

ORDINANCE NO. 2023-1458

**AN ORDINANCE AMENDING CHAPTER 10, ARTICLE II, SECTION 10-28
OF THE CODE OF ORDINANCES OF THE CITY OF ORANGE BEACH, ALABAMA
TO BAN EXOTIC ANIMALS AND PROVIDE REGULATIONS FOR SHELTERING BY
AGENTS OF RECOGNIZED WILDLIFE ASSOCIATIONS AND ZOOS**

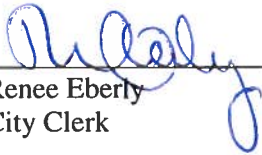
FINDINGS:

1. The City Council of the City of Orange Beach, Alabama passed Ordinance No. 2011-1128 on or around March 1, 2011, establishing regulations for the presence of exotic animals within the City. This ordinance is codified at section 10-28 of the Code of Ordinances of the City of Orange Beach, Alabama.
2. Exotic animals are wild animals by nature and pose an inherent danger to the public, especially when not cared for by a trained professional.
3. The City has dealt with multiple instances of exotic animals being kept in conditions unclean and/or unsafe for both the animals and their owners. Improper confinement of these animals can lead to health hazards for any party within the vicinity (e.g. owners, neighbors, passers-by). Exotic animals are not only dangerous due to the risk of biting or attack, but often carry diseases that can be transmitted to humans.
4. In an effort to protect and promote the safety and welfare of our residents and visitors as well as these exotic animals and their species, the City Council has determined it is necessary to ban exotic animals within the City of Orange Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGE BEACH, ALABAMA, AS FOLLOWS:

1. That Section 10-28 of the Code of Ordinances of the City of Orange Beach, Alabama is hereby amended to read as follows:
 - (a) It shall be unlawful for anyone to own, harbor, possess, or permit any exotic animal within the City of Orange Beach, Alabama.
 - (b) Agents of Registered or Licensed wildlife associations or zoos may be granted an exception to this prohibition by the City of Orange Beach Animal Control Officer upon written request to the Animal Control Officer to shelter or possess any exotic animal within the City of Orange Beach. The Agent shall provide information regarding the animal such as breed, name, age, weight, sex, vaccination status, veterinarian, if the animal requires outside time, an emergency contact, safety measures, known dangers to the public, and where the animal will be located. The Animal Control Officer may request other information if deemed necessary. Any exceptions granted shall be in the complete discretion of the Orange Beach Animal Control based upon information granted herein and upon finding that the public purpose in sheltering the animal outweighs potential danger to the public.
 - (c) This Ordinance shall not apply to employees or agents of the City of Orange Beach possessing or sheltering exotic animals in their official capacity.
2. **SEVERABILITY.** A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section, or part of this Ordinance shall not affect the validity of the remaining parts to this Ordinance.
3. **EFFECTIVE DATE.** That this Ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED THIS 12th DAY OF SEPTEMBER, 2023.



Renee Eberly
City Clerk

The City Clerk of the City of Orange Beach, Alabama hereby certifies
that the foregoing **ORDINANCE 2023-1458**

was posted on **09/15/2023** in the following three

(3) public places:

Orange Beach City Hall _____

Orange Beach Post Office _____

Orange Beach Public Library _____



Renee Eberly, City Clerk

