

**CITY OF HART
OCEANA COUNTY, MICHIGAN**

ORDINANCE NO. 2026-05

First reading _____, Second reading _____, Publication date _____, Effective Date (10 days after publication), _____

AN ORDINANCE TO AMEND THE CITY OF HART ZONING CODE TO REGULATE ANIMAL GROOMING, DAYCARE, BOARDING AND KENNEL FACILITIES

The City of Hart ordains:

Section 1. Definitions

Section 1241.01 of the City of Hart Zoning Code is amended to add or revise the following definitions:

Animal Grooming Establishment. A commercial establishment primarily engaged in bathing, trimming, grooming, or similar care of domestic animals. An animal grooming establishment does not include overnight boarding unless separately approved as an animal boarding facility.

Animal Boarding Facility/Pet Daycare. A commercial establishment where K-9, feline, or other domestic animals belonging to persons other than the owner or operator are temporarily cared for, supervised, housed, boarded, or kept for compensation, whether during daytime hours or overnight. This term includes commercial kennels and pet daycare facilities but does not include veterinary hospitals or animal grooming establishments where animals are kept only for the time reasonably necessary to provide grooming services.

Kennel. A premises used for the commercial boarding, breeding, training, daycare, or keeping of K-9 or feline for compensation. The keeping of household pets as an accessory residential use shall not constitute a kennel.

Section 2. B-2 General Business District

Section 1250.03, Special Uses, is amended to add:

(f) Animal boarding facilities, pet daycare facilities, and commercial kennels, subject to the requirements of Section 1256.15

Section 3. Special Land Use Standards

Chapter 1256 is amended to add Section 1256.15, as follows:

1256.15 ANIMAL BOARDING FACILITIES, PET DAYCARE FACILITIES AND COMMERCIAL KENNELS.

Animal boarding facilities, pet daycare facilities, and commercial kennels may be approved as a special land use in districts where specifically authorized, subject to the general special land use standards of this Chapter and the following requirements:

(a) Maximum number of animals.

The Planning Commission shall establish the maximum number of animals permitted on the premises based upon the size of the property and building, proximity to neighboring properties, available outdoor area, parking, sanitation facilities, and potential impacts on surrounding property.

(b) Enclosed building.

Animals kept overnight shall be housed within a completely enclosed building.

(c) Outdoor areas.

Outdoor exercise, relief, or play areas shall:

Be securely fenced;

Not be located within a required front yard;

Be maintained in a clean and sanitary condition; and

Be designed and operated to minimize noise, odor, drainage, and other impacts on adjoining properties.

(d) Setbacks.

Buildings used for animal boarding shall be located at least twenty-five (25) feet from a residentially used or zoned property. Outdoor animal areas shall be located at least fifty (50) feet from a residentially used or zoned property. The Planning Commission may require a greater setback where necessary to protect adjoining properties.

(e) Overnight outdoor activity.

Animals shall be kept indoors between 9:00 p.m. and 7:00 a.m., except for brief supervised relief periods.

(f) Noise.

The facility shall be operated so that barking and other animal noise does not create an unreasonable disturbance to surrounding properties. The Planning Commission may require sound attenuation measures where necessary.

(g) Sanitation and waste.

Animal waste shall be collected regularly and stored and disposed of in a manner that prevents odor, insects, rodents, runoff, or other nuisance conditions.

(h) Drainage.

Outdoor animal areas and indoor wash or kennel areas shall be designed so that animal waste, wash water, or contaminated runoff does not discharge onto adjoining property or into a storm drain except as lawfully permitted.

(i) Screening.

The Planning Commission may require landscaping, fencing, or other screening where outdoor animal areas are visible from adjoining residential property or public rights-of-way.

(j) Parking and circulation.

Adequate off-street parking, customer drop-off and pickup areas, and circulation shall be provided so that vehicles associated with the facility do not create unsafe conditions or routinely obstruct adjoining streets.

(k) Additional conditions.

The Planning Commission may impose reasonable conditions relating to hours of operation, number of animals, outdoor activity, screening, noise control, sanitation, or similar operational characteristics when necessary to ensure compatibility with surrounding properties.

Section 4. Conflict and Severability

All ordinances or portions of ordinances inconsistent with this Ordinance are repealed only to the extent necessary to give this Ordinance full force and effect. If any provision of this Ordinance is determined by a court of competent jurisdiction to be invalid, the remaining provisions shall remain in full force and effect.

Section 5. Effective Date

This Ordinance shall become effective following adoption and publication as required by law.