

TITLE 10**ANIMAL CONTROL****CHAPTER****1. BARKING AND AT-LARGE DOGS****CHAPTER 1****BARKING AND AT-LARGE DOGS****SECTION**

10-101. Regulation of barking and at-large dogs.

10-101. Regulation of barking and at-large dogs. (1) It shall be unlawful for the owner of any dog to fail to keep such animal(s) under restraint or to permit such animal to run at-large upon the streets and public ways of the town or upon the property of others without the consent of the property owner.

(2) At-large means that a dog is off the premises of the owner, and not on a leash or otherwise under the immediate control of a person physically capable of restraining the dog.

(3) Animal control officers, the town recorder, or other designees of the town mayor and/or any public law enforcement officer are all empowered to enforce this section. These officials and officers shall have the authority to act in their official capacity in investigating complaints, impounding, issuing citations, and taking other lawful actions as required to the enforcement of these regulations.

(4) It is a violation of this section for any person to interfere with any animal control officer or other enforcement official in the performance of his duties in the enforcement of this section.

(5) Violation of this section shall constitute a Class C misdemeanor and may, in the discretion of the enforcement officer or official, result in a citation to municipal court. The penalty for each violation and/or continuing day of violation of the section upon conviction shall be a fifty dollar (\$50.00) fine plus court costs.

(6) Each day that one (1) or more violations of this section exists or continues to exist shall constitute a separate violation.

(7) In addition to other remedies provided herein, the enforcing officers and officials set forth above shall have the authority to seize, impound and humanely confine any dog that is kept in such a manner as to repeatedly violate the provisions of this section. Redemption and disposition of any dog so impounded and confined shall be in accordance with the procedures of the Unicoi County Animal Shelter.

(8) Any animal control officer or other enforcement official may also, or in lieu of impoundment, or initial citation, issue to the owner a notice of violation. Such notice shall impose upon the owner a civil monetary penalty of fifty dollars (\$50.00) which shall be paid to the town recorder within ten (10) days after the notice in full satisfaction of the assessed penalty. Appeal of such notice of violation shall be to the municipal court.

Failure to pay this notice of violation without just cause and a successful appeal thereof shall constitute a violation of this section. In the event that such penalty is not paid within the time period prescribed, a citation shall issue for appearance before the municipal court for violation of the section. (2004 Code, § 10-101, as amended by Ord. #2012-211, Feb. 2012)