VILLAGE OF SHELBY
REGULAR COUNCIL MEETING OF MONDAY, MARCH 23, 2026 at 6:00 P.M.
COUNCIL PROCEEDINGS

1. CALL TO ORDER:

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President John Sutton.

2. ROLL CALL:

Answering the roll call: Mike Termer, Steve Crothers, John Sutton, Dan Zaverl, Samantha Gottschalk and Curt Trott.
Absent: Crystal Heykoop

Staff present: Village Administrator Phil Morse, Village Clerk/Treasurer Miraya Gissell Diaz, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. INVOCATION: Invocation was shared.

5. MINUTES:

a.) March 9, 2026

Steve Crothers moved to approve the minutes of the Regular Council Meeting of March 9, 2026 as presented.
Seconded by: Samantha Gottschalk

Voice Vote: All in favor.
Motion Carried.

6. ADDITIONS TO THE AGENDA: No additions.

7. PRESIDENT'S REPORT:

President Sutton shared that he hopes everyone is enjoying the nice weather and noted that it is good to see neighbors walking downtown. He encouraged everyone to wave, say hello to others, and he further encouraged others to help maintain a friendly community.

8. ADMINISTRATOR'S REPORT:

VA Morse shared that he attended a Rotary conference in Kalamazoo during the week of March 16th. As the President-Elect for Shelby Rotary, the conference served as training for individuals in that role.

VA Morse also shared that planning continues for a potential Hispanic Heritage Festival, and that the Events Team remains hopeful a community champion will emerge to lead coordination and planning efforts for the event.

9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Helenhouse reported that the DPW crew will be heavily focused on filling potholes around town. He provided an update to Council regarding the antenna system that triggers the wells to turn on, noting that the repair could cost up to $1,000, though he is awaiting further information.

Chief Roesler had nothing to report.

10. CORRESPONDENCE:

a) Materials Management Planning WMSRDC 2026

A fact sheet from the West Michigan Shoreline Regional Development Commission regarding the MMP was provided to the Village Council as an informational piece.

11. CITIZEN PARTICIPATION: No Citizen Participation.

12. OLD BUSINESS: No Old Business.

13. NEW BUSINESS:

a.) Winter 2026 Ordinance Revisions Proposal

As Village staff have continued to enforce the ordinances through day-to-day interactions with Village residents – it has become clear that several areas would benefit from refinement. Through ongoing conversations with staff, updates and additions have been identified that would strengthen the clarity, usability, and effectiveness of the codified ordinances.

a. Ordinance No. 01-26 – Residential Waste

No action was taken.

b. Ordinance Amendment No. 02-26 – Right of Way

Dan Zaverl moved to adopt Ordinance Amendment No. 02-26 (See attached).
Seconded by: Curt Trott.

Roll Call Vote:
Ayes: Zaverl, Trott, Termer, Crothers, Gottschalk, and Sutton.
Motion Carried 6-0.
Absent: Crystal Heykoop.

c. Ordinance No. 03-26 – Junk Vehicles

No action was taken.

d. Ordinance Amendment No. 04-26 – Animals

Samantha Gottschalk moved to adopt Ordinance Amendment No. 04-26 (See attached).
Seconded by: Steve Crothers.

Roll Call Vote:
Ayes: Gottschalk, Crothers, Termer, Zaverl, Trott, and Sutton.
Motion Carried 6-0.
Absent: Crystal Heykoop.

e. Ordinance Amendment No. 05-26 – Smoking in Public Parks prohibited

Dan Zaverl moved to adopt Ordinance Amendment No. 05-26 (See attached).
Seconded by: Mike Termer.

Roll Call Vote:
Ayes: Zaverl, Termer, Crothers, Gottschalk, Trott, and Sutton.
Motion Carried 6-0.
Absent: Crystal Heykoop.

f. Ordinance Amendment No. 06-26 – Sidewalk Operations

Mike Termer moved to adopt Ordinance Amendment No. 06-26 with the change of "any public park" to "Getty Park". (See attached).
Seconded by: Dan Zaverl.

Roll Call Vote:
Ayes: Termer, Zaverl, Crothers, Gottschalk, Trott, and Sutton.
Motion Carried 6-0.
Absent: Crystal Heykoop.

g. Ordinance No. 07-26 – Recreational Burning

Mike Termer moved to adopt Recreational Burning Ordinance, Ordinance Amendment No. 07-26 (See attached).
Seconded by: Dan Zaverl.

Roll Call Vote:
Ayes: Termer, Zaverl, Gottschalk, Trott, and Sutton.
Nays: Steve Crothers.
Motion Carried 5-1.
Absent: Crystal Heykoop.

h. Ordinance Amendment No. 08-26 – Casual Sales

Steve Crothers moved to approve Ordinance Amendment No. 08-26, Part II, Chapter 366, Sections 6 & 7 of the Code of Ordinances of the Village of Shelby, concerning casual

sales.
Seconded by: Curt Trott.

Roll Call Vote:
Ayes: Trott, Crothers, and Sutton.
Nays: Mike Termer, Dan Zaverl, and Samantha Gottschalk.
Motion Failed 3-3.
Absent: Crystal Heykoop.

b.) Planning Commission Reports

To keep the Village Council and the community informed, and in accordance with General Code Chapter 67, Section 9 – which requires the Planning Commission to submit an annual written report to the Village Council regarding its operations and the status of planning activities, including recommendations related to planning and development – the Planning Commission hereby submits its annual reports for the past two years.

Steve Crothers moved to accept the 2024 and 2025 Planning Commission Reports as presented.
Seconded by: Samantha Gottschalk

Voice Vote: All in favor.
Motion Carried.

c.) SRTS Path Permit Agreement Draft with SPS – Discussion Item Only

To keep the Village Council informed on the status of the Safe Routes to School (SRTS) project, this item follows up on a requirement of MDOT's conditional commitment. One of the required steps is to either establish an easement or enter into a Path Permit Agreement with Shelby Public Schools. While it serves the same purpose as an easement, it avoids creating a permanent property interest, reduces legal costs for both parties, and offers a more efficient and streamlines process overall.

d.) 2025 Master Plan Final Approval

Following a year-long planning process that included a 45-day public review period and a duly noticed public hearing, the Village of Shelby Planning Commission approved the 2025 Master Plan at its regularly meeting on March 17, 2026. The Planning Commission is recommending that the Village Council take final action to adopt the plan. The 2025 Master Plan will serve as a guiding document for future land use and development decisions within the Village, including the upcoming update to the Village of Shelby Zoning Ordinance. The plan also provides direction to the Planning Commission when considering zoning matters and establishes a long-term vision for the community's growth and development. Upon adoption by the Village Council, the final step in the process will be to distribute the approved Master Plan to adjacent local governments, the county, regional planning agencies, and other required entities, in accordance with the Michigan Planning Enabling Act (Act 33 of 2008).

Steve Crothers moved to approve Resolution No. 24-26 (See attached).

Seconded by: Samantha Gottschalk.

Roll Call Vote:
Ayes: Crothers, Gottschalk, Termer, Zaverl, Trott, and Sutton.
Motion Carried 6-0.
Absent: Crystal Heykoop.

14. COMMITTEE REPORTS:

a. PLANNING COMMISSION: Ex-Officio: John Sutton, Samantha Gottschalk:

The Planning Commission met on Tuesday, March 17, for the Master Plan adoption, which was then brought to the Village Council for final approval. The Planning Commission reports were also brought to the Village Council for approval. The Commission discussed the ongoing Zoning Ordinance Rewrite and offered several suggestions to be incorporated. The Planning Commission will meet next on April 21, 2026 at 6:00 P.M.

b. WATER & SANITATION: Chair: Curt Trott, Crystal Heykoop:

Nothing to report.

c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:

Nothing to report.

d. PARKS, REC. & BLDGS: Chair: Samantha Gottschalk, Steve Crothers:

The Parks, Recreation and Buildings Committee met prior to Council and discussed the blessing box, which will provide donated goods – such as personal care items – for individuals in need. Two volunteers will monitor the blessing box daily, with the final location within Getty Park still to be determined. The Committee also created an ambassador and a back-up ambassador to attend Events Team meetings. In addition, the Committee will be working on updating the Parks and Recreation Plan.

e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:

Nothing to report.

f. PERSONNEL: Chair: Mike Termer, Samantha Gottschalk:

Nothing to report.

g. ORDINANCES – Chair Crystal Heykoop, Dan Zaverl:

Nothing to report.

15. PAYMENT OF BILLS:

a.) March 23, 2026

Steve Crothers moved to approve the payment of the bills of March 23, 2026 in the amount of $54,519.22.
Seconded by: Mike Termer

Roll Call Vote:
Ayes: Crothers, Termer, Zaverl, Gottschalk, Trott, and Sutton.
Motion Carried 6-0
Absent: Crystal Heykoop

16. ADJOURNMENT: President Sutton adjourned the meeting at 7:33 P.M.

Council minutes are not official until approved at the April 27, 2026 Council meeting.

Approved ☑

Minutes Respectfully Submitted by Miraya Gissell Diaz, Village Clerk/Treasurer — Date 04/27/2026

VILLAGE OF SHELBY

OCEANA COUNTY, MICHIGAN

(Resolution No. 24-26)

At a regular meeting of the Shelby Village Council held on March 23, 2026 at 6:00 P.M. in the Village Hall, 218 N. Michigan Avenue, Shelby, MI, 49455, the following Resolution was offered by adoption by Council Member Steve Crothers and was seconded by Council Member Samantha Gottschalk.

A RESOLUTION ADOPTING THE PROPOSED VILLAGE OF SHELBY MASTER PLAN

WHEREAS, the Michigan Planning Enabling Act, MCL 125.3801 *et seq.* ("MPEA") authorizes the Planning Commission to prepare a Master Plan for the use, development, and preservation of all lands in the Village; and

WHEREAS, the Planning Commission prepared a Master Plan and submitted such plan to the Village Council for review and comment; and

WHEREAS, on October 13, 2025, the Shelby Village Council received and reviewed the proposed Master Plan prepared by the Planning Commission and authorized distribution of the Master Plan to the Notice Group entities identified in the MPEA; and

WHEREAS, notice was provided to the Notice Group entities as provided in the MPEA; and

WHEREAS, the Planning Commission held a public hearing on January 20, 2026, to consider public comment on the proposed Master Plan, and to further review and comment on the proposed Master Plan; and

WHEREAS, after the public hearing was held, the Planning Commission voted to approve the proposed Master Plan on March 17, 2026 and recommended adoption of the proposed Master Plan to the Village Council; and

WHEREAS, the Village Council finds that the proposed Master Plan is desirable, proper, reasonable, and furthers the use, preservation, and development goals and strategies of the Village.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. ***Adoption of Master Plan.*** The Shelby Village Council hereby approves and adopts the proposed Master Plan, including all of the chapters, figures, descriptive matters, maps and tables contained therein.
2. ***Distribution to Notice Group.*** Pursuant to MCL 125.3843, the Village Council approves distribution of the Master Plan to the Notice Group.
3. ***Findings of Fact.*** The Village Council has made the foregoing determination based on a review of existing land uses in the Village, a review of the existing Master Plan provisions and maps, and input received from the Planning Commission and the public, as well as the assistance of a professional planning group. The Village Council also finds that the proposed Master Plan will accurately reflect and implement the Village's goals and strategies for the use, preservation, and development of lands within Village of Shelby.
4. ***Effective Date; Repeal.*** The proposed Master Plan shall become effective on the adoption date of this resolution. The prior Master Plan is hereby repealed upon the proposed Master Plan becoming effective.

AYES:
Crothers, Gottschalk, Terner, Zaverl, Trott, and Sutton.

NAYS:
Ø

ABSENT/ABSTAIN: Crystal Heykoop.

CERTIFICATION

I hereby certify that the above is a true copy of a resolution adopted by the Shelby Village Council at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

Dated: March 23, 2026

By: Miraya Gissell Diaz

Shelby Village Clerk/Treasurer

Village of Shelby
Oceana County, Michigan
Ordinance Amendment No. 02-26

THE VILLAGE OF SHELBY HEREBY ORDAINS:

Chapter 430, Article II, Section 4 of the Code of Ordinances of the Village of Shelby, Michigan, concerning Village right-of-way permits, is amended and adopted to read as follows:

Chapter 430-4. Damaging streets; excavation and obstructions generally.

No person shall make any excavation in or cause any damage to any street in the Village except under the conditions and in the manner permitted in this article. No person shall place any article, thing or obstruction in any street or in any village right-of-way except under the conditions and in the manner permitted in this article, including, but not limited to:

A. Berms.
B. Fences.
C. Landscaping rocks, stones, or boulders.
D. Lighting fixtures.
E. Retaining walls.
F. Septic tanks, drain fields, or wells.
G. Signs.
H. Sprinkler systems.
I. Permanent structures.
J. Trees, shrubs, and bushes not planted in accordance with Article I of this chapter.

This provision shall not be deemed to prohibit the following:

A. Such temporary obstructions as may be incidental to the expeditious movement of articles and things to and from abutting premises.

B. Mailboxes, provided they are installed and maintained in a manner that does not create a hazard to vehicular or pedestrian traffic or obstruct visibility. Installation shall conform to applicable United States Postal Service standards regarding height and setback, as amended.

This Ordinance Adopted:

Ayes: Zaverl, Trott, Termer, Crothers, Gottschalk, and Sutton.
Nays: Ø
Absent: Crystal Heykoop

Adoption Date: March 23, 2026
Effective Date: April 6, 2026
First Reading: March 9, 2026

Second Reading: March 23, 2026

VILLAGE OF SHELBY

By: _____
Miraya Gissell Diaz
Clerk, Village of Shelby

CERTIFICATE

The undersigned, being the duly qualified Clerk of the Village of Shelby, Oceana County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Village Council of the Village of Shelby, at a regular meeting of the Village Council on the 23 day of March, 2026, at which meeting a quorum was present and remained throughout, and that the meeting was conducted and public notice was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

Date: March 23, 2026

Miraya Gissell Diaz
Village Clerk

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

Village of Shelby
Oceana County, Michigan
Ordinance Amendment No. 04-26

THE VILLAGE OF SHELBY HEREBY ORDAINS:

Part II, Chapter 100, Sections 1 - 15 of the Code of Ordinances of the Village of Shelby, Michigan, concerning general prohibition as they relate to animals, is amended and adopted to read as follows:

100-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal control authority means the county and the village and their designated officers. The licensing authority and the animal control authority may be, but are not necessarily, the same entity.

Animal control shelter means a facility operated by the county and, in addition, if designated and contracted, other facilities under contract with the village for the impoundment and care of animals that are found in the streets or at large, animals that are otherwise held due to the violation of a municipal ordinance, county ordinance or state law, or animals that are surrendered to the animal control shelter.

Control means having an animal in confinement as described or required by this chapter, or restrained by its owner on a leash no greater than six feet in length and of sufficient strength to confine the animal, or in certain cases where specified in this chapter, a shorter leash. The term "control" shall not mean allowing an animal to go unleashed outside of its confinement or pen.

Dangerous animal means a dog or other animal that bites or attacks or threatens to attack a person (as evidenced by snarling, snapping or lunging); or a dog that bites or attacks and causes serious injury or death to another dog while the other dog is on the property or under the control of its owner.

Dangerous animal also includes the following:

(1) Any mammal, amphibian, reptile, or fowl of a species which, due to size, vicious nature or other characteristic, would constitute a danger to human life, physical well-being or property, including, but not limited to, lions, tigers, leopards, panthers, bears, wolves or wolf hybrids, apes, gorillas, monkeys of a species with an average adult weight in excess of 20 pounds, foxes, elephants, alligators, crocodiles and snakes which are poisonous or otherwise present a risk of physical harm or death to human beings as a result of their nature or physical makeup, including all constrictors.
(2) Any dog or cat having a disposition or propensity to attack or bite any person or animal without provocation.

Dangerous animal does not include any of the following:

(1) An animal that bites or attacks a person who is knowingly trespassing on the property of the animal's owner.
(2) An animal that bites or attacks a person who provokes or torments the animal.
(3) An animal that is responding in a manner that an ordinary and reasonable person would conclude was designed to protect a person if that person is engaged in a lawful activity or is the subject of an assault.

Handler means any person having control of an animal, whether or not by the consent or direction of the owner. Impound means to place any animal in the custody or control of an animal control shelter.

Licensing authority means the county, in accordance with state law and county ordinance.

Livestock means horses, cows, cattle, buffaloes, swine, sheep, goats, or any hoofed animal.

Owner means a person having the custody of an animal or who keeps or harbors an animal, a person having the authority of the owner to be the handler of the animal, or a person who knowingly permits an animal to remain on or about any premises occupied by that person.

Poultry includes chicken, ducks, geese, pheasants, or other fowl of a type normally used for food or egg production.

Restraint. A dog or cat shall be considered under restraint if it is within the real property limits of its owner or secured by its owner on a leash or lead no greater than six feet in length and of sufficient strength to confine the animal. Any other animal is considered restrained only if it is effectively prevented from escape by appropriate means.

Small animal means any domesticated, nonlivestock, warm-blooded animal of a species that is typically small in size and commonly kept as a household pet, including but not limited to mice, rats, hamsters, gerbils, guinea pigs, rabbits, chinchillas, and ferrets, but excluding dogs, cats, livestock, poultry, wild animals, and any animal otherwise defined in this chapter as a dangerous animal or vicious animal.

Vicious animal means any animal which:
(1) Has killed a person; or
(2) Has inflicted serious injury to a person; or
(3) Has continued to exhibit the behavior which resulted in a previous finding by a court or animal control officer that it is a dangerous or vicious dog, provided that its owner has been given notice of that finding.

Wild animal means any living member of the animal kingdom, including those born or raised in captivity, except the following:
(1) Domestic dogs (excluding hybrids with wolves, coyotes, or jackals).
(2) Domestics cats (excluding hybrids with ocelots or margays).
(3) Ferrets.
(4) Rodents.

(5) Captive-bred species of common cage birds.

100-2. Penalties.

Any person violating this chapter shall be subject to one or more of the following penalties as applicable:

(1) Any person violating section 100-13 involving dangerous dogs shall be guilty of a misdemeanor.
(2) Any person violating any other prohibition of this chapter shall be responsible for a municipal civil infraction. The schedule of fines for municipal civil infractions is set forth in Chapter 1-2.
(3) All persons found in violation shall be subject to further injunctive or other equitable relief as the village may determine to pursue, including destruction of the animal in question.

100-3. Responsibilities; authority.

(a) It is determined by the village that ownership of an animal is a privilege which carries with it responsibilities to the village and all persons therein with regard to the care, custody, and handling of the animal.
(b) This chapter shall not be construed to limit or substitute for the authority or functions of the county animal control shelter or animal control department.
(c) The regulations set forth in this chapter are supplemental to and not in substitution of the county animal control department, any county ordinance related thereto or the state law regarding county animal control.
(d) The provisions of this chapter shall be construed to impose the primary responsibility for compliance with its provisions on the owner, the handler, or on any person in control of any animal. No animal of any kind shall be kept in the village or be present in the village in violation of the provisions of this chapter.

100-4. Owner responsibility.

(a) All dogs and cats shall be kept under restraint, except for a service animal actively engaged in performing its duty or a dog actively engaged in training or performance event or competition. Dogs or cats shall not be permitted to be at large in the village.
(b) Every vicious dog or cat, as determined by a police officer or the animal control authority, shall be confined by its owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner.
(c) The owner of every dog or cat shall be held responsible for every behavior of such dog or cat under the provisions of this chapter. (d) Fecal matter shall be collected and removed from the area where the animal is harbored or kept.

100-5. Interference; authority of police and animal control officers.

(a) No person shall interfere with, oppose, hinder, or molest any agent of the animal control authority in the performance of any duty as provided in this chapter.

(b) If seizure and impoundment of a dangerous animal is not possible without risk of serious physical harm or death to any person, the animal may be killed by a police officer or animal control officer at the time of seizure or impoundment.

100-6. Impoundment.

(a) Impoundment shall occur, where authorized by this chapter, at the county animal shelter or at an animal control shelter or other designated contracted facility registered under Public Act No. 287 of 1969 (MCL 287.331 et seq.) to provide services to include impounding of animals delivered to the shelter by authority of the village or the county. A contract with an animal control shelter may include shelters in addition to the county animal shelter for services, impoundment, confinement or other functions which the county elects not to perform or is unable to perform. The services and functions of the animal control shelter are governed by state law and county ordinance, if any.

(b) Any animal control shelter in which an animal is impounded shall carry on release, treatment, adoption or disposal of animals in accordance with the requirements of state law. No dog or cat shall be released for adoption to any person without being neutered. If the animal is too young to neuter at the time of adoption, the fee shall be paid for services, which shall be performed at a later date.

100-7. Licensing; rabies vaccination.

(a) No person shall own, keep, or harbor any dog over four months of age within the village unless such dog is vaccinated and licensed, as required by state law, county ordinance or both. The provisions of this section do not apply to animals owned by a licensed research facility or held in a veterinary medical facility or government operated or licensed animal shelter.

(b) All dogs shall be vaccinated against rabies, and certified as so vaccinated, as required by state law, county ordinance or both.

100-8. General prohibitions.

The following actions or failures to act shall constitute a violation of this chapter, in addition to other prohibitions or violations found in this chapter.

(1) Training an animal to engage in vicious behavior.
(2) Training any animal for fighting or contests with other animals; carrying on, promoting or being present at such a fighting event between animals.
(3) Cruelty to any animal or poisoning an animal.
(4) Molesting small wild animals, birds or birds' nests.
(5) Allowing an animal to constitute a nuisance to surrounding properties or other persons in the vicinity.
(6) Harboring or keeping any dog which commits frequent or habitual barking, yelping or howling.
(7) Engaging in the feeding of wild animals, stray cats, or stray dogs.

100-9. Abandonment.

Abandonment of animals is prohibited within the village.

100-10. Animals running loose.

All animals, whether dangerous or not, shall be subject to the following:

(1) No person shall allow an animal to run loose or be unconfined in the village.
(2) If an animal is upon the premises of the owner, the animal shall be effectively confined as provided in this chapter.
(3) No unrestrained, unleashed or uncontrolled dog shall be allowed in any park.

100-11. Removal of animal excrement.

(a) It shall be unlawful for any person to appear with any animal on public property or the private property of another, unless that person has in his possession an appropriate device for removal of animal excrement.
(b) It shall be unlawful for any person to allow any animal to leave its excrement on any public property, or upon the private property of another, unless the excrement is promptly and thoroughly removed from the property by the use of a removal device; provided, a person may fail to remove the excrement if entry on the private property of another for such purpose is prevented by the person owning or controlling the property.
(c) This section shall not apply to a person with a leader, guide or service animal where the person is unable to comply due to their disability.

100-12. Confinement of animals; number of dogs and cats which may be kept.

(a) In other than a permitted veterinary clinic, kennel, or commercial use, no person shall maintain more than three adult dogs, four adult cats, or four small animals in the village, unless otherwise provided by this chapter. Animals born on the premises to a legally confined pet may remain thereon until four months of age, after which they shall be considered adult dogs or cats.
(b) All dogs kept in the village must be licensed in accordance with state law and county ordinances.
(c) All animals shall be confined in a pen or inside the dwelling, under conditions which are sanitary, safe and secure. Any pen utilized for the outdoor confinement of a dog shall be of sturdy and secure construction designed to prevent the escape of the animal.
(d) No female animal in heat shall be confined in a place where other animals may have access or a nuisance may be created.
(e) Any dog which habitually barks shall be kept inside the dwelling.

100-13. Dangerous dogs; confinement and handling; number.

(a) All dangerous dogs shall be especially confined and treated as follows:
    (1) Leash and muzzle. No person shall permit a dangerous dog to go outside its kennel or pen unless it is securely leashed with a leash no longer than four feet in length. No such dog shall be kept on a chain, rope or other type of leash outside its kennel

or pen unless a person is in physical control of the leash. Such dogs may not be leashed or tied to inanimate objects. Any such dog on a leash outside its kennel or pen must be muzzled by a muzzling device sufficient to prevent the dog from biting persons or other animals.

(2) *Confinement.* All dangerous dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed, muzzled and controlled as provided in subsection (a)(1) of this section. Such pen, kennel or structure must have secured sides and a secured top attached to the sides. All structures used to confine dangerous dogs must be locked with a key or combination lock when such animals are within the structure. The structure must have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two feet from the grade. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition.

(3) *Confinement indoors.* No dangerous dogs may be kept on a porch, patio, or any part of a house or structure that would allow the dog to exit such a building. No such animal may be kept in a vacant house or structure.

(4) *Signs.* All owners or handlers of dangerous dogs within the village shall display in a prominent place on the premises and on the pen or kennel a sign stating the words "Beware of Dog." The letters shall be at least three inches in height.

(5) *Insurance.* All owners or handlers of dangerous dogs must obtain public liability insurance in a single incident amount of at least $50,000.00 for bodily injury, death or property damage resulting from the ownership, keeping or maintenance of such animal.

(6) *Number.* No more than one dog of the description determined by this chapter to be dangerous shall be kept on any premises in the village.

(b) Violations of the requirements of the provisions in subsection (a) of this section concerning dangerous dogs shall carry special penalties set forth in this chapter.

100-14. Other dangerous animals; confinement.

(a) All other dangerous animals besides dogs shall be kept and confined in completely secure cages or containers which allow no access by any persons except by unlocking such cages or containers for the feeding of the animal. Such dangerous animals shall be confined so that there is no access to any other animal or humans by the animals.

(b) No lions, tigers, leopards, panthers, bears, wolves or wolf hybrids, apes, gorillas, monkeys in excess of 20 pounds, elephants, alligators, crocodiles, or poisonous or constrictor snakes shall be kept in the village, except in a licensed zoo.

100-15. Livestock and poultry.

(a) A minimum of two (2) acres shall be required to keep one (1) livestock animal on any premises within the Village. For each additional one (1) acre beyond the initial two (2) acres, one (1) additional livestock animal may be kept. Livestock shall be kept in compliance with all applicable, Generally Accepted Agricultural and Management Practices (GAAMPs), as established by the State of Michigan.

(b) No more than four rabbits shall be kept on any premises in the village. The two rabbits which may be kept at premises shall be in a pen located at least 25 feet from any dwelling and constructed and maintained in accordance with standards published in the industry or by a 4-H organization.

(c) No wild animal shall be kept permanently or temporarily in the village unless affiliated with a transient circus or carnival having all required permits to operate in the village, or a licensed zoo.

(d) Education exception.

(1) Upon submission of a site plan and approval by the planning commission, an educational institution may keep a limited number of livestock, poultry, fowl, rabbits and other animals for educational purposes.

(2) An "educational institution" for purposes of this section is defined as an accredited educational institution, such as a school within the Shelby Public Schools, an elementary, intermediate, and/or secondary school, college, university or other such institution of higher learning, public and private, offering courses in general, technical or religious education, not operated for profit and in full compliance with the village's zoning ordinance.

(3) Measures must be taken to ensure that the livestock and other animals are not a nuisance to neighboring properties for any reason, including the noise, smell, disease or danger that they may cause.

(4) All livestock and other animals must be located at least 25 feet from any dwelling.

(5) All state and federal laws and regulations pertaining to the housing and care of animals shall be followed. In addition, the program using the animals as part of its educational curriculum must comply with the career tech program guidelines and regulations.

(e) *Keeping of poultry.*

(1) Up to four female poultry may be kept on a tax parcel having at least 6,000 square feet. Up to eight female poultry may be kept on a tax parcel parcels over 10,000 square feet. Up to fifteen female poultry may be kept for every one acre of a tax parcel. Up to one male poultry may be kept for every one acre of a tax parcel.

(2) Chickens shall be kept in a chicken coop, which shall be in a fenced or covered enclosure. The fenced or covered enclosure shall comply with setback requirements established in the village's zoning ordinance and shall not cover more than 50 percent of the rear yard. All aspects of the fenced or covered enclosure shall be as provided for in a development permit approved by the planning department and shall be repaired and maintained in a manner resistant to predators.

(3) In addition to the chicken coop, the fenced or covered enclosure shall contain a feeding container. Ground feeding is prohibited. All unused or unconsumed food shall be adequately secured and stored after every feeding. All unused or unconsumed food shall not be left open to or accessible by other animals.

(4) The keeping of chickens shall be done in such a manner that all health and safety standards of the village's property maintenance code are satisfied.

(f) *Violation and penalties.*

(1) The owner and occupant of a tax parcel shall ensure compliance with all provisions of this section.
(2) Any person who violates any provision of this section shall be responsible for a municipal civil infraction.

(g) *Civil remedies for violation.*

(1) In case any dwelling, property, chicken coop, fenced or covered enclosure, or feeding container is maintained in violation of any provision of this section, the village may institute an action in circuit court to prevent such unlawful maintenance; to restrain, correct or abate such violation or nuisance, or to prevent conduct on such tax parcel.
(2) The judgment of the court in such cause may direct the correction, repair or rehabilitation of the dwelling or building or the abatement of the violation, may authorize a reasonable time within which the defendant may make such correction or abatement and may authorize the village to execute and carry out the provisions of the judgment in case of default of the defendant. Whenever the village has incurred any expense in the enforcement of this article or in obtaining a judgment of the court or if inspection fees are due, such expenses and fees may be recovered.
(3) The village shall have a lien upon the premises for all fees due and amounts expended to correct, repair, rehabilitate or abate a condition or violation thereon and for expenses necessarily incurred in the obtaining and executing of a judgment, which shall be a lien placed on the tax parcel and may be placed on the tax bill and have priority over all other liens or encumbrances except taxes or assessments may be enforced by levy as in the case of real property taxes, by personal action or judicial foreclosure. The lien shall be effective on the date billed by the village.
(4) In any action instituted by the village under this section, the village attorney may file in the office of the register of deeds of the county a notice of the pendency of the action or proceedings. A notice may be filed as the time of the commencement of the action or proceeding or at any time thereafter before final judgment or order or at any time after the service of any notice or order issued by the village. The notice shall have the same force and effect as a lis pendens. Such notice may be vacated upon the order of the judge of the court in which the action or proceeding was instituted or is pending or by consent in writing of the village by the village attorney.

This Ordinance Adopted:

Ayes: Gottschalk, Crothers, Termer, Zaverl, Trott, and Sutton.
Nays: Ø
Absent: Crystal Heykoop

Adoption Date: March 23, 2026
Effective Date: April 6, 2026
First Reading: March 9, 2026
Second Reading: March 23, 2026

VILLAGE OF SHELBY

By: _____
Miraya Gissell Diaz
Clerk, Village of Shelby

CERTIFICATE

The undersigned, being the duly qualified Clerk of the Village of Shelby, Oceana County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Village Council of the Village of Shelby, at a regular meeting of the Village Council on the 23 day of March, 2026, at which meeting a quorum was present and remained throughout, and that the meeting was conducted and public notice was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

Date: March 23, 2026

Miraya Gissell Diaz
Village Clerk

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

Village of Shelby
Oceana County, Michigan
Ordinance Amendment No. 05-26

THE VILLAGE OF SHELBY HEREBY ORDAINS:

Part II, Chapter 170 Section 1 – 3 of the Code of Ordinances of the Village of Shelby, Michigan, concerning disorderly conduct, is amended and adopted to read as follows:

Disorderly Conduct

170.1. Definitions.

As used in this section, the following terms shall have the meanings indicated:

Public Place means any place to which the general public has access and a right to resort for business, entertainment or other lawful purpose. It shall include the front or immediate area, including the entrances, of any store, shop, restaurant, tavern or other place of business and also any street, alley, athletic field or court, park, picnic shelter, public building, trail, walking path, or other place of business or assembly open to or frequented by the public and any other place which is open to public view or to which the public has access and shall include parking lots of places of business.

Smoking means inhaling, exhaling, burning, vaporizing, or carrying any lighted cigar, cigarette, pipe, weed, or plant, except as part of a religious ceremony or observance.

170.2. Unlawful acts.

No person shall do any of the following acts:

A. Commit an assault, or an assault and battery on any person.

B. Engage in any indecent, insulting or obscene conduct in a public place.

C. Fire, discharge, display or possess any fireworks, except of the type and under the conditions permitted by the statutes of the State of Michigan.

D. Engage in peeping or looking into the windows of an inhabited place.

E. Engage in any disturbances, fights or quarrels in a public place.

F. Jostle or roughly crowd persons in any public place.

G. Loiter in any public place or conduct himself or herself in any public place so as to obstruct the free and uninterrupted passage of the public.

H. Prowl about any public place or on private premises of any person in the nighttime, without the authority or permission of the owner of such private premises.

I. Throw or propel any snowball, missile, or object from any moving vehicle, or toward any moving vehicle, or toward any other person.

J. Summon without good reason therefore, by telephone or otherwise, the Police Department or the Fire Department or a public ambulance or emergency vehicle, to go to an address where the service called for is not required.

K. To come upon or remain at any school building or school ground unless such person has lawful business with said school.

L. To remain at or on any school building or school ground after being lawfully ordered to vacate said building or ground by a person in authority or in charge.

M. To willfully break, damage or injure any part of a building, public or private, whether such building is occupied or not, by means of projectiles or paint, or in any other manner.

N. To resist arrest or refuse to obey the lawful order of any police officer of the Village or to interfere or attempt to interfere with any police officer of the Village in the performance of his or her duty.

O. Smoking in any public park within the village except as otherwise designated as a smoking area as established from time-to-time by the village.

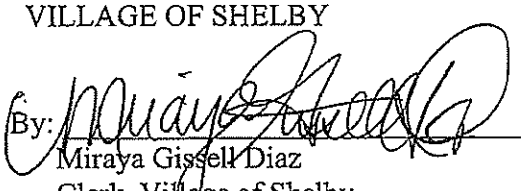
170.3 Violations and Penalties. A person who violates subsection this chapter shall be responsible for a civil infraction.

This Ordinance Adopted:

Ayes: Zaverl, Termer, Crothers, Gottschalk, Trott and Sutton.
Nays: Ø
Absent: Crystal Heykoop

Adoption Date: March 23, 2026
Effective Date: April 6, 2026
First Reading: March 9, 2026
Second Reading: March 23, 2026

VILLAGE OF SHELBY

By: 

Miraya Gissell Diaz
Clerk, Village of Shelby

CERTIFICATE

The undersigned, being the duly qualified Clerk of the Village of Shelby, Oceana County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Village Council of the Village of Shelby, at a regular meeting of the Village Council on the 23 day of March, 2026, at which meeting a quorum was present and remained throughout, and that the meeting was conducted and public notice was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

Date: March 23, 2026

Miraya Gissell Diaz
Village Clerk

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

Village of Shelby
Oceana County, Michigan
Ordinance Amendment No. 06-26

THE VILLAGE OF SHELBY HEREBY ORDAINS:

Part II, Chapter 112, Section 2 of the Code of Ordinances of the Village of Shelby, Michigan, concerning the operation on certain sidewalks; duty to yield to pedestrians, is amended and adopted to read as follows:

112-2. Operation on certain sidewalks; duty to yield to pedestrians.

A. No person shall operate a bicycle, skateboard, roller blades, scooters, or similar devices, on the public sidewalks adjacent to North Michigan Avenue between Second Street and Fourth Street or in Getty Park.

B. All persons operating a bicycle, a skateboard, roller blades, scooters, or similar device on the public sidewalks, not included in (A), within the Village shall at all times yield the right-of-way to pedestrians.

This Ordinance Adopted:

Ayes: Termer, Zaverl, Crothers, Gottschalk, Trott, and Sutton.
Nays: Ø
Absent: Crystal Heykoop

Adoption Date: March 23, 2026
Effective Date: April 6, 2026
First Reading: March 9, 2026
Second Reading: March 23, 2026

VILLAGE OF SHELBY

By: _____
Miraya Gissell Diaz
Clerk, Village of Shelby

CERTIFICATE

The undersigned, being the duly qualified Clerk of the Village of Shelby, Oceana County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Village Council of the Village of Shelby, at a regular meeting of the Village Council on the 23 day of March, 2026, at which meeting a quorum was present and remained throughout, and that the meeting was conducted and public notice was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

Date: March 23, 2026

Miraya Giesell Diaz
Village Clerk

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

Village of Shelby
Oceana County, Michigan
Recreational Burning Ordinance
Ordinance Amendment No. 07-26

THE VILLAGE OF SHELBY HEREBY ORDAINS:

Part II, Chapter 403, Section 1 - 3 of the Code of Ordinances of the Village of Shelby, Michigan, concerning recreational burning, is adopted to read as follows:

403-1. Recreational Burning.

A. All persons making recreational fires or engaged in open burning within the village limits shall abide by the following:

1. Only natural cut wood no longer than 24 inches in length may be burned.

2. The following shall not be burned: leaves, brush, pine needles, processed lumber, varnished or painted materials, garbage, rubbish, junk, pallets, sawdust, wiring, furniture, carpeting, or grass.

3. No burning of materials in a barrel (also known as "barrel burning") is allowed.

4. Fires must be in a pit no wider than 24 inches in diameter and it is recommended that it have brick or concrete block on the outside or the ring. A specially made above ground stand, also known as portable outdoor fireplace, may be used.

5. The fire shall be attended to at all times and extinguished completely when left unattended.

6. Maintain a minimum of 25 feet between the fire and any combustible surface or material, including but not limited to houses, fencing, trailers, and vehicles.

7. A compatibly-sized means of extinguishment must be available at all times, e.g., a garden hose connected to the house that reaches the edge of the fire.

8. Use extreme caution when weather conditions result in lack of rain for more than a week and/or high temperatures result in dry conditions.

9. Be observant to wind direction and smoke travel into neighboring homes. Extinguish fire if smoke is traveling into a neighboring home.

403-2. Extinguishment order.

A. The Shelby-Benona Fire Department or police department may order the extinguishment of a recreational fire or open burning for the following reasons:
    1. High winds.
    2. Burning prohibited materials.
    3. Citizen complaint (including health concerns from smoke).
    4. Unattended fire.
    5. Potential safety concerns as determined by the Shelby-Benona Fire Department or police department.

403-3. Refusal to comply with extinguishment order.

If a person refuses to comply with an order issued by the Shelby-Benona Fire Department and/or police department to extinguish a fire, the fire will be extinguished by the fire department and issue a citation for a municipal civil infraction to the person refusing to comply with the order subject to § 1-2. The increased civil fine for repeat violations is set forth in § 1-2.

This Ordinance Adopted:

Ayes: Termer, Zaverl, Gottschalk, Trott, and Sutton
Nays: Steve Crothers
Absent: Crystal Heykoop

Adoption Date: March 23, 2026
Effective Date: April 6, 2026
First Reading: March 9, 2026
Second Reading: March 23, 2026

VILLAGE OF SHELBY

By: _____
Miraya Gissell Diaz
Clerk, Village of Shelby

CERTIFICATE

The undersigned, being the duly qualified Clerk of the Village of Shelby, Oceana County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Village Council of the Village of Shelby, at a regular meeting of the Village Council on the 23 day of March, 2026, at which meeting a quorum was present and remained throughout, and that the meeting was conducted and public notice was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

Date: March 23, 2026

Miraya Gissell Diaz
Village Clerk

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.