

# LEGAL NOTICES

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## Continued From A7

and may be renewed once for up to one hundred eighty (180) days upon a showing of continued hardship, continued good-faith compliance with permit conditions, and no Nuisance Condition.

53. **Denial; Revocation.** The City may deny or revoke a Hardship Permit if: (a) the application contains a material misrepresentation; (b) the Household fails to comply with permit conditions; (c) a Nuisance Condition exists or arises; or (d) the permit is used to avoid compliance without good-faith reduction efforts. Denial or revocation shall be in writing and shall state the reason(s).
54. **Nuisance-Based Enforcement Triggers; Non-Arbitrary Administration.**
55. **Trigger Requirement.** Except for situations involving immediate threats to public safety or animals at large, the City shall prioritize enforcement of the Household Limits based on the presence of a Nuisance Condition. The City shall not initiate enforcement solely based on animal count absent a Nuisance Condition, unless (a) the Household is beyond the grace period and has refused to pursue compliance or a Hardship Permit, or (b) the Household has acquired additional Dogs or Cats in violation of #43.
56. **Documentation; Consistency.** The City shall document the basis for enforcement, including the specific Nuisance Condition(s) observed or credibly reported and the dates of observation or complaint, and shall apply the same enforcement criteria uniformly to similarly situated Households.
57. **Notice and Opportunity to Cure (Non-Emergency).** In non-emergency situations, before issuing a citation for violation of the Household Limits, the City shall provide written notice identifying: the observed or alleged Nuisance Condition(s) and/or count violation; (b) the required corrective action; (c) the deadline to cure, which shall be not less than fourteen (14) days from notice; and (d) the availability of a Hardship Permit where applicable.
58. **Penalties; Remedies; Relationship to Other Ordinance Provisions.**
59. **Separate Violations.** Each day a violation continues after expiration of the applicable cure period, grace period, or permit term may constitute a separate offense, subject to a fine of \$250.00 for the first violation, and a fine of \$500.00, for each subsequent violation, plus court costs as assessed by the court, subject to Alabama statutory limits applicable to municipal ordinance prosecutions.
60. **No Limitation on Other Enforcement.** This Section does not limit the City's authority under the Ordinance to enforce provisions relating to animals at large, vicious animals, cruelty, sanitation, noise, vaccination, licensing, or other public safety requirements.
61. **Construction.** If any portion of this Section is held invalid, the remaining portions shall remain in effect to the maximum extent permitted by Alabama law.

### Regulations regarding vicious dogs.

#### (a) Definitions.

#### Vicious dog means:

- (1) *On public or private property, including the owner's property, unprovoked aggressively attacks and inflicts serious injury on a person, excluding person engaged in criminal behavior.*
- (2) *On public or private property, unprovoked aggressively attacks and causes serious injury to another domesticated animal, excluding self-defense.*
- (3) *A dog trained for dog fighting or is being used or has been used for the purpose of dog fighting.*
- (4) *Any dog which because of its size, physical nature or vicious propensity is capable of inflicting serious physical harm or death to humans and which would constitute a danger to human life or property if it were not kept in the manner required by this chapter;*
- (5) *Additionally, in determining whether an animal is a vicious animal, the City may consider credible evidence including witness statements, veterinary records, and documented City or police department records, and shall consider the circumstances of the incident, including whether the Animal was on the Owner's property and whether the Animal's conduct was reasonably related to protection of the Owner, the Owner's household, or the Owner's property.*

- (1) **Vicious dogs prohibited.** It shall be unlawful for any person, firm, or entity to own, keep, harbor, breed, raise, or maintain a vicious dog within the corporate limits of the City of Geneva. This prohibition shall not apply to licensed veterinarians lawfully operating a veterinary clinic or lawfully practicing veterinary medicine within the corporate city limits. Any duly licensed and practicing veterinarian who treats or harbors a vicious dog must provide proof to the city clerk of public liability insurance in the amount of at least one hundred thousand dollars (\$100,000.00) insuring said veterinarian for any personal injuries inflicted by such vicious dog.

#### (c) Registration Requirement.

It shall be mandatory for any person who keeps, harbors, owns, or in any way possesses a pit bull dog or presa canario dog within the corporate city limits of Geneva to register such dog with the city clerk's office in accordance with the standards and requirements set forth in this Section.

Any pit bull dog or presa canario dog; provided, that pit bull dogs or presa canario dog owned within the corporate city limits may be kept within the city subject to the standards and requirements set forth in this subsection (c).

For purposes of this section, "pit bull dog" is defined to mean: the bull terrier breed of dog; the Staffordshire bull terrier breed of dog; the American pit bull terrier breed of dog; the American Staffordshire terrier breed of dog; any dog which has the appearance and characteristics of being predominantly of the bull terrier, Staffordshire bull terrier, American pit bull terrier, American Staffordshire terrier, any other breed commonly known as pit bulls, pit bull dogs or pit bull terrier; or a combination of any of those breeds, according to the standards established by the American Kennel Club or the United Kennel Club. The A.K.C. and U.K.C. standards for the above breeds shall be kept on file and available for public inspection and copying in the offices of the city clerk.

For the purposes of this section, "presa canario dog" is defined to mean any dog which has the appearance and characteristics predominantly of the breed of presa canario.

The total number of dogs(5) per household allowed applies to any animals that are allowed to remain under this section. The keeping of such dogs, however, shall be subject to the following standards and requirements:

- (1) **Leash and muzzle.** No person shall permit a registered pit bull dog or presa canario dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four (4) feet in length. No person shall permit a pit bull dog or presa canario dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not

be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all pit bull dogs and presa canario dogs on a leash outside the animal's kennel must be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals.

- (2) **Confinement.** All registered pit bull dogs and presa canario dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as above provided. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine registered pit bull dogs and presa canario dogs must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground. All structures erected to house pit bull dogs and presa canario dogs must comply with all zoning and buildings regulations of the city. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition.
- (3) **Confinement indoors.** No pit bull dog or presa canario dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition. In addition, no such animal may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the dog from existing the structure.
- (4) **Signs.** All owners, keepers, or harborers of registered pit bull dogs or presa canario dogs within the city shall within ten (10) days of the registration of such animal display in a prominent place on their premises a sign easily readable by the public using the words "Dangerous Dog - No Trespassing." In addition, a similar sign is required to be posted in or on the kennel or pen of such animal.
- (5) **Insurance.** All owners, keepers, or harborers of registered pit bull dogs and presa canario dogs must within ten (10) days of the registration of such animal provide proof to the city clerk of public liability insurance in the amount of one hundred thousand dollars (\$100,000.00) for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such animal or proof of denial letter of said insurance from an insurance company. Such insurance policy shall provide that no cancellation of the policy will be made unless thirty (30) days' written notice is first given to the city clerk.
- (6) **Registration/Identification photographs.** All owners, keepers or harborers of registered pit bull dogs and presa canario dogs must within thirty days (30) of the effective date of this ordinance register the animal and pay an initial twenty-five dollar registration fee and pay an annual renewal fee each year of twenty-five dollars and shall provide to the city clerk two (2) color photographs of the registered animal clearly showing the color and approximate size of the animal and provide proof that vaccinations are current on day of registration. Annual registration shall be in the month of July.
- (7) **Reporting requirements.** All owners, keepers or harborers of registered pit bull dogs and presa canario dogs shall notify the city clerk within three (3) days in the event that the pit bull dog or presa canario dog is lost, stolen, dies, removed from the city, or has a litter. All owners, keepers or harborers of registered pit bull dogs or presa canario dogs shall notify the city clerk within three (3) days of change of address if the said owner, keeper or harborer should move within the corporate limits of the city.
- (8) **Animals born of registered dogs.** In the event that a pit bull dog or presa canario dog that is registered with the city has a litter, all offspring born of such pit bull dog or presa canario dog must be permanently removed from the corporate city limits within eight (8) weeks of the birth of such animal or the total number of dogs for said household shall be five(5) or less if the owner decides to keep some of the offspring. The new offspring that remain in the household shall be registered with the city clerk within thirty days (30) after birth. Any pit bull dog or presa canario dog puppies kept contrary to the provisions of this subsection are subject to immediate impoundment and disposal.
- (9) **Irrebuttable presumptions.** There shall be an irrebuttable presumption that any dog registered with the city as a pit bull dog, presa canario dog, or any of those breeds prohibited by this subsection (c) is in fact a dog subject to the requirements of this subsection.
  - (d) **Registration of pit bulls/presa canario dogs.** Every pit bull dog (as defined above) or presa canario dog owned, kept or harbored within the corporate city limits upon the effective date of this section shall, within thirty (30) days of the effective date of this section be registered with the city. Such registration shall provide the name and address of the person owning, keeping or harboring such animal, the name of the animal, a description of the animal, and any and all other information deemed appropriate by the chief of police of the city. Upon registration of such animal with the city, the owner, keeper, or harborer of such animal shall be subject to all of the requirements of subsection (c). Any pit bull dog or presa canario dog found within the corporate city limits after thirty (30) days of the effective date of this section and which has not been registered with the city as required by this subsection (d) shall be impounded and disposed of in a humane manner and the owner, keeper, or harborer of such animal shall be subject to the fines and/or penalties set forth herein.
- (e) **Exceptions.** The prohibitions and requirement of this section shall not apply to:
  - (1) Any licensed animal shelter which is authorized to temporarily harbor and transport any pit bull for purposes of enforcing the provisions of this section.
  - (2) Any humane society operating an animal shelter which is registered and licensed by the city, which may temporarily hold any pit bull that has been received or otherwise recovered.
  - (3) Any person temporarily transporting into the city or its police jurisdiction a pit bull for the sole purpose of showing such pit bull in a place of public exhibition, contest or show sponsored by a dog club association or similar organization. Any person who transports a pit bull into the city or its police jurisdiction for such showing shall, at all times when the pit bull is being transported within the city or its police jurisdiction or to and from the place of showing, keep the pit bull securely leashed and muzzled as required by subsection (c).
  - (4) Any person transporting a pit bull dog or presa canario dog through the city or its police jurisdiction while engaged in interstate travel through or beginning or terminating in, the city or its police jurisdiction. Provided, however, that any such person who transports a pit bull dog or presa canario dog through the city or its police jurisdiction while engaged in interstate travel shall

at all times while the said dog is within the limits of the city or its police jurisdiction secure the said dog as required by subsection (c).

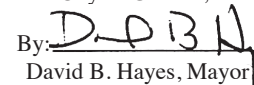
- (5) Any licensed veterinarian who keeps, or harbors any pit bull dog or presa canario dog for the purposes of treatment.

(f) **Penalties.** For each vicious dog violation or violation of section c "registration requirement" a fine of \$500.00, plus court costs as assessed, and jail time as determined by the court subject to Alabama statutory limits applicable to municipal ordinance violations and the animal shall be impounded and disposed of in a humane manner.

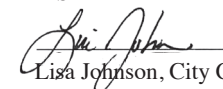
The City Clerk is hereby directed to cause this ordinance to be published one time in the Geneva County Journal, a newspaper of general circulation in the City of Geneva, Alabama.

ADOPTED AND APPROVED on this 2nd day of June, 2026.

The City of Geneva, Alabama

By:   
David B. Hayes, Mayor

ATTEST:

  
Lisa Johnson, City Clerk

As published in the Geneva County Journal, June 10, 2026