MENOMINEE COUNTY
EXECUTIVE COMMITTEE
MEETING

~A QUORUM OF THE COUNTY BOARD MAY BE PRESENT~

DATE: **April 24, 2019**
TIME: **9:00 AM**
PLACE: **Menominee County Courthouse ~ Administrator's Office**

**********AGENDA**********

1. Call Meeting to Order
2. Pledge of Allegiance
3. Roll Call ~ (Coms. Piche, Phelps, & Hafeman)
4. Approval of Agenda
5. Approval of Previous Meeting Minutes
6. Public Comment *(Statements, not debate; limited to 5 minutes per person on agenda items only)*
7. Business
   a) Menominee County Bylaws, Board Rules, County Policies, and Charters of Standing Committees
   b) Economic Development Committee
   c) Airport Committee
   d) Animal Control Ordinance
8. Public Comment
9. Commissioner Comment *(limited to 5 minutes)*
10. Adjournment

MENOMINEE COUNTY BYLAWS, BOARD RULES, COUNTY POLICIES, AND CHARTERS OF STANDING COMMITTEES

MENOMINEE COUNTY BYLAWS:
Amended: 11/21/05
Amended: 8/24/10
Amended: 7/26/11
Amended: 4/24/12
Amended: 4/9/13
Amended: 8/27/13
Amended: 11/10/15

MENOMINEE COUNTY BOARD RULES:
Amended: 8/22/05
Amended: 8/24/10
Amended: 7/26/11
Amended: 4/24/12
Amended: 4/9/13
Amended: 8/27/13
Amended: 11/10/14

MENOMINEE COUNTY POLICIES:
Amended: 1/23/06
Amended: 8/24/10
Amended: 7/26/11
Amended: 4/24/12
Amended: 4/9/13
Amended: 11/10/15
Amended: 06/12/18

CHARTERS OF STANDING COMMITTEES:
Amended: 4/9/02
Amended: 8/24/10
Amended: 7/26/11
Amended: 4/9/13
Amended: 8/27/13
Amended: 11/10/14
Amended: 10/11/16

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BYLAWS

THIS DOCUMENT SHALL AMEND BY SUBSTITUTION A DOCUMENT ENTITLED "MENOMINEE COUNTY BOARD OF COMMISSIONERS - RULES AND REGULATIONS". IT SHALL BE ADOPTED IN ACCORDANCE WITH THE APPLICABLE RULE (RULE 18) STATED IN THE AFOREMENTIONED DOCUMENT WHICH GOVERNS THE CREATION AND AMENDING OF THOSE RULES AND REGULATIONS. THIS AMENDMENT SHALL TAKE IMMEDIATE AFFECT UPON ADOPTION.

ARTICLE I: Name: Menominee County Board of Commissioners.

ARTICLE II: Purpose: To provide for the governance of the people of Menominee County.

ARTICLE III: Members: The members of this Board are those persons who have been elected by the qualified electors of the various commissioner districts of Menominee County or those persons who have been appointed to fill vacancies in accordance with the applicable rules established by the State. (Fractions divided evenly will be rounded ~ .5 or greater is rounded up. Below .5 is rounded down.)

Section 1. Voting. All members who are present shall vote whenever the question is put by the Chair.

Sub. Section 1. Abstention.
If there is an appearance of a conflict of interest, the Commissioner shall so state before a vote is called for. No member may abstain from voting "yes or no".

Amended: September 22, 1997
Amended: March 25, 2002
Amended: April 9, 2013

Sub. Section 2. Interest in transactions; exceptions. (MCL 46.30)
A member of the County Board of Commissioners shall not be interested directly or indirectly in any contract or other business transaction with the County, or a Board, Office, or Commission thereof, during the time for which he is elected or appointed, nor for one year thereafter unless the contract or transaction has been approved by 3/4 of the members of the County Board of Commissioners and so shown on the minutes of the Board together with a showing that the Board is cognizant of the member's interest. This prohibition is not intended to apply to appointments or employment by the County or its Officers, Boards, Committees, or other authority, which appointments and employment shall be governed by the provisions of MCL 46.30.

ARTICLE IV: Officers

Section 1. The officers of this Board shall be a Chairperson and a Vice Chairperson.

Section 2. The term of office shall be for one year. The individual may succeed

her/himself.

Section 3. These officers shall be elected at its first meeting of the year, the organizational meeting of the Board, which shall be held as near after January 1 of each year as is practical but at least on or before January 10. This meeting shall be called by the County Clerk after checking with all commissioners as to their preferences as to the time and date. The meeting shall be held in the courthouse or other appropriate public place. The Clerk shall prepare and distribute with the call for the meeting an agenda which shall include all items of business which are pertinent to the reorganization of the Board and functioning of County government. The Clerk shall record the minutes of the reorganization meeting. The Clerk will also chair this meeting until the Board elects its own chairperson. In the event the Clerk is not present within 15 minutes of the scheduled meeting time, the Board shall elect by simple majority any citizen(s), who are present, to chair and/or record the minutes. The Clerk shall immediately assume these duties upon arrival.

Section 4. Candidates for these offices shall be nominated from the floor. It shall take a simple majority vote of the Board to elect. Voting for Chairperson shall be by random roll call vote. Should a simple majority not be obtained by any nominee, a five minute recess shall take place. After the recess the presiding chair of the meeting will ask each nominee if they wish their name to remain in nomination. Another random roll call vote will be taken and the above process continued until one nominee obtains a simple majority. The nomination and election for vice-Chairperson shall take place after the selection of a Chairperson. The voting shall be by random roll call vote. Should a simple majority not be obtained by any nominee, a five minute recess shall be called. After the recess the Chairperson will ask each nominee if they wish their name to remain in nomination. Another random roll call vote shall be taken and the above process continued until the vice-Chairperson is selected.

Amended: March 25, 2002

Section 5. Powers and Duties.
Except for those powers and duties prescribed to the Chair by the State, the Chair has no power to act on behalf of the Board unless the Board specifically grants that power. Duties normally carried out by the Chairman. The duties as determined by this Board are: to appoint all standing committees of the Board and their Chairs with the concurrence of the Board; to appoint all ad hoc and special committees of the Board and name the Chair unless the motion which creates these committees specifies the membership and its chair; nominate the members of all boards, commissions, committees etc. which function as a part of County government with the concurrence of the Board and in accordance with State rules when applicable; the Chair shall vote on all matters including an appeal from the decision of the Chair except for previously declared conflicts of interest. The Chair, when attending a meeting as an ex-officio member, shall not be entitled to charge per diem for attending; the chair shall only be entitled to receive mileage. Upon request, remove and replace with the concurrence of the Board any appointees of or by the Board who have missed three (3) consecutive unexcused scheduled

meetings of the body to which they were appointed. In the absence of the Chairperson, the Vice Chairperson shall assume the duties of the Chair. (Refer to Article VI-Section 5).

Amended: May 22, 2000

ARTICLE V. Meetings

Alcoholic Beverages at ANY County Board meeting is strictly prohibited. No County Board meeting will be held at an establishment which serves alcoholic beverages.

Adopted: July 26, 2011
Amended: April 9, 2013

Section 1. A schedule containing the date, time and place of regular monthly meetings of the Board shall be established at the organizational meeting. The County Board will meet twice monthly.

Section 2. Special meetings, procedure; notice; Open Meetings Act, compliance: (MCL 15.261)

1. A special meeting of the County Board of Commissioners of a County shall be held only when requested by at least 2 members of the County Board of Commissioners of the County. Special meetings will be posted at least eighteen (18) hours before the time of the meeting.

2. Special meetings of the Board of Commissioners serving as the Committee of the Whole shall be held when requested by at least 2 members of the County Board of Commissioners of the County.. The notice will be posted at least eighteen (18) hours before the start of the meeting.

Amended: March 25, 2002
Amended: August 24, 2010
Amended: July 26, 2011

Section 3. Quorum and Majority: (MCL 46.3)

A majority of the members of the County Board of Commissioners of a County shall constitute a quorum for the transaction of the ordinary business of the County, and questions which arise at its meetings shall be determined by the votes of a majority of the members present, except upon the final passage or adoption of a measure or resolution, or the allowance of a claim against the County, in which case a majority of the members elected and serving shall be necessary.

MCL 46.3a - Recording names and votes on certain actions; chairman's ballot; request for recording; inspection of record.

Section 3a. The names and votes of members shall be recorded on an action which is taken by the Board of County Commissioners or by a committee of the Board of County Commissioners if the action is on an ordinance, resolution, or appointment or election of an Officer. The vote and the name of the member voting on other questions or motions shall be recorded at the request of: 1/5 of

the members present if the question or motion is before the Board, or 1/3 of the members present if the question or motion is before a Committee of the Board. A record which is made pursuant to this section shall be available for public inspection.

Section 4. Closed Session:
No commissioner or other attendees shall disclose information, comments, etc. from a closed session unless ordered by a court of law. County Board shall approve minutes of a closed session at their next regularly scheduled closed session meeting.

Adopted: April 8, 1997
Amended: May 22, 2000
Amended: August 24, 2010

ARTICLE VI: Committees.
All non County Board committee members appointed by the Menominee County Board may receive a meeting fee. The meeting fee will be determined by each committee, the meeting fee will not exceed fifty dollars per meeting. Mileage allowance shall be provided at the IRS rate per mile. (Refers to: Committees under the direct supervision of the County Board.)

Adopted: July 26, 2011
Amended: April 9, 2013
Amended: August 27, 2013

Section 1. Standing Committees.
The Standing Committees of this Board shall be as follows:
E-911 Governing Board; Road Commission; Board of Health; Inter-Government Relations; Pinecrest; Department-of Human Services; NorthPointe Behavorial Healthcare; UPCAP; CAA; Airport; County Planning Commission; Corrections Advisory Board; Six County Alliance/MI-Works; Re-monumentation; LEPC; Parks and Recreation Committee; Fair Board; UPRC&D; Financial Hardship; Finance; Personnel; Executive; Menominee Business Development Corporation & Building and Grounds Committee; Negotiations Committee; NorthCare Network; Substance Use Disorder (SUD) Committee

Amended: September 22, 1997
Amended: March 25, 2002
Amended: November 21, 2005
Amended: August 24, 2010
Amended: April 9, 2013
Amended: November 10, 2015

Section 2. Other:
Other standing, ad hoc, or special committees as deemed necessary by the Board to carry on its work may be appointed.

Section 3. Refer to Article VI Sec. 5, relative to the appointment procedure.

Section 4. The Charters defining the duties and responsibilities of the Standing Committees shall be appended to these Bylaws.

Section 5. Selection of Boards and Commissions External to the Board.
The Board shall advertise from time to time as necessary the impending vacancies on the external boards and commissions. Respondents to these advertisements or other persons may be nominated by the Chair or by any commissioner from the floor. It shall be the policy of the Board to solicit from the public and from the various boards, committees and commissions to which it makes appointments the names of qualified individuals who might be interested in serving on specific boards, committees and commissions. An "application for appointment" must be filled out and submitted to the County Administrator or County Board to be considered for a miscellaneous board or committee appointment. Refer to Article IV, Sec. 5. (Attachment A)

Amended: July 26, 2011

Section 6. Commissioners, other Elected Officials or County Employees appointed by the Board to various internal and external boards, committees and commissions shall serve from re-organizational meeting to re-organizational meeting. They may succeed themselves. Any appointment is rescinded if the employee is terminated or if the Commissioners or other Elected Official no longer hold their elected post.

Amended: April 24, 2012

ARTICLE VII: Rules, Regulations, Policies of the Board.

Section 1. The Board may adopt by 4/5 vote those rules and regulations it feels necessary to allow for the orderly conduct of business of the Board and committees of the Board so long as they do not conflict with these Bylaws. These Rules and Regulations may be suspended or amended by a 4/5 vote.

Section 2. The Board may adopt at a regular meeting by a 4/5 vote and if submitted in writing at the previous regular Board meeting policy statements which pertain to the operation of all facets of County government which are within the jurisdiction of this Board. Policies of the Board may not be suspended. Policies may be amended under the same rules governing the amending of the Bylaws. See Article IX.

Amended: November 21, 2005
Amended August 24, 2010

ARTICLE VIII: Parliamentary Authority.

Roberts Rules of Order Latest Edition issued to Board Members, ISBN 0-7382-0307-6 shall be the Parliamentary Authority. The rules, with special attention to small boards, contained in the above mentioned reference shall govern the Board and its committees in all cases to which they are applicable and in which they are not inconsistent with the Bylaws or any special rules or policies the Board may adopt.

Amended: March 25, 2002

Amended: August 24, 2010

ARTICLE IX. Amendment of Bylaws.

Section 1. These Bylaws may not be suspended.

Section 2. These Bylaws may be amended at any regular meeting of the Board by a 2/3 majority of the Board, provided that the amendment is submitted in writing at the previous regular Board meeting. An amendment to this amendment may be made during discussion at the meeting at which the amendment is taken up provided it does not limit the rights of the minority nor expand the rights of the majority. Amendments to the amendment which do the immediately aforementioned limiting and expanding of rights may, if they were presented in writing, be considered as a new amendment at the next regular meeting of the Board.

Section 3. These Bylaws, Rules, Regulations and Policies shall remain in effect until properly amended or suspended as appropriate. (Bylaws and Policies may not be suspended. Rules and Regulations may be suspended.)

Adopted: April 9, 1991
Amended: July 26, 1993
Amended: April 25, 1995
Amended: March 25, 1996
Amended: September 22, 2003
Amended: November 21, 2005
Amended: August 24, 2010
Amended: July 26, 2011
Amended: 4/24/2012
Amended: 4/9/2013
Amended: 8/27/2013
Amended: 10/28/2014
Amended: November 10.2015

ATTESTED TO:

Charlie Meintz, Chairman,
Menominee County Board of Commissioners

Marc Kleiman, County Clerk

MENOMINEE COUNTY BOARD RULES

R89-1 Rescinded (July 17, 1989)

R89-2 Order a call of the Board.

Adopted: July 17, 1989
Amended: April 9, 1991
Rescinded: August 24, 2010

R91-1 All reports by any standing committee shall be in writing and shall be submitted to the Administrator's office to be placed in the board packets as they are submitted. The Administrator will deliver copies to each member of the Board.

Adopted: April 9, 1991
Amended: July 26, 1993
Amended: April 25, 1995
Amended August 24, 2010

R91-2 All committees are required to report meeting minutes to the full Board in order to remain a committee.

Adopted: April 9, 1991
Amended: August 24, 2010

R91-3 The Order of Business shall be as follows:

A. Call to Order
B. Pledge of Allegiance
C. Roll Call
D. Approval of the Agenda
E. Approval of Previous Minutes
F. Public Comment (Statements, not debate, limited to five minutes per person on agenda items only.)
G. Presentations (limited to twenty minutes)
H. Department Heads/Elected Officials (limited to ten minutes)
I. Action Items
J. New Business (Discussion Only)
K. Misc. Boards/Committees/Commissions/Reports
L. Public Comment
M. Commissioner Comment
N. Closed Session if needed
O. Approval of Closed Session Minutes
P. Return to Open Session
Q. Adjourn

Adopted: May 26, 1992
Amended: July 26, 1993
Amended: April 25, 1995
Amended: September 22, 1997

Amended: March 25, 2002
Amended: August 22, 2005
Amended: August 24, 2010
Amended: July 26, 2011
Amended: April 24, 2012
Amended: April 9, 2013

R91-4 Quorum/Open Meetings Act

Adopted: April 9, 1991
Rescinded: July 26, 1993

R91-5 Complex or controversial issues may be discussed by the Board prior to being introduced in the form of a motion. The Chair may declare the floor open for debate prior to a motion if no member objects. If there is an objection, the Chair shall call for a vote. A majority vote of the Board shall sustain the Chair. Any motion(s) arising from such debate shall be reduced to writing prior to being voted upon, upon the request of any member.

Adopted: May 26, 1992
Amended: July 26, 1993

R91-6 Motion to Reconsider

Adopted: April 9, 1991
Rescinded: July 26, 1993

R91-7 To determine the sequential order of a roll call vote, the Clerk shall randomly select the names of the members of the Board.

Adopted: May 26, 1992
Amended: July 26, 1993

R91-8 Any matter which has not been placed on the agenda for the meeting nor which has not been added to the agenda by amending the agenda may be considered by the Board under the following conditions: those matters which are binding upon the Board contractually (which also infers financially) may be considered upon a four-fifths vote (4/5) of the full Board; those matters which are not binding upon the Board may be considered upon a majority vote of the full Board.

Adopted: May 26, 1992
Amended: July 26, 1993
Amended August 24, 2010

R91-9 Travel/Expense reimbursements, Commissioners

Adopted: April 9, 1991
Rescinded: July 26, 1993

R91-10 A meeting fee of $50.00 will be paid to each commissioner who attends a regular or special Board meeting or who attends meetings authorized by the Board or who carries out the business of the Board when authorized by the Board. Unless acting as an alternate, a commissioner will not receive reimbursement for

attending meetings of committees of the Board to which they are not an appointed member. A commissioner shall not receive payment for two meetings when the 2nd meeting is consecutive, unless the combined meeting time exceeds four (4) hours.

Adopted: April 9, 1991
Amended: July 26, 1993
Amended: March 26, 1996
Amended: May 22, 2000
Amended: April 24, 2012
Amended: April 9, 2013

R91-11 The mileage allowance shall be the IRS rate per mile. Meal allowance shall be as follows: Breakfast: $9.00, Lunch: $11:00, Dinner: $20.00. Receipts must be submitted for reimbursement. Meals provided by conferences will not be reimbursed.

Adopted: April 9, 1991
Amended: July 26, 1993
Amended: April 25, 1995
Amended: April 24, 2012
Amended: August 27, 2013

R91-12 The salary of the Board Chairperson shall be $4,500 per year. The salaries of the other Commissioners shall be $4,000 per year.

Adopted: April 9, 1991
Amended: July 26, 1993
Amended: May 22, 2000

R91-13 Commissioners attending authorized conferences including members appointed to MAC or UPACC shall be considered as an authorized conference shall be reimbursed $75.00 per day, including travel time. All applicable conference fees shall be paid in advance by the County when possible. Lodging shall be reimbursed at actual cost not to exceed the room rate at the conference headquarters hotel. Lodging necessary en route to or from a conference shall be reimbursed at actual cost not to exceed $80.00 per night. Travel costs will be reimbursed at the IRS rate per mile for personal automobile or at actual cost for commercial carriers. Any travel allowances advanced in excess of actual costs shall be reimbursed to the County. Meals not included in conference fees shall be paid in accordance with Rule 91-11. Receipts are required for reimbursement.

Adopted: April 9, 1991
Amended: July 26, 1993
Amended: April 25, 1995
Amended: March 26, 1996
Amended: May 22, 2000
Amended: August 24, 2010

R91-14 After the fact requests for meeting reimbursements and related expenses which are recommended by the Finance Committee shall require a four-fifths (4/5) vote

of the full Board for approval.

Adopted: April 9, 1991
Amended August 24, 2010

R91-15 Commissioners who are appointed to serve on other boards, committees and commissions which have their own reimbursement schedules shall have their reimbursements transferred to the County General Fund. (If mailed directly to the County.) Commissioners will be reimbursed for those meetings at the established reimbursement rate through the regular reimbursement procedure. (R91-10) Any checks Commissioners receive directly from boards/committees for per diems and mileage, are to be subtracted from their County reimbursement schedule. (Commissioners are to make a copy of the check received to include with their County reimbursement schedule.) The County will pay any differences up to $50 per meeting fee and mileage at the current IRS rate.

Adopted: April 9, 1991
Amended: October 22, 1993
Amended: November 10, 2014

R91-16 Commissioners are responsible for submitting all of their own expenses including all meeting expenses. These expenses shall be submitted to the County Administrator's office by the last day of the following month or be forfeited. These expenses will be submitted on a form labeled "Commissioner Per Diem & Expense Form" and/or "Reimbursement Voucher" which will be made available for Commissioners through the County Administrators Office.

Adopted: September 9, 1991
Amended: July 26, 1993
Amended: April 25, 1995
Amended: September 22, 1997
Amended: March 25, 2002
Amended: August 24, 2010
Amended: April 9, 2013

R91-17 All presentations are limited to twenty (20) minutes unless a longer time is deemed necessary by a majority vote of the County Board. All presentation materials shall be submitted to the Administrator's office to be included in the County Commissioner's agenda packet.

Adopted: August 24, 2010

R91-18 All Department Head and Elected Official reports are limited to ten (10) minutes unless deemed necessary by a majority vote of the County Board.

Adopted: August 24, 2010

R91-19 New Business (Discussion Only) Agenda item J. - New Business items can be moved for action through a unanimous roll call vote of the board. If there is not a unanimous roll call vote to move the item for action, the item will be tabled and placed on the agenda as an action item at the next scheduled County Board

meeting.

Adopted: August 24, 2010

R91-20 Commissioner Comment

Adopted: August 24, 2010
Amended: July 26, 2011

R91-21 Official Business E-mail – All employees of the County (including Elected Officials and Commissioners) shall use the county supplied email address for all county business.

Adopted: April 24, 2012

MENOMINEE COUNTY POLICIES

P91-1 COUNTY VEHICLE

The Board strongly encourages the use of the county vehicles, if available, to be utilized by all persons traveling on behalf of the County outside of Menominee County. Requests for the county vehicles shall be made through the County Administrator. The County Administrator shall determine priority in the event that more than one person requests the vehicle. Normally priority would be determined by the order in which the requests are received. The County Administrator shall notify the Buildings and Grounds Department. The Buildings and Grounds Department shall make arrangements with the person requesting the vehicle and shall see that the vehicle is fueled and checked prior to being released. The office of the County Clerk shall provide forms for reporting mileage, on the road expenses and other pertinent information.

Adopted: April 9, 1991
Amended: April 27, 1992
Amended: July 26, 1993
Amended August 24, 2010
Amended: July 26, 2011

P91-2 OVERTIME AND COMPENSATORY TIME

It shall be the policy of the Board that all work assignments involving overtime or compensatory time shall be approved by the appropriate department head and the County Administrator. In cases of emergency the Chairperson of Personnel shall be notified as soon as possible of the action taken.

Adopted: April 9, 1991
Amended: July 26, 1993
Amended: August 24, 2010

P91-3 DISSEMINATION OF INFORMATION

It shall be the policy of the Board that all information pertaining to business of the County Board obtained by individual commissioners, committees of the Board, employees of the county and other Elected Officials shall be transmitted in a timely fashion to all Board members to enable them to make informed decisions. Regularly scheduled County Board packets and regularly scheduled Committee packets will be available in the Administrator's Office five calendar (5) days prior to the scheduled meeting.

Adopted: April 9, 1991
Amended: July 26, 1993
Amended: March 25, 2002
Amended: August 22, 2005
Amended: August 24, 2010

P91-4

MENOMINEE COUNTY
PURCHASING POLICIES AND PROCEDURES

1.0 INTRODUCTION

1.1 Purpose

To obtain the necessary goods and services at the least cost for the effective and efficient operation of the County.

1.2 Authority

The provisions in this manual shall take effect immediately upon formal adoption by the Menominee County Board of Commissioners. The County Administrator is responsible for the administration of all purchasing policies and procedures. Any exceptions to these policies and procedures shall be made by the Menominee County Board of Commissioners.

1.3 Scope

These purchasing policies and procedures shall apply only to the following funds: General; Road Patrol; Law Library; County Parks; Park Improvement; Re-monumentation; CDBG; E-911; Friend of Court; Building Code; LEPC; Child Care; Veterans Trust; Special Child Care Fund.

Amended: September 22, 1997
Amended: March 25, 2002

1.4 Revision

The policies and procedures contained in the Purchasing Policies & Procedures section (P91-4) can be modified by a formal resolution of the Menominee County Board of Commissioners. Employees are encouraged to make suggestions for changes which will be kept on file by the County Administrator.

Amended: September 22, 1997

1.5 Distribution of the Manual

All departments will receive a copy of the Menominee County Purchasing Policies and Procedures section (P91-4). Additional copies are available from the County Administrator.

2.0 RESPONSIBILITY/AUTHORIZATION

2.1 Chief Fiscal Officer

The County Administrator will serve as Chief Fiscal Officer for Menominee County. The Chief Fiscal Officer is authorized to spend up to and including

$5,000 for all departments without obtaining prior approval.

The Chief Fiscal Officer is authorized to dispose of any County asset less than $500 in value by soliciting bids for purchase of the asset.

It is the responsibility of the Department Heads, Elected Officials and the Chief Fiscal Officer to ensure that there are sufficient funds available in the appropriate activity to procure the goods and services.

In the absence of the Chief Fiscal Officer, one of the following in this order shall serve as Chief Fiscal Officer:

1. Finance Chairperson
2. Board Chairperson
3. County Treasurer

2.2 Department Heads

Department Heads and Elected Officials are authorized to spend up to and including $500 within their department's budgetary constraints.

Department Heads are as follows: Equalization Director, Building Inspector, Veterans Services Officer, Emergency Service Director, E-911 Director; Friend of the Court.

Elected Officials are as follows: Clerk/Register of Deeds, Treasurer, Prosecuting Attorney, Sheriff and Judges.

2.3 Administrator

The Menominee County Administrator shall process all payment requests. The County Clerk will then prepare a bills payable report to the County Board for approval.

Amended: March 25, 2002
Amended: August 24, 2010

2.4 Treasurer

Treasurer is responsible for co-signing checks along with Clerk.

3.0 PURCHASING GUIDELINES

3.1 Procurement Process

Procurement of goods and services under $500 shall be through obtaining quotations from one or more suppliers, if available.

Procurement of goods and services over $500 and less than $5,000 shall be obtained as follows:

1. Complete a purchase order request form.
2. Provide written quotes from three vendors to be attached to the request form.
3. Turn in the completed form to the County Administrator who will issue a purchase order.

Procurement of goods and services over $5,000 shall be through a sealed bid process in accordance with specification listed in an advertisement to bid. A project may not be subdivided into individual items for the purpose of circumventing the bid procedure. When appropriate, bid specifications shall be prepared by proper professionals and shall be reviewed by the County Prosecuting Attorney and County Administrator prior to being advertised. The Finance Committee chair or designee shall open bids. All bids for which an outside professional prepared bid specifications shall be reviewed by that professional and she/he shall make a recommendation to the Board regarding the bid award.

Amended: March 25, 2002
Amended: August 22, 2005
Amended: August 24, 2010

3.2 Professional Services.

County Government has many occasions during the course of a year when it needs professional advice or plans for very specific concerns.

It shall be the policy of the Menominee County Board of Commissioners that the Board may contract with appropriate professionals who, in the opinion of the board, have specific professional training and experience which meet the Board's perceived requirement for specific projects without having to publicly request bids for professional services.

It shall be the policy of Menominee County Board of Commissioners that each contractor shall complete a contractor checklist (see attachment G).

3.3 Purchase Orders

The following pertains to goods and services outside the realm of normal weekly/monthly/yearly business transactions.
Procurement of goods and services over ~~$500 and less than $5,000~~$1,000 shall be ~~prepared on a Purchase Order and~~ approved by the Chief Fiscal Officer.
Procurement of goods and services over $5,000 shall be prepared on Purchase Order and approved by Menominee County Board.

Purchase orders are in three parts. All copies go with the invoice to the County Clerk's office. The Account's Payable clerk will retain the white copy, send the yellow copy with the invoice and payment, the pink copy is retained in the Administrator's office.

Amended: March 25, 2002
Amended: August 24, 2010

3.4 Bid/Quotation

Awarding of any bid or quotation will be based on the following criteria:

Price
Specification Requirement
Product Quality
Service
Reputation of Firm

Any other relevant factors the Board of Commissioners may wish to consider.

The Menominee County Board of Commissioners reserve the right to reject any and all bids or quotes.

3.5 Emergency Purchase

In the case of an emergency that must be resolved immediately, as it will endanger the health, safety or welfare of the people of the County; the Chief Fiscal Officer shall be empowered to approve such emergency purchases with the concurrence of at least two (2) members of the executive committee. Emergency Purchases shall be ratified at the next County Board meeting.

Amended: September 22, 1997
Amended: August 24, 2010

3.6 Service Contracts

It shall be the policy of the Board to enter into service agreements with the vendors of the various products the Board purchases upon the recommendation of the Finance Committee and/or County Administrator.

Amended: July 26, 2011

4.0 PAYMENT

4.1 Payment Request

All payment requests shall be forwarded to the County Clerk's office within 5 days of receipt by Department Heads, Elected Officials and Chief Fiscal Officer. The Clerk's office will then prepare a bills payable report to the County Administrator for approval. The County Administrator then submits the bills payable report to the County Board for approval.

Amended: March 25, 2002
Amended: August 24, 2010

4.2 Payments

Once the Board of Commissioners have approved payment, the County Clerk and Treasurer have 5 business days in which to mail payment to vendor.

Amended: March 25, 2002
Amended August 24, 2010

4.3 Standing Payment Approval

Certain types of purchases may be approved by the Board of Commissioners with a standing order. Below is a list of those types of purchases:

- Payroll
- Payroll Related Payments
- Insurance Coverage
- Utilities (all dept)
- All Court Related Fees
- All Trust and Agency Account Payments
- Sheriff's Dept Food Purchases
- Petty Cash Reimbursements
- Mental Health Vouchers
- Library Board Vouchers
- Dept. of Social Services Vouchers
- Purchases Approved By Chief Fiscal Officer
- Appropriation Payouts
- Operating Transfers

These expenditures will be reviewed and approved by the Chief Fiscal Officer on a biweekly or as needed basis.

Amended: September 22, 1997
Amended: May 22, 2000
Amended: August 22, 2005
Amended: August 24, 2010
Amended: July 26, 2011

5.0 PETTY CASH FUND

5.1 Establishment of Petty Cash Fund

Menominee County Board of Commissioners shall establish a petty cash fund in the County Clerk, District Court, Friend of Court, Treasurer, Parks, Child Care Fund, County Library and Register of Deeds offices in the amount not to exceed $100.

Menominee County Board of Commissioners shall establish a petty cash fund in the Sheriff's department in the amount not to exceed $1,000; At the Road Commission in the amount not to exceed $150; and at the Parks in the amount not to exceed $200

The Treasurers Office shall maintain two $500 cash drawers for daily transactions; The Sheriff's office will maintain one $1,000 cash drawer for daily transactions; The Parks office will maintain one $100 cash drawer for daily transactions; The Administration office will maintain one $50 cash drawer for

daily transactions; The Building Code Department will maintain one $100 cash drawer for daily transactions.

Amended: September 22, 1997
Amended: August 24, 2010
Amended: November 10, 2015

5.2 Responsibility

The Clerk, District Court Judge, Friend of Court Dept. Head, Treasurer, Register of Deeds, Sheriff, Parks Manager, Judge of Probate Court, Road Commission Finance Director, County Librarian, Administration, and Building Code shall be responsible for the management and control of the petty cash fund within their department.

6.0 CONFLICTS OF INTERESTS

Any employees, officials, officers, and agents of Menominee County who are involved in the procurement and selection of bids and purchases shall make reasonable efforts to avoid real, apparent, or potential conflicts of interest. No employee, official, officer, or agent of Menominee County shall participate in selection, award, or administration of a contract if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- the employee, official, officer, or agent;
- any member of his or her immediate family;
- his or her partner;
- an organization which employs, or is about to employ, any of the above;

has a financial or personal interest in the firm or vendor selected for award.

An employee, official, officer, or agent of Menominee County who is involved in the procurement and selection of a bid or purchase, and who has a real or apparent conflict of interest must disclose that conflict of interest within the context of the appropriate committee or board meeting that occurs before the bid selection or purchase takes place. Such disclosure must be documented in the minutes for that meeting which shall be retained as part of the official record surrounding the bid or purchase.

Employees, officials, officers, and agents of Menominee County will not solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, parties of any sub-agreement, or parties of an awarded bid or potential award for a bid.

Employees, officials, officers, and agents of Menominee County are also required to follow Michigan law as it pertains to contracts of public servants with public entities. Reference MCL 15.321 – MCL 15.323.

In addition to this policy, the Menominee County Board of Commissioners has also adopted an additional policy pertaining to County Commissioners and conflicts of interests involving contract and business transactions. Reference Article III, Section 2, Subsection 2 of the Menominee County Bylaws.

Any employee, official, officer, or agent of Menominee County who fails to abide by the following policy may be sanctioned or disciplined, to the extent permitted by law, for violations of the above standards.

Amended: June 12, 2018

7.0 VENDOR PROTESTS.

The term vendor protest shall mean an allegation that there has been a breach, misinterpretation, or improper application of these purchasing policies/guidelines. Prompt and just settlement of the protest is in the mutual interest of the County and Vendor. Therefore, a structure procedure has been developed to consider these protests.

Step 1. The vendor shall present the complaint orally to the County Administrator for resolution.

Step 2. If the protest is not settled at Step 1, the protest shall be reduced to writing and presented to the County Administrator and the Chairman of the County Board of Commissioners within 10 calendar days after answer to Step 1. The written protest shall include the following:

1. Name, address and telephone number of protestor.
2. Signature of protestor or its representative.
3. Identification of purchasing policy/guideline that was breached.
4. Form of relief being sought.

Step 3. If the protest is not settled at Step 2, the vendor may file a written protest to the Finance Committee of the County Board of Commissioners within 10 calendar days of receipt of the County Administrator's response. The Finance Committee will take up the protest at their next regularly scheduled meeting. The Finance Committee will recommend to the County Board of Commissioners whether the protest should be upheld or denied. The decision of the County Board of Commissioners is final.

Adopted: February 24, 1992
Amended: April 27, 1992
Amended: July 26, 1993
Amended: April 25, 1995
Amended: August 24, 2010

P91-5 POSTING FOR COMMITTEES.

Rescinded: July 26, 1993

P91-6 NATIONAL DUES

It shall be the policy of the Board to determine on an individual basis those requests for payment of membership dues in National Organizations by the various Departments of County Government.

Adopted: April 9, 1991

P91-7 SERVICE CONTRACTS

Adopted: April 9, 1991
Rescinded: July 26, 1993

P91-8 FISCAL OFFICER

It shall be the policy of the Board that the County Administrator shall be the Fiscal Officer of the Board. If not readily available in emergency situations, the chairperson of the Finance Committee, the chairperson of the Board of Commissioners and lastly the County Treasurer shall assume those responsibilities.

Adopted: April 9, 1991
Amended: April 27, 1992
Rescinded: July 26, 1993
Reinstated: August 24, 2010

P91-9 BOARD MAIL

Adopted: April 9, 1991
Rescinded: July 26, 1993

P91-10 BOARD COMMUNICATION

It shall be the policy of the Board that the official spokesperson of the Board shall be the Board's Chairperson or designee with the concurrence of the chair. Utterances of committees and individual Board members shall be clearly identified to the media and the public that those public statements are opinions of those committees or member(s) as the case may be and not positions of the Board.

Adopted: April 9, 1991
Amended: July 26, 1993

P91-11 ADVANCE PAYMENT FOR TRAVEL EXPENSES

Refer to Personnel Manual - Section entitled Travel Allowance.

Adopted: April 9, 1991
Amended: September 22, 1997
Amended: April 23, 2007

P91-12 PUBLIC COMMENT

It shall be the policy of the Board that for all meetings of the Board and all committee meetings of the Board which come under the jurisdiction of the Michigan Open Meetings Law that the following rules apply: speakers shall identify themselves and if representing a group, the name of the group, and shall state their address; a speaker shall be limited to five minutes; only one speaker may address the Board on behalf of a group; 30 minutes, if necessary, shall be devoted to public participation during the appropriate times on the agenda; (the first public comment on the agenda is noted as "statement, not debate, limited to five minutes per person on agenda items only) the Board reserves the right to

extend the above mentioned time limits; a member of the public can request permission to address the Board relative to a particular item on the agenda at the time it is being considered by the Board or a Board member can yield the floor to a member of the public, under the constraints of the above mentioned time limits; these rules shall be available along with copies of the agenda, for those meetings at which a previously prepared agenda is available, at the time and place of the meeting.

Adopted: April 9, 1991
Amended: July 26, 2011

P91-13 COMMISSIONER COMPENSATION

A member of the County Board of Commissioners shall receive the compensation and mileage reimbursement fixed by resolution of the County Board of Commissioners. Changes in compensation shall become effective only at the time members of the County Board of Commissioners commence their terms of office after a general election. As used in this section, "compensation" shall not include mileage reimbursement.

Adopted: April 9, 1991
Amended: September 22, 1997

P91-14 UNEMPLOYMENT COMPENSATION

Michigan Employment Security Commission will be paid upon request. The County Administrator will review the monthly statement as received from Michigan Employment Security Commission and each Department Head will receive notices from the County Clerk's office.

Adopted: April 9, 1991
Amended: September 22, 1997
Amended: August 24, 2010

P91-15 RECORDING & VIDEO TELECONFERENCING EQUIPMENT

Any person requesting to use the recording/video equipment and its component parts in the Courtrooms must first receive authorization from the County Administrator.

Adopted: April 9, 1991
Amended: July 26, 2011

P91-16 EMPLOYEE DISCIPLINE

Many situations involving employee discipline, whether the employee was an employee of the Board or an employee supervised by another elected official, ultimately become issues to which the county via the County Board must respond.

It shall be the policy of the Menominee County Board of Commissioners that all incidents in which an employee is involved in a possible disciplinary action, whether by the Board or by another elected official, will be brought to the attention of the County Administrator by the appropriate supervisor of the

employee in question prior to discipline being administered. This will be brought to the County Administrator through the use of the County Personnel Action Form within one (1) business day. The County Administrators Office will then distribute the Personnel Action Form as follows within one (1) business day of receiving the form: Original with Attachments - Personnel Records; Copy without attachments - Employee, Department Head(s), Payroll, County Board of Commissioners.

Furthermore, court documents which affect the employment conditions and status of any employee shall be brought to the attention of the County Board members as soon as is practical (notify committee Chair within one working day of the date upon which the document becomes official).

Adopted: Aug 12, 1991
Amended: Sept. 9, 1991
Amended: July 26, 1993
Amended: September 25, 2000

P91-17 EMPLOYEE RECLASSIFICATION

Adopted: April 9, 1991
Rescinded: April 24, 2012

P91-18 EMPLOYEE REQUESTS FOR PERKS

In order to better manage employee availability to the public at their customary work site, a system of prior approval needs to be instituted.

It shall be the policy of the Menominee County Board of Commissioners that requests for comp time, vacation time, overtime and attendance at conferences will have the prior approval of the employee's department head. The Administrator will make requests to Personnel committee. Non-supervised employees will establish and post regular hours during which they will be available to the public. Non-supervised employees shall notify the Clerk's office and the County Administrator when they will not be in their office during the regular posted hours. It is the Board's intent to establish regular office hours to facilitate availability to the public. Any other employees who do not have a supervisor shall make these requests to the County Administrator at least two weeks in advance. Requests for the County vehicle for conference travel shall be requested through the County Administrator's office.

Adopted: April 1, 1991
Amended: April 27, 1992
Amended: April 25, 1995
Amended August 24, 2010

P91-19 AUTHORIZATION FOR PAY OF PART TIME EMPLOYEE BENEFITS

Adopted: April 1, 1991
Rescinded: April 24, 2012

P93-1 LITIGATION COSTS CHARGE BACK

Elected Officials whose personnel practices and/or actions in personnel matters which results in lawsuits against the County may have the costs of these actions charged back against their departmental budget or may recoup cost through the individual.

Adopted: February 22, 1993
Amended: September 22, 1997

P93-2 REVENUES IN EXCESS OF ORIGINAL BUDGET

When a recipient of county funds realizes an increase in their actual revenue over budgeted revenues, the County Board at its discretion may reduce the County appropriation up to the amount of the excess revenue.

Adopted: February 22, 1993
Amended: September 22, 1997

P93-3 EMPLOYEE TRAINING

The County will pay the cost of seminars, educational classes, computer training, or other employee training to perform the duties of the employees' job description. The employees' department head must give prior approval and money for such training and seminars must be available in the department budget.

Adopted: July 26, 1993
Amended: September 25, 2000

P94-4 PERSONNEL MANUAL

See manual adopted by Board on June 28, 1993 and its subsequent amendments.

Adopted: July 26, 1993
Amended: September 22, 1997
Amended: April 23, 2007

P97-1 RESIGNATION POLICY

Adopted: February 24, 1997
Rescinded: April 3, 2012

P97-2 RETIRING ELECTED OFFICIAL HEALTH INSURANCE

It shall be the Policy of the Board to terminate the health insurance coverage for retiring elected officials immediately upon the end of elected officials' term of office.

Adopted: February 24, 1997

P98-1 COMPUTER USAGE POLICY

See policy approved by the County Board on May 25, 2010. (Attachment B)

Adopted: February 23, 1998 (Not Found)

Amended: May 25, 2010

P98-2 INVESTMENT POLICY

Resolutions authorizing investment of County Funds and Approving the County Investment Policy are approved by the County Board on a yearly basis at the re-organizational meeting.

Adopted: August 24, 1998
Amended: July 28, 2009 (Resolution 09-16)
Amended: August 24, 2010

P98-3 CREDIT CARD POLICY

See Resolution 98-13 Menominee County Credit Card Policy approved by the County Board on August 24, 1998. (Attachment C)

Adopted: August 24, 1998

P98-4 FAX POLICY

Amended: August 24, 2010
Rescinded: November 10, 2015

P98-5 NON-SUFFICIENT FUNDS (NSF) CHECKS

There will be a $35 charge for all NSF checks issued to Menominee County. The Menominee County Treasurers Office will be responsible for the collection of all NSF checks and the NSF charges. NSF collection activity will accrue to the County Treasurers budget. If a NSF check is not collectible, the County Treasurers office will notify the applicable department so they correct their records accordingly. The statement, "A $35 fee will be charged for all NSF checks issued to Menominee County" shall be posted in County offices which receive payment by check.

Adopted: October 26, 1998
Amended: August 24, 2010

P2000-1 EMPLOYEE AGREEMENTS/CONTRACTS

Agreements or contracts with employees or bargaining units will be strictly followed by Department Heads, Elected Officials, and the Administrator. All contracted services or benefits for employees will require Department Heads, Elected Officials, and the Administrator to not deviate from the procedures established for the service or benefit. Should a situation come up that may require special consideration the solution for the situation must first be brought before the Board of Commissioners for approval.

Adopted: February 28, 2000

P2000-2 PAYROLL/TIME SHEETS

All Departments will be required to submit their pay roll sheets with a break down of each employee's time under the following columns:

V (vacation)

S (sick days)
P (personal days)
H (holidays)

Each Department will be required to notify the County Administrators office of any changes or additions to their respective employee's vacation, sick days, and personal days due to anniversary, contract, agreement, or other reason not covered.

The County Clerks office will be the official place to hold record of each employee's vacation, sick days, and personal days.

Adopted: February 28, 2000
Amended: March 25, 2002
Amended: August 24, 2010

P2000-3 WAIVER OF HEALTH INSURANCE

Adopted: March 27, 2000
Rescinded: April 24, 2012

P2000-4 DOUBLE HEALTH INSURANCE COVERAGE

Adopted: April 11, 2000
Rescinded: April 24, 2012

P2000-5 COMMITTEE OF THE WHOLE

Committee of the Whole shall meet for relative county business as needed by request of the County Board. The Chairperson of the County Board of Commissioners will call the meeting to order and preside over the following:

Pledge of Allegiance
Roll Call
Approval of Agenda
Approval of Previous Meeting Minutes
Public Comment (Statements not debate, limited to 5 min. per person on agenda items only)
Department Head Reports/Comments

The next part of this meeting (business items) will be chaired by the County Administrator. Should the County Administrator not be able to attend, the Chairperson of the County Board of Commissioners will preside.
Items to be addressed at this meeting will be arranged by the County Administrator's office. Commissioners, Department Heads, or Elected Officials may have items placed on the agenda by submitting a written request to the County Administrators office.

Recommendations from the Committee of the Whole will be brought to the next regularly scheduled or special meeting of the Menominee County Board of Commissioners.

Should the Committee of the Whole request additional work on an item be performed by the respective standing committee members, they will follow the direction of the Committee of the Whole in order to present a recommendation for the next regularly scheduled or special meeting of the Menominee County Board of Commissioners. If the Committee of the Whole wishes an item may be tabled until the next Committee of the Whole meeting. Emergency action items may be added to the agenda with a 2/3 vote approval of the board of commissioners.

After agenda items are taken care of, the County Administrator will turn the meeting back over to the Chairperson of the Menominee County Board of Commissioners. The Chairperson will resume the meeting with the following items:

Public Comment (limited to five minutes)
Adjournment

Adopted: June 26, 2000
Amended: March 25, 2002
Amended: September 23, 2002
Amended: September 27, 2004
Amended: August 22, 2005
Amended: August 24, 2010
Amended: July 26, 2011
Amended: April 9, 2013

P2000-6 AUDIO RECORDING OF MEETINGS

Policy on Recording Committee of the Whole and Regular Monthly Board Meetings - It will be the policy of the Menominee County Board of Commissioners to keep an audio recording of its regular monthly meetings and committee of the whole meetings, and while every attempt will be made to make clear and audible recordings, the county cannot be responsible for undetected human/mechanical error that may occur during the recording process. These recordings will be kept in the County Administrators office for a period of one year. Anyone may listen to these recordings after arranging it with the Office of the County Administrator. A transcript of any of these recordings will be made available only if a simple majority of the full board approves it. Should a copy of a recording be requested, it will be provided at the cost according to County Policy P2003-01 (Public Records Copy Fees)

Adopted: September 25, 2000
Amended: March 25, 2002
Amended: September 27, 2004
Amended: August 24, 2010

P2001-01 FOIA COORDINATOR

All FOIA requests will be received at the Office of the County Administrator. Any requests received by Department Heads will be immediately forwarded to the FOIA Coordinator for receipting and tracking.
The request will be copied to all interested parties and the maintaining Official will provide the requested information. Only specific FOIA's will be reviewed by the

County Attorney at the discretion of the FOIA Coordinator.

The information requested will be provided, or a reason for the denial of the request will be given to the person, through the Office of the County Administrator. The Administrator will be responsible for the flow of information within the time lines established by the Act, the information request is filed with the county.

Adopted: January 22, 2001
Amended: March 25, 2002
Amended: August 24, 2010

P2001-02 DISPOSAL OF SURPLUS PROPERTY

It will be the policy of the Chief Fiscal Officer to follow these steps in disposing of County surplus property.

1. County property to be disposed of must first be declared as surplus by the Department Head having custody of the property.
2. The County Administrator will make available to all County Departments the list of available surplus property, which may be assigned to any department having a governmental use for it.
3. Any surplus property not reassigned to other departments will be presented to the Board of Commissioners for a declaration of surplus. That property will then be disposed of in a public manner to be determined by the Board. (Exception: In the case of working dogs (K-9), upon decommission of the dog, the K-9 handler has first rights to the dog.)

Adopted: May 21, 2001
Amended: April 9, 2013

P2001-03 REPORT TO WORK

It will be the policy of all Employees (except Road Patrol Deputies) to report to their primary work site first before being dispatched to other work sites. Seasonal adjustments to this policy can be made by the Department Head With the approval of the county administrator.

Adopted: May 21, 2001

P2002-01 DEDUCTIBLE REIMBURSEMENT PROGRAM

Adopted: August 26, 2002
Rescinded: April 3, 2012

P2003-01 PUBLIC RECORDS FEES

It shall be the policy of Menominee County that any individual or citizen who requires a copy of public records will be charged by the fee schedule on Menominee County Resolution, 2015-10 unless supervened by State Law. (Attachment D)

Adopted: June 23, 2003
Amended: August 24, 2010
Amended: July 26, 2011

P2006-01: MAINTAINING PRIVACY WHEN DISCLOSING PUBLIC RECORDS

Michigan's Social Security Number Privacy Act ("SSNPA") prohibits a local governmental agency or department from publicly displaying all or more than 4 sequential digits of an individual's social security number. "Publicly display" means to exhibit, hold up, post, make visible and set out for open view, including, but not limited to, open view on a computer device, computer network, website, or other electronic medium or device, to members of the public or in a public manner. This prohibition does not apply to a use of all or more than 4 sequential digits of an individual's social security number that is authorized or required by state or federal statute, rule, or regulation, by court order or rule, or pursuant to legal discovery or process.

The SSNPA, as well as the Disclosure of Personal Information on Documents Act, also prohibits a state agency or local governmental unit from delivering an envelope or package on the outside of which personal information is placed or on the inside of which personal information is placed that is visible from the outside of the envelope or package.

The Freedom of Information Act (FOIA) allows a public entity to exempt from disclosure information or records that would disclose the social security number of an individual.

Therefore, Menominee County may post or make available electronic copies of public records, in compliance with the SSPA and the FOIA. Menominee County shall not post on its website, or otherwise publicly display, an individual's social security number in connection with the public record unless such display is specifically authorized or required by state or federal statute, rule, or regulation, by court order or rule, or pursuant to legal discovery or process. It is also the policy of Menominee County to exempt from disclosure information or records that would disclose the social security number of an individual in response to a FOIA request.

In addition, pursuant to the Privacy Act of 1974, whenever the Menominee County Clerk or Register of Deeds requests an individual's social security number, that request shall be accompanied by written notice containing the following: 1) whether the disclosure is mandatory or voluntary, 2) by what statutory or other authority the social security number is solicited, and 3) what uses will be made of it.

The County's policy with respect to the disclosure of social security numbers in relation to specific documents maintained by the County Clerk and Register of Deeds is described below.

<u>Vital Records</u>

It may be necessary for an individual to provide a social security number in connection with a vital record (certificates or registrations of birth, death, marriage, or divorce, acknowledgment of parentage, or related data), which is maintained by the County Clerk. Michigan's Public Health Code prohibits a person from disclosing a social security number collected for the purposes of administering the system of vital statistics. Therefore, no social security numbers shall be disclosed in association with the subsequent disclosure of a vital record.

Voter Registration Records

The Michigan Election Law prohibits a county clerk from disclosing personally identifying information contained in a voter registration record. Therefore, no social security numbers or any other identifying information shall be disclosed in association with the production of voter registration information.

Veterans' Discharges

The Record of Veterans' Discharges Act requires the County Clerk to record and index discharges from the armed forces. However, the information that is to be made available to the general public is limited to the name, rank, unit of military service, dates of military service, and medals and awards received. Therefore, no other information, including an individual's social security number, shall be disclosed.

Register of Deeds

The Register of Deeds is required to accept for filing any record that contains the minimum requirements for recording an instrument:

1) The name of each person purporting to execute the instrument is legibly printed, typewritten or stamped beneath the original signature or mark of the person
2) A discrepancy does not exist between the name of each person as printed, typewritten, or stamped beneath their signature and the name as recited in the acknowledgment or jurat on the instrument
3) The name of any notary public whose signature appears upon the instrument is legibly printed, typewritten, or stamped upon the instrument immediately beneath the signature of that notary public
4) The address of each of the grantees in each deed of conveyance or assignment of real estate, including the street number address or the post office address is legibly printed, typewritten, or stamped on the instrument
5) The instrument complies with the formatting requirements set forth in MCL 565.201(1) (e) or (f).

The Register of Deeds is required by statute to furnish proper and reasonable facilities for the inspection and examination of the records and files in his/her office during usual business hours. The custodian of the records and files may

make reasonable rules and regulations with reference to the inspection and examination of the records and files as is necessary to protect the records and files and to prevent interference with the regular discharge of the duties of the register of deeds.

An individual requesting to inspect and examine recorded instruments will be required to present a picture ID and to sign-in at the office of the register of Deeds, providing his/her name, address, phone number, and purpose for inspection and examination. Should an individual request a copy of a recorded instrument that contains a social security number; the Register of Deeds or his/her agent shall copy the instrument, redacting the social security number from the copy.

Adopted: January 23, 2006

P2006-02 PAYMENT OF ELECTION BILLS

It is the policy of Menominee County that the following schedule for payment of election bills will be as listed below:

-All government entities, including Menominee County, will pay all those elections expenses in the gubernatorial and presidential cycles as enumerated in Michigan state election law. (County pays for ballots, marking utensils; tally sheets/poll books, etc. Townships and cities pay for the cost of the election workers, etc.)

-In special elections-not gubernatorial/presidential elections-in which the county has participated with a county-wide ballot proposal, the following will be paid for by the County Board of Commissioners. A pro-rated share (with the other entities sponsoring the election) of the costs will be borne for –

-programming
-legal notices
-election supplies + kits
-postage
-Board of Canvassers

(Example: if the county sponsors an election with four other entities (schools, townships, etc.) then each will pay one-fifth (1/5) of the above named costs. If the County sponsors an election with one other entity, then each will pay one-half (1/2) of the costs.)

-Government entities sponsoring special elections – townships, cities, school districts, etc. – will be charged back the cost of ballots on a pro-rated basis as a percentage of the total number of ballots ordered. (Example: 2,500 ballots for an entity of total 10,000 ordered for an election, charge back will be 25% of total cost of ballots.)

-In all cases the cost of the election workers will be borne by the cities/townships as per MCL 168.682

Adopted: January 23, 2006

P2010-01 CREDIT CARD PAYMENTS

Menominee County has approved acceptance of credit card payments by Menominee County Offices. See Resolution 2010-18 (Attachment E)

Adopted: September 28, 2010

P2011-01 Enhanced Access to Digital Public Records Policy (Attachment F)

Adopted: November 22, 2011

CHARTERS OF STANDING COMMITTEES

Alcoholic Beverages at ANY public meeting or holding any public meetings at an establishment which serves alcoholic beverages is strictly prohibited by the Menominee County Board of Commissioners.

All non County Board committee members appointed by the Menominee County Board may receive a meeting fee. The meeting fee will be determined by each committee, the meeting fee will not exceed fifty dollars ($50) per meeting. Mileage allowance shall be provided at the IRS rate per mile. (Refers to committees under the direct supervision of the County Board.)

Adopted: July 26, 2011
Amended: April 9, 2013
Amended: November 10, 2014

A. COMMITTEE OF THE WHOLE SHALL:

Meet for relative county business as needed by request of the County Administrator, Finance Chairman, or Personnel Chairman.

Amended: April 9, 2002
Amended: August 24, 2010
Amended: July 26, 2011

B. FINANCE COMMITTEE SHALL:

Consist of four (4) members of the Menominee County Board of Commissioners. Shall not be the chairman of the County Board and not a member of the Personnel Committee.

Receive reports and recommendations from the County Administrator and make such recommendations affecting all financial matters of the County to the Board.

Ascertain and determine the amount of money to be raised for County purposes for the ensuing year; apportion such amount and also the amount of the State tax and indebtedness of the county to the State (if any) among the several townships in proportion to the valuation of the taxable property as determined by the State Tax Commissioner.

Examine all certificates, statements, papers, and records submitted to the Board showing the monies to be raised in the several townships for school, highway, drain, townships, or other purposes.

Determine such amounts of money proposed to be raised as shall be authorized by law to be spread upon the assessment roll of the proper townships and cities.

Ascertain and recommend to the Board for the October session such salaries as it may propose for all elected officials of the county.

With the assistance of the director of Taxation & Equalization Dept., for the April session, examine the rolls of the townships and cities and ascertain whether the real and personal property in said townships and cities had been equally and uniformly assessed, and shall equalize the same by adding or deducting from the valuation of the taxable property in any township or city such amounts as in their judgment will represent the true cash value.

Prepare and submit at the first County Board session in July a preliminary budget of all expenses and revenues. The final budget shall be ready for approval in September at the last County Board meeting.

Receive and examine the Auditor General's Annual Statement of rejected taxes and submit to the Board at its' August meeting a proper resolution for effecting the reassessment and collection of such taxes.

The Finance Committee may review all purchase orders and claims against the County on a monthly basis. A complete report of monthly bills will be submitted to the full Board monthly.

Shall see that the purchasing policies and guidelines are implemented and enforced.

The following Boards and Commissions may authorize payment, as necessary, while remaining within their respective budgets; Library Board & Veterans' Trust.

Shall annually review all Rules and Policies of the Board in regard to all financial activity of the County.

Amended: April 9, 2002
Amended: August 24, 2010
Amended: July 26, 2011
Amended: April 9, 2013

C. DEPARTMENT OF HUMAN SERVICES (DHS) SHALL:

Receive and hear all communications and reports concerning the Department of Human Services and Northpointe Behavioral Healthcare and submit such reports as it may have from time to time to the Board for appropriate action and advice.

Amended: August 24, 2010

D. PINECREST BOARD OF DIRECTORS SHALL:

Receive and hear all communications and reports concerning the Pinecrest Medical Care Facility and submit any reports and recommendations which it may have to the Board.

Amended: August 24, 2010

E. LAW ENFORCEMENT, CRIMINAL JUSTICE, EMERGENCY SERVICES & ACT 347 SHALL:

Meet at the direction of the Committee of the Whole

Maintain close contact with the County Prosecutor, County Sheriff, District Judge and Magistrate and make such recommendations regarding the functions thereof, as it may from time to time deem necessary.
Keep the County Board informed of the functions of Emergency Services within the County, anytime deemed necessary.

Amended: April 9, 2002

F. DELTA-MENOMINEE COUNTY HEALTH DEPARTMENT BOARD OF HEALTH SHALL:

Consist of two (2) Board Members appointed annually by the County Board and one non-Board member to be appointed by the Board for a three year term and shall supervise the public programs of the County and shall sit as members of the Delta-Menominee County Health Department Board.

Amended: September 22, 1997
Amended: August 24, 2010

G. PERSONNEL COMMITTEE SHALL:

The personnel committee shall consist of four (4) members of the county Board of Commissioners. Shall not be the chairman of the County Board and not a member of the Finance Committee. Negotiate, administer and recommend employee contracts. Review and establish employee job descriptions and classifications. Review and make recommendations to the Board in regard to County Personnel Manual. Set review dates for contract employees; develop an objective and measurable evaluation system for contract employees. Assist in the development of secession plans for future vacancies at the Department Head level. Collaborate with Department Heads and Elected Officials to develop interdepartmental cross training.

Amended: September 22, 1997
Amended: April 9, 2002
Amended: August 24, 2010
Amended: July 26, 2011
Amended: April 9, 2013
Amended: August 27, 2013
Amended: November 10, 2014

H. CENTRAL UPPER PENINSULA PLANNING AND DEVELOPMENT REGIONAL COMMITTEE (CUPPAD) SHALL:

Amended: August 24, 2010
Rescinded: April 9, 2013

I. SIX COUNTY EMPLOYMENT ALLIANCE/MI-WORKS SHALL:

The mission of the Michigan Works! Association is to provide leadership and services, and promote quality and excellence for the advancement of Michigan's Workforce Development System and its customers and professionals.

Amended: August 24, 2010

J. UPPER PENINSULA COMMISSION FOR AREA PROGRESS (UPCAP) SHALL:

Established in 1961, UPCAP (the Upper Peninsula Commission for Area Progress) is a tax-exempt 501(c)(3) charitable regional organization responsible for development, coordination, and provision of human, social, and community resources within the 15 counties of the Upper Peninsula of Michigan. In 1974, UPCAP was designated as the Region XI (U.P.) Area Agency on Aging whose purpose is to advocate for and provide services to older adults residing in the Upper Peninsula.

Amended: August 24, 2010

K. COMMUNITY ACTION COMMITTEE (CAA) SHALL:

Provide opportunities for people of all ages and means to improve their quality of life through advocacy, education, housing, nutrition, volunteerism and support services.

Amended: August 24, 2010

L. AIRPORT COMMITTEE SHALL:

The Menominee County Airport Committee is an advisory committee whose purpose is to provide advice, direction and recommendations, in reference to the Airport, to the County Board of Commissioners. The Committee has no final authority or responsibility for policy making or administration.

Amended: August 24, 2010
Amended: October 11, 2016

M. REMONUMENTATION COMMITTEE SHALL:

Receive reports and recommendations from the Re-monumentation Committee, Grant Administrator and County Representative and make such recommendations affecting the implementation of the County Re-monumentation Plan to the County Board.

Amended: August 24, 2010

N. PARKS & RECREATION COMMITTEE SHALL:

The Menominee County Parks & Recreation Committee is an advisory committee who purpose is to provide advice, direction, and recommendations to the Parks Manager, County Administrator and Menominee County Board of Commissioners. The Committee has no final authority or responsibility for policy making or administration. Bylaws for Parks and Recreation Committee shall hereby be incorporated.

Reinstated: September 22, 1997
Amended: August 24, 2010

O. COUNTY PLANNING COMMISSION SHALL:

Consist of one (1) Board member. Also Six (6) non-Board members who serve a three year term with right of succession. They shall have their powers and duties as set forth in P.A. 33 of 2008, as amended, being the MI Planning Enabling Act, (MCL 125.3801 et seq.); and P.A. 110 of the Public Acts of 2006, as amended, being the MI Zoning Enabling Act, (MCL 125.3101 et seq.)

Amended: September 22, 1997
Amended: July 26, 2011

P. EXECUTIVE COMMITTEE SHALL:

Consist of the Board Chair, Finance Committee Chair, and Personnel Committee Chair. They shall meet on items that are not covered under any other committee. Shall also annually and/or as needed to review bylaws, rules and polices.

Amended: April 25, 1995

Q. MENOMINEE COUNTY COMMUNITY COLLABORATIVE BOARD SHALL:

The Collaborative board meets on a monthly. They discuss community programs such as the Healthy Youth Coalition, Early on, Strong Families/Safe Children, Housing, Suicide Prevention, Early Childhood, Childrens Trust Fund and Medical Care Access coalition. The County Administrator shall represent the County Board and report to the county board as necessary.

Adopted: September 22, 1997
Amended: April 9, 2002
Amended: August 24, 2010

R. LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) SHALL:

Investigate the potential for hazardous chemical and other possible accidents or threats in the community. Review, improve and implement plans to deal with such occurrences. Integrate such plans into the main County Emergency Operations Plan (EOP). Disseminate information obtained under Title III to the general public. The County Board Chairman shall serve on this committee.

Adopted: September 22, 1997
Amended: August 24, 2010
Amended: July 26, 2011

S. E-911 GOVERNING BOARD SHALL:

The E-911 Governing Board shall develop rules and procedures for the Menominee County E-911 service area. The Governing Board shall be composed of one representative of the following agencies: Menominee City Fire Dept., Menominee Co. Fire Fighters Assoc., Menominee Co. Sheriff Dept., Emergency Medical Services, Menominee City Police Dept., Michigan State Police, Menominee Co. Board of Commissioners, Menominee City Council, Menominee Co. Township Assoc., Stephenson City Council, Stephenson City Police Dept., Stephenson City Fire Dept., Hannahville Police Dept., Paramedic Services, Citizen Representative.

Adopted: May 22, 2000

T. MENOMINEE BUSINESS DEVELOPMENT CORPORATION SHALL:

Consist of the County Administrator and an Appointed Commissioner. This Committee will establish a county wide economic development committee and participate in related issues.

Adopted: April 9, 2002
Amended: August 24, 2010
Amended: July 26, 2011

U. UPPER PENINSULA RESOURCE CONSERVATION & DEVELOPMENT COUNCIL (UPRC&D) SHALL:

The Upper Peninsula Resource Conservation & Development Council (UP RC&D) is a non-profit corporation whose vision is to promote the conservation of the natural resources of the Upper Peninsula for the benefit of its current and future residents. The Council will strive for a balance between the management of natural resources to protect the environment, and the implementation of economic development activities in order to

sustain economy for the region. We will identify resource conservation and land use issues, and work with local communities to address these concerns.

Amended: August 24, 2010

V. NORTH POINTE BEHAVIORAL HEALTH CARE BOARD OF DIRECTORS SHALL:

Annually examine and evaluate the mental health needs of Menominee, Dickinson and Iron Counties and the public and non-public service necessary to meet those needs. Review and approve an annual plan and budget for the program. Take action to secure private, federal and other public funds as the Board determines necessary to help support the program. Submit to each Board of Commissioners a request for County funds to support the program as set forth in Article XII of the Interlocal Agreement (the "Agreement"). Such request shall be in the form and at the time determined by each Board of Commissioners.

Amended: August 24, 2010

W. FAIR BOARD SHALL:

The Menominee County Fair Board is in place to oversee the operations of the Fair. The Board Members attend a monthly meeting, possibly twice a month when the Fair gets close.
The Board assists in Fair preparations and out at the Fairgrounds (Shakey Lakes Park) during Fair weekend, which is "usually" the third (3rd) weekend in July.
The Fair Board consists of 5 Menominee County residents and a County Commissioner. The five residents are appointed by the Menominee County Board for a 3-year term.

Amended: August 24, 2010

X. FINANCIAL HARDSHIP COMMITTEE SHALL:

This committee is made up of the County Treasurer, a representative from the Department of Human Services and the commissioner appointed by the Chairman of the County Board. The Treasurer's objective is to assist delinquent taxpayers to fulfill their Real Property Tax obligation to avoid foreclosure. Foreclosure may be deferred in cases of substantial financial hardship. The person requesting that property be withheld from the petition for foreclosure because of a substantial financial hardship must hold the title to the property. It is the responsibility of this committee to meet and discuss foreclosed homes in Menominee County and offer an alternative to foreclosure if possible.

Amended: August 24, 2010

Y. COMMUNITY CORRECTIONS ADVISORY BOARD (CAAB) SHALL:

As a West-Central U.P. (WCUP) Regional Community Corrections Advisory Board Member (CAAB), responsibilities include quarterly attendance to Board Meetings. From time to time, the WCUP program may also call on board members for additional assistance as it relates to representing the West-Central U.P. Regional Community

Corrections Advisory Board in your local area.
The Community Corrections Program provides local Circuit and District Courts with community-based sentencing alternatives, and operates under the guidance of the West-Central U.P. Regional Community Corrections Board.

Amended: August 24, 2010

Z. TECHNICAL ADVISORY COMMITTEE (TAC) SHALL:

The Subcommittee for Alternative On-site Wastewater Treatment Systems was formed from the full Technical Advisory Committee whose 12 members were appointed by the Menominee and Delta Boards of Commissioners in 2007.
The subcommittee meets as often as necessary to draft and review proposed sections of the Delta & Menominee Counties Sanitary Code Technical Manual and to review alternative technologies to determine if the technology meets the minimum requirements for use in Delta and Menominee Counties.

Amended: August 24, 2010

AA. LIBRARY BOARD SHALL:

Be a body corporate and shall be authorized to contract for the leasing, construction, or maintenance of buildings or quarters, including the acquisition of sites, to house the county library service, and to do any other thing necessary for the conducting of the county library service, the cost of the county library service to be a charge against the county library fund.

Amended: August 24, 2010

BB. BUILDING CODE – COUNSTRUCTION BOARD OF APPEALS SHALL:

The board of appeals shall hear the appeal and render and file its decision with a statement of reasons for the decision with the enforcing agency from whom the appeal was taken not more than 30 days after submission of the appeal.

Amended: August 24, 2010

CC. BOARD OF CANVASSERS SHALL:

The board is responsible for canvassing and certifying primaries and elections held in the county. In specified instances, county canvassing boards are required to forward the results obtained for primaries and elections to the Board of State canvassers in Lansing. The Board is responsible for conducting recounts of votes cast at primaries and elections held at the county. The board is responsible for resolving any allegations malfunctioning voting equipment may have affected the outcome of the vote in an office appearing on the ballot.

Amended: August 24, 2010

DD. MENOMINEE COUNTY ELECTION COMMISSION SHALL:

Be made up of the Probate Judge, County Clerk and the County Treasurer. They are responsible for approval of ballots for elections; they will meet if there is a recall for clarity hearing determinations. Two members shall be a quorum for the transaction of business.

Amended: August 24, 2010

EE. U.P. STATE FAIR AUTHORITY SHALL:

Be responsible for coordinating and providing a variety of services related to the U.P. State Fair and the fairgrounds for the citizens of the Upper Peninsula of Michigan.

Amended: August 24, 2010

FF. BUILDINGS AND GROUNDS COMMITTEE SHALL:

Consist of 2 County Commissioners, 2 members at large, 1 building code member, 1 buildings and grounds member.
Meet at the direction of the Committee of the Whole/County Board. Have general supervision of all real and personal property of Menominee County.

Re-adopted: April 9, 2013

GG. NORTHCARE NETWORK – SUBSTANCE USE DISORDER BOARD SHALL:

Consist of one (1) member appointed by each of the 15 Upper Peninsula Counties. Advise and make recommendations regarding NorthCare Network's budgets for substance use disorder treatment or prevention using non PA 2 (liquor tax) funds.

Advise and make recommendations regarding contracts with substance use disorder treatment or prevention providers.

Adopted: November 10, 2014

HH. NEGOTIATIONS COMMITTEE SHALL:

Consist of one member of the Personnel Committee and one member of the Finance Committee. To meet as needed for negotiations.

Adopted: November 10, 2014

II. SECURITY COMMITTEE:

Be compiled of two (2) County Commissioners; Two (2) Judges; The County Administrator; Buildings & Grounds Superintendent (or Asst.); Sheriff; and Undersheriff. The Security Committee is an advisory committee whose purpose is to provide advice, direction and recommendations, in reference to County Building Security, to the County

Board of Commissioners. The Committee has no final authority or responsibility for policy making or administration. The Security Committee is responsible for maintaining a working "Security Policy" for the County.

Adopted: October 11, 2016

Economic Development Committee

Purpose: The purpose of the Economic Development Committee is to provide oversight, guidance, and recommendations on economic development policy in Menominee County. This committee will receive quarterly reports from the Executive Director of the Menominee Business Development Corporation, research the viability of establishing a Menominee County Land Bank and Brownfield Authority, and develop comprehensive economic development policies for Menominee County.

Membership: The Economic Development Committee shall consist of three commissioners of the Menominee County Board of Commissioners, the Menominee County Administrator, the Menominee County Treasurer, and the Executive Director of the Menominee Business Development Corporation. The first named commissioner appointed to the committee by the Chairman of the Board will serve as the Chairman of the Economic Development Committee.

Meetings: The Economic Development Committee shall meet a minimum of once per quarter in the calendar year, and may meet more often when a meeting is called for by the Chairman of the Economic Development Committee or by the County Administrator.

**The creation of the Economic Development Committee requires a 2/3 majority vote of the Menominee County Board of Commissioners to amend the Menominee County Bylaws to establish the Economic Development Committee as a standing committee under Article VI, Section 1; and, to add the purpose, membership, and meeting information to the appendix of the Menominee County Bylaws. **

Airport Advisory Committee

Purpose: The purpose of the Airport Advisory Committee is to provide advice, direction, and recommendations to the Menominee County Board of Commissioners regarding the function and operation of the Menominee Regional Airport. The committee has no final authority or responsibility for policymaking or administration.

Membership: The Airport Advisory Committee shall consist of three commissioners from the Menominee County Board of Commissioners. The three commissioners shall be appointed by the County Board Chairman at the organizational meeting at the beginning of each calendar year. The first appointed commissioner shall serve as the Airport Advisory Committee Chairman and the second appointed commissioner shall serve as the Airport Advisory Committee Secretary.

The Airport Advisory Committee shall also consist of one tenant of the Menominee Regional Airport that has a land lease agreement or sub-lease agreement executed with Menominee County. This appointment shall follow the process defined in Article VI, Section 5 of the Menominee County Bylaws. The term of this appointment shall be for two years beginning February 1 and expiring January 31 two years thereafter.

The Airport Advisory Committee shall also consist of one individual that represents the commercial interests of a business that frequently uses the Menominee Regional Airport as part of their commercial operations. This appointment shall follow the process defined in Article VI, Section 5 of the Menominee County Bylaws. The term of this appointment shall be for two years beginning February 1 and expiring January 31 two years thereafter.

Meetings: The Airport Advisory Committee shall approve a tentative meeting schedule for the year at their first meeting of the year, which is not to be held any later than January 31. The Airport Advisory Committee meeting shall meet once monthly, unless the Airport Advisory Committee Chairman deems a meeting is not necessary, in which case the meeting shall be cancelled, or that additional meetings are necessary, in which case the Airport Advisory Committee Chairman shall have the authority to call additional meetings.

The addition of two members to the Airport Advisory Committee and updates requires a 2/3 majority vote of the Menominee County Board of Commissioners to amend the Menominee County Bylaws. Upon approval, the committee bylaws will be updated and presented to the County Board reflecting the changes made by the County Board.

Animal Control Ordinance
County of Menominee, State of Michigan

ADOPTED:

ANIMAL CONTROL ORDINANCE
COUNTY OF MENOMINEE, STATE OF MICHIGAN

PREAMBLE

An Ordinance relating to and providing for animal control within the boundaries of Menominee County; providing for the employment of a County Animal Control Officer, describing the duties, authority, responsibility and method of removal from office; licensing and vaccination of dogs and cats; impoundment of dogs, cats and other animals under certain circumstances and the redemption of dogs, cats and other animals impounded; permitting the killing of vicious animals; prohibition of livestock and poultry in non-agricultural areas; enumerating certain violations, penalties therefore; preserving certain rights; prescribing the County Treasurer's duties with regard to animal control; fees and expenses and the receipt and disbursement of funds; construction; and repealing other ordinances inconsistent herewith.

THE PEOPLE OF THE COUNTY OF MENOMINEE, MICHIGAN, DO ORDAIN THE ANIMAL CONTROL ORDINANCE AS FOLLOWS:

ARTICLE I

GENERAL PROVISIONS

Short Title. This ordinance may be known as and may be cited and referred to as "The Menominee County Animal Control Ordinance."

Purpose. The Menominee County Board of Commissioners, deeming it advisable in the interest of protecting the public health, safety, convenience and welfare of its residents, and to provide for the orderly and uniform administration of the dog licensing provisions of the State of Michigan.

Authority. The authority for this Ordinance is established by Public Act 339 of 1919, as amended, being MCL §287.261 et seq., 1978 Public Act No. 368, Part 24, being MCL §333.2435 - §333.2441, MCL §46.11(j), and to include any amendments of the Michigan Compiled Laws.

Limitations. This Ordinance shall not be construed to apply within any city or township which has adopted an animal control ordinance pursuant to MCL §287.290.

Agents. Whenever a power is granted to, or a duty is imposed upon the Sheriff, the power may be exercised, or the duty performed, by a deputy duly appointed by the Sheriff to exercise such power, or to perform such duty unless this Ordinance expressly provides otherwise.

Severability. The various sections, paragraphs, sentences, clauses, and phrases of this Ordinance are hereby declared severable. If a court of competent jurisdiction adjudges any section, paragraph, sentence, clause, or phrase unconstitutional or invalid, the remainder of this Ordinance shall not be affected thereby.

Replace and Repeal. Adoption of this Ordinance rescinds, revokes, supersedes, repeals, and replaces any prior Menominee County ordinance, resolution, or regulation pertaining to the same topics covered by this Ordinance.

ARTICLE II

DEFINITIONS

For the purpose of this Ordinance, the following terms shall have the following meanings respectively designated for each:

A. **Adequate Care:** shall mean the provision of sufficient food, water, shelter, tethering, and medical attention to maintain an animal in a state of good health.

B. **Animal:** shall include, but is not limited to, dogs, cats, birds, fish, mammals, amphibians, and reptiles.

C. **Aggressive Animal:** shall mean an animal that exhibits menacing behavior on public or private property including that of its owner or keeper. "Menacing behavior" is further defined as including, but not be limited to: charging, scratching, toppling, teeth-barring, snapping, growling, or other predatory mannerisms, directed at a person or other animal in a place where the person or other animal is legally entitled to be.

D. **Animal Control Officer:** shall mean any individual employed by Menominee County and the Menominee County Sheriff's Office in accordance with Public Act 339 of 1919 "The Dog Law", for the purpose of enforcing this Ordinance or state statutes pertaining to dogs, cats or other animals.

E. **Animal Shelter:** shall mean the boarding facility used by Menominee County to impound stray or unwanted animals. The Menominee County Board of Commissioners may contract with another county or entity for use of their animal shelter.

F. **Barking:** shall mean frequent and excessive barking in this Ordinance.

G. **Board of Commissioners:** shall mean the Menominee County Board of Commissioners.

H. **County:** shall mean Menominee County, the State of Michigan.

I. **Cruelty:** shall mean neglect and mistreatment as well as inappropriate usage of animals (such as for fighting), and includes all those forms of cruelty set forth in MCL §750.49-50; MCL §752.21; and in Article VIII of this Ordinance.

J. **Dangerous Animal:** shall mean an animal that bites or otherwise causes serious injury to a person or other animal on public or private property when the injured person or other animal is legally entitled to be, including the property of the animal's owner or keeper. An animal that is intentionally trained or conditioned to fight or guard, except for animals trained for law enforcement or services purposed which is engaged in the activities for which they were trained, shall be considered a dangerous animal.

K. **Day:** shall mean Monday through Friday, 8:00 a.m. through 4:30 p.m. excluding County approved holidays and days County Offices are closed.

L. **Euthanasia:** shall mean the humane destruction of an animal accomplished by a method that produces rapid unconsciousness and subsequent death without evidence of pain or distress, or a method that utilizes anesthesia produced by an approved agent that causes painless loss of consciousness and subsequent death.

M. **Hunting:** shall mean allowing a dog to range freely within sight or sound of its owner while in the course of hunting legal game or an unprotected animal.

N. **Keeper/Keeping:** shall mean any person who provides food and shelter for any animal other than on a temporary basis.

O. **Kennel:** shall mean any establishment, except a pet shop, animal shelter or pound, licensed pursuant to Act 287 of the Public Acts of 1969, as amended, being MCL §287.331-340; wherein or whereonthree (3) or more dogs are confined and kept for sale, boarding, breeding, training or sporting purposes, for remuneration, constructed so as to prevent the public or stray dogs from obtaining entrance thereto and gaining contact with dogs lodged therein. This definition shall not be deemed to apply to a litter of puppies with their mother and under six (6) months of age.

P. **Livestock:** shall include, but is not limited to, horses, stallions, foals, gelding, mares, sheep, rams, lambs, alpacas, yaks, llamas, buffalos, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, hogs, swine, ferrets, rabbits, chinchillas, or any other species kept for reasons of fur or food production.

Q. **Non-Agricultural Area:** shall mean any area zoned by a city, village, township or other government body, agency or commission for purpose other than agricultural.

R. **Neglect:** shall mean to fail to sufficiently and properly care for an animal to the extent that the animal's health is jeopardized or placed in peril.

S. **Nuisance Animal:** shall mean an animal running at large, on public or private property other than that of its owner or keeper, whose behavior constitutes a nuisance. Nuisance behavior shall include, but is not limited to: (a) biting or otherwise making physical contact with a person or other animal in a harassing manner; (b) urinating or defecation without collection by the owner or keeper; or (c) damaging personal property.

T. **Owner:** shall mean, when applied to property, the title owner of record and those lawfully occupying or in possession of any property or premises; "Owner," when applied to the proprietorship of an animal, shall mean every person having a right or property in the animal, an authorized agent of the owner, and 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 premises owned or occupied by said person. For purposes of this Ordinance, the records of the Treasurer's Office show the name of the owner to whom the animal license number (tag) was issued and the license tag affixed to the collar or harness of the animal showing a corresponding number, shall be prima facie evidence of ownership of an animal.

U. **Person:** shall include, but is not limited to, an individual, corporation, society, co-partnership, association, and state and local officers or employees.

V. **Police Officer, Peace Officer or Law Enforcement Officer:** shall mean 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, to make arrests, to enforce the law within a specific geographical area, and has the authority to enforce this Ordinance. This includes all conservation officers, Michigan State Troopers, federal law enforcement officers, and federal game wardens.

W. **Quarantine:** shall mean a state of forced isolation; for the purpose of this Ordinance, quarantine shall mean being kept in a home or secure structure that would not allow any other person or animal to come in contact with the animal, except family members. Animal may be quarantined in an animal shelter or veterinarian clinic if deemed necessary.

X. **Rabies Suspect Animal:** shall mean any animal, which has bitten a human or any animal, which has been in contact with, or bitten by a rabid animal or any animal, which shows clinical signs or behavior suggestive of rabies.

Y. **Run at Large:** shall mean the unrestrained wandering or roaming of an animal on public property or on the private property of other persons.

Z. **Service Dog:** shall mean any dog which is trained or being trained to aid a person who is blind, hearing impaired, or otherwise disabled per MCL §287.291, or any dog which is trained or being trained for law enforcement purposes.

AA. **State:** shall mean the State of Michigan.

BB. **Sterilized:** shall mean any animal which has, by virtue of a surgically performed castration or ovariohysterectomy or other recognized veterinary procedure, been rendered incapable of sexual reproduction.

CC. **Tag:** shall mean a physical identification emblem or device issued by the Menominee County Treasurer, consistent with State statutes, that provides the appropriate verification of the license and other information deemed pertinent by Menominee County.

DD. **Treasurer:** shall mean the Treasurer of Menominee County.

EE. **Veterinarian:** shall mean a person licensed to practice veterinary medicine per Article 15 of the Public Health Code, being Public Act 368 of 1978, MCL §333.16101 et seq.

FF. **Vicious Animal:** shall mean any animal:

1. Which has propensity, tendency or disposition to attack to cause injury or to otherwise endanger the safety of a human being or other domestic animal;

2. Which has previously attacked or bitten a human being or other domestic animal;

3. Which has behaved in such a manner that the owner therefore knows or should reasonably know that the animal is possessed of tendencies to attack or bite human beings or other domestic animals other than under circumstances that would deemed justifiable.
   The circumstances that would be deemed justifiable, as herein, are set forth in Public Act 426 of 1988, being MCL §287.321, as defined in Section 1, Subsection A, Subsections I-IV.

GG. **Wild Animals:** shall include, but is not limited to, any animal that is not typically domesticated or found on farms or in residential homes, but are typically found in the wild, zoos, circuses, wildlife sanctuaries, or nature preserves. This includes, but is not limited to, such animals, crossbreeds or hybrids thereof: antelopes, armadillos, baboons, badgers, bears, beavers, bison, bobcats, chimpanzees, chipmunks, civet cats, coati, cougars, coyotes, deer, elk, feral cats, fishers, foxes, goats, gophers, hares, jaguars, kangaroos, lemurs, lions, lynx, monkeys, moose, muskrats, nutria, ocelots, otters, peccaries, porcupines, prairie dogs, wild rabbits, raccoons, rhinoceroses, ringtail cats, sheep, skunks, squirrels, tigers, weasels, wolverines, wolves, woodchucks, and zebras. Wild birds, in addition to the songbird's variety, include, but not limited to, crows, doves, grouse, hawks, eagles, jungle fowl, macaws, ostriches, rheas, emus, cassowaries, owls, partridges, pheasant, parrots, quail, shore birds, waterfowl, and wild turkeys.

HH. **Wolf-Dog Hybrid:** shall mean a canid resulting from the breeding of any of the following: (a) a wolf with a dog; (b) a wolf-dog cross with a wolf; (c) a wolf-dog cross with a dog; or (d) a wolf-dog cross with a wolf-dog cross, in accordance with Public Act 246 of 2000, being MCL §287.1001 et seq.

ARTICLE III

ANIMAL CONTROL OFFICER
DUTIES, AUTHORITY, AND RESPOSIBILITIES

Section 1. An Animal Control Officer position may be created by the Menominee County Board of Commissioners.

Section 2. The Animal Control Officer position shall be placed in the Menominee County Sheriff Office and under the direction and supervision of the Menominee County Sheriff.

Section 3. The Animal Control Officer shall meet the minimum employment standards set forth in Public Act 339 of 1919, being MCL §287.289b.

Section 4. The Animal Control Officer shall have the authority to enforce this Ordinance and State Statutes pertaining to the control, regulation, and protection of dogs and other animals, including the issuance of tickets, citations, or summonses to persons in violation of this Ordinance and/or State Statutes.

Section 5. The Animal Control Officer or any deputy of the Menominee County Sheriff Office may fulfill the following duties:

A. Promptly seize, take up, and place in the animal shelter all dogs, cats 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. Investigate all animal bite cases involving human or animal exposure and shall search out and attempt to discover the animal involved and shall either impound or require its owner to quarantine the animal for examination for disease in accordance with applicable provisions of this Ordinance and/or the statutes of the State. In the event the owner of a quarantined animal is unable to maintain the quarantine during the required period, the owner shall deliver said animal to the animal shelter or upon notice to the Animal Control Officer to a veterinarian clinic for impoundment. Failure of an owner to maintain quarantine or to deliver a quarantined animal for impoundment shall constitute a misdemeanor punishable as set forth in Article XVI of this Ordinance.

C. Seize and impound any rabies suspect animal.

D. Investigate all barking dog complaints.

E. Authorized and empowered in accordance with the provisions of this Ordinance to enter upon private premises for the purpose of inspecting the same for the purpose of determining whether the owner's harboring, keeping or possessing of said dogs, cats or other animals, have complied with the appropriate provisions of this Ordinance, and to apprehend and to seize any dogs for whom no license has been procured in accordance with this Ordinance.

F. Investigate complaints of cruelty and neglect to all animals, livestock, or poultry and to take such action as authorized by the statutes of the State and this Ordinance, including seizing, taking up, and impounding any dog or other animal which has been subject to cruelty or neglect, require protective custody and care, or when so ordered by a court of this State.

G. Investigate complaints of dogs and other animals alleged to be dangerous to persons, property, or other animals and take such actions as seizing, taking up, impounding, or petitioning the court under the Dangerous Animal Act, being Public Act 426 of 1988.

H. Inspect any kennel, a license for which has been issued by the County pursuant to this Ordinance and the statutes of the State, and shall have the duty to suspend said license if, in their opinion, conditions exist which are unhealthy or inhumane to the animals kept therein, pending correction of such conditions, and further shall have the duty to revoke said license if such conditions are not corrected within a reasonable period of time.

I. Determine and locate all unlicensed dogs, to list such dogs, and to deliver said list to the Treasurer for the necessary proceedings as provided by this Ordinance and/or statutes of the State.

J. Conduct themselves in a professional manner and be properly uniformed and identifiable to the public.

K. Shall turn over all fees and moneys collected to the Treasurer and as established by the Treasurer pursuant to statutes of State/

L. To enforce any other provisions of this Ordinance or statutes of the State pertaining to animal control not expressly identified.

M. Such other duties relating to the enforcement of this Ordinance and the statutes of the State as the Menominee County Board of Commissioners may, from time to time, assign to the Animal Control Officer.

Section 6. The Animal Control Officer or any deputy of the Menominee County Sheriff Office shall enforce the provisions of this Ordinance and the Statutes of the State and make a complaint to the appropriate district court or other appropriate court in regard to any violation thereof.

Section 7. All suspension and/or revocations of licenses and all seizures for cruelty, neglect, or dangerous animals as provided for herein, shall be in accordance with this Ordinance.

Section 8. The Animal Control Officer or any deputy of the Menominee County Sheriff Office is authorized and shall at all times carry a book of receipts, properly numbered in sequence for accounting purposes, for the issuing of such dog licenses in accordance herewith.

ARTICLE IV

LICENSING AND VACCINATION

Section 1. It shall be required that any dog six (6) months of age or older be licensed. License fees shall be set by the Menominee County Board of Commissioners on or before November 1 of each year and set forth in attached fee schedule; Exhibit A.

Section 2. On or before March 1 of each year, the owner of any dog six (6) months of age or older, except as provided in Section 4 of this Article, shall apply to the County, City, or Township Treasurer or authorized agent where the owner resides for a license for each dog owned or kept by the owner. Such application shall state the breed, sex, age, color and markings of such dog and the name and address of the owner. Such application for a license shall be accompanied by proof of vaccination of the dog for rabies by valid certificate of vaccination for rabies, with vaccine licensed by the United States Department of Agriculture, signed by an accredited veterinarian. Owner of dogs attaining the age of six (6) months after March 1 shall have seven (7) days in which to obtain a license.

Section 3. No dog shall be exempt from the rabies vaccination requirements unless the veterinarian certifies, in writing, that such rabies vaccination would be detrimental to the animal's health.

Section 4. Owners are exempt from the licensing requirement in the following circumstances:

A. For dogs under six (6) months of age. The owner has seven (7) days after the dog attains the age of six (6) months to obtain a license for said dog.

B. A service dog that is trained or being trained to aid a person who is blind, hearing impaired, or otherwise disabled per MCL §287.291.

C. A dog trained or being trained for law enforcement purposes.

D. A dog that is currently licensed by another governmental agency within the State provided that the dog remains in the possession of the Owner whom the license was issued. The dog will need to be licensed with Menominee County come the following March 1.

E. A dog imported into Menominee County from outside of the State for a period not to exceed thirty (30) days. Any said animal would still be required to be current on rabies vaccination; Owner is responsible for showing proof of rabies certificate upon request.

Section 5. No license or licenses issued for one dog shall be transferable to another dog. The license shall remain with the dog upon transfer to a different owner. The last registered owner shall notify the Treasurer of such a transfer in ownership and request that the ownership records be updated.

Section 6. The license tag shall be securely attached to the animal's collar and be displayed at all times. Failure to secure the license tag to the animal's collar and be displayed, even if a license has been purchased, shall be a violation of this Ordinance.

Section 7. If the license tag is lost, it shall be replaced upon application to the Treasurer by production of such license and a signed statement of the fact regarding loss of such tag. The cost of said replacement tag shall be set forth in the current Menominee County Fee Schedule; Exhibit A.

Section 8. No Owner shall purchase a license for a dog at the sterilized price unless the animal is, in fact, sterilized and has a written statement from a licensed veterinarian stating the animal is sterile or for medical reasons the animal cannot undergo a sterilization procedure.

Section 9. A penalty equal to twice the applicable license fee shall be charged to any person who fails to apply for an initial license or renewal license prior to March 1st of each year or within seven (7) days of the animal attaining the age of six (6) months.

ARTICLE V

KENNEL LICENSES

Section 1. Any person who owns, keeps or operates a kennel may, in lieu of individual licenses required under this Ordinance and under the statutes of the State, apply to the Treasurer for a kennel license entitling him/her to own, keep or operate such a kennel in accordance with the laws of the State, and the fee for same shall be in accordance with the laws of the State. The fee for a kennel license shall be set forth by the Menominee County Board of Commissioners; Exhibit A. The dogs in the kennel covered by the kennel license must be kept for sale, boarding, breeding, training or purposes for remuneration. Dogs owned by the Owner of the kennel that are not part of the business operations of the kennel and are the pets of the Owner must be licensed individually and are not covered under the kennel license.

Section 2. In order to obtain a kennel license, any person who owns, keeps, or operates a kennel within the boundaries of Menominee County, except in a city, village, or township with their own ordinance that prohibits kennels, shall within thirty (30) days prior to the start of such an operation or within thirty (30) days prior to the expiration date of a previously issued license shall obtain a kennel inspection by the Animal Control Officer or a deputy of the Menominee Sheriff Office and be certified that the kennel meets the requirements in accordance with the statutes of the State.

Section 3. The Kennel Inspection Fee shall be set forth by the Menominee County Board of Commissioners; Exhibit A.

Section 4. Any kennel dog six (6) months or older must possess a valid rabies vaccination before a current kennel license can be issued.

Section 5. Failure to apply or obtain a kennel license within the prescribed time limits set forth by the Menominee County Board of Commissioners will result in a doubling of the application fee.

ARTICLE VI

CONFINEMENT, QUARANTINE, AND ADEQUATE SHELTER

Section 1. Any dog, cat, or animal kept as a pet that bites a person, domestic animal, or livestock shall be quarantined by the owner thereof inside an appropriate building or enclosure, for a minimum period of ten (10) consecutive days following the biting of such person, domestic animal, or livestock. In the event that the owner of such animal is unable to, or fails to securely confine the animal for such a period of time, the Animal Control Officer or a deputy of the Menominee County Sheriff Office may take possession and custody of such animal and quarantine it at the animal shelter until expiration of said ten (10) day period and upon satisfactory evidence that said animal is not suffering from rabies. The owner of such animal kept at the animal shelter shall bear the cost of thereof.

Failure of the owner of such animal to keep, maintain, and quarantine the animal for the required time period, or failure to release custody of said animal to the Animal Control Officer or a deputy of the Menominee County Sheriff Office shall be in violation of this Ordinance and subject to the penalties set forth in Article XVI.

Any dog or other animal running loose after biting a person, domestic animal, or livestock, and whose owner cannot be determined, shall be quarantined for a period of ten (10) consecutive days at the animal shelter.

Section 2. Any other animal not kept as a pet, including wild animals and bats, which shall bite a human or domestic animal and expose it to rabies; shall if located, be managed in accordance with current policies for rabies prevention and control.

Section 3. Every dog and other animal shall at all times be confined upon the premises of its owner except when said dog or other animal is otherwise under reasonable control of the owner.

Section 4. A dog shall not be tethered unless the tether is at least three (3) times the length of the dog as measured from the tip of the dog's nose to the base of the dog's tail, and is attached to a harness or un-choke collar designed for tethering and in an area free from obstacles of entanglement. It is therefore considered inadequate shelter if the animal is confined in such a manner that it is unable to seek shelter regardless the length of time it is exposed to the weather, confined in poor sanitary conditions, or in such a fashion that the animal does not have a dry area to rest or lacks suitable water and food.

Section 5. Confinement and ownership of ferrets shall be governed by Public Act 358 of 1994, as amended, being MCL §287.893 – 287.901.

Section 6. Confinement and ownership of wolf-dog hybrids shall be governed by Public Act 246 of 2000, being MCL §287.1001 - 287.1023.

Section 7. Confinement and ownership of large carnivores shall be governed by Public Act 274 of 2000, being MCL §287.1101 – 287.1123.

Section 8. All costs for the confinement and/or quarantine of an animal, including the disposal of animal carcasses, shall be the responsibility of the Owner. Failure of the Owner to pay said costs shall constitute a violation of this Ordinance and subject to the penalties set forth in Article XVI of this Ordinance.

ARTICLE VII

ANIMAL SHELTER AND IMPOUNDMENT

Section 1. All animals found running at large, and not under control of their owners, shall be seized by the Animal Control Officer or a deputy of the Menominee County Sheriff Office, and impounded at the animal shelter for a period of four (4) days if the owner is unknown or seven (7) days if the owner is known.

If ownership of said animal is known, the animal need not to be impounded. The Animal Control Officer or a deputy of the Menominee County Sheriff Office may, at their discretion, issue a citation to appear in court to answer charges of violation of this Ordinance.

Provisions of this section regarding hold periods do not apply to an animal which is sick or injured to the extent that the holding period would cause the animal undue suffering in the discretion of the Director of the Animal Shelter or the Animal Control Officer.

Section 2. Immediately upon impounding an animal, the Animal Control Officer or deputy of the Menominee County Sheriff office shall make a reasonable effort to notify the Owner that said dog was impounded and inform such Owner of the conditions whereby custody of the animal may be regained pursuant to the regulations for the operation of the animal shelter.

Section 3. An owner may redeem a dog from the animal shelter by executing a sworn statement of ownership, furnishing a license, tag and currant rabies vaccination as required by this Ordinance and statues of the State, and paying the fees set forth by the Menominee County Board of Commissioners; Exhibit A.

If an Owner is unable to show proof of current license or valid rabies certificate, the Owner shall, in addition to the fees set forth, pay the fees established for licensing and be required to have said animal vaccinated and licensed within a period of five (5) days of impoundment.

Section 4. Animals held for periods prescribed under this section and not redeemed by their Owner shall be subject to disposition as follows:

A. Euthanize as the discretion of the Director of the Animal Shelter.

B. May be released for adoption if such animal is deemed to be in good health and not potentially dangerous.

1. The adoptive owner shall pay the applicable adoption fees set by the Animal Shelter, which shall include a deposit for County license and tag if they reside in Menominee County.

2. In the case the animal is capable of sexual reproduction, the adoptive owner shall [ay a surgical deposit which shall be refunded upon furnishing written certification by a licensed veterinarian that the animal has been sterilized by spaying or neutering; and shall sign a written agreement to sterilize an adopted animal within thirty (30) days of adoption or upon the animal attaining six (6) months of age, whichever occurs last.

Failure to comply with this agreement shall result in a forfeiture of the amount deposited, and the Director of the Animal Shelter shall require return of the adopted dog to the animal shelter in accordance with MCL §287.331 – 287.339, or confiscated by the Animal Control Officer or deputy of the Menominee County Sheriff Office.

ARTICLE VIII

ANIMAL CRUELTY AND NEGLECT

It shall be a violation of this ordinance to:

Section 1. Permit an animal to be within or on a motor vehicle at any location under such conditions as may endanger the health or well-being of the animal, including, but not limited to, dangerous temperatures (hot or cold), lack of food, water, or proper care.

Section 2. Knowingly place food or item of any description containing poisonous or other injurious ingredients in any area reasonably likely to be accessible to any animal except rodents; intentionally poison an animal.

Section 3. Leave an animal unattended for more than twenty-four (24) hours without adequate care.

Section 4. To intentionally run down or otherwise abuse, harass, intimidate, or worry any animal with any vehicle including, but not limited to, a bicycle, motor vehicle, motorcycle, motorbike, ATV, or other recreational vehicle.

Section 5. To kill any animal without just cause.

Section 6. To torture, mutilate, maim, beat, or disfigure an animal.

Section 7. Fail to provide medical care when an animal is in pain or distress including, but not limited to, the following:

A. In a state of emaciation.

B. Unable to rise or walk.

C. Unable to urinate or defecate.

D. Unable to eat or drink.

E. Suffering from unattended broken bones, wounds, burns, or contusions.

F. Painful or difficult breathing.

G. Passing blood in urine or feces.

H. Presence of maggots or infested with other parasites.

I. Severe skin disease.

Section 8. Failure to provide any animal adequate care, shelter, food, and potable water.

Section 9. Neglect an animal to the extent that the animal's health is jeopardized.

Section 10. Caging or chaining an animal continuously in an area insufficient for the animal to obtain adequate exercise.

Section 11. Force, cause, or allow an animal to fight with another animal.

Section 12. Knowingly allow the carcass of a deceased animal to be left unattended and not properly disposed of for more than seventy-two (72) hours after the death of the animal.

Section 13. Overdriving, overloading, overworking, torturing, tormenting, cruelly beating, mutilating, cruelly killing or causing the overdriving, overloading, overworking, torturing, tormenting, cruelly beating, mutilating, or cruelly killing of any animal.

ARTICLE IX

KILLING AND SEIZING OF DOGS, CATS, AND OTHER ANIMALS

Section 1. The Animal Control Officer, or any deputy of the Menominee County Sheriff Office, may kill any dog, cat or other animal which they see in the act of pursuing, threatening, wounding, attacking or about to attack any person, animal, livestock, and there shall be no liability on such officer or deputy in damages or otherwise, for such killing.

Any dog, cat, or other animal that enters any field or enclosure, which is owned by or leased by any person producing livestock or poultry, unaccompanied by its owner or its owner's agent shall be liable for damages.

Except as provided in this Section, it shall be unlawful for any person, other than the Animal Control Officer or other law enforcement officer, to kill, injure, or attempt to kill or injure any dog, cat, or other animal which bears a license tag for the current year.

Section 2. It shall be lawful for any person to seize any dog, cat, or animal running at large in violation of this Ordinance and turn said animal over to the Animal Control Officer, a deputy of the Menominee County Sheriff Office, or to the Animal Shelter.

Section 3. In no event shall the provisions of this Section exonerate a person from compliance with the criminal laws of this State, including, by way of an example, the safe discharge of firearms.

ARTICLE X

ENUMERATION OF CERTAIN VIOLATIONS

It shall be a violation of this ordinance to:

Section 1. Permit any dog, cat, or other animal, regardless of age, and whether licensed or unlicensed, run at large unless the Owner and animal are engaged in lawful hunting activities or other limited events including, but not limited to, field trials, sport competitions, and exhibitions.

Section 2. Permit any dog, cat, or other animal, regardless of age, and whether licensed or unlicensed, within the confines of any public park or recreation area, when such park, by appropriate designation at its entrance, prohibits dogs. An exception to this ordinance is when the Owner requires a service dog due to blindness, being hearing impaired, or otherwise being disabled per MCL §287.291.

Section 3. Allow a dog, cat, or other animal destroy or damage the real or personal property of another individual.

Section 4. Allow a dog, cat, or other animal to attack or bite a person or another animal.

Section 5. Allow a dog, cat, or other animal to show vicious behavior or habits or otherwise molest a person or other animal that is lawfully on a public highway or right-of-way, on their own property, or on property to which they have legal access.

Section 6. Allow a dog, cat, or other animal to cause a nuisance by loud, frequent, and persistent barking, howling, yelping, or any other sounds or behaviors.

Section 7. Permit a dog in heat (estrus) to be accessible to a male dog except for intentional breeding purposes.

Section 8. Allow any animal to leave the confines of any officially prescribed quarantine area.

Section 9. Allow a dog, cat, or other animal not accompanied by its owner to come closer than six (6) feet from a public walkway, roadway, highway, or adjoining property, except when the dog, cat, or animal is in an area that is completely fenced or when the dog, cat, or animal is engaged in a lawful hunting activity.

Section 10. Remove a collar or a tag from any dog, cat, or other animal without the permission of its owner, or to entice, decoy, persuade, or prompt any dog, cat, or other animal out of an enclosure or off the property of its owner, or to seize, molest, tease, or harass any dog, cat, or other animal while held or owned by any person on the property of its owner.

Section 11. Interfere with, hinder, resist, oppose, obstruct, or molest an Animal Control Officer or deputy of the Menominee County Sheriff Office in the legal performance of their duties in enforcing the provisions of this Ordinance.

Section 12. Remove any animal from the vehicle, property, or possession of an Animal Control Officer or deputy of the Menominee County Sheriff Office.

Section 13. Withhold reporting information on animals found to the Animal Shelter or Animal Control Officer.

Section 14. Hinder, harass, obstruct, injure, or interfere with any dog, cat, or other animal being used for law enforcement purposes by a law enforcement officer or being used by an individual as a service dog.

ARTICLE XI

LIVESTOCK AND POULTRY

Section 1. No livestock or poultry shall be owned, kept, possessed, harbored, or kept within the boundaries of any non-agricultural area within Menominee County except as such places that provide for shipping of said livestock or poultry or when showing livestock or poultry at the Menominee County Fair.

Section 2. It shall be a violation of this Ordinance to allow any livestock or poultry to run at large.

ARTICLE XII

DECEASED ANIMALS

Section 1. The disposal of deceased animals shall be governed by Public Act 239 of 1982, as being MCL §287.671, with the purpose of protecting human, animal, and environmental health.

Section 2. A person who violates Public Act 239 of 1982, as being MCL §287.671, is guilty of a misdemeanor punishable by a fine of not less than $300 or imprisonment of not less than 30 days, or both.

ARTICLE XIII

TREASURER'S RECORDS AND DUTIES

Section 1. After March 1st of each year, the Treasurer shall make a comparison of his/her records of the dogs actually licensed in each city or township of the County with a report of the supervisors of said townships or assessors of said cities or the Animal Control Officer to determined and locate all unlicensed dogs.

Section 2. On and after June 15th of each year, every unlicensed dog, subject to license under the provisions of this Ordinance of the statutes of the State, is hereby declared to be a public nuisance, and the Treasurer shall immediately thereafter list all such unlicensed dogs as shown by the returns in their office from township supervisors, assessors, Animal Control Officer, or any deputy of the Menominee County Sheriff Office and shall deliver copies of such lists to the Animal Control Officer and the Director of the Michigan Department of Agriculture as well as those officers listed and set forth in Public Act 339 of 1919, being MCL §287.277.

Section 3. The Treasurer shall keep a record of all dog licenses and kennel licenses issued during the year in each city and township in the County. Such records shall contain the name and address of the person to whom each license is issued. In the case of individual licenses, the record shall also state the breed, sex, age, color and markings of the dog licensed; and in case of a kennel license, it shall state the place where the business is conducted. The record shall be a public record and open to inspection during business hours. The Treasurer shall also keep an accurate record of all license fees collected by them or paid over to them by any city, village, or township treasurer, Animal Control Officer, deputy of the Menominee County Sheriff Office, or agents of the Treasurer.

Section 4. In all prosecutions for violation of this Ordinance, the records of the Treasurer's Office, or lack of same, showing the name of the owner and the license number to whom it was issued and the license tag affixed to the collar or harness of the dog showing a corresponding number shall be prima facie evidence of ownership or non-issuance of a dog licenses or tag.

Section 5. The Treasurer may authorize veterinarian clinics, pet stores, animal shelters, or other reasonable entities to sell dog licenses and tags at their establishment. The Treasurer shall adopt policies and procedures that ensure the accountability for licenses and tags provided to these agents, and at all times be able to account for any sold or unsold licenses and tags. An agent shall receive a fee of $2.00 for every dog license that is sold by the agent.

ARTICLE XIV

RECEIPTS AND DISBURSEMNT OF FUNDS

Section 1. All fees and moneys collected under the provisions of this Ordinance shall be transferred to the General Fund of Menominee County, in accordance with the standard practices of the Treasurer, and the moneys paid out in accordance with this Ordinance shall be drawn upon the General Fund of Menominee County.

ARTICLE XV

RECEIPTS AND DISBURSEMNT OF FUNDS

Section 1. All fees and moneys collected under the provisions of this Ordinance shall be transferred to the General Fund of Menominee County, in accordance with the standard practices of the Treasurer, and the moneys paid out in accordance with this Ordinance shall be drawn upon the General Fund of Menominee County.

ARTICLE XVI

PENALTY

Section 1. Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a Civil Infraction and shall be punished by fine of not more the five hundred dollars ($500.00).

Section 2. A violation of this Ordinance as to each animal in the care, custody or control of a person constitutes a separate offense, each such separate offense being subject to the penalties in the Ordinance.

Section 3. In all situations where penalties are provided for any act or omission, they shall be held to apply to each and every such act or omission. When any such act or omission is of continuing character, each day's continuance of such act or omission constitutes a separate offense, which may be separately charged and punished according to the provisions of this Ordinance.

Section 4. In the event of any of such violation of this Ordinance, or of the laws of the State, the Animal Control Officer or deputy of the Menominee County Sheriff Office may issue an appearance ticket citation or summons to the owner of said dog, cat, or other animal summoning them to appear before a district court or other appropriate court in the County to answer the charges made in violation of this Ordinance. The said Animal Control Officer or deputy of the Menominee County Sheriff Office may sign a complaint before said Court for violation of the provisions of this Ordinance, proceed to begin the issuance of a warrant and make arrest of the person to whom said violations are charged, and bring them before the Court to answer the charges. The court may in such case in its discretion, upon a finding of guilty, assess the penalties in accordance with the penalty provision of this Ordinance.

Section 5. In the event of any such violation, or of a violation of any other provision of this Ordinance, or of the laws of the State, the Animal Control Officer, deputy of the Menominee County Sheriff Office, 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 Public Act 339 of 1919Act 339, being MCL §287.280, to show cause why such dog, cat, or other animal, should not be euthanized. Upon such hearing: the judge may either order the dog, cat, or other animal be euthanized; may order such dog, cat, or other animal be confined to the premises of the owner; may make such other order regarding the dog, cat, or other animal as they deem proper and necessary under the circumstances, in addition to any of the penalties enumerated herein. This Section shall in no way affect the provisions of Article III, Section 5 of the Ordinance.

ARTICLE XVII

RULES OF CONSTRUCTION AND SEVERABILITY

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 shall include the feminine and neuter. The word "shall" is always mandatory and not merely directive. Words or terms not defined herein shall be interpreted in the manner of their common meaning. Headings shall be deemed for convenience and shall 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. Where any of the provisions of any other local or state ordinances or regulations apply, the more restrictive of any or all ordinances or regulations shall prevail.

Section 3. If any part of this Ordinance shall be held void, such part shall be deemed severable, and the invalidity thereof shall not affect the remaining parts of this Ordinance.

ARTICLE XVIII

REPEAL

All ordinances or part of ordinances inconsistent herewith are hereby repealed.

ARTICLE XIX

EFFECTIVE DATE OF ORDINACE

This Ordinance shall take effect sixty (60) days after the date of adoption or thirty (30) days after revision.

ARTICLE XX

CERTIFICATION

I, Marc Kleiman, County Clerk, and Clerk to the Menominee County Board of Commissioners, hereby certify that this Animal Control Ordinance was duly adopted by the Menominee County Board of Commissioners at a regular meeting of said at which a quorum was present, held this Xth day of XXX, 2019.

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Marc Kleiman, Menominee County Clerk