

ORDINANCE NO.

97-1

AN ORDINANCE TO FURTHER PROVIDE FOR THE RESTRAINT AND CONTROL OF DOGS AND CATS IN MORRIS, ALABAMA; AND TO FURTHER REPEAL ALL ORDINANCES WHICH CONFLICT WITH THIS ORDINANCE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MORRIS, ALABAMA, AS FOLLOWS:

SECTION 1. DEFINITIONS.

AT LARGE: A dog or cat shall be deemed to be at large when it is not under restraint by its owner or a competent person having charge or control of it or when it is not confined within a wall, fence, vehicle or other enclosure in such a manner as to effectively prevent it from escape.

TOWN: The Town of Morris, Alabama.

DOG: All members of the canine/feline family.

OWNER: The term owner shall mean and include any person, group of persons or corporation having a right of property in a dog or cat, or who has care of it or acts as its custodian, or who keeps it, allows it food and refuge on or about any premises occupied by such person or persons or who harbors it in any manner.

UNDER RESTRAINT: A dog/cat shall be deemed to be under restraint when it is controlled by a leash, cord, chain or similar means in the hands of the owner or a competent person having charge or control of the dog/cat or when it is tethered in a humane manner so as to remain upon private premises and in the presence of the owner or such competent person.

SECTION 2. ENFORCEMENT.

The provisions of this chapter shall be enforced by the Town of Morris, Alabama.

SECTION 3. VACCINATION REQUIRED.

It shall be unlawful for the owner or any person to possess, keep or harbor in the Town any dog/cat over three months of age which has not been vaccinated against rabies within the preceding twelve months and tagged as required by **Section 107 and 108, Title 22, Code of Alabama.**

SECTION 4. DOGS/CATS NOT TO BE ALLOWED AT LARGE.

It shall be unlawful for the owner or any person having charge or control of a dog/cat to allow it to be or to run at large.

SECTION 5. RESPONSIBLE ANIMAL CARE.

It shall be unlawful for any owner or harbored of a dog/cat not to provide for their animal:

- (a) sufficient quantity of good and wholesome food and water;
- (b) proper protection and shelter from the weather;
- (c) veterinary care when needed to prevent suffering; and
- (d) humane treatment.

SECTION 6. TAKING OR CAUSING ESCAPE.

It shall be unlawful for anyone to take a dog/cat from the confinement or restraint of its owner or of the person in charge or control of it or to cause a dog/cat to escape from such confinement or restraint without specific permission therefore from the owner or person in charge or control of the dog/cat.

SECTION 7. NUISANCE BARKING AND HOWLING.

It shall be unlawful for the owner of a dog/cat to suffer or permit, on his lot or premises, the loud and frequent or continued barking, howling or yelping of any dog/cat as to annoy and disturb the neighbors.

SECTION 8. PENALTIES.

Any person violating any of the provisions of this ordinance shall be required to pay a penalty to the Town Clerk as follows:

1st offense in a calendar year-----	\$25.00
2nd offense in a calendar year-----	\$50.00
3rd offense in a calendar year-----	\$250.00
4th offense in a calendar year-----	\$500.00

SECTION 9. FAILURE TO COMPLY.

Any person who fails to comply with the provisions of this ordinance shall be summoned to appear before the Municipal Judge, as provided by Supreme Court Rule, and shall, upon conviction, be guilty of a misdemeanor and shall be fined a sum not to exceed Five Hundred (\$500.00) Dollars.

SECTION 10. If any section, clause or provision of this ordinance be declared unconstitutional or held invalid, it shall not affect any other section, clause or provision thereof, but the same shall remain in full force and effect.

SECTION 1

1. This ordinance shall become effective immediately when adopted as required by law.

ADOPTED AND APPROVED THIS THE 25th OF March 1997

APPROVED:

Michael D. Juscov
Mayor

ATTEST: Kathy Robb
Town Clerk

CERTIFICATION

I, Kathy Robb, Town Clerk of the Town of Morris, Alabama, do hereby certify that the above is a true and correct copy of an Ordinance that was duly and legally adopted on this the 25 day of March, 1997 by the Town Council while in regular session. I further certify that said ordinance was advertised by posting in four conspicuous places within the Town of Morris on the 25 day of March 1997.

Kathy Robb
Town Clerk