



Village of Birch Run
12060 Heath Street
PO Box 371
Birch Run, Michigan 48415
Phone # (989) 624-5711 Fax # (989) 624-9681

May 15, 2018

Stellar Entertainment Group Inc.
Jim Davis, Executive Director
32 South Palm Avenue #1
Sarasota, FL 34236

VIA Facsimile (989) 343-2397

RE: Garden Brothers Circus Performance on May 17, 2018

Mr. Davis:

The Village of Birch Run has adopted Chapter 90, Animals, which regulates animal control. Sub-Chapter 90.03 regulates "Dangerous Animals" (see attachment).

It has been brought to the Village's attention that elephant performances and rides have been advertised for your event on May 17, 2018 at the Frankenmuth Credit Union Event Center. Because owning or harboring elephants violates Village ordinance, we respectfully urge you to refrain from doing so.

In addition, Sub-Chapter 90.99 documents the penalty provisions for violation of Sub-Chapter 90.03 (see attachment).

Please allow this letter to serve as notification of the Village of Birch Run's animal control ordinance and penalty provisions for violation thereof.

If you have any questions, please contact me or the Village of Birch Run Police Department at (989) 624-1113.

Sincerely,

Paul T. Moore, CPM
DDA Director-Village Manager

Cc: Jason Leidel, Chief of Police

TITLE IX: GENERAL REGULATIONS / CHAPTER 90: ANIMALS / ANIMAL CONTROL / § 90.03 DANGEROUS ANIMALS.

§ 90.03 DANGEROUS ANIMALS.

(A) Any dog or cat having a disposition or propensity to attack or bite any person or animal without provocation is hereby defined as a ***DANGEROUS ANIMAL***.

(B) Any ***PIT BULL DOG***, defined to mean dogs which have the appearance and characteristics of being predominately of the breed of dogs known as Staffordshire Bull Terrier, American Pit Bull Terrier or American Staffordshire Terrier shall not be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit the building on its own volition. In addition, the dog shall not be kept in a house or structure when the windows or screen doors are the only obstacle preventing the dog from exiting the structure. Owners of Pit Bull dogs must, within ten days of the effective date of this subchapter, provide the Village Clerk proof of liability insurance with a single incident amount of \$100,000 for injury or death of any person.

(C) It shall be illegal to own or harbor any mammal, amphibian, reptile or fowl of a species which, due to size, vicious nature or other characteristics, constitutes a danger to human life, physical well being or property, including, but not limited to lions, tigers, leopards, panthers, bears, wolves, apes, gorillas, monkeys of a species whose average adult weight is 20 pounds or more, foxes, elephants and snakes which are poisonous or otherwise present a risk of serious physical harm or death to human beings as a result of their nature or physical makeup, including all constrictors.

(1992 Code, § 60.003) (Ord. 2-95, passed - - 1995) Penalty, see § 90.99

TITLE IX: GENERAL REGULATIONS / CHAPTER 90: ANIMALS / KENNEL CONTROL / § 90.99 PENALTY.

§ 90.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Any person or persons violating any provisions of §§ 90.01 through 90.10, upon conviction thereof, shall be punished by a fine not to exceed \$500, or by imprisonment in the Saginaw County Jail for a term not to exceed 90 days, or both the fine and imprisonment,

Birch Run, MI Code of Ordinances

together with costs of prosecution.

(C) Violation of §§ 90.25 through 90.27 shall be deemed a misdemeanor, and may be punished by a fine of not to exceed \$100, or by imprisonment in the county jail for a term not to exceed 30 days, either or both.

(1992 Code, §§ 60.011, 61.003) (Ord. 1-60, passed - - 1960; Ord. 2-95, passed - - 1995)