

STATE OF ALABAMA
GENEVA COUNTY
CITY OF SAMSON

ORDINANCE NO. 2007-005

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

PIT BULL DOGS

Sec. 1. Intent & Purpose.

This Ordinance is intended to utilize the authority and powers of the city in order to secure for the citizens of this city the protection of their health, safety and welfare. It is intended to be applicable to dogs which are commonly referred to as pit bulls and which are defined herein. This section is designed to regulate these pit bull dogs and to ensure responsible handling by their owners through registration and confinement. The unique history, nature and characteristics of pit bull dogs have been determined to require the special regulations and provisions contained within this Ordinance which the city council hereby finds reasonable and necessary.

Sec. 2. Definitions.

(a) The term "pit bull dog", as used within this Ordinance, shall refer to any dog which exhibits those distinguishing characteristics which:

(1) Substantially conform to the standards established by the American Kennel Club for American Staffordshire Terriers or Staffordshire Bull Terriers; or

(2) Substantially conform to the standards established by the United Kennel Club for American Pit Bull Terriers.

(b) The standards of the American Kennel Club and the United Kennel Club referred to in subsection (a) above are on file with the code enforcement department and police department of the city.

(c) Technical deficiencies in the dogs conformance to the standards described in subsection (b) shall not be construed to indicate that the subject dog is not a pit bull dog under this Ordinance.

(d) City shall mean City of Samson, Alabama.

(e) Person includes a corporation as well as a natural person.

Sec. 3. Confinement.

(a) Because of the pit bull dog's inbred propensity to attack other animals and because of the danger posed to humans and animals alike by a pit bull dog when running loose or while running together in a pack, pit bull dogs must at all times be securely and totally enclosed in a locked pen, with either a top or with sides six (6) feet high.

(b) At any time that a pit bull dog is not confined as required in subsection (a) above, the dog shall be muzzled in such a manner as to prevent it from biting or injuring any person or animal and kept on a leash no longer than six (6) feet with the owner or custodian in attendance.

(c) An exception to this section is hereby provided for any pit bull dog in attendance at and participating in any lawful dog show, contest or exhibition sponsored by a dog club, association society, or similar organization.

Sec. 4. Registration.

(a) In order to ensure that owners of pit bull dogs are in compliance with the requirements of this Ordinance and to assist in ensuring compliance therewith, every owner of a pit bull dog in the city shall register the dog with the code enforcement department. The registration shall include the following: name, address and telephone number of the dog's owner; the address where the dog is harbored, if different from the owner's address; a complete identification of the dog, including the dog's sex, color, and any other distinguishing physical characteristics; and proof of rabies vaccination.

(b) Newly acquired pit bull dogs shall be registered with the code enforcement department no later than seventy-two (72) hours after acquisition.

(c) All owners or persons owning pit bull dogs or persons responsible of the care of such dogs, prior to the enactment of this Ordinance, will be required to register the dog(s) with the code enforcement office of the City of Samson within thirty (30) days and must be in full compliance with the confinement requirements within ninety (90) days.

(d) Registration fees to be set by the City Council.

Sec. 5. Enforcement.

It shall be the duty and responsibility of all city law enforcement officers and animal control officers to enforce the provisions of this Ordinance.

Sec. 6. Notice of keeping of dog or dogs.

Upon the written complaint of any person that a person owns or is keeping or harboring a pit bull dog on premises in the city, the police department may forthwith cause the matter to be

investigated, and, if after investigation the facts indicate that such person named in the complaint is in fact the owner or is keeping or harboring any such pit bull dog in the city and has not properly registered under this Ordinance, the code enforcement shall forthwith send written notice to such person requiring such person to either apply for a registration under this Ordinance or remove the animal from the city limits within three (3) days of the date of the notice.

Sec. 7. Domestic animals number restricted.

It shall be a violation of this Ordinance for any owner, heir(s) to real property or person(s) in charge or in control of any property within the city limits to allow or keep more than four domestic animals on any premises unless operating a duly licensed kennel or pet shop. Exceptions to this requirement may be granted by the city council when conditions are deemed appropriate. References to dogs and domestic animals only refer to animals older than three (3) months of age.

Sec. 8. Commercial kennels.

(a) Standards. Commercial kennels may be allowed provided all of the following requirements are met.

(1) A commercial kennel shall be developed and operated to minimize noise, odor and other objectionable effects on the area in which it is located.

(2) A kennel can be located in industrial areas only.

(3) Licenses for commercial kennels will be per the City Business License fee schedule.

Sec. 9. Penalties.

(a) Any person who knowingly violates this Ordinance shall be guilty of an offense against the City of Samson, Alabama. Any person found to be in violation of Section three (3), four (4), or seven (7) of this Ordinance shall, upon conviction, be punished by a fine of not less than one dollar (\$1.00) nor more than five hundred (\$500.00) and/or may be imprisoned or sentenced to hard labor for the city for a period not exceeding six (6) months at the discretion of the court trying the case.

(b) Any corporation that knowingly violates this Ordinance shall be guilty of an offense against the City of Samson, Alabama. Any corporation found to be in violation of Section three (3), four (4), or seven (7) of this Ordinance shall, upon conviction, be punished by a fine of not less than one dollar (\$1.00) nor more than five hundred (\$500.00).

SECTION 10. SEVERABILITY.

Ordinances or part of Ordinances which conflict with Ordinance are hereby repealed. The provisions of this Ordinance are cumulative and shall not be construed to repeal or supercede any laws not inconsistent herewith.

SECTION 11.

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

SECTION 12.

This Ordinance shall become effective upon adoption and publication.

ADOPTED AND APPROVED THIS THE 15th DAY OF MAY, 2007.

ATTEST:

City of Samson, Alabama

Hazel McGowan

City Clerk
City Seal

Clay King

Clay King, Mayor

Michael Miller, Council Member

Lavonne Stromenger

Lavonne Stromenger, Council Member

Roger Baine

Roger Baine, Council Member

Jeanetta Hobdy

Jeanetta Hobdy, Council Member

Ronald E. Davis

~~Melissa Stinson~~, Council Member
Ronald Davis,

CERTIFICATION

I, Hazel McGowan, City Clerk, in and for said City of Samson, Alabama, hereby certify the within and foregoing is a true, correct, and exact copy of the Ordinance passed by the City Council of Samson, Alabama.

Hazel McGowan