

ORDINANCE NO. 489

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

Section 1. It shall be unlawful and a nuisance for any person to confine, harbor, or keep on a residential lot or premises within the city any animal or group of animals, known to said person to habitually, continuously, or intermittently make or emit sounds or noises of such volume and nature as to unreasonably interfere with or disturb the peace, quiet, comfort, and repose of persons of ordinary sensibilities within the neighborhood in the reasonable use and enjoyment of property.

Section 2. It shall be unlawful and a nuisance for any person to confine, harbor, or keep on any tract, lot, or premises within the city any animal, or group of animals, whether the same is housed in a corral, kennel, building, or other structure, under such circumstances that the sounds or noises emitted by said animals are of such volume and nature as to unreasonably interfere with or disturb the peace, quiet, comfort, and repose of persons of ordinary sensibilities in the reasonable use and enjoyment of any adjacent property used for residential purposes.

Section 3. Any person violating Section 1 or Section 2 above shall be guilty of maintaining a nuisance; provided, however, no prosecution shall be commenced, and no arrest made pursuant to this section except upon affidavit made before and warrant issued by the City Judge or Magistrate. Any person found guilty of violating this ordinance in addition to such other punishment as may be provided by the Court, shall be fined a minimum of 25.00 for the first offense and \$100.00 for the second offense within twelve (12) months.

ADOPTED AND APPROVED THIS THE 8th DAY OF OCTOBER, 1991.