

**ROSE TOWNSHIP
NOTICE OF ADOPTION OF ORDINANCE 176
AN ORDINANCE ENTITLED THE TOWNSHIP OF ROSE, OAKLAND COUNTY MICHIGAN
BY AMENDING THE ZONING ORDINANCE TO REVISE SECTIONS
38-6 DEFINITIONS OF COMMERCIAL AND STANDARD KENNELS
38-179 SCHEDULE OF USES STANDARD KENNELS
38-285 SCHEDULE OF USES COMMERCIAL KENNELS
38-582 SPECIFIC USE STANDARDS**

NOTICE is hereby given that at its regular meeting held on March 18, 2020, the Rose Township Board of Trustees adopted Rose Township Ordinance Number 176, to be effective 30 days after publication of this notice. A true and complete copy of Ordinance 176.

Sec. 38-6. - Definitions.

Commercial Kennel means any lot or premises on which five (5) or more dogs six (6) months of age or older are kept. Commercial kennel shall also mean any lot or premises on which three (3) or more dogs or cats six (6) months of age or older are either permanently or temporarily boarded, bred, sold, trained, groomed, kept for daycare purposes, including the selling of pet care products, or related services are rendered either for profit or non-profit. All commercial kennels shall comply with all applicable Township, County, and State regulations.

Standard Kennel means any lot or premises on which five (5) or more dogs, six (6) months of age or older are kept. Standard kennel shall also mean any lot or premises of which three (3) or more dogs or cats six (6) months of age or older are either permanently or temporarily boarded, bred, sold, trained or related services are rendered either for profit or non-profit. All standard kennels shall comply with all applicable Township, County, and State regulations.

Sec. 38-179. - Schedule of uses.

Use	AG/RP	R-1R	R-1E	R-1A	R-1B	Other Standards
<i>Agricultural uses:</i>						
Standard Kennels	S	S	N	N	N	38-582(18)

Sec. 38-285. - Schedule of uses.

Uses	C-1	C-2	Other Standards
<i>Services:</i>			
Commercial Kennels	S	S	38-582(18)

Sec. 38-582. - Specific use standards.

(18) *Kennels*. Regulations for kennels are as follows:

- a. *Purpose*. The purpose of this subsection (18) is to provide for the construction and maintenance of both standard and commercial kennels within the township so as to protect the general health, safety, and welfare of residents and property owners and to preclude any harmful effects of such land use form occurring in any zoning district where such use may be permitted.
- b. *Applicability*. This chapter is intended to prohibit any premises being used contrary hereto. Kennels are defined in Sec. 38-6 under Commercial Kennels and Standards Kennels. All kennels shall comply with all applicable Township, County, and State regulations. Any person, firm, corporation, partnership, association, for profit, non-profit or user of lands violating this chapter shall be guilty as herein defined. A kennel shall consist of a kennel building, dog runs, fencing, noise shielding, refuse disposal, and necessary parking and shall be located on the lot.
- c. *Regulations*. The building, heating, water supply, electricity and sanitary facilities shall meet the requirements of this Code and the ordinances of the township. In addition, all kennels shall be regulated by the rules of the county animal shelter and dog pound and Public Act No. 195 of 1969 (MCL 287.262 et seq.).
- d. *Inside enclosures*. The minimum size of the enclosures within the required kennel building shall be not less than three feet by three feet square and four feet high. There shall be a door or gate to each enclosure which allows easy access for inserting or removing the dogs. All enclosures shall have a sloped concrete floor to facilitate cleaning and drainage. There shall be a minimum of one enclosure for any dog over 18 inches long or over 14 inches high.
- e. *Outside runs*. The exterior runs shall be a minimum of three feet wide and ten feet long and have direct access to the kennel building. The opening into the required kennel building shall have a sliding or other type of closable door. Dogs shall be kept in the kennel building from 9:00 p.m. to 9:00 a.m. All exterior runs shall be paved and constructed with a slope to facilitate drainage. No more than three (3) dogs shall be allowed in the outdoor runs or exercise areas at any one time.
- f. *Enclosure fences*. The outside enclosures such as runs, etc., shall all have fencing a minimum of six feet high, of commercial cyclone quality or woven type of equal quality. The gates to these enclosures shall be self-latching and each shall be equipped with a lock. The gate shall be locked at all times when not being used.
- g. *Noise and view fence*. The dog runs, exercise yards and any places where the dogs are kept either fulltime or parttime must be enclosed with a view obstruction noise barrier such as an earth berm or sound fence. This fence shall allow air to pass through and may be constructed of masonry with sound baffles, or may be of a wood louver or other similar type. The fence and/or earth berm shall also be no less than six feet or more than eight feet high and no closer than three feet to any of the runs, exercise areas, places where the dogs are kept or any exterior property lines.

- h. *Setbacks.* Any activities associated with a standard kennel including but not limited to the kennel building, dog runs, exercise yards and any other place where dogs are kept outside, must be setback a minimum of 100 feet from any/all property lines, wetlands and ponds.
- i. *Dog nuisance barking.* "the term "dog nuisance barking" shall mean barking which is unreasonably annoying, disturbing, offensive, or which unreasonably interferes with the comfortable enjoyment of life or property of one or more persons occupying property in the community or neighborhood, within reasonable proximity to the property where the dog or dogs are kept. The barking must be continuously audible for ten minutes or intermittently audible for 30 minutes within a three-hour period.
- j. The minimum lot size shall for a standard kennel shall be twenty (20) acres.
- k. The total number of dogs and/or cats allowed shall not exceed twelve (12) in a standard kennel or twenty (20) in a commercial kennel at any one time.
- l. Unannounced inspection based on complaints received from citizens can and will be conducted to determine any action needed to resolve issues. Refusal to allow such an inspection may lead to the loss of kennel approval.
- m. Yearly inspection shall be required to confirm compliance with the above standards, including the number of animals. An annual inspection shall be conducted by Rose Township to confirm compliance, with above standards, as well as manure management plans and the number of animals. An inspection shall also be conducted by North Oakland County Fire Authority (NOCFA) regarding fire safety.
- n. *Manure Management Plans.* A plan shall be submitted for the kennel building and any outside runs. The plans must be submitted for approval and shall be a condition of any special land use approval. The kennel shall be operated according to the plans as approved or modified by the Planning Commission.
- o. The parcel must be owned, operated and occupied by the owner/operator of the standard kennel.

Publish: March 28/29, 2020