



CITY of NOVI CITY COUNCIL

Agenda Item E
July 21, 2014

SUBJECT: Approval of an ordinance 14-113.05 to amend the City of Novi Code of Ordinances, at Chapter 25, Parks and Recreation, in order to revise existing regulations relating to the leash requirement for dogs to create an exception for the City's dog park and to provide for the adoption of rules governing conduct in the dog park. **SECOND READING.**

SUBMITTING DEPARTMENT:

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION: The City has established a dog park in an area east of Novi Road, south of Ten Mile, near the Novi Ice Arena. The park is approximately 3 acres in area and is designed to provide a location where dogs can run off leash, while still supervised by their owners/attendants. The City will be allowing use of the park by both Novi residents and residents of Northville/Northville Township. The use of the park is to be subject to rules adopted by the City Council. Entrance into the park will be governed by issuing passes to dog owners who have taken appropriate classes regarding the use of the park area and the rules for use, and whose animals have been properly documented as fully vaccinated and licensed by the City.

The attached ordinance amends the existing requirement that any animal in a park be on a leash. The ordinance refers to the rules to be adopted by the City Council for the dog park and requires compliance with those rules while in the park.

The proposed rules were written in conjunction with Northville and Northville Township, and are consistent with their previously adopted rules. In addition, the City intends to have users of the City's park sign an appropriate release of liability form.

RECOMMENDED ACTION: Approval of an ordinance 14-113.05 to amend the City of Novi Code of Ordinances, at Chapter 25, Parks and Recreation, in order to revise existing regulations relating to the leash requirement for dogs to create an exception for the City's dog park and to provide for the adoption of rules governing conduct in the dog park. **SECOND READING.**

	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Fischer				

	1	2	Y	N
Council Member Markham				
Council Member Mutch				
Council Member Wrobel				

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 14-113.05

AN ORDINANCE TO AMEND THE CITY OF NOVI CODE OF ORDINANCES, AT CHAPTER 25, "PARK AND RECREATION," ARTICLE IV, "PARKS AND RECREATION PROTECTION," DIVISION 1, "GENERALLY," SECTION 25-61, "ANIMALS," IN ORDER TO ADD AN EXEMPTION TO THE LEASH REQUIREMENT FOR DOGS IN PARKS FOR DOG PARKS AND TO REQUIRE COMPLIANCE WITH ADOPTED RULES AND REGULATIONS FOR THE DOG PARK.

THE CITY OF NOVI ORDAINS:

PART I. That Chapter 25, "Park and Recreation," Article IV, "Parks and Recreation Protection," Division 1, "Generally," Section 25-61, "Animals," of the City of Novi Code of Ordinances is hereby amended to read as follows:

Sec. 25-61. Animals.

- (a) It shall be unlawful for any person to:
 - (1) Take any dog or other pet into any park except when kept on a leash not more than six (6) feet in length and kept under the immediate control of the owner or person having custody of the animal;
 - (2) Take any animal on public beaches, in public buildings or other park areas posted so as to prohibit the presence of animals; or
 - (3) Fail to remove any animal excrement deposited in a park by any dog or pet taken into a park by such person.
- (b) This section shall not apply to guide dogs.
- (c) This section shall not apply to dogs within a City of Novi dog park; provided, however, that any dog within such park shall, and the person on control of the dog shall, at all times comply with any rules or regulations for such City dog park as the City Council may adopt and amend from time to time. Failure to comply with such rules or regulations shall be a misdemeanor.

PART II. Severability. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

PART III. Savings Clause. The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

PART IV. Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PART V. Effective Date. The provisions of this Ordinance are ordered to take effect following publication in the manner prescribed by the Charter of the City of Novi.

PART VI. Adoption. This ordinance is hereby declared to have been adopted by the Novi City Council in a meeting thereof duly held and called on the ___ day of _____, 2014, in order to be given publication in the manner prescribed by the Charter of the City of Novi.

Moved by _____ and supported by _____.

Robert J. Gatt, Mayor

Maryanne Cornelius, City Clerk

Certificate of Adoption

I hereby certify that the foregoing is a true and complete copy of the ordinance adopted at the regular meeting of the Novi City Council held on the _____ day of _____, 2014.

Maryanne Cornelius, City Clerk