

ORDINANCE NO. 1540- 21

AN ORDINANCE PROVIDING FOR THE MANNER OF ENFORCEMENT OF AND AUTHORITY TO COMPLAIN OF VIOLATIONS OF ANY PROVISION OR UNLAWFUL PRACTICES OR CONDUCT CONTAINED IN ARTICLE 14-ANIMALS OF THE CODE OF ORDINANCES OF THE CITY OF MUSCLE SHOALS, ALABAMA

BE IT ORDAINED by the Council of the City of Muscle Shoals, Alabama that the following language as same pertains to the enforcement and authority to complain of violations of any provision or unlawful practices of conduct as set forth in the foregoing Article 14 is hereby added to and made a part thereof the Code of Ordinances of the City of Muscle Shoals, Alabama definition of animal control officer of the Code of Ordinances of the City of Muscle Shoals, Alabama, same being authorized by and contained in Ordinance 1418-09 and approved and adopted by the City Council of the City of Muscle Shoals, Alabama on October 5, 2009 is hereby amended to add the following, to wit:

Section 14-29

The animal control officer or official, any police or law enforcement officer or citizen may submit the required documentation to a magistrate so that probable cause can be determined in order to issue a summons to the owner or other person in control of the canine or animal requiring the owner or other person in control of the canine or animal to appear in municipal court to answer charges for the violation of this article. The animal control officer or official, any police or law enforcement officer or citizen shall forthwith appear and make oath as to the alleged offense before a magistrate of the municipal court. Such written deposition and incident report(s) filed with the police department shall name the party charged, the address or description of the property where the alleged violation occurred or is located, and the nature of the offense or violation. Such written deposition filed with the municipal court shall be reviewed for a probable cause determination by the magistrate and upon findings of probable cause, the magistrate may issue a summons to be served on the owner or person in control of the canine or animal and made into a case. This provision for the issuance of a summons to municipal court, shall not prevent any such animal control officer or official, any police or law enforcement officer or citizen from appearing before a municipal magistrate and making oath as to the facts and applying for a summons or with respect to any alleged offense. If probable cause is determined and a summons is issued, it shall contain the date, time and place at which to appear for court. Upon a finding of guilty in the municipal court, the owner or other person in control of the canine or animal is subject to the penalty as provided for Section 14-118 of this article.

BE IT FURTHER ORDAINED that Sec. 14-28 Penalties for violation of chapter is hereby repealed.

BE IT FURTHER ORDAINED that all other provisions of the Ordinance 1418-09 approved and adopted by the City Council of the City of Muscle Shoals, Alabama on October 5, 2009 as amended shall remain in full force and effect.

BE IT FURTHER ORDAINED that this Ordinance, and its provisions, shall become effective upon publication or posting pursuant to law or as otherwise provided for by law.

ADOPTED AND APPROVED this 18th day of October 2021.

**COUNCIL OF THE CITY OF MUSCLE SHOALS,
ALABAMA**

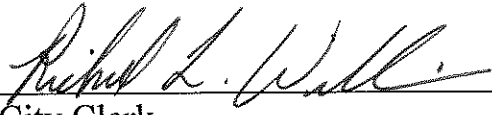
By: Ken Sockwell
KEN SOCKWELL, President of the Council

ATTEST:

Richard L. Williams
RICHARD L. WILLIAMS
City Clerk


TRANSMITTAL

I hereby certify that the above ordinance was passed on the 18th day of October 2021 by the Council of the City of Muscle Shoals and was transmitted to the Mayor on the 19th day of October 2021 at 3:15 p m o'clock.




City Clerk

APPROVED on 10/19/21 at 3:30 p m o'clock



MIKE LOCKHART
Mayor of the City of Muscle Shoals, Alabama

DENIED on _____ at _____ m o'clock



MIKE LOCKHART
Mayor of the City of Muscle Shoals, Alabama

CERTIFICATE OF POSTING

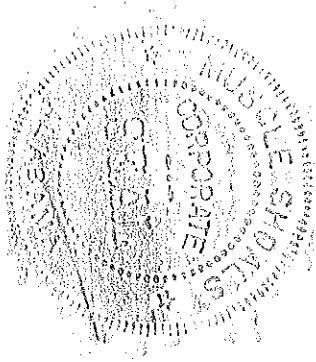
I, Richard L. Williams, City Clerk for the City of Muscle Shoals, Alabama, hereby certify that the above and foregoing Ordinance was duly and properly adopted by the Council of the City of Muscle Shoals, Alabama at a regular meeting of the said Council held on the 18th day of October 2021 at 6:00 o'clock p.m. in said City.

The said Ordinance has been duly and properly published on this the 19th day of October 2021, pursuant to and in compliance with Act. 2011-680 of the Acts of Alabama, by posting a copy of said Ordinance at the Office of the Mayor at City Hall in the City of Muscle Shoals, Alabama; Muscle Shoals Public Library; Muscle Shoals Recreation Building # 1, Gattman Park; and First Metro Bank, Muscle Shoals Branch; being four conspicuous public places lying and being within the City of Muscle Shoals, Alabama, there being no newspaper published and of general circulation in the City of Muscle Shoals, Alabama.

I certify that a copy of the said Ordinance has been posted to the City's website which may be found at www.cityofmuscleshoals.com

Reasonable steps will be undertaken to maintain the postings for not less than thirty (30) days.

This 19th day of October 2021.



A handwritten signature in cursive script, reading "Richard L. Williams", is written over a horizontal line.

RICHARD L. WILLIAMS
CITY CLERK