

**CITY OF BAYOU LA BATRE  
ORDINANCE NO.: 2002-464**

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**AN ORDINANCE PROHIBITING UNLEASHED ANIMALS, HUNTING, AND  
WEAPONS FROM PUBLIC PARKS WITHIN THE CITY OF BAYOU LA BATRE**

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**WHEREAS**, the City Council of the City of Bayou La Batre, Alabama desires to protect, preserve and promote the health, safety, welfare, peace and quiet for the citizens of Bayou La Batre through prohibiting unleashed animals, hunting and weapons in public parks: and

**WHEREAS**, the City Council of the City of Bayou La Batre, Alabama desires to establish regulations governing same;

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BAYOU LA BATRE, ALABAMA AS FOLLOWS:**

**SECTION I: CONTROL OF ANIMALS WITHIN PUBLIC PARKS**

a) It shall be unlawful and a violation of this Ordinance for any person owning, harboring or having custody, possession, care or control of any animal to take or allow such animal into or on any public park, public playground, public school premises or public building in the City of Bayou La Batre, Alabama, unless such animal is a dog trained to assist or aid disabled persons and is actually being used for the purpose of assisting or aiding such person, or unless the animal is under physical restraint on a leash not to exceed six feet in overall length. Reel type leashes will not be allowed.

b) The owner or harborer of any animal shall be responsible for the removal of any excreta deposited by the animal upon or within public park, public playground, public school premises or public building in Bayou La Batre, Alabama.

**SECTION II: HUNTING WITHIN PUBLIC PARKS**

It shall be unlawful and a violation of this Ordinance for any person to hunt, trap, harass, take, collect or worry any animal within any public park, public playground or on any public school premises within the City of Bayou La Batre, Alabama.

**SECTION III: WEAPONS WITHIN PUBLIC PARKS**

It shall be unlawful and a violation of this Ordinance for any person to carry, possess, have custody, care or control of, fire or discharge any weapon, firearm, air gun or slingshot within any

public park, public playground or on public school premises within the City of Bayou La Batre, Alabama. The provisions of this section shall not apply to police officers or to the members of any military branch of the United States.

**SECTION IV: ENFORCEMENT PROCEDURES.**

- (a) When any police officer or other employee of the City designated by law or Ordinance as an enforcement officer finds any violation of any provision of this Ordinance which he is authorized or required to enforce, such person may issue on forms provided by the City, a citation and deliver it to the person in violation, directing the person to appear in the Municipal Court of the City of Bayou La Batre at a time and date stated thereon to answer to the charge or charges for the violation, which shall be stated in the citation.
- (b) If the violation is the first violation of such provision of this Ordinance within a twelve month period by the person cited, such person, in lieu of appearing in the Municipal Court at the time and date stated in the citation, may pay a fine of fifty dollars (\$50.00) plus the costs of court within ten (10) days from the date of issuance of the citation, such payment being rendered to the office of the Municipal Court Clerk for the use of the City and other agencies as designated by law.
- (c) The police officers and other employees of the City, designated by law or Ordinance as enforcement officers and authorized to issue citations as above provided, are hereby further authorized to swear out warrants or execute affidavits or complaints charging persons with the violations of this Ordinance without first having issued a citation for such violation.
- (d) Any employee of the City designated by the Mayor may issue corrective notices to persons, corporations, establishments, companies, owners, tenants, occupants and agents found to be in violation of any provision of this Ordinance. The issuance of such corrective notice is not necessary for the prosecution of violations of this Ordinance.

**SECTION V: PENALTIES.**

Any person found guilty of violating any provision of this Ordinance shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), or by imprisonment in the City Jail for a period not exceeding six (6) months, or both, or, in the alternative, may be sentenced to pick up litter or any other lawful remedial action which the Municipal Judge deems appropriate. Each instance such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

**SECTION VI: SEVERABILITY.**

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of the Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence and part thereof separately and independently of each other.

**SECTION VII: REPEALER.**

All Ordinances or parts of Ordinances in conflict with this Ordinance are to the extent of such conflict hereby repealed.

**SECTION VIII. EFFECTIVE DATE**

This Ordinance shall become effective on April 23, 2002

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BAYOU LA BATRE, ALABAMA this 23<sup>rd</sup> day of April, 2002.**

**CITY OF BAYOU LA BATRE**

  
MAYOR STAN WRIGHT

**ATTEST:**

  
IMELDA McCLELLAN, CITY CLERK

STATE OF ALABAMA    )  
COUNTY OF MOBILE    )

I, IMELDA McCLELLAN, City Clerk of the City of Bayou La Batre, Alabama, do hereby certify the foregoing to be a true and exact copy of an Ordinance approved and adopted by the City Council of the City of Bayou La Batre, Alabama, at its meeting held on the 23<sup>rd</sup> day of April, 2002.

  
IMELDA McCLELLAN, CITY CLERK