

**Approval of Extension to the Moratorium Prohibiting
Keeping Non-domestic Animals in Residential Zones**

April 19, 2022

The Honorable Mayor Fournier and
Members of the City Commission:

At the April 11, 2022 city commission meeting, city staff presented the city commission a proposed ordinance consisting of a comprehensive set of reasonable regulations addressing the keeping of non-domestic animals in residential dwellings within the city of Royal Oak. Such ordinance proposed:

- (1) a list of non-domestic animals that would be prohibited in Royal Oak; and
- (2) a list of exceptions for non-domestic animals already in residential dwellings in the community, in wildlife rehabilitation facilities providing temporary care, and in the Detroit Zoo; and
- (3) a registration process for owners who possessed non-domestic animals in their residential dwellings before the date of the moratorium ordinance adopted on November 8, 2021; and
- (4) the authorization of city staff to remove a non-domestic animal from a residential dwelling in limited circumstances, to euthanize the non-domestic animal upon issuance of a court order and to recover the costs incurred by the city related to the search, capture, impoundment, removal, care, relocation, or euthanizing of a non-domestic animal.

During its discussion, there was a consensus of city commission members who desired to have the draft ordinance either modified to mirror, or incorporated into, the city's dangerous dog ordinance. However, since the moratorium ordinance expires on May 8, 2022, it is very unlikely that city staff will be able to complete the revisions as directed by the city commission before that date. As such, city staff is recommending that the moratorium ordinance be extended for an additional ninety-one (91) days. If adopted, the moratorium will continue until 11:59 p.m., August 8, 2022, unless an ordinance as requested by the city commission is adopted before that date.

City staff is presenting this ordinance amendment (Attachment 1) for city commission consideration and the following ordinance amendment is recommended for approval:

Be it resolved, ordinance 2022-002, titled an ordinance to amend ordinance no. 2021-12, to extend for an additional 91 days the moratorium which prohibits the keeping of non-domestic animals in residential areas in the city of Royal Oak, is hereby adopted.

Respectfully submitted,
Aaron Leal
City Attorney

1 Attachment



ORDINANCE NO. 2022 - 02

AN ORDINANCE TO AMEND ORDINANCE NO. 2021-12, TO EXTEND FOR AN ADDITIONAL 91 DAYS THE MORATORIUM WHICH PROHIBITS THE KEEPING OF NON-DOMESTIC ANIMALS IN RESIDENTIAL AREAS IN THE CITY OF ROYAL OAK.

THE CITY OF ROYAL OAK ORDAINS:

SECTION 1. FINDINGS, INTENT AND PURPOSE.

- (a) On November 9, 2021, the City Commission adopted Ordinance No. 2021-12 (Moratorium Ordinance) which imposed a moratorium to prohibit the keeping of non-domestic animals in residential areas in the City of Royal Oak from November 1, 2021 to May 8, 2021.
- (b) The Moratorium Ordinance was adopted to address an incident where an African caracal cat escaped from its owner's residential premises into the surrounding neighborhood, which included Oak Ridge Elementary School. The African caracal cat was eventually recovered two days later.
- (c) After the incident the city realized that there are no state laws that regulate African caracal cats and other types of non-domestic animals.
- (d) As a result, the city desired to establish a comprehensive set of reasonable regulations to regulate the keeping of non-domestic animals within the city, pursuant to its authority as a Michigan Home Rule city and pursuant to its City Charter.
- (e) On April 11, 2022, city staff presented to the City Commission a draft set of comprehensive reasonable regulations to regulate the keeping of non-domestic animals within the city. After the presentation, the City Commission directed city staff to revise the draft regulations by either modifying them to mirror, or be incorporated into, the city's existing Dangerous Dog Ordinance.
- (f) It is anticipated that such revisions will not be ready before the Moratorium Ordinance expires, and thus additional time beyond May 9, 2022, is necessary to complete the revised draft of comprehensive reasonable regulations and to present them to the City Commission for approval.
- (d) The City Commission finds that it is in the best interest of the City of Royal Oak and the public to extend the Moratorium Ordinance so as to allow sufficient time to complete a revised draft of comprehensive reasonable regulations.

SECTION 2. MORATORIUM.

The moratorium established by Ordinance No. 2021-12 is hereby extended by this ordinance amendment until 11:59 p.m., August 8, 2022, unless earlier terminated by ordinance of the City Commission adopting a comprehensive set of reasonable regulations governing the keeping of non-domestic animals in residential areas in the City of Royal Oak. Prior to the expiration of this Moratorium Ordinance extension, the City Commission may, if necessary, extend the period of the Moratorium Ordinance again to allow for sufficient time to complete and adopt a set of comprehensive reasonable regulations. Except as expressly amended by this ordinance amendment, Ordinance No. 2021-12 shall remain valid and continue in effect as originally provided.

SECTION 3. EMERGENCY. The Moratorium Ordinance was adopted as an emergency ordinance on November 8, 2021 pursuant to Chapter 5, Section 3 of the City Charter necessary for the immediate preservation of the public peace, health and safety. This ordinance amendment continues the emergency purpose of the Moratorium Ordinance until a comprehensive set of reasonable regulations can be adopted.

Attachment 1

SECTION 4. EFFECTIVE DATE. This ordinance amendment shall take effect immediately upon its passage.

CERTIFICATION

I certify that this Ordinance was introduced and adopted as an Emergency Ordinance by the Royal Oak City Commission at a meeting duly called and held on April 25, 2022.

CITY OF ROYAL OAK

Date

BY: _____
Michael Fournier, Mayor

Date

BY: _____
Melanie Halas, Clerk