

CITY OF CORDOVA, ALABAMA  
ORDINANCE NO: 2009-01

AN ORDINANCE FOR THE PREVENTION OF RABIES AND  
THE CONTROL AND CARE OF DOGS IN THE CITY OF  
CORDOVA, ALABAMA, AND TO PRESCRIBE PENALTIES  
FOR VIOLATION HEREOF:

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

Section 1, ordinance No. 2009-01, adopted and approved on the Wednesday of May, 2009,  
is hereby repealed.

Section 2: The word “dog” as used in this ordinance shall mean and include all members  
of the canine family who are three month old or older. The word “puppy” as used hereon  
shall mean and include all members of the canine family less than three months of age.

The term “person” in charge in such manner as to prevent effectively its escape, or is not  
attached to a leash in the hands of said owner or person in charge. The term “Walker  
County Humane” or “Rabies Control Center”, shall mean the place so designated by the  
City of Cordova or by the Walker County Board of Health, or such person, firm,  
corporation, organization or agency with whom the City may contract for maintenance or  
operation of said city pound, whether such city pound is located within the city limits of  
the City of Cordova or elsewhere in Walker County, Alabama. The word “court” as used  
herein shall mean the Municipal Court of the City of Cordova. The term “Health  
Department” shall mean the Department of Health of Walker County,

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Alabama. The term “City Magistrate” shall mean the City Magistrate of the City of Cordova, or the magistrate’s assistants. The word “supervisor” shall mean the supervisor or director of the Rabies Control Center, or assistants. The term “city” shall mean the City of Cordova, Alabama.

Section 3:

It shall be unlawful for any person to possess, keep or harbor in the City of Cordova any dog, which has not been vaccinated as provided in Section 4 hereof within the preceding twelve (12) months.

Section 4:

In order to be sufficient hereunder, a vaccination shall be accomplished by a veterinarian duly licensed as such by the State Board there under dully authorized, or shall be accomplished by a rabies inspector or deputy rabies inspector appointed pursuant to the laws of the State of Alabama, by injection beneath the skin of the dog, canine antirabies vaccine manufactured by a person licensed for such manufacture by the United States Public Heath Service and approved for the use by the laws of the State of Alabama. A tag attached to such dog showing that such dog has been vaccinated for rabies as required by the laws of the State of Alabama within the preceding twelve (12) months shall evidence such vaccination.

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Section 5:

It shall be unlawful for the owner of other person in charge thereof to harbor or keep in the city a vicious dog, unless the same is securely confined, muzzled and bound in such manner as to prevent such dog from biting or attacking a person or other animal. It shall be prima-facie evidence that a dog is a vicious dog if it shall bite or attack any person whatsoever, or any other animal, such person or other animal at the time of the biting or attack not being the owner's premises. The term vicious dog is Doberman pinscher, German Shepard, Rotweiler, Bull Mastiff, and American Pit Bull or any mixed with one of these breeds.

Section 6:

It shall be unlawful to confine, harbor, or keep at any place or on any premises with in the city any dog which habitually, continuously or intermittently makes or emits sounds or noises of such volume, nature or extent as to be a public nuisance by reason of being obnoxious or annoying to the person in that neighborhood. It shall be prima-facie evidence that a dog makes or emits sounds of noises of such volume, nature or extent as to be a public nuisance to the neighborhood when two or more persons of different residence located within two thousand feet (2000) of the premises where the dog in question is confined, harbored, kept or fed, shall file a written affidavit of such fact, with the city Magistrate of the City of Cordova, or the City Magistrate's assistants.

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Section 7:

It shall be unlawful for the owner or person in charge of a dog to cause or permit such dog to run at large or be upon a street, sidewalk, thoroughfare or public place within the city unless such dog is attached to a leash in the hands of said owner or person in charge of said dog. Furthermore, it shall be unlawful for the sighted owner or sighted person in charge of dog which is attached to a leash to cause or permit such dog to enter upon the premises of a public park, a public school, a public building, or a private business open to the general public; provided however, the foregoing stated prohibition of leashed dogs for the owner's private business, to security guard for the herein cited places or buildings, to any uniformed law enforcement officer acting in their official capacity as a law enforcement officer, to owners of dogs being on the premises of a site used by a licensed veterinarian for the treatment and care of animals, to registered participants of an animal exhibition or competitive showing licensed as such an event by the City of Cordova, to owners and customers of pet shops and/ or kennels licensed as such by the City of Cordova.

Section 8:

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

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in charge or control of the dog. Unless the dog is in violation of the dog ordinance and the owner has been warned they are in violation of the dog ordinance.

Section 9:

Any dog found running at large in the City of Cordova will be taken to the Walker County Humane Shelter. A dog taken to the Walker County Humane Shelter will become their property and thereafter the animal will be disposed of in a humane manner if vicious or will be adopted out to a new home. Any sanitary environmental investigator, chief of police, policeman (full or part time), fireman, city employees, water and gas employees, administrative people of the city, inspectors of the city, or anyone designated by the mayor or chief of police of Cordova, Alabama, shall be authorized to hereby issue a notice of ordinance violation to the owner or person in charge of the dog found at large or running at large.

- A. Immediately upon the impoundment of any dog, the supervisor of the rabies control center or any duly authorized employee thereof, shall make every reasonable effort to adopt or find a good home for the dog, unless the dog is vicious then it will be terminated immediately.
- B. Any person violation any provision of Section 1 or Section 2 shall be guilty of an offense against the city and shall upon conviction be fined not less than twenty-five dollars(\$25.00) nor more than Five Hundred dollars (\$500.00) and /or

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addition may be sentenced from one (1) day to six (6) months imprisonment in the City jail at the discretion of the court. Owner of person alleged to be in charge of a dog at large or running at large shall upon second and subsequent notices of violation appear before the Municipal Court of the City of Cordova and upon conviction thereof, shall be assessed such punishment as determined by said court pursuant to Section 13 hereof. Each dog found in violation hereof shall constitute a separate offense against any owner or person in charge of said dog as defined herein.

Section 10:

A dog that is running at large with no tags, shall be impounded and the owner shall not be entitled to resume possession of the impounded dog, in the cases of fierce, dangerous, vicious dogs, they will be disposed of in a humane matter; if not vicious the Walker County Humane shelter will become the owner of such dog that is impounded.

A. Release of dogs by the supervisor of the Rabies Control Center.

a.) No impound dog over the age of three months shall be released from the Rabies Control Center unless or until the same is inoculated and a proper certificate thereof and tag therefore is presented or obtained as required by this ordinance or the ordinance or regulation of the city, town, or county in the State of Alabama, where such dog is to be taken and remain. An owner or other person is not entitled to

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possession of an impound dog when the dog is taken to the Walker County Humane Shelter; it becomes the property of the shelter.

b.) No person shall keep, harbor, confine, or possess any dog over three months of age within the City of Cordova which has been inoculated within seventy-two (72) hours of the release from impoundment as provided in subsection (b) has not been delivered for inoculation as herein provided, such dog shall be again impounded and released only after inoculation at the Rabies Control Center and issuance of the required Certificate and tagged by a Health Department Employee herein authorized to do so.

c.) Owners of vicious dogs must post signs in yard, and any dog chained or fenced must be on a concrete slab or so type of floor that can be hosed down so the flies and feces can be controlled for smell and health reasons.

d.) In the event any dog is voluntarily left for disposal by its owner, the supervisor of the Rabies Control Center shall have complete authority either to destroy any such dog in a humane manner without holding the same for redemption, or if any such dog is healthy, to give the dog to a good home.

Section 11:

It shall be unlawful for any person to possess, keep or harbor in City of Cordova any vicious dog in an unattended motor vehicle; on an unattended leash or in a fenced or

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confined area in such manner as to provide less than fifteen square feet of unobstructed free floor or ground space per each ten pounds, or portion thereof, of weight of each animal contained therein; on an unattended leash or in a fenced or confined area lacking shelter from the natural elements of sun, rain, and inclement weather; on an unattended leash or in a fenced or confined area lacking a supply of fresh water and adequate food; on an unattended leash or fenced or confined in an area which is unsanitary by reason of lack of removal of fecal wastes, all shelters should have a concrete bottom for sanitary reason for removal of fecal waste.

A. A property owner may labor no more than three dogs on that property at all times.

Section 13:

Any person violation any provision of Section 1 or Section 2 shall be guilty of an offense against the City and shall upon conviction be fined not less than Twenty-Five (\$25.00) nor more that Five Hundred dollars (\$500.00) and /or addition may be sentenced from one (1) day to six (6) months imprisonment in the City Jail at the discretion of the Court. The City judge has the right to use community service as a means of fining someone in violation. Actual cost that occurs must be paid in full by cash.



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Section 14:

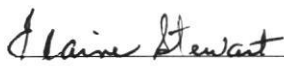
If any section, subsection, sentence, clause, phrase or portion of this ordinance is, or may be for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion, shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

This ordinance shall become effective upon publication and the City Clerk is hereby directed to post same in three (3) public places in the City of Cordova, Alabama.

Adopted this the 12th day of May, 2009.

  
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Mayor

ATTEST:

  
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City Clerk