

## 4.2 MAINTENANCE OF ANIMALS

The standards described in this Ordinance shall not apply to the keeping of animals as part of an active farm operation in the AG or SF district and maintained in conformance with the Right to Farm Act (P.A. 93 of 1981, as amended) and Generally Accepted Agricultural Management Practices (GAAMP) established by the Michigan Department of Agriculture and Rural Development (MDARD). Specifically, the keeping of farm animals are addressed in the Care of Farm Animals GAAMP. Such animals are not regulated in this Ordinance. All animals regulated by this Ordinance are defined as nonhuman zoological species and are classified as follows:

A. Class I Animal: Domesticated household pets weighing less than 150 pounds. Class I animals may be maintained in any zoning district. A maximum of seven (7) Class I animals may be maintained on an individual parcel. Animal Care Facilities shall meet the standards of Section 4.6.

B. Class II Animal: An animal which is normally part of the livestock maintained on a farm, including:

i. Bovine and like animals, such as the cow.

ii. Swine and like animals, such as the pig and hog.

iii. Ovine and like animals, such as the sheep and goat.

iv. Equine and like animals, such as the horse.

v. Rabbits (which are not maintained or kept as domesticated household pets); poultry, and other like animals.

Class II animals may be maintained in the AG and SF districts as a permitted use subject to the special conditions listed in Section 3.1.1 (AG District) and Section 3.1.2 (SF District). Class II animals shall only be permitted on a lot having two (2) or more acres, and there shall be at least one (1) acre per Class II animal in excess of 75 lb. that is maintained on the property.

~~B. Class II Animal: Horses. Equine and like animals such as the horse shall be allowed in the AG and SF zoning districts; provided, however, that these animals shall only be permitted on a lot having two (2) or more acres. Two horses or similar animal shall be permitted on a lot having 2 acres or more and one additional horse or similar animal shall be permitted on each full acre on a lot in excess of 2 acres, provided that they do not create a public nuisance as outlined in Section 4.2.H.~~

C. Class III Animal: Wild animal that is not customarily domesticated and customarily devoted to the service of mankind in White Lake Township. The characterization of an animal as being wild shall not be altered by virtue of the fact that one or several generations of the animal in question have been maintained in captivity. Class III animals shall be permitted in the AG district, and only on a lot having five (5) or more acres. Class III animals shall not create a public nuisance as outlined in Section 4.2.H. The Township may prohibit the housing of a Class III animal if it is determined that the animal poses a legitimate threat to public health and/or safety.

D. In addition to, and notwithstanding the above, the following regulations shall be applicable to the maintenance of animals:

i. Adequate fencing shall be provided to contain the animals within the restricted areas provided for in this Ordinance and approved by the Building Official. The minimum acceptable fence shall be a #12.5 woven wire forty-eight (48) inches tall with openings not larger than three (3) inches square. Posts shall be U-bar steel, or equivalent, spaced not more than twelve (12) feet apart, and the top row shall be reinforced with a #12 tensioning wire. (See Section 5.12 Fences, Walls and other Protective Barriers).

- ii. The refuse and wastes resulting from the maintenance of animals shall be controlled upon the premises, and shall be cared for or disposed of within a reasonable time so as to minimize hazards of health and offensive effects upon neighboring people and uses.
- iii. All feed and other substances and materials on the premises for the maintenance of animals shall be stored in appropriate enclosed receptacles and structures, excepting such storage as may otherwise be accomplished without adversely affecting the neighbors of the premises or the public health, safety and welfare of the citizens of the Township. Storage is permissible within required accessory structures.
- iv. Structures shall be provided for the purpose of housing, confining, sheltering, and maintaining permitted animals. Such structures shall meet requirements for height and floor area as specified in Section 4.20, but no single structure shall exceed four thousand (4,000) square feet. Structures for the purpose of housing, confining, sheltering, and maintaining of animals shall meet all setback requirements specified within Section 4.2. The following minimum floor area shall be provided within a structure for each animal:
  - a. Class II Animals: Equine (horses) and like animals shall be provided with a structure having a minimum floor area of 100 square feet for each animal. Planning Commission has the discretion to permit smaller structures for miniature horses.
  - b. Class III Animals: Class III animals shall be provided with an appropriately-sized structure. It shall be the responsibility of the Applicant to provide evidence of the structure dimensions appropriate for the species of animal.
- E. Class II animals (horses) shall be restricted to areas on the premises upon which they are being maintained no less than ten (10) feet from the nearest residential lot line, other than AG, or any neighboring dwelling unit in any zoning classification district, said restricted area to include areas in which animals are fenced or otherwise restrained. Structures for housing, sheltering, and/or maintaining of Class II animals shall be no less than twenty five (25) feet from the nearest lot line, regardless of zoning classification district.
- F. Class III (wild) animals shall be contained to an area on the premises, the dimensions of which will be determined by the Township on an individual basis with input from the Applicant. It shall be the responsibility of the Applicant to provide evidence of the adequacy of containment, and other pertinent information such as noise emitted by the animal(s). Township may prohibit the housing of a Class III animal if it is determined that the animal poses a legitimate threat to public health and/or safety.
- G. On any premises upon which animals are situated or maintained in the Township, garbage, refuse, offal and the like, shall not be brought upon the premises and fed to animals; said action is hereby deemed to be a nuisance.
- H. A nuisance or a threat to public health and/or safety shall not be created by the maintenance of animals in the Township. The Building Official, or other Township official duly designated and authorized by the Township Board, shall inspect the premises on which animals are kept where it is alleged there exists a nuisance or a threat to public health and/or safety. Within ten (10) days written notice shall be given by the Official to the person maintaining animals on the premises, stating that it appears a nuisance or public health/safety threat does in fact exist on said premises, and that the nuisance or threat shall be abated. Upon application of the person or persons maintaining the animals on the premises, due notice being given to individuals residing within three hundred (300) feet of the said premises, and other interested parties known to the Township, the Zoning Board of

Appeals shall conduct a hearing and make a determination as to whether the conditions on the premises in question constitute a nuisance or public health/safety threat. The person or persons maintaining the animals on said premises, or their legal representatives, shall be permitted to present evidence and argument. Upon a determination by the Zoning Board of Appeals that a nuisance or threat exists, the Zoning Board of Appeals shall, in writing, apprise the person maintaining the animals on the said premises as to how the nuisance or threat shall be abated, and provide a reasonable time therefor. The Zoning Board of Appeals shall order the animals upon the premises removed only in the event that the maintenance of said animals creates an imminent danger to the public health, safety and welfare, and, provided that such a removal order shall be limited to a minimum number of animals and minimum time period necessary to abate said danger.

## 7.21 PERMIT FOR TEMPORARY USE OF MOTOR HOME, MANUFACTURED HOME OR TRAVEL TRAILER

A. No occupied motor home or travel trailer shall be parked on any site, lot, field or tract of land within the Township of White Lake not specifically licensed for that purpose or without a Building Permit issued in accordance with this Ordinance.

B. One (1) occupied motor home or travel trailer may be parked on the premises of any occupied dwelling. The operator of such motor home or travel trailer shall make application to the Building Official for a permit within one (1) week after the vehicle is parked. The permit shall be valid for a period not to exceed three (3) weeks from the date of application. The Building Official shall grant said permit in all cases except where adequate sanitary facilities and/or potable water facilities are unavailable to service the occupants of said motor home or travel trailer. No more than one (1) permit shall be issued to an occupied dwelling in one calendar year.

C. In special instances, permission may be obtained from the Zoning Board of Appeals for the issuance of a permit by the Building Official for the temporary use of a mobile or manufactured home by a watchman, caretaker, manager or sales office in a commercial, industrial, or extractive district. This permit is not to exceed one (1) year from the date of issuance.