

ANIMAL ORDINANCE REGARDING DANGEROUS OR NUISANCE ANIMALS

Whereas, the council for the City of Dadeville to adopt an Animal Ordinance regarding dangerous or nuisance animals.

Now, Therefore, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DADEVILLE, ALABAMA, as follows:

Section 1. Definition of Dangerous or Nuisance Animal

1. Any mammal, amphibian, fish, reptile, or fowl which is of a species which, due to size, vicious nature or other characteristics would constitute a danger to human life or any animal which has the ability to make sound, vocal by nature, or other characteristic such as size, that would constitute a nuisance or interference of use and enjoyment of property, physical well-being, or property, including but not limited to dogs, cats, lions, tigers, leopards, panthers, bears, wolves, apes, gorillas, monkeys of a species whose average adult weight is 20 pounds or more, foxes, alligators, crocodiles, and snakes which are venomous or otherwise present a risk of serious physical harm or death to human beings as a result of their nature or physical makeup including, but not limited to, boa constrictors, or any species of pythons that exceed 6 feet in length.
2. Any animal which is not naturally tame or gentle but is of a wild nature or disposition and which, because of its size, vicious nature or other characteristics, would constitute a danger to human life or property.
3. A dangerous animal may be any animal with a known history to attack unprovoked with vicious tendencies, to chase humans, to approach or threaten persons in public areas with apparent attitude of attack, to cause injury to, or to otherwise endanger the safety of humans or other domestic animals, whether or not such animal has actually bitten or attacked a person or other domestic animal.
4. A nuisance animal may be an animal with known or unknown history to bark with alarming tendencies, to menace, to chase humans, to approach or threaten persons in public areas with apparent attitude of attack, or to otherwise interfere with the use and enjoyment of public or private property, including but not limited to streets, driveways, parking lots, within public events or private parties, or private property. Said animal may be deemed a nuisance if the animal is making alarming noises for a period of 20 minutes or longer, or in a consistent daily manner as to interfere with use and enjoyment of private or public property.

Section 2. Prohibition of Running at Large

It shall be unlawful for the owner or person in charge of a dog or other animal to cause or permit such animal to run at large or be upon a street, sidewalk, thoroughfare, or public place within the town, unless such animal or dog is attached to leash in the hands of the owner or person in charge of said dog.

Section 3. Prohibition Against Dangerous or Nuisance Animals

Unless approved by the regulatory body of the City of Dadeville, and by proper permitting, it shall be unlawful to own, keep, or harbor any dangerous animal in the town.

Section 4. Control of Dangerous Dogs

The keeping of a dangerous dog(s) shall be subject to State Law, Code of Alabama 1975 Section 3-6A-1, et. Seq. Act 2018-182.

Section 5. Violation and Enforcement

1. A violation of this ordinance shall be punished in accordance with the provisions of the State Law, Code of Alabama 1975 Section 3-6A-5, Act 2018-182.
2. Enforcement of this ordinance shall be carried out with the discretionary authority of law enforcement officers of the City of Dadeville. Said law enforcement officers have the right to enter private property when necessary to apprehend an animal in violation of this ordinance.
3. Judicial enforcement, after a municipal violation has been issued, shall be carried out for the misdemeanor violation in the Dadeville Municipal Court. The first offense shall carry a fine not less than \$100. A second offense shall carry a fine of not less than \$500.00. A third offense may subject the owner to jail time and appropriate fines set by the court. Fines and court costs are separate fees associated with violations of this article.
4. If deemed necessary to board a vicious or dangerous animal after biting a human, as determined by designated agent or law enforcement, the owner of said animal shall be responsible for the mandatory minimum of 10 days quarantine in accordance with State Law, Code of Alabama 1975 Section 3-7A-9, Act 2009-636.

Section 6. Summons and Complaint Procedure

1. Any citizen wishing to make a complaint pursuant to any section of this Article, may present himself or herself to the town magistrate to commence proceedings against the person in violation thereof. The complaining citizen must swear under oath that the violation occurred and, if the magistrate has probable cause to believe that the offense as described constitutes a violation of this article, a summons and complaint may be issued to the accused. Any law enforcement officer of the City of Dadeville shall be authorized to serve the summons and complaint of any person charged with the violation of this article in any manner prescribed by law.
2. Any law enforcement officer of the City of Dadeville shall be authorized to enforce the provisions of this article and make arrest for any violation.

3. When a person is charged with a violation of any section of this article, and that person has not been convicted or plead guilty to a violation of any of those sections within the past twelve (12) months, than that person may elect to personally appear before the court magistrate not less than seventy-two (72) hours before the court date specified in the summons and complaint, and at the discretion of the court magistrate, may enter a plea of guilty, who will then assess the fine and court cost for the violation.

4. If the defendant fails to appear at the designated time within the summons and complaint, A warrant shall be entered by the court magistrate, or judge, demanding the appearance of the defendant before the court. Execution of the warrant can occur by any law enforcement officer of the State of Alabama. Failure to appear is a separate offense under the applicable code and is subject to separate fines and court cost.

Section 7. Effective Date

This Ordinance shall be effective after its approval and publication by the Mayor and City Council of the City of Dadeville, Alabama.

PASSED, ADOPTED AND APPROVED this the 27th day of February, 2024.


Jimmy F. Goodman, Mayor

ATTEST:


Debbie M. Minor, City Clerk

I, the undersigned qualified and acting clerk of the City of Dadeville, Alabama, do hereby certify that the above and foregoing is a true copy of a ordinance passed and adopted by the City Council of the City named therein, at a regular meeting of such Council held on the 27th day of February, 2024, and that such ordinance is on file in the City Clerk's office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 27th day of February, 2024.

Posted at Dadeville City Hall, Dadeville Public Library, City Website www.cityofdadevilleal.org
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Debbie M. Minor
City Clerk