

CITY OF MARGARET, ALABAMA

ORDINANCE NO. 2026-_____

AN ORDINANCE ESTABLISHING COMPREHENSIVE ANIMAL CONTROL REGULATIONS; REPEALING PRIOR ANIMAL ORDINANCES; AND PROVIDING FOR ENFORCEMENT, DUE PROCESS, AND PENALTIES

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARGARET, ALABAMA, AS FOLLOWS:

SECTION 1. TITLE; AUTHORITY; PURPOSE

1.1 Title

This ordinance shall be known as the “**City of Margaret Animal Control Ordinance.**”

1.2 Authority

This ordinance is adopted pursuant to the City’s police powers under §11-45-1, Code of Alabama 1975, and related state animal health and public safety statutes.

1.3 Purpose

The purposes of this ordinance are to:

1. Protect public health and safety;
 2. Promote humane treatment of animals;
 3. Prevent animals from running at large;
 4. Address animal-related nuisances;
 5. Establish clear, enforceable, and constitutionally sound procedures; and
 6. Replace outdated and conflicting animal ordinances with a single, comprehensive standard.
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SECTION 2. DEFINITIONS

For purposes of this ordinance:

2.1 Animal

Any domesticated animal, including dogs and cats.

2.2 At Large

An animal is “at large” when it is off the premises of its owner and not under restraint.

2.3 Owner / Harboring

Any person who owns, keeps, harbors, shelters, feeds, or has custody or control of an animal.

2.4 Under Restraint

An animal is under restraint when:

- Controlled by a leash, lead, or tether held by a responsible person; or
- Confined within a fence, enclosure, or structure sufficient to prevent escape.

2.5 Nuisance Animal

An animal that creates a nuisance condition as defined in Section 7 of this ordinance or the City’s Nuisance Ordinance.

2.6 Dangerous Animal

An animal that, **based on specific behavior**, has:

- Attacked or bitten a person without provocation; or
- Exhibited aggressive behavior creating a reasonable threat to persons or domestic animals.

SECTION 3. ENFORCEMENT AUTHORITY

This ordinance shall be enforced by:

- The City Police Department; and/or
- Any City official designated by the Mayor.

SECTION 4. ANIMALS AT LARGE PROHIBITED

4.1 No owner shall permit an animal to run at large within the City.

4.2 Animals found at large may be:

- Impounded; or
 - Returned to the owner with a citation or warning, at the officer's discretion.
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SECTION 5. VACCINATION AND IDENTIFICATION

5.1 Rabies Vaccination Required

All dogs and cats over three (3) months of age shall be vaccinated against rabies in accordance with **Title 22, Code of Alabama**, as amended.

5.2 Identification

Animals shall have visible identification or microchip information sufficient to identify the owner.

5.3 Unidentified Animals

Animals without identification may be transported to an approved animal shelter or animal control facility.

SECTION 6. HUMANE CARE REQUIREMENTS

No owner shall fail to provide an animal with:

1. Sufficient food and potable water;
 2. Adequate shelter from weather;
 3. Necessary veterinary care to prevent suffering; and
 4. Humane treatment at all times.
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SECTION 7. ANIMAL-RELATED NUISANCES

The following constitute animal-related nuisances:

7.1 Excessive Noise

Frequent, continuous, or habitual barking, howling, or other noise that unreasonably disturbs nearby residents.

7.2 Unsanitary Conditions

Failure to maintain animal enclosures or premises free from waste creating odor, health hazards, or vector attraction.

7.3 Aggressive Behavior

Animals that menace, chase, or threaten persons or domestic animals.

Animal nuisances shall be enforced in coordination with the City's Nuisance Ordinance.

SECTION 8. DANGEROUS ANIMALS (BEHAVIOR-BASED)

8.1 Designation

An animal may be designated "dangerous" only after:

- Documented behavior; and
- Notice and an opportunity for the owner to be heard.

8.2 Restrictions

Owners of dangerous animals may be required to:

- Secure the animal in an enclosure;
 - Use restraints when off property;
 - Post warning signage; and
 - Comply with specific safety conditions imposed after hearing.
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SECTION 9. PROHIBITED CONDUCT

It shall be unlawful to:

1. Remove or release an animal from lawful confinement without permission;
 2. Interfere with animal control enforcement;
 3. Fail to comply with lawful orders issued under this ordinance.
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SECTION 10. PENALTIES

10.1 Graduated Enforcement

Violations may be addressed by:

- Warning;
- Citation;
- Municipal court prosecution.

10.2 Penalties

Upon conviction, penalties may include fines as authorized by general municipal penalty ordinances, not to exceed \$500 per offense.

Each day a violation continues constitutes a separate offense.

SECTION 11. SEIZURE; IMPOUNDMENT; DUE PROCESS

11.1 Animals may be seized or impounded only:

- When at large;
- When posing an immediate threat; or
- After notice and due process where required.

11.2 Owners shall have an opportunity to reclaim animals subject to applicable fees and compliance requirements.

SECTION 12. APPEALS

Any owner aggrieved by enforcement action may request a hearing in accordance with procedures established by the City.

SECTION 13. REPEALER

The following ordinances are **hereby repealed in their entirety**:

- Ordinance **4401**
 - Ordinance **06-1113**
 - Any prior animal control ordinance or resolution inconsistent with this ordinance
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SECTION 14. SEVERABILITY

If any provision of this ordinance is held invalid, the remainder shall remain in full force and effect.

SECTION 15. EFFECTIVE DATE

This ordinance shall take effect upon adoption, approval, and publication as required by law.

PASSED AND ADOPTED this ___ day of _____, 2026.

CITY OF MARGARET, ALABAMA

Matt Tortorice, Mayor

ATTEST:

City Clerk