

ANIMAL CONTROL ENFORCEMENT ORDINANCE

County of Leelanau, Michigan

An ordinance relating to and providing for animal control within the boundaries of Leelanau County; purpose of Ordinance; definitions; County Animal Control Deputy, his duties, authority, responsibilities, licensing and vaccination of dogs, confinement of dogs and other animals under certain circumstances; County Animal Shelter and impoundment of dogs and other animals and redemption of dogs and other animals impounded; killing and seizing of dogs and other animals.

THE PEOPLE OF THE COUNTY OF LEELANAU, MICHIGAN DO ORDAIN:

ARTICLE I PURPOSE

Deeming it advisable in the interest of protecting the public health, safety, convenience and welfare and to provide for the orderly and uniform administration of the dog licensing provisions of the State of Michigan and in particular Act 339 of the Public Acts of 1919, as amended, being Sections 287.261-287.293 of the Compiled Laws of 1948, (MSA Sections 12.511-12.543), and to create the position of Animal Control Deputy and define his duties, authority and responsibilities, and to regulate and control the conduct, keeping and care of dogs and certain other animals, Livestock and Poultry; the County of Leelanau, Michigan, does hereby adopt the following Ordinance:

ARTICLE II DEFINITIONS

For the purpose of this Ordinance, the following terms have the following meanings:

- (a) **ANIMAL** includes birds, fish, mammals and reptiles.
- (b) **LIVESTOCK** means horses, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids, hogs, swine and fur-bearing animals being raised in captivity.
- (c) **POULTRY** means all domestic fowl, ornamental birds and game birds possessed or being reared under authority of a breeder's license pursuant to Act 191 of the Public Acts of 1919, as amended, being Sections 317.71 to 317.85 of the Compiled Laws of 1948 (MSA Sections 13.1271-13.1285).

- (d) **POLICE OFFICER** means any person employed or elected by the people of the State of Michigan, or by any city, village, county or township whose duty it is to preserve peace or to make arrest or to enforce the law, and includes game, fish or forest fire wardens and members of the State Police and Conservation Officers.
- (e) **ANIMAL CONTROL DEPUTY** means any person employed by the County for the purpose of enforcing this Ordinance or state statutes pertaining to dogs and other animals as well as persons or deputies employed by the County to act in the Animal Control Division.
- (f) **OWNER** means both the Owner of title of record and those occupying or in possession of any property or premise. The term "Owner" when applied to the proprietorship of an animal means: every person having a right of property in the animal; an authorized agent of the Owner; every person who keeps or harbors the animal or has it in his care, custody or control; and every person who permits the animal to remain on or about the premises occupied by him or her.
- (g) **PERSON** includes state and local officers and employees, individuals, corporations, co-partnerships and associations.
- (h) **KENNEL** means any establishment where three or more dogs are confined and kept for sale, boarding, breeding, leasing, or training purposes for remuneration.
- (i) **RABIES SUSPECT ANIMAL** means any animal which has bitten a human, or any animal which has been in contact with or been bitten by a rabid animal; or any animal which shows symptoms suggestive of rabies.
- (j) **BOARD OF COMMISSIONERS** means the Leelanau County Board of Commissioners.
TREASURER means the Leelanau County Treasurer.

ARTICLE III
ANIMAL CONTROL DEPUTY DUTIES, AUTHORITY *and* RESPONSIBILITIES

Section 1. An Animal Control Deputy will be appointed by the Sheriff of Leelanau County and will serve as Director of the Animal Control Department.

Section 2. In lieu of all fees and other remuneration under the statutes of this State, the Animal Control Deputy, his deputies and assistants, except animal census takers, will be paid a salary as established and determined by appropriate resolution of the Board of Commissioners.

Section 3. The Animal Control Deputy has the following duties:

- (a) The Animal Control Deputy may seize, take up and place in the animal shelter all dogs or other animals, Livestock, or Poultry found running at large or being kept or harbored any place within the county contrary to the provisions of this Ordinance or the statutes of the State.
- (b) The Animal Control Deputy will be properly deputized as a peace or police officer for the purposes of this Ordinance. It will be the duty of the Animal Control Deputy, and he/she

will be authorized, to issue appearance tickets, citations or summonses to those persons owning, keeping or harboring dogs or another animal contrary to the provisions of this Ordinance.

- (c) The Animal Control Deputy, his deputies or assistants, have the authority to destroy, in a humane manner, all impounded dogs or other animals which are not claimed and released within four (4) days, or by limit set by State Law, after being impounded. If in the Animal Control Deputy's judgment the animal is valuable or desirable for keeping, the Animal Control Deputy, his deputies or assistants, may release the animal to any person who will remove the animal from the County or keep the animal within the County in accordance with the provisions of this Ordinance and the statutes of the State, upon payment of the proper charge for the care and treatment of the animal while it was kept in the animal shelter. The Animal Control Deputy, his deputies or assistants, may, at the expiration of the four day period, dispose of the animal in any way that is approved by the Board of Commissioners or the Public Safety Committee. The regulations regarding the sale of animals from the animal shelter and boarding and other charges will be posted in a conspicuous place at the animal shelter. The bodies of all animals destroyed at the animal shelter or elsewhere in the County will be disposed of by the Animal Control Deputy, his deputies, or assistants in a manner approved by the Leelanau County Health Department and/or Public Safety Committee or the Board of Commissioners. Any animals voluntarily turned into the animal shelter by the Owners for disposition need not be kept for the minimum period of four (4) days before release or disposal of the animal.
- (d) The Animal Control Deputy will promptly investigate all animal bite cases involving human exposure and will make a reasonable search to discover the animal involved. The Animal Control Deputy may either impound or quarantine it for examination for disease in accordance with the applicable provisions of this Ordinance and/or the statutes of the State. The Animal Control Deputy has the authority to seize and impound any Rabies Suspect Animal.
- (e) The Animal Control Deputy has the duty provided in Section 316 of Act 339 of the Public Acts of 1919, being Section 287.276 of the Compiled Laws of 1948, (MSA Section 12.526, as amended), to determine and locate all unlicensed dogs, to list those dogs, and to deliver that list to the Prosecuting Attorney for the necessary proceedings as provided by the Ordinance and/or statutes of the State.
- (f) The Animal Control Deputy, his deputies or assistants are authorized, with an appropriate search warrant, to enter upon private premises to inspect the premises and determine if the Owner of the animals has complied with the appropriate provisions of the Ordinance. The Animal Control Deputy may apprehend and take any animals related to any violation of this Ordinance. The provisions of this subsection include, but are not limited to, investigation of or seizure for cruelty to animals.
- (g) The Animal Control Deputy has the authority to inspect any Kennel, with a license which has been issued pursuant to this Ordinance and the statutes of the State, and has the authority to suspend that license if, in their opinion, conditions exist which are unhealthy or inhumane to the animal kept in the Kennel. The Animal Control Deputy may seize and impound those animals pending correction of those conditions, and has the authority

to revoke that license if those conditions are not corrected within a reasonable period of time.

- (h) The Animal Control Deputy has the authority to investigate complaints of dogs or other animals alleged to be dangerous to persons or property, and the Animal Control Deputy has the authority to seize, take up and impound such animals.
- (i) The Animal Control Deputy has the authority to investigate the complaints of cruelty to dogs or other animals, Livestock or Poultry and has the authority to seize, take up and impound any dog or other animal, Livestock or Poultry which has been subject to such cruelty.
- (j) REPEALED
- (k) The Animal Control Deputy will faithfully execute any other duties relating to enforcement of this Ordinance as the Board of Commissioners may from time to time provide.

Section 4. The Animal Control Deputy, his deputies or assistants, will enforce the provisions of this Ordinance and the statutes of the State pertaining to dogs and other animals, and the Animal Control Deputy may make complaint to the appropriate District Court or other appropriate court in regard to any violation.

Section 5. REPEALED

Section 6. All suspensions and/or revocations of licenses, and all seizures for cruelty or dangerousness, will be according to any rules and regulations that are adopted from time to time by the Board of Commissioners.

Section 7. REPEALED

Section 8. REPEALED

ARTICLE IV LICENSING *and* VACCINATION

Section 1. It is unlawful for,

- (a) Any person to own any dog four (4) months old or over unless the dog is licensed;
- (b) Any person to own any dog four (4) months old or over that does not at all times wear a collar with an attached license tag that is approved by the Director of Michigan Department of Agriculture, except when engaged in lawful hunting accompanied by its Owner;
- (c) Any Owner of any female dog to permit the female dog to go beyond the premises of the Owner when she is in heat, unless the female dog is held properly in leash;

- (d) Any person except the Owner, to remove any collar and/or license tag from a dog; and
- (e) Any Owner to allow any dog, except working dogs such as leader dogs, farm dogs, hunting dogs and other dogs, when accompanied by their Owner while actively engaged in activities for which those dogs are trained, to stray unless held properly in leash.

Section 2. On or before March 1st of every year or every third year, at the Owner's option, the Owner of any dog four (4) months old or over, except as provided in Section 3 of this Article, will apply to the county, township or city treasurer or an authorized agent. The application will contain the breed, sex, age, color and markings of the dog, and the name and address of the last previous Owner. The application for a license must be accompanied by the proof of vaccination of the dog for rabies by a valid certificate of vaccination for rabies, with the vaccine licensed by the United States Department of Agriculture, signed by an accredited veterinarian. Dogs attaining the age of four (4) months after March 1st have seven days in which to obtain a license.

Section 3. No dog is exempt from the rabies vaccine requirements unless a registered and practicing veterinarian of the State of Michigan certifies, in writing, that a vaccine would be detrimental to the health of the dog. If the Prosecuting Attorney of Leelanau County, Michigan, approves the veterinarian's certification in writing, the Prosecuting Attorney must issue a certificate authorizing the Owner of the dog to obtain the dog license without a rabies vaccine.

Section 4. The licensing fees for dogs are as follows:

- (a) For all altered dogs of the age four (4) months or older, on or before March 1st of every year or every third year, at the Owner's option, the fee is \$5.00 per year if the license is obtained on or before March 1st of every year or every third year, at the Owner's option.
- (b) For all dogs, male or female, of the age of four (4) months or older, on or before March 1st every year or every third year, at the Owner's option, the fee is \$8.00 per year if the license is obtained on or before March 1st of every year or every third year, at the Owner's option.
- (c) For any dog license that has not been obtained in accordance with Paragraphs (a) and (b) above are delinquent and the fee throughout the balance of each year is \$15.00.
- (d) If paid by June 1st, the Kennel license fee is \$10.00 for a Kennel of 10 dogs or less, and \$25.00 for a Kennel of more than 10 dogs. The Kennel license fee doubles after June 1st.
- (e) Guide, leader, hearing, or service dogs are not subject to licensing fees in accordance with MCL.287.291.

Current dog licenses issued by other counties within Michigan and any other governmental agencies will be honored in Leelanau County until the following March 1st.

Section 5. No license or license tag issued for one dog is transferable to another dog. Whenever the ownership or possession of any dog is permanently transferred from one person to another within the same County, the license of the dog may be likewise transferred, upon proper notice in writing by the last registered Owner, given to the Treasurer, who will note this transfer upon his/her records. This Ordinance does not require procurement of a new license, or the transfer of a license already secured, where the possession of a dog is temporarily transferred for the purpose of boarding, hunting game, breeding, trial or show.

Section 6. If any dog tag is lost, it will be replaced without cost by the Treasurer, upon application by the Owner of the dog, and upon production of the license and a sworn statement of the fact regarding the loss of the tag.

Section 7. Any person who owns, keeps or operates a Kennel may in lieu of individual licenses required under this Ordinance and under the laws of the State of Michigan, apply to the Treasurer for a Kennel license entitling him to own, keep or operate the Kennel in accordance with the applicable laws of the state and the fee for the Kennel must be in accordance with the laws of the state or as established by the rules and regulations for licensing fees by the Board of Commissioners.

Section 8. Any person who, at any one time, owns a Kennel, except a duly licensed pet shop, at any single location within the boundaries of Leelanau County, shall, on or before March 1st of the year following such ownership, obtain a Kennel license from the Treasurer if the person qualifies under Act 339, Public Acts of 1919, as amended. This section does not apply to a litter of puppies that remain with the mother, so long as said dogs are less than four (4) months of age.

ARTICLE V CONFINEMENT

Section 1. Any dog or other animal kept as a pet that bites a person, animal, or Livestock shall be securely confined by its Owner inside an appropriate building or enclosure for a minimum period of ten (10) days following the biting. In the event that the Owner of the animal fails to securely confine the animal for the minimum period of time, then in that event, the Animal Control Deputy, his deputies or assistants, may take possession and custody of the animal, confine the animal at the animal shelter until the expiration of ten (10) day period and satisfactory evidence that the animal is not suffering from rabies. The animal will be kept at the animal shelter at the expense of the Owner in the event that the person charged with the duty to securely confine the animal fails to do so. Any dog or other animal running loose after biting a person, animal or Livestock, and whose Owner cannot be determined, will be confined for a period of ten (10) days at the animal shelter in accordance with the provisions of this section, and thereafter disposed of in accordance with the provisions of this Ordinance, or regulations that are in effect at the animal shelter.

Section 2. Any other animal not kept as a pet, including wild animals, which bite a human or animal, will, if located, be confined for the required ten (10) days at the animal shelter or other suitable location.

Section 3. Every dog and other animal shall at all times between sunset and sunrise of the following day be confined upon the premises of its Owner except when the dog or other animal is otherwise under the reasonable control of the Owner.

ARTICLE VI ANIMAL SHELTER *and* IMPOUNDMENT

Section 1. All dogs or other animals found running at large may be seized by the Animal Control Deputy, his deputies or assistants, or other peace officers, and impounded for a period of not less than four (4) days, and may be sold or disposed of if not claimed by the Owner.

Section 2. When dogs or other animals are found running at large, and their Ownership is known to the Animal Control Deputy, or his deputies or assistants, or other peace officers, the animal does not have to be impounded, but the Animal Control Deputy, his deputies or assistants, or other peace officers may, at their discretion, cite the Owner of such dog to appear in court to answer charges of violation of this Ordinance.

Section 3. Immediately upon impounding a dog or other animal, the Animal Control Deputy must,

- (a) make every reasonable effort to notify the Owner of the dog or other animal that is impounded, and
- (b) inform the Owner of the conditions to regain custody of the dog or other animal pursuant to the regulations for the operation of the animal shelter.

Section 4. Any Owner may redeem a dog or other animal from the animal shelter by executing a sworn statement of ownership, furnishing a license and tag as required by this Ordinance and state law, and paying the required fee.

Section 5. Healthy dogs not displaying a valid license that remain unclaimed after four days of confinement, and dogs displaying a valid license that remain unclaimed after seven days following notice of confinement, will be given to agencies approved of by the Board of Commissioners.

Section 6. For confined animals, not subject to section 5, which are not claimed and released after the time limits set by statutes of the State, the Animal Control Deputy must do one of the following:

- (a) continue to confine the animal;
- (b) sell the animal;
- (c) destroy the animal in a humane way; or
- (d) dispose of the animal in any way approved by the Board of Commissioners.

Section 7. The Board of Commissioners must maintain an animal shelter for the purposes of this Ordinance and state law.

ARTICLE VII
KILLING *and* SEIZING

Section 1. Any person may kill any dog or animal which the person sees in the act of pursuing, attacking or about to attack any Livestock, Poultry, domestic animal, or person. That person is not liable for damages or otherwise for killing that animal. Any dog or other animal that enters any field or enclosure which is owned or leased by a person producing Livestock or Poultry, unaccompanied by his Owner, constitutes a private nuisance, and the Owner or lessee of the field or other enclosure, or an agent, may kill that dog or other animal while it is in the field or other enclosure without liability for the killing. In no event do the provisions of this section exonerate a person from compliance with the criminal laws of this state, including, by way of example, the safe discharge of firearms.

Section 2. It is lawful for any person to seize any dog or other animal running at large in violation of this Ordinance and to turn that dog or other animal over to the Animal Control Deputy, his deputies or assistants.

ARTICLE VIII
CRUELTY *to* ANIMALS

Section 1. An Owner, possessor, or person having the charge or custody of an animal shall not

- (a) fail to provide sufficient food, water, shelter, sanitary conditions, exercise, and veterinary medical attention in order to maintain an animal in a state of good health;
- (b) cruelly drive, work, or beat an animal, or cause an animal to be cruelly driven, worked, or beaten;
- (c) cause, permit, or instigate any dog fight, cock fight, bull fight, or other combat between animals or animals and humans;
- (d) crop a dog's ears, except a licensed veterinarian, who will issue a signed certificate that the operation is necessary for the dog's health and comfort;
- (e) abandon an animal or cause an animal to be abandoned, in any place, without making provisions for the animal's adequate care;
- (f) negligently allow any animal, including one who is aged, diseased, maimed, hopelessly sick, disabled, or non-ambulatory to suffer unnecessary neglect, torture, or pain; or
- (g) tether a dog unless the tether is at least three times the length of the dog as measured from the tip of the its nose to the base of its tail, and is attached to a harness or non-choke collar designed for tethering.

Section 2. An operator of a motor vehicle that strikes a domestic animal shall stop immediately and render assistance to the animal. The operator shall immediately report injury or death to the animal's

Owner. If the Owner cannot be ascertained and located, the operator shall report the accident to the appropriate law enforcement agency.

ARTICLE IX
ENUMERATION of CERTAIN VIOLATIONS and RELATED PROCEDURES

Section 1.

- (a) An Owner shall not intentionally, or by failure to exercise due care, allow a dog to run at large, stray, or otherwise be off the Owner's premises on any public or private land without permission, unless held on a leash of not more than six feet in length, subject to the exceptions in State laws and this Ordinance.
- (b) An Owner shall not allow their dog to enter a park that prohibits dogs, unless the dog is a guide, leader, hearing, or service dog accompanied by its Owner.
- (c) A person shall not remove the license tag or collar from a dog or other animal without the Owner's permission.
- (d) A person shall not entice a dog or other animal out of an enclosure or off the property of its Owner.
- (e) A person shall not seize, molest, or tease a dog or other animal that is being held or led by any person, or that is on the property of its Owner.
- (f) An Owner shall not intentionally, or by failure to exercise due care, allow a dog to whine, yelp, bark, howl, or make other sounds common to its species, continuously for a period of ten minutes or longer, if the noise can be heard from the private property of another person, or from any adjoining public land, between the hours of 11:00 p.m. and 7:00 a.m., or at any time in a habitual manner. For the purposes of this subsection, "continuously" means no time period of less than one minute, and "habitual" means making sounds, as previously described, continuously for a period of ten minutes or longer on three or more occasions within a sixty minute period, or continuously for thirty minutes or more.
- (g) An Owner shall not intentionally, or by failure to exercise due care, allow a dog or other animal to attack or bite a person.
- (h) An Owner shall not intentionally, or by failure to exercise due care, allow Livestock or Poultry to run at large on any public or private land without permission.
- (i) An Owner shall not intentionally, or by failure to exercise due care, allow a dog or other animal to destroy real or personal property, or trespass in a damaging way on property owned by another person.

Section 2. If a violation of any provision of this Ordinance or of the laws of the state occurs, the Animal Control Deputy, his deputies or assistants or other peace officer may issue an appearance ticket, citation or summons to the Owner of the dog, animal, Livestock or Poultry, summoning them to appear before a District Court or other appropriate court within the County to answer the charges made in violation of this Ordinance. The Animal Control Deputy, deputies or assistants or other

peace officer may sign a complaint before the court for violation of the provisions of this Ordinance, proceed to obtain the issuance of a warrant and make arrest of the person to whom the violation is charged, and bring him before the court to answer the charges. The court may, at its discretion, and upon a finding of guilty, assess the penalties in accordance with the penalty provision of this Ordinance.

Section 3. If a violation of any provision of this Ordinance or of the laws of the state occur, an Animal Control Deputy, his deputies or assistants or other peace officer or any other person may proceed to obtain authorization of the Prosecuting Attorney, and make complaint before a District Court or other appropriate court within the County and obtain the issuance of a summons similar to that provided in Act 339 of the Public Acts of 1919, being Section 287.280 of the Compiled Laws of 1948, (MSA Section 12.530), as amended, to show cause why such dog, animal, Livestock or Poultry should not be killed. Upon a hearing the judge may either order the dog, animal, Livestock or Poultry killed, confined to the premises of the Owner, or may make such other order regarding the dog, animal, Livestock or Poultry as it deems proper and necessary under the circumstances, in addition to any of the enumerated penalties. This section in no way affects the provisions of Article III, Section 3 (c) of this Ordinance.

Section 4. Costs, as in civil cases, will be taxed against the Owner of the dog, animal, Livestock or Poultry and collected by the court from the person complained against upon a finding of guilty. The provisions of this paragraph are in the alternative to the provisions for violations set forth in the preceding paragraph and the Animal Control Deputy, his deputies or assistants or other peace officer may, at his discretion, proceed under either section.

ARTICLE X PENALTY

Section 1. The Prosecuting Attorney may charge any violation of this Ordinance as a municipal civil infraction, or as a misdemeanor, in his/her sole discretion.

- (a) Any person who violates any of the provisions of this Ordinance who is found responsible of municipal civil infraction is subject to a maximum fine of \$500.00.
- (b) Any person who violates any of the provisions of this Ordinance who is found guilty of a misdemeanor and upon conviction may be imprisoned up to 90 days, or fined up to \$500.00, or both.

ARTICLE XI PRESERVATION of CERTAIN RIGHTS

Section 1. Nothing in this Ordinance is to be construed to prevent the Owner of a licensed dog from recovery in an action of law from any peace officer or any other person, except as provided.

Section 2. Nothing in this Ordinance is to be construed as limiting the common law liability of the Owner of a dog or other animal for damages committed by the dog or other animal.

ARTICLE XII
COUNTY TREASURER RECORDS *and* DUTIES

Section 1. On April 1st of each year, the Treasurer will make a comparison of his/her records of the dogs actually licensed in the County with the report of the Animal Control Deputy to determine and locate all unlicensed dogs.

Section 2. On and after April 1st of each year, every unlicensed dog, subject to license under provisions of this Ordinance or the statute of the State, is a public nuisance and the Treasurer will list all unlicensed dogs, and will deliver copies of the lists to the Animal Control Deputy and the Director of the Michigan Department of Agriculture as well as those officers listed and set forth in Act 339 of the Public Acts of 1919, being Section 287.277 of the Compiled Laws of 1948, (MSA 12.527) as amended.

Section 3. The Treasurer will keep a record of all dog licenses and all Kennel licenses issued during the year in each city and township in the county. The record will contain the name and address of the person to whom each license is issued. In the case of all individual licenses, the record will also state the breed, sex, age and color of the dog licensed; and in case of a Kennel license, it will state the place where the business is conducted. The record will be a public record and open to inspection during business hours. The Treasurer will keep an accurate record of all license fees collected by him/her or paid to him/her by any city or township treasurer.

Section 4. In all prosecutions for violation of this Ordinance, the records of the Animal Control Deputy, or lack of records, which show the name of the Owner and the license number to whom any license was issued, and the license tag affixed to the collar or harness of the dog showing a corresponding number, will be prima facie evidence of ownership or non-ownership of any dog and of issuance or non-issuance of a dog license or tag.

ARTICLE XIII
FEES *and* EXPENSES

Section 1. REPEALED

Section 2. The Animal Control Deputy will annually make a census of the number of dogs owned by all persons in Leelanau County, Michigan, in accordance with the State law. The Animal Control Deputy is authorized to employ whatever personnel he reasonably believes necessary to conduct the census. The Board of Commissioners will determine the pay for the census taking personnel.

Section 3. The duties and obligations imposed upon the respective designated officials may be delegated to some other appropriate person or persons by each of the officials with like force and effect.

Section 4. The fees and expenses as established by this Ordinance may be changed from time to time on or before November 1st of each year and for subsequent years by the action of the Board of Commissioners.

ARTICLE XIV
RECEIPTS *and* DISBURSEMENT *of* FUNDS

All fees and monies collected under the provisions of this Ordinance will be transferred to the General Fund of Leelanau County, Michigan, in accordance with the standard practices of the Treasurer and the monies paid out in accordance with this Ordinance will be drawn upon the General Fund of Leelanau County, Michigan.

ARTICLE XV CONSTRUCTION

Section 1. When not inconsistent with the context words used in the present tense include the future. Words in the singular include the plural and words in the plural include the singular. Masculine include the feminine and neuter. The word “shall” is always mandatory and not merely directive. Words or terms not defined herein will be interpreted in the manner of their common meaning. Headings are for convenience and do not limit the scope of any article or section of this Ordinance.

Section 2. The regulations of this code are minimum standards supplemental to the rules and regulations duly enacted by the Michigan Department of Health and to the laws of the State of Michigan relating to public health.

Section 3. If any part of this Ordinance is held void, that part will be deemed severable and the invalidity will not affect the remaining parts of this Ordinance.

ARTICLE XVI REPEAL

All ordinances or parts of ordinances inconsistent with this Ordinance are repealed.