden and impounded in an animal shelter and there confined in a humane manner. Impounded dogs or cats shall be kept five (5) days unless reclaimed by their owners. If a permit tag or other means can identify the owner identified, the officer shall immediately upon impoundment notify the owner in person, by telephone or mail of the impoundment of the animal.
2. Notwithstanding the provisions of **ARTICLE IV PART 1**, if any is found at large and its owner can be identified and located: such an animal need not be impounded. In such case, the law enforcement officer, dog or cat warden or other officer may proceed against the owner for the violation of this ordinance.
3. A photograph of the dog or cat running or being at large in any of the streets, public ways, public places, parks, or upon the private premises of any other person than the owner or

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keeper of such dog or cat, within the City of Michigan City shall be considered evidence showing a violation of the city's animal ordinance.

4. On the first offense, a warning will be issued to the owner signing to the fact that they have received their first and only warning. On the second offense, a \$50.00 fine will be levied. On the Third offense, or if the \$50.00 fine is not paid within ten (10) days the dog or cat will be impounded and the owner shall pay impounding fee based on the current boarding rates per day that the dog or cat was impounded. In addition, a mileage fee equal to that of the Internal Revenue Standard Mileage Rate will be charged for the transportation of the dog or cat to the impounding site and return trip. **A Three Hundred dollar fine will also be applied.** If the dog or cat is not properly licensed, the owner shall be required to license the animal and pay all outstanding fines prior to it being returned to the owner. Dogs & cats not claimed by their owners within three (3) days shall be humanely disposed of.
5. The owner of any dog or cat that is found to be unlicensed will be impounded and the owner will be fined \$50.00. The owner shall be required to license the animal and pay all outstanding fines prior to it being returned to the owner. The owner shall pay an impounding fee based on the current boarding rates per day that the dog or cat was impounded. In addition, a mileage fee equal to that of the Internal Revenue Standard Mileage Rate will be charged for the transportation of the dog or cat to the impounding site and return trip. Dogs or cats not claimed by their owner or if the fees and fines are not paid within three (3) days shall be humanely disposed of.

ARTICLE V – DOG KENNELING AND BREEDING PROHIBITED

1. It shall be unlawful for any person to practice commercial breeding or commercial kenneling of any animal or bird within the residentially zoned areas of the City of Michigan City, or within 100 feet of residentially zoned areas.

DEFINITION:

“Commercial Breeding” shall be defined as “breeding more than one female animal per residence per year for sale or any gain”.

“Commercial Kenneling” shall be defined as “boarding or kenneling animals owned by someone else for gain of any kind.” A resident shall be presumed to be in the business of commercial kenneling if he or she boards for gain more than one animal at any given time period.

ARTICLE VI – ANIMALS PROHIBITED:

- A. Chickens, ducks, geese, emu, ostrich, or other domestic fowl: Horses, Cattle, Goats, Sheep, Swine:
- B. The following exotic animals:
 1. Any animal listed under the Endangered Species Act as threatened or endangered.
 2. Any animal, the keeping of which is prohibited by state or federal law:
 3. Antelope, bison, deer, elk, moose.
 4. Badgers, martins, minks, skunks, weasels, otters, and wolverines.

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5. Bats:
6. Bears:
7. Beavers, groundhogs, porcupines
8. Coyotes, foxes, and wolves:
9. Any cat family Felidae, including by way of example and not by way of limitation lions, tigers, jaguars, leopards, cougars, lynx, bobcats, and ocelots, except commonly accepted domesticated house cats:
10. Any primate, including by way of example and not by way of limitation chimpanzees, gorillas, lemurs, and monkeys:
11. Alligators, crocodiles, caimans, and related crocodylians:
12. Snakes
 - i. That are venomous:
 - ii. that are of the family (all species, including by way of example and not by way of limitation all boas, pythons, and anacondas): or
 - iii. that, regardless of species are more than **Five (5) feet** long
13. Monster lizards, Gila Monsters, and Mexican Beaded lizards:
14. Piranhas:
15. Scorpions and spiders with venom sufficiently potent to cause serious physical harm to person.

The prohibition in ARTICLE VI does not apply to:

- A. A traveling zoo or circus performing within the City of Michigan City
- B. A humane society
- C. A veterinary hospital or clinic

ARTICLE VIII - PENALTY:

Any person who violates any provision of this ordinance is guilty of a non-criminal infraction and may be fined a maximum amount of \$500.00 any second or subsequent violator may be subject to an infraction and found guilty of a class B Misdemeanor, which may be punished by a fine of not more than \$1000.00 or by imprisonment for not more than 30 days or by both such fine and imprisonment in the discretion of the Court, the Court to have power to suspend said sentence and to revoke the suspensions thereof.

ARTICLE IX – ILLEGALITY OF PROVISIONS:

Any portion or portions of this Ordinance shall not affect the validity of the remainder of the Ordinance.

ARTICLE X – REPEALED:

All ordinances in conflict with this ordinance are hereby repealed.

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ARTICLE XI – EFFECTIVE DATE:

APPROVED: _____
MAYOR

ATTEST: _____
AUDITOR

FIRST READING: October 13, 2025 at 5:15pm

SECOND READING: November 10, 2025 at 5:40pm

PUBLISHED: December 1, 2025