

AN ORDINANCE TO AMEND ORDINANCE NUMBER 125: TO PROHIBIT THE KEEPING OF CERTAIN ANIMALS; TO PROHIBIT THE DOGS AT LARGE; TO PROVIDE FOR AN IMPOUNDMENT OF ANY DOG TO BE IN VIOLATION OF THE REQUIREMENTS OF THESE SECTIONS; TO SET FORTH A PENALTY FOR VIOLATION OF THESE SECTIONS.

THE VILLAGE OF NEW LOTHROP ORDAINS:

Section 1. Animals:

-Keeping prohibited. It shall be unlawful to keep, harbor, own or in any way possess within the Corporate Limits of the Village of New Lothrop:

1. Any warm-blooded, carnivorous or omnivorous, wild or exotic animals (including but not limited to non-human primates, raccoons, skunks, foxes and wild exotic cats; but excluding fowl, ferrets and small rodents of varieties used for laboratory purposes).
2. Any animal having poisonous bites.

Section 2. Dogs:

- Presumption of ownership. No person owning, possessing or having charge of any dog, shall permit such dog to be at large at any time in the Village in violation of any of the following restrictions:

1. No person shall permit any vicious dog of which he/she is the owner, caretaker or custodian to be unconfined unless securely muzzled and led by a leash. Any dog shall be deemed vicious which has bitten a person or domestic animal without molestation or which, by its actions, gives the indication that it is liable to bite any person or domestic animal without molestation.
2. No person who is the owner of any female dog shall permit or allow such female dog to go beyond the premises of such owner when such dog is in heat.
3. No person shall own, harbor or keep a dog which by loud or frequent or habitual barking, yelping or howling shall cause annoyance to the people in the neighborhood.
4. No person shall own, harbor or keep a dog that has been bitten by an animal known or reasonably suspected of having been afflicted with rabies at the time such dog was bitten, unless such dog shall have been surrendered to the police department or dog warden, held for observation, and released by the health department.
5. No person shall own, harbor or keep any dog, either licensed or unlicensed that, by the destruction of property or trespassing on the property of others, becomes a nuisance in the vicinity where kept.

- Seizure and impounding.

Any dog which is in violation of any section of this article may be seized and impounded by the dog warden or any police officer of the Village, or authorized Village employee.

- Rabies prevention.

Any person who shall have in his/her possession a dog which has contracted rabies or which has been subjected to rabies, or which is suspected of having rabies or which has bitten any person, shall, upon demand of the police department or the health department, produce and surrender up such dog to be held for observation.

- Exposure to rabies—Notice. It shall be the duty of any person owning or harboring a dog which has been attacked or bitten by another dog or other animal showing the symptoms of rabies, immediately to notify the police department of his/her possession of such dog.

-Impounding and release.

Any dog impounded for observation for rabies shall be held until released by the health department or otherwise disposed of. Any dog impounded for having bitten any person shall be held not less than 14 days and, in case any complaint shall have been made before any court asking that such dog be killed or confined, then such dog shall be confined until the case is finally disposed of.

- Impoundment fee.

No dog shall be released from the pound unless the owner or persons entitled to claim the dog shall pay the fees established by the county dog departments, and if the dog was impounded by any Village police officer, or authorized employee, the owner shall pay the sum of \$50.00 to the Village to reimburse for the expense, prior to the dog being released from any pound. Such fee may be changed by resolution of the Village council from time to time.

- Restraint.

Any owner or keeper of any dog who shall allow such dog to run at large in the Village shall be guilty of a misdemeanor punishable by up to 90 days in jail and or a fine of \$500.00. The term "at large" shall be defined as permitting the dog to be off the owner's property without a leash or harness.

-Effective Date.

This ordinance shall become effective twenty (20) days after adoption.

Date Enacted 2-10-21

Date Posted 2-12-21

Date Published 2-21-21


Village President


Village Clerk

Prepared by

Matthew S. McKone

Village Attorney

ORDINANCE NO. 126

AN ORDINANCE TO AMEND THE VILLAGE OF NEW LOTHROP DOWNTOWN DEVELOPMENT AUTHORITY DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN

THE VILLAGE OF NEW LOTHROP MICHIGAN ORDAINS:

WHEREAS, in the Village Council established the Village of New Lothrop Downtown Development Authority (the "Authority") and designated the boundaries of the Authority's Development District (the "District"); and

WHEREAS, the Village Council previously adopted a DDA Downtown Development Plan and Tax Increment Financing Plan in 1991 and adopted amendments to it 2006 and 2011; and

WHEREAS, pursuant to the requirements of Act 57 of the Public Acts of Michigan of 2018, as amended, the Village Council held a public hearing on the proposed amendment to the Development Plan and Tax Increment Financing Plan on September 15, 2022, at the Village Hall, with notice of said public hearings given by publication in the Argus Press Newspaper, Owosso MI on August 17th and August 21st, 2022; by mailing to owners of property within the District and the affected taxing jurisdictions not less than 20 days prior to the date set for the hearing; and by posting the notice in at least 20 conspicuous and public place in the District not less than 20 days prior to the date set for the hearing, all in accordance with the requirements of Act 57; and

WHEREAS, at the public hearing, the Village Council provided an opportunity for interested persons to be heard regarding the proposed amendments to the Development Plan and Tax Increment Financing Plan and to consider all communications submitted in writing with reference to the matter, but no public comment was made; and

WHEREAS, the Village of New Lothrop has appointed and held meetings of an Area Citizens Council, consistent with the requirements of Act 57 of 2018, and the Area Citizens Council has reviewed the amendments to the Development and Tax Increment Financing Plan and provided the Village Council with its response; and

WHEREAS, the New Lothrop Village Council has determined that the plan constitutes a public purpose

NOW THEREFORE, the Village of New Lothrop hereby ordains:

1. Amendment to Development Plan and Tax Increment Financing Plan. The Village of New Lothrop hereby adopts amendments to the DDA Development Plan and Tax Increment Financing Plan, dated October 12, 2022 based on the criteria found in Section 219 (1) of Act 57 of 2018. The amended DDA Development Plan and Tax Increment Financing Plan will be made available for view at New Lothrop Village Hall.

2. Severability. The validity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

3. Repeal. All ordinances or parts of ordinances in conflict herewith are hereby repealed. However, this Ordinance does not repeal any previous ordinances establishing or amending the DDA Development and Tax Increment Financing plans, but only amends that portion of the Plan as provided in Section 1. above.

4. Publication and Recording. A true copy of this Ordinance shall be published once in the Argus Press Newspaper, Owosso, MI a newspaper of general circulation within the boundaries of the Village of New Lothrop qualified under state law to publish legal notices, within 15 days after its adoption, and the same shall be recorded in the minutes of the Village of New Lothrop meeting at which this Ordinance was adopted. In addition, this Ordinance shall be recorded in the record of ordinances of the City.

5. Effective Date. This Ordinance shall be in full force and effect upon publication as provided by law.

Date of Passage: October 12, 2022

Date of Publication: 10-17-22

Effective Date: 10-17-22

Village of New Lothrop

BY:

JL Maksimchuck
John Maksimchuck

ITS: President

STATE OF MICHIGAN }

}ss.

COUNTY OF SHIAWASSEE}

I, Karen Maksimchuck, being Clerk of the Village of New Lothrop, do hereby certify that the foregoing is a true and accurate copy of the Village of New Lothrop **ORDINANCE NO.**

126 passed on the 12th day of October, A.D., 2022. Further, I certify that I caused the same to be published in the **Argus** Press newspaper, Owosso, MI, within 15 days after adoption by the New Lothrop Village Council, New Lothrop, Michigan.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 12th day of October A.D., 2022.

AN ORDINANCE #125 TO AMEND ORDINANCE #64 TO PROHIBIT THE KEEPING OF CERTAIN ANIMALS; TO PROHIBIT THE DOGS AT LARGE; TO PROVIDE FOR AN IMPOUNDMENT OF ANY DOG TO BE IN VIOLATION OF THE REQUIREMENTS OF THESE SECTIONS; TO SET FORTH A PENALTY FOR VIOLATION OF THESE SECTIONS.

THE VILLAGE OF NEW LOTHROP ORDAINS:

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2. Any animal having poisonous bites.

Section 2. Dogs:

- Presumption of ownership. No person owning, possessing or having charge of any dog, shall permit such dog to be at large at any time in the Village in violation of any of the following restrictions:

1. No person shall permit any vicious dog of which he/she is the owner, caretaker or custodian to be unconfined unless securely muzzled and led by a leash. Any dog shall be deemed vicious which has bitten a person or domestic animal without molestation or which, by its actions, gives the indication that it is liable to bite any person or domestic animal without molestation.
2. No person who is the owner of any female dog shall permit or allow such female dog to go beyond the premises of such owner when such dog is in heat.
3. No person shall own, harbor or keep a dog which by loud or frequent or habitual barking, yelping or howling shall cause annoyance to the people in the neighborhood.
4. No person shall own, harbor or keep a dog that has been bitten by an animal known or reasonably suspected of having been afflicted with rabies at the time such dog was bitten, unless such dog shall have been surrendered to the police department or dog warden, held for observation, and released by the health department.
5. No person shall own, harbor or keep any dog, either licensed or unlicensed that, by the destruction of property or trespassing on the property of others, becomes a nuisance in the vicinity where kept.

- Seizure and impounding.

Any dog which is in violation of any section of this article may be seized and impounded by the dog warden or any police officer of the Village, or authorized Village employee.

- Rabies prevention.

Any person who shall have in his/her possession a dog which has contracted rabies or which has been subjected to rabies, or which is suspected of having rabies or which has bitten any person, shall, upon demand of the police department or the health department, produce and surrender up such dog to be held for observation.

- Exposure to rabies—Notice. It shall be the duty of any person owning or harboring a dog which has been attacked or bitten by another dog or other animal showing the symptoms of rabies, immediately to notify the police department of his/her possession of such dog.

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No dog shall be released from the pound unless the owner or persons entitled to claim the dog shall pay the fees established by the county dog departments, and if the dog was impounded by any Village police officer, or authorized employee, the owner shall pay the sum of \$50.00 to the Village to reimburse for the expense, prior to the dog being released from any pound. Such fee may be changed by resolution of the Village council from time to time.

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-Effective Date.

This ordinance shall become effective twenty (20) days after adoption.

Date Enacted 2-10-21

Date Posted 2-12-21

Date Published —


Village President


Village Clerk

Prepared by

Matthew S. McKone

Village Attorney

ORDINANCE NO. 127

AN ORDINANCE ESTABLISHING A FERAL/STRAY CAT TRAP-NEUTER-
RETURN PROGRAM

BE IT ORDAINED BY THE VILLAGE OF NEW LOTHROP, STATE OF
MICHIGAN:

Section 1. Purpose. The purpose of this article is to set the following standards for management of feral and community cats.

Section 2. Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the content clearly indicates a different meaning.

Caretaker means any person who regularly provides food /water/shelter to a feral cat colony.

Cat care organization means the organization recognized by the city to oversee a trap-neuter-return (TNR) program to reduce the feral cat population, benefitting public health, improving the quality of life for residents, and ensuring the humane treatment of feral/stray cats.

Eartip means a mark identifying a feral or stray cat as having been sterilized, specifically, the removal of the tip of the cat's left ear while the cat is anesthetized.

Feral cat means a cat that is free roaming, not socialized to people and not an owned cat.

Feral cat colony and *colony* mean a group of feral or stray cats that congregate, more or less, together as a unit and share a common food source.

Foster home means a household in which cat(s)/kitten(s) are temporarily placed for providing shelter, care and, if necessary, socialization before permanent placement in an adoptive home.

Kitten means a member of the species *felis catus* under the age of ten (10) weeks.

Nuisance means conduct by feral or stray cat that disturbs the peace, including (a) habitually or continually howling

nuisance after thirty (30) days, the village shall have the right to remove the offending cat or cats;

(2) Seize and remove a registered feral cat colony if the caretaker regularly fails to comply with the requirements of section 5-43 and the caretaker does not correct the situation within thirty (30) days of being given written notice by the city delineating the failures with specificity;

(3) A caretaker in compliance with this article shall be exempt from all provisions of this Code that impose requirements on cats that are owned, kept, harbored, or in the custody of a person.

Section 8. Effective Date. This Ordinance shall be effective 15 days after publication or posting.

Date Enacted: 7-10-24

Date Posted: 7-20-24

Date Published: 7-26-24

Charles McCormic
Charles McCormic, President

Karen Maksimchuk
Karen Maksimchuk,
Village Clerk

PREPARED BY:

John J. Ryan, Esq.
New Lothrop Village Attorney's Office
117 W. Oliver St.
Owosso, MI 48867
(810) 410-4204

Ordinance 128

An ordinance to revise and repeal or adopt to date

To revise, amend, re-enact, consolidate, and compile the general ordinances of the Village of New Lothrop, to provide penalties for violations thereof, and to repeal all ordinances and parts of ordinances in conflict herewith.

THE VILLAGE OF NEW LOTHROP ORDAINS:

SECTION 1.

The general ordinances of the Village of New Lothrop be, and the same are hereby revised, amended, reenacted, consolidated and compiled, so as to read as follows:

Ordinances 1 through and including 15 remain repealed.

Ordinance 16 repealed.

Ordinance 17 remains repealed.

Ordinances 18 through and including 20 are repealed.

Ordinances 21 through 26 remain repealed.

Ordinance 27 repealed.

Ordinance 28 remains repealed.

Ordinance 29 repealed.

Ordinance 30 remains repealed.

Ordinance 31 repealed.

Ordinance 32 remains repealed.

Ordinance 33 repealed.

Ordinance 34 remains repealed.

Ordinance 35 repealed.

Ordinances 36 through and including 38 remain repealed.

Ordinance 39 reenacted.

Ordinance 40 remains repealed.

Ordinance 41 and 42 repealed.

Ordinance 43 through and including 45 reenacted.

Ordinance 81 reenacted.

Ordinance 82 repealed.

Ordinances 83 through and including 85 reenacted.

Ordinances 86 and 87 remain repealed.

Ordinances 88 through and including 90 reenacted.

Ordinance 91 repealed.

Ordinance 92 remains repealed.

Ordinances 93 and 94 reenacted.

Ordinances 95 and 96 remain repealed.

Ordinances 97 through and including ____ reenacted.

Ordinance ____ adopted.

SECTION 2.

If any chapter, section, sub-section, sentence, clause or phrase of the ordinance is for any reason to be held unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 3.

All ordinances and parts of ordinances inconsistent with or conflicting with the provisions of this ordinance are hereby repealed.

SECTION 4.

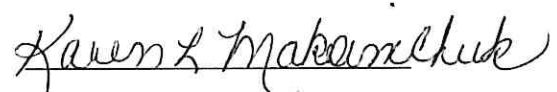
In addition to any other penalty herein provided, every person who shall be convicted of the violation of any provision of this ordinance shall be punished by a fine of not more than \$100.00 and costs of prosecution, or by imprisonment in the County Jail of Shiawassee County for a period not exceeding ninety (90) days, or both fine and imprisonment in the discretion of the Court before whom such conviction is had.

SECTION 5.

This ordinance shall take effect twenty (20) days after its passage.

Passed by the Village Council on 4-8-25

x Andy Wolf

Karen L. Makarechuk

Andrew Woford
Village President

Karen Maksimchuk
Village Clerk