

**TITLE 10****ANIMAL CONTROL**<sup>1</sup>**CHAPTER**

1. IN GENERAL.
2. DOGS, CATS AND OTHER DOMESTIC ANIMALS.
3. WILD AND EXOTIC ANIMALS.

**CHAPTER 1****IN GENERAL****SECTION**

- 10-101. Running at large prohibited.
- 10-102. Keeping near a residence or business restricted.
- 10-103. Pen or enclosure to be kept clean.
- 10-104. Adequate food, water, and shelter, etc., to be provided.
- 10-105. Keeping in such manner as to become a nuisance prohibited.
- 10-106. Seizure and disposition of animals.
- 10-107. Inspections of premises.
- 10-108. Violations and penalty.

**10-101. Running at large prohibited.** It shall be unlawful for any person owning or being in charge of any cows, swine, sheep, horses, mules, goats, or any chickens, ducks, geese, turkeys, or other domestic fowl, cattle, or livestock, knowingly or negligently to permit any of them to run at large in any street, alley, or unenclosed lot within the corporate limits. (1997 Code, § 10-101)

**10-102. Keeping near a residence or business restricted.** No person shall keep any animal or fowl enumerated in the preceding section within one thousand feet (1,000') of any residence, place of business, or public street, without a permit from the health officer. The health officer shall issue a permit only when in his sound judgment the keeping of such an animal in a yard or building under the circumstances as set forth in the application for the permit will not injuriously affect the public health. (1997 Code, § 10-102)

**10-103. Pen or enclosure to be kept clean.** When animals or fowls are kept within the corporate limits, the building, structure, corral, pen, or enclosure in which they are kept shall at all times be maintained in a clean and sanitary condition. (1997 Code, § 10-103)

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<sup>1</sup>Wherever this title mentions dogs it pertains to dog and cats.

**10-104. Adequate food, water, and shelter, etc., to be provided.** No animal or fowl shall be kept or confined in any place where the food, water, shelter, and ventilation are not adequate and sufficient for the preservation of its health and safety.

All feed shall be stored and kept in a rat-proof and fly-tight building, box, or receptacle. (1997 Code, § 10-104)

**10-105. Keeping in such manner as to become a nuisance prohibited.** No animal or fowl shall be kept in such a place or condition as to become a nuisance because of either noise, odor, contagious disease, or other reason. (1997 Code, § 10-105)

**10-106. Seizure and disposition of animals.** Any animal or fowl found running at large or otherwise being kept in violation of this chapter may be seized by the health officer or by any police officer and confined in a pound provided or designated by the governing body. If the owner is known he shall be given notice in person, by telephone, or by a postcard addressed to his last-known mailing address. If the owner is not known or cannot be located, a notice describing the impounded animal or fowl will be posted by the city on digital media and posted at city hall. In either case the notice shall state that the impounded animal can be claimed at the animal shelter. (1997 Code, § 10-107, modified)

**10-107. Inspections of premises.** For the purpose of making inspections to ensure compliance with the provisions of this title, the health officer, or his authorized representative, shall be authorized to enter, at any reasonable time, any premises where he has reasonable cause to believe an animal or fowl is being kept in violation of this chapter. (1997 Code, § 10-108)

**10-108. Violations and penalty.** Any person who violates any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than fifty dollars (\$50.00). In addition thereto, such violations are declared to be a public nuisance and may be enjoined and punished as such. Each day upon which such a violation occurs constitutes a separate offense. (1997 Code, § 10-109)

## CHAPTER 2

### DOGS, CATS AND OTHER DOMESTIC ANIMALS<sup>1</sup>

#### SECTION

- 10-201. Rabies vaccination and registration required.
- 10-202. Dogs and cats to wear tags.
- 10-203. Running at large prohibited.
- 10-204. Vicious dogs and cats to be securely restrained.
- 10-205. Noisy dogs and cats prohibited.
- 10-206. Confinement of dogs and cats suspected of being rabid.
- 10-207. Seizure and disposition of dogs and cats.
- 10-208. Dogs and cats to be restrained.
- 10-209. Manner of keeping dogs and cats.
- 10-210. When off owner's property.
- 10-211. Poisoning or trapping of animals.
- 10-212. Maximum number of pets per household.
- 10-213. Violations and penalty.

**10-201. Rabies vaccination and registration required.** It shall be unlawful for any person to own, keep, or harbor any dog or cat without having the same duly vaccinated against rabies and registered in accordance with the provisions of the "Tennessee Anti-Rabies Law" (*Tennessee Code Annotated*, §§ 68-8-101 to 68-8-114) or other applicable law. (1997 Code, § 10-201, as amended by Ord. #410, June 2003)

**10-202. Dogs and cats to wear tags.** It shall be unlawful for any person to own, keep, or harbor any dog or cat which does not wear a tag/microchip evidencing the vaccination and registration required by the preceding section. (1997 Code, § 10-202, as amended by Ord. #410, June 2003, modified)

**10-203. Running at large prohibited.**<sup>2</sup> It shall be unlawful for any person knowingly to permit any dog or cat owned by him or under his control to run at large within the corporate limits. (1997 Code, § 10-203, as amended by Ord. #410, June 2003)

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<sup>1</sup>State law reference

Cruelty to animals, *Tennessee Code Annotated*, § 39-14-202.

<sup>2</sup>State law reference

*Tennessee Code Annotated*, §§ 68-8-108 and 68-8-109.

**10-204. Vicious dogs and cats to be securely restrained.** It shall be unlawful for any person to own or keep any dog or cat known to be vicious or dangerous unless such dog or cat is so confined and/or otherwise securely restrained as to provide reasonably for the protection of other animals and persons. (1997 Code, § 10-204, as amended by Ord. #410, June 2003)

**10-205. Noisy dogs and cats prohibited.** No person shall own, keep, or harbor any dog or cat which, by loud and frequent barking, whining, or howling, annoys, or disturbs, the peace and quiet of any neighborhood. (1997 Code, § 10-205, as amended by Ord. #410, June 2003)

**10-206. Confinement of dogs and cats suspected of being rabid.**

If any dog or cat has bitten any person or is suspected of having bitten any person or is for any reason suspected of being infected with rabies, the health officer or chief of police may cause such dog or cat to be confined or isolated for such time as he deems reasonably necessary to determine if such dog or cat is rabid. (1997 Code, § 10-206, as amended by Ord. #410, June 2003)

**10-207. Seizure and disposition of dogs and cats.** Any dog or cat found running at large may be seized by the health officer or any police officer and placed in a shelter provided or designated by the governing body. Reclamation of the animal by the owner will be at the discretion of the shelter in possession of the animal. No dog or cat shall be released in any event from the shelter unless or until such dog or cat has been vaccinated and had a tag/microchip evidencing such vaccination placed on its collar. When, because of its viciousness or apparent infection with rabies, a dog or cat found running at large cannot be safely impounded it may be summarily destroyed by the health officer or police officer. (modified)

**10-208. Dogs and cats to be restrained.** It shall be unlawful for any person to fail to restrain a dog or cat belonging to him, or under his control, from going upon the premises of another, or upon a public highway, road or street; provided that this section shall not apply to a dog or cat being moved from one (1) place to another, by a person owning or controlling a dog or cat if all damage done by the dog or cat in the course of being so moved shall be paid or tendered to the person so damaged or his agent, within thirty (30) days after the damage is done. (1997 Code, § 10-208, as amended by Ord. #410, June 2003)

**10-209. Manner of keeping dogs and cats.** The provisions of §§ 10-103 to 10-106, inclusive, of the Algood Municipal Code shall apply to the keeping of dogs and cats, as well as the keeping of other animals. (1997 Code, § 10-209, as amended by Ord. #410, June 2003)

**10-210. When off owner's property.** (1) Control of dogs. No person shall permit a dog(s) owned by him or her or under his or her care to be at large in a city park or on a city street, trail, or sidewalk unless controlled by a leash not exceeding twenty-five feet (25') in length. Dog(s) must be on a leash anytime they are off the owner's property.

(2) Cleaning up litter - dogs and cats. (a) Any owner having custody of any dog(s) or cat(s) or any person having the custody of any dog(s) and cat(s) shall be responsible for cleaning up any feces of the animal and disposing of such feces in a clean and sanitary manner.

It is unlawful for any person owning, keeping, harboring or in custody of a dog(s) or cat(s) to cause to permit the dog(s) or cat(s) to be on property, public or private, not owned or possessed by such person without having in his or her immediate possession a device for removal of feces and depository for transmission of excrement to a proper receptacle located on the property owned or possessed by such person.

(b) Any owner having custody of any dog(s) or cat(s) or domestic animal(s) shall immediately remove any feces left by such animals within a city park, city street, trail or sidewalk and dispose of such feces in a sanitary manner.

The owner, while walking in the city park or along the city street, trail or sidewalk shall possess, carry and keep readily available a device or item of equipment for picking up and removing dog(s) or cat(s) feces. (Ord. #581-15, July 2014, modified)

**10-211. Poisoning or trapping of animals.** It shall be unlawful for any person to poison or to trap any animal or aid, abet or assist in the poisoning or trapping or the putting out or placing poison outside of buildings within the corporate of the city where dogs, cats or other domesticated animals may secure or encounter the poison or trap; provided, however, that in instances where any animal by reason of damage to property, danger to life, or threat to public health becomes a nuisance, a live, human trapping method approved by the board may be used.

**10-212. Maximum number of animals per household.** No person shall keep, lodge or maintain in excess of four (4) dogs and/or cats over the age of six (6) months, except an animal shelter, a zoo of a governmental agency, a humane society incorporated under the laws of this state, an institution of higher learning, or a circus or an animal exhibition officially recognized by the board and operated in compliance with city license, health and zoning regulations. Where zoning laws, health laws and other laws or regulations do not preclude, a person may keep, lodge or maintain in excess of four (4) dogs and/or cats over the age of six (6) months if such person applies and receives from the board a kennel, boarding facility, pet shop or pet dealer permit. No person may establish or maintain a kennel, boarding facility, pet shop or pet

dealership without a permit issued by the board, and the board shall possess the authority to establish minimum standards for the facilities or quarters where animals are kept. Such standards may be enforced by way of inspection conducted by the administrator or any animal control or police officer.

**10-213. Violations and penalty.** Any person who violates any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than fifty dollars (\$50.00). In addition thereto, such violations are declared to be a public nuisance and may be enjoined and punished as such. Each day upon which such a violation occurs constitutes a separate offense. (1997 Code, § 10-210, as amended by Ord. #490-07, Nov. 2007)

**CHAPTER 3****KEEPING OF WILD OR EXOTIC ANIMALS****SECTION**

10-301. Keeping of wild or exotic animals prohibited.

**10-301. Keeping of wild or exotic animals prohibited.** No person shall have, sell, keep or maintain any wild, exotic, dangerous or non-domesticated animal within the corporate limits of the city. "Wild, exotic, dangerous or non-domesticated animal" shall be defined to include all animals classified as class I animals under *Tennessee Code Annotated*, § 70-4-403, as amended, and shall also include any wolf-hybrid and the following species of non-venomous snakes, when such snakes reach six feet (6') in length:

- (1) Reticulate python: *Python reticulatus*,
- (2) Burmese python: *Python molurus bivittatus*,
- (3) African rock python: *Python sebae*,
- (4) Common boa: *Boa constrictor*, and
- (5) Green anaconda: *Eunectes murinus*.