

ORDINANCE NO. 1896

AN ORDINANCE TO AMEND ORDINANCE NUMBER 1799 IN PART TO REQUIRE THE REMOVAL OF ANIMAL FECES ON PUBLIC AND RESIDENTIAL PROPERTY BY THE OWNER OR PERSON IN CHARGE OF SAID ANIMAL AND TO PROVIDE FOR A GRADUATED FINE FOR VIOLATION THEREOF; AND IN NO OTHER PARTICULARS.

WHEREAS, the City Council of the City of Talladega, Alabama, desires to amend Ordinance Number 1799 in part to require the removal of animal feces on public and residential property by the owner or person in charge of said animal and to provide for a graduated fine for violation thereof;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Talladega, Alabama, as follows:

SECTION I:

SECTION 5, paragraph C of Ordinance Number 1799 is hereby amended to read as follows:

C. Removal of Feces on Public and Residential Property

1. It shall be the duty of the owner or person in charge of any animal which has been allowed or suffered by that person to run at large, or such animal is under the restraint of the owner, to remove and dispose of any feces deposited by the animal upon any residential lot, excluding that lot of the owner, or upon any right-of-way adjacent to any residential lot, or upon any public property. The breach of said duty by failure of the owner or person in charge of said animal to remove and dispose of any feces deposited by said animal is a violation of this ordinance and upon conviction of violation shall be fined as provided in SECTION 25.

2. It shall be unlawful for any owner or person in charge of any animal which has been allowed or suffered by that person to run at large, or such animal is under the restraint of the owner, to refuse a lawful order from a City Police Officer to remove any feces deposited by the animal upon any right-of-way adjacent to any residential Lot or upon public property. The failure of the owner or person in charge of said animal to refuse the said lawful order to remove and dispose of any feces deposited by said animal is a violation of this ordinance, and upon conviction of violation shall be fined as provided in SECTION 25.

SECTION II:

SECTION 25, paragraph C of Ordinance Number 1799 is hereby amended to read as follows:

C. Schedule of Fines for violation of this Ordinance:

1. The schedule of fines for violation of this Ordinance, excepting SECTION 5 C, shall be as follows:

A. For the first conviction during any twelve (12) month period the fine shall be Fifty and no/100 (\$50.00) Dollars;

B. For a second conviction during any twelve (12) month period the fine shall be One Hundred and no/100 (\$100.00) Dollars;

C. For a third or subsequent conviction during any twelve (12) month period the fine shall be Three Hundred and no/100 (\$300.00) Dollars.

2. The schedule of fines for violation of SECTION 5 C of this ordinance shall be as follows:

A. For the first conviction during any twelve (12) month period the fine shall be One hundred fifty no/100 (\$150.00) Dollars;

B. For a second conviction during any twelve (12) month period the fine shall be Two hundred fifty and no/100 (\$250.00) Dollars;

C. For a third or subsequent conviction during any twelve (12) month period the fine shall be Three hundred fifty and no/100 (\$350.00) Dollars.

SECTION III - Severability: all sections of this Ordinance are hereby declared to be severable; and if any word, phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional or invalid by the judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION IV - Effective Date: this ordinance shall take effect immediately upon its passage and publication as provided by law. Upon the effective date of this ordinance, except as amended herein, Ordinance Number 1799 and any amendments thereto shall remain in full force and effect.

Adopted and approved this 29th day of November, 2021.

Council President Betty C. Spratlin
Councilman Horace Patterson
Council Member Vickey Hall
Councilman Joe Power
Councilman Trae Williams
City Manager Seddrick Hill
Attested to: Joanna Medlen, City Clerk