

Ordinance 649-21

AN ORDINANCE WHICH PROVIDES FOR ANIMAL CONTROL

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF SUMMERDALE,  
ALABAMA.

**ARTICLE I: Animals**

Section 1-1: Keeping Livestock in sanitary condition.

It shall be unlawful to keep or maintain any barn, shed, yard or other like enclosure in which dairy cattle or any other livestock are kept, unless the same shall be maintained in a sanitary condition.

No owner or proprietor of any stable, stall or apartment in which any horse, cattle or other animal may be kept, or in any place in which the manure or offal from such animal may collect or accumulate, shall fail to keep such stable, stall or apartment, and the drainage yard and appurtenances thereto, in a clean, wholesome condition, nor shall such owner or proprietor fail to remove such manure or offal at least twice in one (1) week.

It shall be unlawful for any person to keep horses and/or cows on any lot inside the town limits, under one (1) acre in size.

Sec 1-2: Feeding Pens prohibited

It shall be unlawful for any person to keep or maintain any pen, shed or like enclosure in which cattle, shell or hogs are kept for feeding or fattening.

Sec. 1-3. Cruelty to animals.

Any person who tortures, torments, cruelly beats, mutilates, cruelly kills, or inflicts any unnecessary cruelty upon any animal and whoever having charge, custody or control of any animal, either as owner or otherwise, inflicts any unnecessary cruelty on or who fails to provide the necessary sustenance, food, water, and proper shelter being a (4) four-sided structure with a top and bottom or igloo type structure. If confined by chain or other apparatus it must be tangle free and a minimum of (8) eight feet long.

Sec. 1-4. Vicious animals; confinement or restraint required; Enclosure requirements.

It shall be unlawful for any owner or other person to maintain or harbor a manifestly vicious dog or other animal, unless the same is securely but humanely confined or restrained in such manner as to prevent such animal from attacking or biting a person or other animal. It shall be prima facie evidence of viciousness if a dog or other animal, without provocation, fiercely attacks or bites persons or animals not on the owner's premises.

When vicious dogs are kept continuously in an enclosure, such enclosure shall be sufficiently constructed as to keep such enclosed dog from contact with outside dogs and shall have an area sufficient to allow such dog reasonable outdoor exercise. Reasonable protection from the weather, including shade in summer, shall be provided in such area.

Sec.1- 5. Inoculation against rabies.

As used in this section, "animal" means all members of the canine family three (3) months of age, all members of the feline family three (3) months on age, and all pets of exotic wildlife such as skunks, raccoons, ocelots, foxes, etc., that are capable of having and transmitting rabies and for which the vaccines are recommended.

Every owner of an animal shall cause such animal to be inoculated against rabies by the rabies inspector, his authorized representative or any duly licensed veterinarian, when the animal is of proper age, for inoculation. All animals shall be inoculated in calendar year cycle.

It shall be unlawful to keep, maintain or have for sale any warm-blooded animal that cannot be vaccinated against rabies, excluding guinea pigs, hamster, pet rabbit, any mascot for a school, or any animals used for instruction or research by an educational institution or a medical facility.

Sec 1-6. Noise

It shall be unlawful for the owner or other person in charge of any dog to suffer permit the loud and frequent or continued barking, howling or yelping of such dog, as to annoy and disturb any person or neighborhood.

No person shall keep any other animal or fowl which shall disturb the comfort or rest of any person in the vicinity with frequent or long-continued noises.

Sec. 1-7. Dead animals.

No person shall permit any dead animal to remain on his premises, nor deposit the same at any place in the Town limits or its police jurisdiction. No person shall knowingly permit any dead animals to remain in the street in front of or near his residence nor fail to report the same to the police.

**ARTICLE II. ANIMALS RUNNING AT LARGE GENERALLY**

Section 2-1. Prohibited.

A. It shall be unlawful for any hog, sheep, goat, bull, horse, calf, cow or other domestic animal, exclusive of cats, of like kind to run at large.

B. It shall be unlawful for any person to allow any fowl, chickens, guineas, turkeys, homing pigeons, reas, ostrich, or peacocks to run at large.

**ARTICLE III. DOGS GENERALLY**

Sec. 3-1. Definitions.

The Following words, terms, or phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

*Animal control officer* means the officer so designated by the Town Council of the Town of Summerdale.

*Dog* means and includes all members of the canine family.

*Inoculation against rabies* means 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.

*Kennel* means a place where a dog is kept, housed or maintained and is prevented from leaving the owner's premises and running at large.

*Owner* means and includes any person having a right of property in a dog, or who keeps or harbors a dog, or who has it in his care, or acts as its custodian, or who permits a dog to remain on or about any premises occupied by him for a period of five (5) days.

Sec. 3-2. Interference with officer deemed unlawful.

Any animal control officer, Town dog license inspector or Police Officer of the Town is authorized to capture and impound any animal as required by this article. It shall be unlawful any person to interfere with or resist such officer charged with the enforcement of the provisions of this article in the discharge of any act required or permitted hereby.

Sec. 3-3. Running at large.

No person owning or having charge or custody of any dog shall permit the same to go at large nor shall such dog be permitted upon the streets or public ways. Every person owning or having charge or custody of any dog shall at all times keep such dog confined to the premises of such owner or keeper and shall keep such premises in a clean and sanitary manner to meet the approval of the Town, county, and state health departments. Nothing in this section shall prevent the owner of any dog, or other person having such dog in his charge or custody, from allowing such dog to accompany such owner or other person, elsewhere than on the premises on which such dog is regularly kept, provided such dog is on leash or under complete and effective control.

Sec. 3-4. Impounding of dogs running at large.

Any dog allowed to run at large (not being on a leash or subject to full control by owner or keeper) may be taken up and delivered to the Baldwin County Animal Shelter.

Sec. 3-5. Trespassing dogs injuring public or private property declared nuisance.

Every dog which trespasses upon and does injury to public property or to the property of another person other than the owner, keeper or harbored thereof is hereby declared to be a nuisance, and such dog shall be subject to be impounded as provided in Section 3-4.



Sec. 3-6. Poisonous substances.

It shall be unlawful for any person to expose or put out upon his premises or upon the premises of another, or upon property owned or held through easement by the Town, any substance known to be poisonous to dogs or cats, which is poured over, wrapped in, or otherwise combined with food, with the apparent intent of enticing such animals to eat such poisonous substance and become poisoned thereby. The finding of such poisonous substance or poisoned foods, together with proof as to the identity of the person exposing or putting out same, shall be prima facie evidence of the intent to poison and destroy such animals.

**ARTICLE IV. JURISDICTION**

Sec. 4-1. This Ordinance shall apply to the corporate limits of the Town of Summerdale.

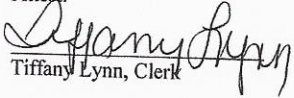
**ARTICLE V. PUNISHMENTS**


Sec. 5-1. Any person found guilty of violating any section hereof shall be fined not more than \$500.00 and in addition thereto, may be sentenced no more than six months in jail.

Sec. 5-2 That this Ordinance shall become effective following the posting as required by law.

ADOPTED AND APPROVED THIS 14<sup>th</sup> day of June, 2021.

Attest:

  
Tiffany Lynn, Clerk

  
David Wilson, Mayor