

City of Montgomery Ordinances Sec. 4-13. - Dogs running at large.

- (a) *Running at large of dogs prohibited.* It shall be unlawful for the owner of or any person having custody or control of any dog to allow or permit a dog to run at large within the city.
- (1) A dog is running at large if it is not under the control of the owner or a person acting for the owner and it is not:
 - a. Confined within a fence, wall or other enclosure in such a manner so as to effectively prevent the dog from traveling onto public property or the private property of another;
 - b. On a leash not more than ten feet in length, while walking, secured by a collar or harness with swivel connections in such a manner to effectively prevent the escape of the dog;
 - c. On a chain or tether not less than ten feet in length without access to others property secured on private property and secured by a collar or harness with swivel connections in such a manner to effectively prevent the escape of the dog;
 - d. Enclosed in a vehicle; or
 - e. Confined by an electronic animal confinement system which is maintained in continuous working order, provided that the dog wears the appropriate electronic collar, has received appropriate training with the collar and signs indicating the use of said system are prominently posted at 20-foot intervals around the perimeter of the confinement area.
 - (2) It shall be no defense in any prosecution for a violation of this section that such dog was at large without the knowledge, consent, or permission of the person charged with such violation.
- (b) *Reserved.*
- (c) *Enforcement of the prohibition against dogs running at large.* It shall be the duty of the animal control unit to capture and remove by impoundment any dogs found running at large within the city.
- (1) Any dog impounded pursuant to this section shall to be turned over to the animal shelter where they will be housed for a period not less than five days. However, any dog that appear to be diseased, injured or wild can be humanely destroyed at any time during the five-day period with the joint approval of either the director or director of operations of the animal shelter and a licensed veterinarian.
 - (2) Dogs claimed within the five days will be returned to the owner after the owner has provided proof of rabies inoculation and paid all required fees as set out in subsection (c)(3). Dogs that are not claimed within five days after impoundment will become the property of the animal shelter.
 - (3) Owners claiming dogs from impoundment for violation of the prohibition against running at large shall be required to pay a fee of \$35.00 to the animal shelter for the pickup of the dog, one half of which will be returned by the animal shelter to the city general fund, and a fee of \$20.00 per day, per animal for each day the dog was housed at the animal shelter. The total amount of the daily housing fee is to be retained by the animal shelter.

(Ord. No. 29-2001, § II (5-13—5-15), 6-21-2001; Ord. No. 72-2006, 12-19-2006; Ord. No. 20-2011, § II, 6-21-2011)

State Law reference— Confinement of dogs, Code of Ala. 1975, § 3-1-5; limitations on penalties, Code of Ala. 1975, § 11-45-9.