

ORDINANCE #2-2013
CITY OF DORA, ALABAMA

ANIMAL CONTROL

In accordance with the provisions of Ordinance No. 2, 2005, of the City of Dora, Alabama, the following rules, regulations, and other administrative provisions for Animal Control are established for the information and guidance of all concerned. Any ordinance or any part thereof in conflict with this ordinance be and the same is hereby repealed.

BE IT HEREBY ORDAINED, by the City Council of the City of Dora, Alabama, as follows:

Section 1. Definitions

- a). Dog – All members of the canine family that are capable of having and transmitting rabies and for which vaccines are recommended.
- b). Feline – All members of the feline family that are capable of having and transmitting rabies and for which vaccines are recommended.
- c). Non Domesticated or wild animals – Animals that are considered wild or not seen as pets such as, but not limited to, lions, tigers, bobcats, wolves, coyotes.
- d). Person – The term “person” means any person, individual, partnership, company, corporation, association, agency, firm or entity.
- e). Owner – Any person having a right of property in the animal or who keeps or harbors the animal or who has it in his care or acts as its custodian or who permits the animal to remain on or about any premises occupied by him.
- f). At Large – Not under the control of the owner or other person acting for the owner.
- g). Inoculation Against Rabies – The injection, in a manner approved by the state health officer and the state veterinarian, of anti-rabies vaccine approved by the state health officer and the state veterinarian.
- h). Quarantine for Observation for Rabies – Confined under the direct care, custody, control and supervision of a licensed veterinarian for a period of 10 days.
- i). Has Been Bitten – Has been seized with teeth or jaws, so that the skin of the person or thing seized has been nipped or gripped or has been wounded or pierced and there has been probable contact of saliva with the break or abrasion of the skin as determined by a licensed physician.

Section 2. Running at large prohibited

- a). Confinement of all domesticated animals on private on private premises - It shall be unlawful and punishable as a misdemeanor for any person owning, keeping, possessing, harboring or maintaining a domesticated animal to cause, permit or allow such animal to be at large on or to be upon a street, sidewalk, thoroughfare, property other than that of the owner of the animal, or public place within the City, unless such animal is under absolute control of owner. Being said any domesticated animal running at large will be picked up and transported to the BJC Animal Control and kept for 7 days after which the animal will be euthanized.
- b). The owner of an animal, and any other person or persons in custody or control thereof, shall cause to be removed any solid body excretions deposited by said animal on any property not owned by or in possession of the animal owner or the person or persons in custody and control of said animal at the time of said deposit.

Section 3. Right of Entry

Right of entry of police officers, designated City employee, company designated by the city, or City official, and capture of animals; interference with officers or designated City employee or City Official;

- a). For the purpose of discharging the duties imposed by this ordinance and to enforce the provision thereof, the police or any company designated by the City of Dora is empowered to enter, at reasonable times, or as may be necessary, upon any premises upon which an animal is kept or harbored, and to demand the owner exhibit the certificate of vaccination of such animals, if applicable.
- b). The officer or any City official or any designated City employee, or any company designated by the City of Dora shall have the right for the public health, welfare, and safety to enter upon any property within the city for the purpose of: (1) capturing any animal running at large; (2) capturing any animal upon written complaint that such animal has bitten a human being; (3) capturing any vicious animal; (4) capturing any rabid animal.
- c). No person shall hinder, molest, or interfere with any officer, City official or any designated animal control who is authorized or empowered to perform any duty of this article.

Section 4. Impoundment of Animals

- a). Animals found running at large or otherwise not controlled, may at the discretion of the City be captured and transported to the BJC Animal Control for a period of not less than seven days, and thereafter the animal would be subject to euthanasia.
- b). Immediately upon impounding any animal, the City shall make a reasonable effort to notify the owners of such animals so impounded, post photos of such animals at City Hall, and inform such owners of the conditions whereby they may regain custody of such animals.
- c). To regain custody of the animal, the owner will pay for the housing of the animal and any stated fines.

Section 5. Redemption authorized

- a). The owner shall be entitled to resume possession of any impounded animal, except as otherwise provided in this article for certain animals, upon compliance with the vaccination requirements of this ordinance and the payment of impounding and boarding fees set forth by the BJC Animal Control.
- b). The owner or purchaser of an impounded animal may secure its release from impoundment prior to inoculation upon payment of an amount for inoculation determined by BJC Animal Control Company, whereupon the BJC Animal Control Company will issue a receipt for such money. It will be the responsibility of the owner or purchaser of such animal to present the animal, along with the receipt, to a duly licensed veterinarian for proper inoculation within 72 hours of the release from impoundment as provided above.
- c). No person shall keep, harbor, confine or possess any animal released from impoundment which has not been inoculated within 72 hours of the release from impoundment as provided above.
- d). It shall be unlawful to have or operate a kennel or puppy mill within the City of Dora.
- e). It shall be unlawful to house or raise wild or non-domesticated animals in the City of Dora. If you have non domesticated animals, you will be given 72 hours to remove the animals from the city. If the animals are not removed, they will be removed and or euthanized by a company designated by the city.

Section 6. Liability of owner of dog for injuries to person bitten.

Within the city limits of the city of Dora, Alabama, if any dog or cat shall, without provocation, bite or injure any person who is at the time at a place where he or she has a legal right to be, the owner of such dog shall be liable in damages to the person so bitten or injured.

Section 7. Liability of owner of dog or cat for injuries to person bitten or injured while upon property owned or controlled by owner, etc.

A person shall be considered to be lawfully upon the private property of the owner of such a dog or cat when he is on such property in the performance of any duty imposed upon him by the laws of this state or by the laws of the United States or the postal laws and regulations of the United States, when reading meters, when making repairs to any public utility or service upon said premises or when on such property upon invitation, either expressed or implied, of the owner or lessee of such property.

Section 8. Effective Date

Any person or persons violating this ordinance shall be guilty of a misdemeanor and shall be fined a sum of \$50.00 and any applicable court fees.

This ordinance shall become effective immediately following its passage and publication as provided by law.

Adopted and approved on this the 24th day of September, 2013.

City of Dora:

C. Randall Stephens
Mayor

ATTESTED BY:

Marcy Brown
City Clerk