

Ordinance No. 2024-02

The Repeal and Replacement of Section 3 Part 12 subsections a and b of the City of Opp Code of Ordinances and the addition of penalties for violations of this Section

Whereas the Mayor and City Council are charged with protecting the health and welfare of the citizens of the City of Opp, and

Whereas the City of Opp Council is authorized to regulate and guide development within the City of Opp in accordance with Title 11 chapter 52 of the Code of Alabama 1975 compilation, and

Whereas the Mayor and Council wish to allow hobby farms, urban farming, and encourage self-sufficient living within the city limits, and

Whereas the City of Opp has previously adopted and utilized an ordinance that prohibits the keeping of certain animals, and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF OPP, ALABAMA:

That Sec. 3-12. entitled Prohibitions and restrictions on keeping of livestock, of the Code of Ordinances is hereby repealed, this day July _____, 2024.

Section 1:

- a. It shall be lawful for any person to keep any of the following types of animals inside the city limits, with the following conditions: Fowl (chicken, ducks, geese, etc.) 1. They are limited in number to 6 adults and 12 adolescents. 2. All fowl are to be kept in an enclosed area within the owner's property.
- b. It shall be lawful for any person to keep any of the following types of animals, inside the city limits, with the following condition: Horse (Equine) and Cattle (Bovine) 1. The livestock owner must have a minimum of five (5) contiguous acres under their control: and not adjacent to a platted Subdivision

Section 2:

- a. It shall be unlawful for any person to keep any of the following types of animals inside the city limits: Goats/Sheep (Ovine), and Pigs (Swine).

Sec. 3-19 Penalty

Any person violating any of the provisions of this division shall be deemed guilty of a misdemeanor and on a conviction shall be fined in an amount not exceeding five hundred dollars (\$500.00) or thirty (30) days in jail or both such fine and imprisonment. Each day of violation shall be deemed a separate offense.

Section 3: Severability

If any provision, clause, sentence, paragraph or word of this ordinance or the application thereof to any person, entity or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provisions or application and to this end the provisions of this ordinance are declared severable.

Section 4: Effective Date

Read, approved, and adopted on this 17th day of June, 2024.

CITY OF OPP, ALABAMA

A municipal corporation

BY: Becky Bracke
Becky Bracke, Mayor

Attested BY: Jan Bouwell
Jan Bouwell, City Clerk