

TITLE 10

ANIMAL CONTROL¹

CHAPTER

1. IN GENERAL.
2. DOGS, CATS, ETC.

CHAPTER 1

IN GENERAL

SECTION

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

10-101. Running at large prohibited.² It shall be unlawful for any person owning or being in charge of any cows, swine, sheep, horses, mules or 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. (1978 Code, § 3-101)

10-102. 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. (1978 Code, § 3-102)

10-103. 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. (1978 Code, § 3-103)

¹Municipal code reference

Horses prohibited on public trails and sidewalks: § 16-113.

²Charter reference: art. VI, § 1(14).

10-104. 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 either because of noise odor, contagious disease, or other reason. (1978 Code, § 3-104)

10-105. Cruel treatment prohibited. It shall be unlawful for any person to unnecessarily beat or otherwise abuse or injure any dumb animal or fowl. (1978 Code, § 3-105)

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 or area provided or designated by the board of mayor and aldermen. 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 in at least three (3) public places within the corporate limits. In either case the notice shall state that the impounded animal or fowl must be claimed within five (5) days by paying the pound costs or the same will be humanely destroyed or sold. If not claimed by the owner the animal or fowl shall be sold or humanely destroyed, or it may otherwise be disposed of as authorized by the board of mayor and aldermen.

The town shall be entitled to collect from each person claiming an impounded animal or fowl reasonable fees, in accordance with a schedule approved by the board of mayor and aldermen, to cover the costs of impoundment and maintenance. (1978 Code, § 3-106)

10-107. Inspections of premises. For the purpose of making inspections to insure 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. (1978 Code, § 3-107)

CHAPTER 2

DOGS, CATS, ETC.

SECTION

- 10-201. Rabies vaccination and registration required.
- 10-202. Dogs to wear tags.
- 10-203. Running at large prohibited.
- 10-204. Vicious animals to be securely restrained.
- 10-205. Noisy animals prohibited.
- 10-206. Confinement of animals suspected of being rabid.
- 10-207. Seizure and disposition of animals.
- 10-208. Position of animal control officer.
- 10-209. Fees, costs, and expenses.

10-201. Rabies vaccination and registration required. It shall be unlawful for any person to own, keep or harbor any dog, cat or household pet susceptible to the contraction of rabies without having the same vaccinated against rabies and registered in accordance with the "Tennessee Anti-Rabies Law" Tennessee Code Annotated, sections 68-8-101 through 68-8-114 or other applicable law. (1978 Code, § 3-201)

10-202. Dogs to wear tags. It shall be unlawful for any person to own, keep or harbor any dog which does not wear a tag evidencing vaccination and registration required by the preceding section. (1978 Code, § 3-202)

10-203. Running at large prohibited.¹ It shall be unlawful for any person knowingly to permit any dog, cat or household pet owned by him or under his control, to run at large within the corporate limits of the Town of Mountain City. (1978 Code, § 3-203)

10-204. Vicious animals to be securely restrained. It shall be unlawful for any person to own or keep any dog, or other animal known to him to be vicious or dangerous unless such animal is so confined and/or otherwise securely restrained so as to reasonably provide for the protection of other animals, persons and property. (1978 Code, § 3-204)

10-205. Noisy animals prohibited. No person shall own, keep or harbor any dog, or other animal which, by loud or frequent barking, howling, whining

¹State law reference

Tennessee Code Annotated, sections 68-8-108 and 68-8-109.
Charter reference: art. VI, § 1(14).

or similar noise, annoys or disturbs the peace and quiet of any neighborhood. (1978 Code, § 3-205)

10-206. Confinement of animals suspected of being rabid. If any dog or other animal has bitten or scratched any person, or is suspected of having bitten or scratched any person, and/or for any reason, is suspected of being infected with rabies, the health officer, chief of police, or animal control officer may cause such animal to be confined and/or isolated for such time as he deems reasonably necessary to determine if such animal is in fact rabid. If, after such length of time, the animal is determined not to be rabid, it shall immediately be returned to its lawful owner, who shall be chargeable with a reasonable fee for the boarding of the animal, and the costs of any necessary tests performed to determine if such animal is rabid. (1978 Code, § 3-206)

10-207. Seizure and disposition of animals. Any dog, cat or other household pet found running at large may be seized by the health officer, or animal control officer, or any police officer and placed in an animal control shelter provided or designated by the board of mayor and aldermen. If said animal is wearing a tag, the owner shall be notified in person, by telephone, or by other means reasonably calculated to convey actual notice, to appear within five (5) days and redeem his animal by paying a reasonable boarding fee, and any other necessary costs in accordance with a schedule approved by the board of mayor and aldermen. If such animal is not claimed within five (5) days after notice is given to such owner, then it shall be humanely destroyed or sold, with the reasonable costs of such euthanasia to be likewise chargeable to the owner.

If such animal is not wearing a tag, it shall be humanely destroyed or sold within two (2) days after such animal is placed in the animal control shelter, unless claimed by its lawful owner. No animal shall be released in any event from the animal control shelter unless such animal has been properly vaccinated, or its owner has presented a proper certificate stating that such animal has been properly vaccinated within a period of one (1) year, or within a period of three years, depending upon the type of vaccination administered.

When, because of its viciousness or apparent infection with rabies, an animal found running at large cannot be safely impounded, it may be summarily destroyed by the health officer, animal control officer, or any police officer if deemed necessary for the protection from personal injury by such officer. (1978 Code, § 3-207)

10-208. Position of animal control officer. There is hereby created the position of animal control officer whose duties shall include the enforcement of this chapter, the maintenance and operation of the animal control shelter, and such other related duties as the board of mayor and aldermen may from time to time direct, and for such salary or other remuneration as the board of mayor and aldermen may from time to time fix. (1978 Code, § 3-208)

10-209. Fees, costs, and expenses. The board of mayor and aldermen is hereby authorized to fix fees, costs, and expenses, by resolution, for pick-up of animals, vaccination of animals where necessary, boarding costs of animals at the animal control shelter, necessary tests performed on animals to determine infection of rabies, registration of animals, for owners of individual animals and operators of kennels where animals are bred for sale, and costs of performance of euthanasia where necessary and authorized herein. Such costs and/or fees shall be set forth on a schedule approved and fixed by the board of mayor and aldermen, and the receipts from such costs and/or fees shall be applied to the maintenance of the animal control shelter, remuneration of the animal control officer, and such other related expenses deemed appropriate by the board of mayor and aldermen. (1978 Code, § 3-209)