

Council Member David Sprouse introduced the following Ordinance:

ORDINANCE NO. 00-009

AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE II, AND SECTIONS 10-33, 10-38, 10-41, 10-42, AND 10-43, OF THE CODE OF ORDINANCES, TO PROVIDE JURISDICTION AND REGULATION OF ANIMALS OTHER THAN DOGS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALABASTER, ALABAMA AS FOLLOWS:

The title or heading of Chapter 10, Article II, of the Code of Ordinances, is hereby amended as follows:

ARTICLE II ANIMAL CONTROL; RABIES CONTROL

Chapter 10, Section 10-33, is hereby amended as follows:

Section 10-33. Same – Right of entry of officers, and capture of animals; interference with officers.

(a) For the purpose of discharging the duties imposed by this article and to enforce the provisions hereof, the animal control officer or any police officer of the City 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 animal, if applicable.

(b) The animal control officer or any police officer of the City 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; or (4) capturing any rabid animal.

(c) No person shall hinder, molest or interfere with any officer who is authorized or empowered to perform any duty under this article.

Cross reference—Obedience to police, Section 70-3.

Chapter 10, Section 10-38, is hereby amended as follows:

Section 10-38. Animals prohibited at large.

(a) It shall be unlawful for the owner or person in charge of an animal, except cats and fowl, to cause or permit such animal to run at large or be upon a street, sidewalk, thoroughfare, property other than that of the owner of the animal, or public place within the City or its police jurisdiction, unless such animal is attached to a leash in the hands of said owner or person in charge of said animal. Any cat may be impounded, as provided herein, upon written complaint that said cat is on the complainant's property, without permission. Thereafter, the said cat shall be subject to disposal or release as provided herein, although such would not result in a citation against the owner or person in charge of the cat under this provision.

(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.

Chapter 10, Section 10-41, is hereby amended as follows:

Section 10-41. Impoundment of Animals – Authority; notice.

(a) Animals found running at large, or otherwise not restrained or confined, and only

cats as set forth in Section 10-38, shall be picked up by the animal control officer or such persons as he may designate or approve, and be impounded in the shelter designated as the animal control center, and there confined in a humane manner for a period of not less than seven days, and thereafter be disposed of as provided in this article.

(b) Immediately upon impounding any animal, the supervisor of the animal control center shall make a reasonable effort to notify the owners of such animals so impounded, and inform such owners of the conditions whereby they may regain custody of such animals.

Chapter 10, Section 10-42, is hereby amended as follows:

Section 10-42. Same – Redemption authorized; exception.

(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 article and the payment of impounding and board fees set forth by the county health department.

(b) When in the judgement of a licensed veterinarian and/or the supervisor of the animal control center, an animal should be destroyed for humane reasons, such animal may not be released or redeemed.

(c) No animal may be released or redeemed from the custody of a temporary holding pen or other temporary holding facility of the City prior to its impoundment in the designated animal control center unless the owner pays to the City a fee in the amount of \$40.00 per animal.

Chapter 10, Section 10-43, is hereby amended as follows:

Section 10-43. Same – Release or disposition of animals by animal control center.

(a) No impounded animal shall be released from the animal control center unless and until the same shall have been inoculated against rabies as required and prescribed in this article, and an inoculation, certificate and tag, as prescribed, shall have been issued therefor; provided, however, an animal may be released to its owner or a purchaser by the animal control officer prior to inoculation, and issuance of such certificate and tag, only if such owner or purchaser shall comply with the conditions set out in subsection (b) of this section.

(b) The owner or purchaser of a impounded animal may secure its release from impoundment prior to inoculation upon payment of an amount determined pursuant to law to the City of Alabaster for the purpose of securing inoculation against rabies, whereupon, it shall be the duty of the supervisor of the animal control center, to issue a certificate or receipt for such money to such owner or purchaser. It shall be the duty of the owner or purchaser of such animal to present the animal, along with the receipt, to a duly licensed veterinarian of the state for proper inoculation within 72 hours after receiving such certificate. Such certificate shall be delivered to the veterinarian performing such inoculation.

(c) It shall be the duty of the supervisor of the animal control center to furnish a copy of all certificates of receipt issued under subsection (b) of this section promptly to the health department, along with the names and addresses of all persons to whom such receipts have been issued.

(d) 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 in subsection (b) of this section.

(e) Any animal impounded under the provisions of this article and not reclaimed by its owner within six days:

(1) May be humanely destroyed by the supervisor of the animal control center;

(2) Have its title transferred to the Humane Society as provided for in subsection (f) of this section; or

(3) Be placed in the custody of some person deemed to be a reasonable and suitable owner who will agree to comply with the provisions of this article, including the required vaccination and payment of fees as set forth.

(f) The supervisor of the animal control center may transfer the title of any animal held in the animal or rabies control center to the Humane Society after the legal detention period has expired and the animal has not been claimed by its owner.

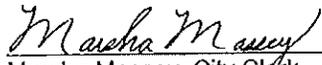
(g) If any animal is voluntarily left for disposal by its owner, the supervisor shall have complete authority either to destroy any such animal in a humane manner without holding the same for redemption, or if any such animal is healthy, to give the same to a new owner, upon proper vaccination and payment of all necessary fees by such new owner.
State law reference – Fee for immunization, Code of Alabama 1975, Section 3-7A-3.

Effective Date. This ordinance shall become effective upon its passage and adoption by the City Council of the City of Alabaster, Alabama, and posting as required by law.

ADOPTED AND APPROVED THIS 15 DAY OF JUNE, 2000.

ATTEST:

CITY OF ALABASTER

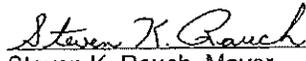


Marsha Massey, City Clerk

BY: 

John J. Sarris, Council President

APPROVED:



Steven K. Rauch, Mayor

**ALABASTER POLICE DEPARTMENT
ANIMAL CONTROL DIVISION**

(205) 664-6761

The Animal Control Division of the Alabaster Police Department would like to welcome you to our city. It is important to us that you feel at home in Alabaster. We would like to help you with any domestic animal problems or concerns that you may have. Below are some of the Animal Ordinances that the City of Alabaster upholds to serve you better. If you have any questions, please contact this department at the number above.

Section 10-38 Animals Prohibited at Large

- (a) It shall be unlawful for the owner or person in charge of an animal, except cats and fowl, to cause or permit such animal to run at large or be upon a street, sidewalk, thoroughfare, property other than that of the owner of the animal, or public place within the City or its police jurisdiction, unless such animal is attached to a leash in the hands of said owner or person in charge of said animal. Any cat may be impounded, as provided herein, upon written complaint that said cat is on the complainant's property, without permission. Thereafter, the said cat shall be subject to disposal release as provided herein, although such would not result in a citation against the owner or person in charge of the cat under his provision.

Section 10-31 Definition

At Large means a dog shall be deemed to be at large when it is not under restraint by its owner or a competent person having charge or when its not confined within a wall, fence, vehicle or other enclosure in such manner as to effectively prevent its escape.

**Other Ordinances concerning Domestic Animals in the City of
Alabaster**

Section 10-32 Enforcement- Authorities Designated

Section 10-41 Impoundment of Dogs

Section 10-36 Rabies Vaccination of Dogs and Cats- Required

Thank you and welcome to the City of Alabaster,



**Hoyt Hodgens
City of Alabaster
Animal Control**