STATE OF ALABAMA
COUNTY OF DEKALB
TOWN OF COLLINSVILLE

ORDINANCE NO: 2012-06
AN ORDINANCE OF THE TOWN OF COLLINSVILLE, ALABAMA, TO ADDRESS ANIMAL CONTROL ISSUES WITHIN THE CORPORATE LIMITS OF THE TOWN OF COLLINSVILLE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF COLLINSVILLE AS FOLLOWS:

Section I – Definitions

(a) The term "dog" shall mean and include all members of the canine family three (3) months or more of age.

(b) The term "person" shall mean and include individuals, firms, partnerships, and associations, the singular shall include the plural, and the masculine the feminine.

(c) The term "owner" shall mean and include a person having a right of property in the 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.

(d) The term "noisy animal" means and include any animal, including but not limited to dogs and cats, that cerate loud and frequent or continued baking, howling, helping, roaring, bellowing, or other audible noise sufficient to annoy or disturb neighboring residents.

(e) The term "at large" shall means off the premises of the owner, and not under control of the owner or his agent either by leash, cord, or chain.

(f) "Nuisance Dog" means an animal that threatens the safety of or damages a member of the general public or interferes with the ordinary use and enjoyment of other's property.

(g) "Vicious Dog" means a dog which has, at any time, attached or bitten a person off the premises of the dogs owner or keeper, a dog who disturbs and annoys passers-by who are lawfully on a public street, in a public park or on school grounds, whether or not such dog is on a public street.

(h) The term "inoculation against rabies" shall mean the injection, subcutaneously or otherwise, as approved by the State Health Officer and the State Veterinarian, of canine or feline anti-rabies vaccine, approved by the State Health Office and the State Veterinarian.

(i) "Service Animals" shall mean any dog that has been specifically trained to provide assistance to those persons who suffer from an impairment of a visual, hearing or physical impairment and said dog is engaged in the assistance of providing assistance to its owner in the normal line and scope of its duties.

Section 2. Unlawful Activities

It shall be unlawful for any person to possess, keep or harbor in the Town of Collinsville any dog which:

(a) Has not been inoculated against rabies, pursuant to and as required and provided for by the laws of the State of Alabama.

(b) Dog at Large – It shall be unlawful for any dog to be at large within the corporate limits of the Town of Collinsville, off of the premises of the owner. The owner of any dog failing to keep said dog confined on his own premises shall be guilty of a violation of this ordinance. Providing nothing in this section shall prevent the owner of any dog from allowing the dog to accompany such owner off the owner's premises under circumstances where the dog is kept on a leash. Nothing within this section shall prohibit an owner from using hunting dogs to hunt upland game or migratory birds during hunting seasons established by the Alabama Department of Conservation and Natural Resources without the use of leash provided that the hunter has the consent of the land owner where the hunting is taking place.

(c) Loud and Noisy – It shall be unlawful for the owner of any animal to suffer or permit the loud and frequent or continued barking, howling, yelping, roaring, or other audible noise sufficient to annoy and disturb the neighbors.

Section 3. Issuance of Citations and Warrants

When any animal is found by the animal control officer or a police officer to be in violation of any provision of this ordinance, and the person or persons responsible become known to the animal control officer or any police officer, that officer may:

(a) Issue a citation to the owner or persons in charge for said violation directing him to appear in Municipal Court at the time and date cited therein to answer to charges of violations of this ordinance, and said charges shall be stated in the citation.

(b) Obtain a warrant for violations of any provisions of this ordinance issued by the Municipal Judge or Magistrate of the Town which shall be served by a duly sworn officer of the Collinsville Police Department.

Section 4. Penalties

A violation of this ordinance shall be subject to a penalty of up to $500.00 fine, court cost and incarceration for up to six (6) months.

Section 5. Severability

If any section, sentence, clause, phrase, word or part of this ordinance is for any reason declared to be unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such decision shall not affect any remaining sections, sentences, clauses, phrases, words, or parts of this ordinance.

ADOPTED this the 1st day of October, 2012.

TOWN OF COLLINSVILLE

By _____
Johnny Traffanstedt, Mayor

ATTEST:

_____
Peggy Wright, Clerk

(Seal)

STATE OF ALABAMA
COUNTY OF DEKALB
TOWN OF COLLINSVILLE

CERTIFICATION

I, Peggy Wright, the duly appointed Town Clerk of the Town of Collinsville, Alabama hereby certify that the afore going Ordinance No.2012-06 was adopted by the Mayor and Town Council in regular session on the 1st day of October, 2012.

Peggy Wright, Town Clerk

CERTIFICATE OF PUBLICATION

I, Peggy Wright, the duly appointed Town Clerk of the Town of Collinsville, Alabama, hereby certify that the afore going Ordinance was adopted on the 1st day of October, 2012 by a majority vote of the Town Council and that the ordinance was posted on the Collinsville Town Website and in three public places within the Town of Collinsville to wit: 1) Collinsville Post Office 2) Town Hall 3) Water and Sewer Board.

Done this the 2nd day of October, 2012.

Peggy Wright, Town Clerk