ORDINANCE NO. 2024-10

AN ORDINANCE AMENDING ORDINANCE NO. 89-3 OF THE TOWN OF TRINITY, ALABAMA BY ADDING ADDITIONAL CATEGORIES OF ANIMALS PROHIBITED WITHIN THE MUNICIPAL LIMITS OF THE TOWN AND BY MODIFYING THE PENALTIES FOR VIOLATION

WHEREAS, Sections 8 and 9 of Ordinance No. 1989-3 of the Town of Trinity, Alabama ("Ordinance 1989-3" hereafter) prohibits the keeping or running at large of certain livestock and fowl within the municipal limits of the Town of Trinity ("Town" hereafter), but does not set out a complete listing of such livestock; and

WHEREAS, the Town Council finds that, in order to preserve the character of residential and other areas, as well as to protect the public health and welfare, the list of prohibited livestock and fowl should be made more comprehensive; and

WHEREAS, the Town Council finds that the maximum fine for violations of Ordinance 1989-3 should be increased so as to better deter violations.

NOW, THEREFORE, be it **ORDAINED** by the Town Council of the Town of Trinity, Alabama, as follows, to-wit:

SECTION 1. Section 8 of Ordinance 1989-3 is hereby amended by deletion of the entire language of said section and substitution of the following language so that hereafter, said Section 8 shall read, in its entirety, as follows:

> "Section 8. Keeping Livestock. It shall be unlawful for any person to keep, harbor, maintain or otherwise allow the presence of any (a) chickens, poultry, ducks, geese or other fowl, or (b) hog, pig, mule, horse, pony, sheep, goat, cattle or other livestock, as the term "livestock" is defined in §3-5-1, *Ala. Code 1975*, or as the term "livestock" is commonly understood to mean or encompass, within the

municipal limits of the Town, except as may be specifically permitted in A-0 Zoning Districts or otherwise by, or pursuant to, the provisions of, the Town Zoning Ordinance. Under no circumstances, however, shall any such exception be allowed in any Residential Zoning District."

SECTION 2. Section 9 of Ordinance 1989-3 is hereby amended by deletion of the entire language of said section and substitution of the following language so that hereafter, said Section 9 shall read, in its entirety, as follows:

"Section 9. Livestock or Fowl at Large. It shall be unlawful for any person to allow any hog, pig, mule, horse, pony, sheep, goat, cattle or other livestock, as the term "livestock" is defined in §3-5-1, *Ala. Code 1975*, or as the term "livestock" is commonly understood to mean or encompass, or any chickens, poultry, ducks, geese or other fowl, to run or be at large within the municipal limits of the Town, including, but not limited to areas within the municipal limits where such animals are allowed by, or pursuant to, the Town Zoning Ordinance."

SECTION 3. Section 12 of Ordinance 1989-3 is hereby amended by deletion of the entire language of said section and substitution of the following language so that hereafter, said Section 12 shall read, in its entirety, as follows:

"Section 12. Penalties/Continuing Offenses.

(a) Any person convicted of violation of any of the provisions of this Ordinance shall be punished by a fine of not less than $100.00, nor more than $500.00, plus court costs and fees; by jail sentence not to exceed thirty (30) days, plus court costs and fees; or by both such fine and jail sentence, plus court costs and fees."

(b) Each calendar day, or part of a calendar day, that any violation of this ordinance occurs or continues shall constitute a separate offense and, upon conviction, the person in violation shall be separately punished for each such separate offense.

SECTION 4. This Ordinance shall be deemed effective upon its adoption and publication according to law.

ADOPTED and **APPROVED** this _____ day of _____, 2024.

_____
Vaughn Goodwin, Mayor

ATTEST:

(SEAL)

_____
Ashley Patterson, Town Clerk

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