

ORDINANCE NO.: 2022- 2

AN ORDINANCE REPEALING CHAPTER 4, ANIMALS AND FOWL, SEC. 4-2., OF ARTICLE I. IN GENERAL., OF THE CODE OF ORDINANCES OF THE CITY OF OZARK IN ITS ENTIRETY AND REPLACING CHAPTER 4, ANIMALS AND FOWL SEC. 4-2., OF ARTICLE I. IN GENERAL., OF THE CODE OF ORDINANCES OF THE CITY OF OZARK.

BE IT ORDAINED by the Ozark City Council in Regular Session sitting that Sec. 4-2, of ARTICLE I., IN GENERAL, of Chapter 4, ANIMALS AND FOWL be repealed and replaced by a new Sec. 4-2. and shall now read in its entirety as follows:

SECTION 1. Chapter 4, ANIMALS AND FOWL, Article I, Sec. 4-2., of the Code of Ordinances for the City of Ozark, Alabama is hereby repealed in its entirety.

SECTION 2. Chapter 4, ANIMALS AND FOWL, Article I, Sec. 4-2., of the Code of Ordinances for the City of Ozark, Alabama is hereby replaced so that Sec. 4-2., thereof shall read in its entirety as follows:

"Sec. 4-2. Keeping of Animals - Running at large, maintaining nuisance.

(a) It shall be unlawful for any person owning or in possession of a horse, mule, cow, hog or other animals to permit or allow the same to run at large or on the streets.

(b) It shall be unlawful for any person to keep any domestic or farm animal or fowl including cats and dogs in any manner as to constitute a public or private nuisance due to obnoxious odors or noises.

(c) Chickens are permitted in Residential Zones for non-commercial purposes under the following conditions:

(1) maximum of six hens

(2) no roosters allowed

(3) chickens must be fenced or housed in the back yard or in the side yard if the chickens are fenced or housed more than 50 feet from the side property line or 150 feet from the nearest residence.


(4) It shall be unlawful for the keeping of chickens as set forth herein to violate subsection (b) regarding the creation of a nuisance."

SECTION 3. Severability. In the event that any provision of this ordinance should be declared by a Court of competent jurisdiction to be invalid for any reason, then in such event the remaining portions of this ordinance shall remain and be in full force and effect.

SECTION 4. Effective Date. This Ordinance shall become effective immediately after its adoption and publication as required by law.

ADOPTED AND APPROVED by the City Council of the City of Ozark, Alabama, this the 21st day of June, 2022.

THE CITY OF OZARK, ALABAMA


Brenda Simechack, Council President


Mark Blankenship, Mayor

ATTEST:


Denise Strickland, City Clerk