

PINE RIVER TOWNSHIP
GRATIOT COUNTY, MICHIGAN
ZONING ORDINANCE AMENDMENT
ORDINANCE NO. _____

KENNELS

An Ordinance to amend the Pine River Township Zoning Ordinance, as amended, to add Kennels as a special land use within the Light Commercial (LC) District, and provide applicable requirements for Kennels for the public health, safety, and general welfare.

PINE RIVER TOWNSHIP, GRATIOT COUNTY, MICHIGAN ORDAINS:

SECTION 1. AMENDMENT TO CHAPTER 15: The Pine River Township Zoning Ordinance, Chapter 15, shall be amended to add Section 1533 to state as follows:

SECTION 1533. KENNELS

1. **Intent & Purpose & Coverage.** The purpose of this Section is to promote the safe and efficient use of Kennels, as defined in Section 1802, as either a special or permitted land use subject to site plan review for the training, boarding, and care of dogs, and to regulate their placement, operation, and design to protect the public health, safety, and general welfare and ensure their compatibility with adjacent land uses. For clarity, these regulations shall apply to all Kennels being sited in the Township regardless of special land use permit status.
2. **Licensing.** As applicable, an owner or operator of a Kennel shall obtain and maintain a County issued Kennel License during the duration of its operation, and otherwise comply with all other applicable local, state, and federal laws and regulations including obtaining all other permits and licenses.
3. **Performance Standards.**
 - a. *Lot Size.* Kennels shall have a minimum lot size of two (2) acres.
 - b. *Kennel Capacity.* Kennels shall have a maximum capacity of fifty (50) dogs unless deemed by the Township that a particular property cannot accommodate 50 dogs.
 - c. There shall be no unattended animals outside at any time while the Kennel is in operation.
 - d. If the Kennel is connected to a public sewer and water supply, a water meter must be provided, and all such connections shall conform to the requirements of the applicable local, state, and federal laws and regulations.
4. **Setbacks and Lot Line Restrictions**
 - a. At all times during its operations, outdoor dog runs/ activity areas associated with a Kennel shall be a minimum of 150 feet from any lot line.

- b. An applicant seeking approval of a Kennel land use shall demonstrate how the location of outdoor dog runs, activity areas, or similar outdoor fenced areas are located to be as far from adjacent property lines as reasonably possible as well as how they are configured to minimize noise.
- c. Waste associated with dogs shall be removed from dog runs or other outdoor areas and shall be properly disposed. Applicants shall identify when applying for a Kennel their procedures to manage and appropriately dispose of waste.

5. Noise Control

- a. Kennel operators and owners shall implement processes and procedures to limit barking dogs outside for extended periods of time. As part of that requirement, proposed Kennel owners and operators shall prepare a written plan: (1) outlining schedules of when they intend to let dogs outside; (2) how they will minimize barking of dogs that can be heard past property lines; and (3) how they agree and will limit noise to not unreasonable impact persons of normal sensitivities nearby.
- b. Unless other hours are expressly approved by the Township, Kennel owners and operators may not allow dogs to be routinely outside from the hours of 10PM to 6AM. Notwithstanding the prohibition above, Kennel owners and operators may allow, in a nonroutine case-by-case fashion, dogs to quickly go outside overnight hours in order to use the bathroom or for other emergent reasons and then return inside in the facility to reduce noise.

6. Security

- a. *Perimeter Security:*
 - i. The outdoor perimeter of the Kennel shall be screened by fencing that is no less than six (6) feet high.
 - ii. The applicant shall demonstrate that the Kennel is secured to detect and identify unauthorized access.
 - iii. The applicant shall prepare a response plan if an animal from the Kennel escapes the facility that shall be approved by the Township.
 - iv. All fencing must be maintained in good repair and be routinely inspected and repaired/maintained to not have any way for escape by dogs.
- b. *Fire and Emergency Response Plan:*
 - i. The applicant shall prepare an Emergency and Fire Response Plan that must be approved by the Township.
 - ii. The Kennel must comply with all requirements of NFPA 150: Fire and Life Safety in Animal Housing Facilities Code.

- 7. **Conditions.** The Township can impose additional reasonable conditions for the approval of a Kennel as authorized by law such as on special land use permits and site plans.

SECTION 2. AMENDMENT TO CHAPTER 8, SECTION 803: The Pine River Township Zoning Ordinance, Section 803, SPECIAL USES, shall be amended to add “Kennels” as a special use under Section 803.

SECTION 3. SEVERABILITY: The provisions of this ordinance are declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

SECTION 4. REPEAL AND FORM: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed. Further, the Township may use the content of this Ordinance and compile/insert it into the existing Pine River Township Zoning Ordinance document including making any technical provision numbering or clerical revisions as necessary for the compilation. See MCL 41.186 (ability of Township to codify its ordinances).

SECTION 5. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication of a notice of adoption of this Ordinance, unless referendum procedures are initiated under MCL 125.3402. If referendum procedures are initiated, this Ordinance will take effect in accordance with MCL 125.3402.