

TITLE 10

ANIMAL CONTROL

CHAPTER

1. IN GENERAL.
2. DOGS.

CHAPTER 1

IN GENERAL

SECTION

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10-101. Definitions. The following definitions shall apply in the interpretation and the enforcement of this chapter:

(1) "At large." Any dog, except a dog that has been classified as vicious, that is off the premises of the owner, as defined herein, and not under the control of the owner or a member of the owner's immediate family over ten (10) years of age, by leash, but a dog not classified as vicious, upon the running board or in the bed of a truck or within an automobile shall be deemed upon the owner's premises.

(2) "Commercial kennel or animal boarding facility." Any lot or premises which boards, grooms, or provides other on-site services to dogs owned by the public or operates a K-9 breeding facility on a for-profit basis.

(3) "Dog." Any member of the species *Canis Familiaris*, male or female.

(4) "Inoculation or vaccination." The subcutaneous injection at onetime, but in several sites if necessary, of a standard vaccine for dogs and cats which vaccine meets the standards prescribed by the United States Department of Agriculture or the United States Health Service for interstate sale.

(5) "Leash." A cord, thong, or chain, not more than ten feet (10') in length, by which a dog is controlled by the person accompanying it.

(6) "Nuisance." Any animal which exhibits the following shall be considered a nuisance animal:

(a) The actions of an animal constitute a nuisance when an animal disturbs the rights of, threatens the safety of, or damages property of a member of the general public, or interferes with the ordinary use and enjoyment of their property.

(b) It shall be unlawful for any person to own, keep, possess or maintain an animal in such a manner so as to constitute a public nuisance. By way of example and not of limitation, the following acts or actions by an owner or possessor of an animal are hereby declared to be a public nuisance and are therefore unlawful:

(i) Failure to exercise sufficient restraint necessary to control the animal.

(ii) Allowing or permitting an animal to damage private or public property, other than its owner's property including streets, alleys, sidewalks, parks, and other public property.

(iii) Maintaining a vicious animal.

(iv) Maintaining animals in an environment of unsanitary conditions which results in offensive odors or is dangerous to the animal or to the public health, welfare and safety.

(v) Allowing or permitting an animal to bark, whine, howl, crow or cackle in an excessive, continuous or untimely manner, or make other noise in such a manner so as to result in a serious annoyance or interference with the reasonable use and enjoyment of neighboring premises.

(vi) Maintaining an animal that is diseased or dangerous to the public health.

(vii) Maintaining an animal that habitually or repeatedly chases, snaps at, attacks or barks at pedestrians, bicycles or vehicles.

(viii) Allowing an animal to desecrate or soil public or private property without removing the waste generated by the animal.

(ix) Maintaining an animal that has not been properly vaccinated.

(7) "Officer." Any official with the power and authority of an officer of the peace, including deputy sheriffs, policemen of the city, and the rabies control officer.

(8) "Owner." Any person owning, harboring, or keeping a dog, and the occupant of any premises on which a dog remains or to which it customarily returns is presumed to be the owner of the dog within the meaning of this chapter.

(9) "Rabies control officer." That officer of the city acting under the direction and control of the board of mayor and aldermen, through their designee and under his authority, who is charged with the responsibility of enforcing the terms of this chapter, assists in maintaining the operation of an animal shelter, and is responsible for all other provisions contained herein.

(10) "Stray dog." Any dog which has no apparent owner or one that has migrated from outside the city, and is at large, as is defined herein.

(11) "Vicious dog." A dog that meets the definition in § 10-120(1).

(12) "Vicious dog declaration." A dog that has been found to meet the definition of a vicious dog and has been declared so by the owner, through a signed waiver of admission, or the declaration by a judge through the judicial process. (1977 Code, § 3-101, as replaced by Ord. #1-2010, Feb. 2010)

10-102. Cruelty to animals. (1) It shall be unlawful for any person to over-drive, overload, torture, torment or deprive of necessary sustenance, or to cruelly beat, or needlessly mutilate or kill, or cause or procure to be over-driven, over-loaded, tortured, tormented, or deprived of necessary sustenance, or to be cruelly beaten, or needlessly mutilated or killed, as aforesaid, any living creature.

(2) It shall be unlawful for any person to wilfully instigate, promote, or engage in, or do any act toward the furtherance of an act of cruelty to any animal.

(3) Animal care and manner of keeping. (a) It shall be unlawful for any person keeping an animal to fail to provide for that animal:

(i) Clean, sanitary, and humane conditions;

(ii) Sufficient quantities of food and clean fresh water daily;

(iii) Proper air ventilation and circulation;

(iv) Sufficient shelter and protection from the elements and environment;

(v) Medical attention and/or necessary veterinary care when it is sick or diseased;

(vi) Annual inoculations, as recommended by a veterinarian, against disease infectious to humans or animals.

(b) It shall be unlawful for any person to tease or molest any animal.

(c) This section does not replace the criminal offense part of Tennessee Code Annotated, § 39-14-202, pertaining to cruelty to animals. (1977 Code, § 3-102, as replaced by Ord. #1-2010, Feb. 2010)

10-103. [Deleted]. (1977 Code, § 3-103, as replaced by Ord. #1-2010, Feb. 2010, and deleted by Ord. #6, 2012, Sept. 2012)

10-104. Livestock at large; prohibited; impounding, sale.

(1) It shall be unlawful for the owner or others having care or custody of any horses, mules, hogs, goats, sheep, or any cattle or stock to knowingly permit the same to be at large upon the public streets, highways, alleys, parks, and other public places within the city.

(2) It shall be the duty of the animal control officer or other designated employees of the city to take up any animals found at large within the city in violation of this section, and confine such animals in a pound or other appropriate place for five (5) days, giving notice of the same in writing, if the owner can be identified.

(3) If within that time, the owners of such animals shall call for same, they shall be delivered to them upon the payment of the cost of keeping and feeding same.

(4) If no person claims such animal within five (5) days, such animal shall be sold by the public works director or other designated employee of the city and the proceeds of the sale to be applied to the impounding fee and costs of keep; the remainder, if any, to be paid to the owner of such animal, if known, otherwise, to be paid into the city treasury. (1977 Code, § 3-104, as replaced by Ord. #1-2010, Feb. 2010)

10-105. Domestic fowl and other exotic game birds. (1) It shall be unlawful for the owners or others having care and custody of any chickens, ducks, geese and other domestic fowl and exotic game birds to permit same to be at large on any private property, including that of the owners or those having the care and custody of same, or on any public street, highway, alley, park, and other public places and ways within the city.

(2) Such domestic fowl and exotic game birds shall be confined in a coop or fowl house not less than eighteen inches (18") in height. The fowl must be kept within the coop or fowl house at all times. The coop or fowl house must be used for fowl only, and must be well ventilated. The coop or fowl house shall have a minimum of four (4) square feet of floor area for each fowl. The run must be well drained so there is no accumulation of moisture. The coop or fowl house shall be kept clean, sanitary, and free from accumulation of animal excretion and objectionable odors. The coop or fowl house shall be cleaned daily and all droppings and body excretion shall be placed in a flyproof container (such refuse shall not be placed in containers for city solid waste collection). The coop or fowl house shall be a minimum of twenty-five feet (25') from any property line. All portable coops or fowl houses including, but not limited to, pens, cages, crates,

etc., shall not be located closer than twenty-five feet (25') from the side or rear property line.

(3) No more than twenty (20) such fowl or exotic game bird(s) shall be kept or maintained per acre with the number of fowl proportionate to the acreage. In determining the number of domestic fowl permitted, only fowl six (6) months or older in age shall be counted. No domestic fowl or other exotic game birds shall be kept or maintained on a parcel of land less than five (5) acres in total area for one (1) parcel of property.

(4) The raising of domestic fowl and other exotic game birds shall not be permitted within any residential district as defined by the Zoning Ordinance for the City of Pulaski and the Official Zoning Map for the City of Pulaski. (1977 Code, § 3-105, as replaced by Ord. #1-2010, Feb. 2010)

10-106. Keeping in such a manner as to become a nuisance prohibited. It shall be unlawful for any person to keep any animal or fowl in such a place or condition or allow such to occur, that becomes a nuisance either because of noise, odor, contagious disease, damage to the property of others, or for any reason constituting a nuisance and annoyance to persons other than the owners of said animal or fowl. (1977 Code, § 3-106, as replaced by Ord. #1-2010, Feb. 2010)

10-107. Wild or dangerous exotic animals. No person shall have, sell, keep or maintain any wild, dangerous exotic, dangerous, or non-domesticated animal within the city. "Wild, dangerous exotic, dangerous, or non-domesticated animal" shall be defined to include all animals classified as class I animals under Tennessee Code Annotated, § 7-4-403, as amended, and shall also include any wolf hybrid. (1977 Code, § 3-107, as replaced by Ord. #1-2010, Feb. 2010)

10-108. Confinement of rabies suspect, etc., dogs. (1) It shall be required that any dog that has bitten a human being or has shown symptoms of rabies, or is for any reason suspected of having rabies, shall be reported by any citizen with knowledge of same to the rabies control officer and said dog shall be immediately impounded, isolated and confined at the facility of a licensed veterinarian for such time as necessary to protect the safety of people or property. In addition to the pick-up fee and boarding fees provided for in this chapter, the owner of said impounded dog shall pay, any additional expenses that result from the confinement of the dog including court cost and veterinarian bills. All of said fees must be paid before the dog is relinquished to the owner at the end of the confinement. If the owner of the dog cannot be found, then the City of Pulaski shall be liable for any additional fees.

(2) If the owner of any dog confined under subsection (1) of this section shall contest the validity or basis of said confinement, he shall file a petition contesting same before the city judge within five (5) days from the date of notice of confinement sent to him as is hereinafter provided, or within five (5) days of confinement, and the burden of proof shall be upon said owner to establish that said dog was not validly confined under the provisions of subsection (1) of this section. The decision of the judge in such cases shall be binding and final except that the owner shall have a right to appeal such decision to a court of competent jurisdiction. (as added by Ord. #1-2010, Feb. 2010)

10-109. Impounding and disposition of dogs in violation of this chapter. (1) It shall be the duty of the city to seize and impound when found or come upon, or upon the complaint of any person by swearing out a warrant, any stray dog; vicious dog; dog reported or suspected of having rabies; dog which is found to be a nuisance, all as defined herein; female dog in heat and unconfined; any dog found at large; and any dog in violation of this chapter. Any dog which has bitten a human being or is suspected of having rabies will be confined as is herein set out. Any stray dog, female dog in heat and not confined, "nuisance dog," or any dog at large shall be in violation of the provisions of this chapter and the owner thereof liable for the penal sanctions contained herein.

(2) If said dog is wearing an identification tag, the owner shall be notified by telephone, or if not reachable by phone, by mail to appear before the person designated in said notice (rabies control officer or animal control designee) within five (5) days from the date of said notice, or to make other arrangements should such owner be unable to appear within five (5) days, and, except as hereinafter provided, to redeem his dog by accomplishing the following:

- (a) Paying a pick-up fee as prescribed;
- (b) Paying the sum prescribed for boarding fee or pound fee;
- (c) Paying a fine of fifty dollars (\$50.00) if said dog is in violation of the provisions of this chapter; if said owner waives his right to have said matter heard in the court as is hereinafter set out; and
- (d) Producing proof of current rabies inoculation or having same accomplished.

(3) If the dog is not wearing an identification tag, the dog so seized and impounded shall be confined for a period of five (5) days, after which time it may be disposed of, as is hereinafter set out; provided that at any time after such seizure and impoundment and prior to disposition of said dog, the owner of a dog so seized and impounded may redeem said dog by a payment of the charges and fees set out in subsection (2) of this section, and complying with the other provisions hereof.

(4) It shall be the duty of the rabies control officer, and/or other authorized persons, upon the issuing of a citation or swearing out of a warrant before the court by any person against any owner of any dog alleged to be in

violation of any of the provisions of this chapter and, after service of same has been accomplished, if seizing and impoundment is necessary in the sole judgment of the officer involved, to seize and impound any dog in violation hereof. At the discretion of the public works director or his assignee, the dog owner against whom said citation or warrant has been issued may redeem the dog as is hereinabove set out, and, as well, pay a fine at the tune of redemption of said dog upon said owner signing a waiver of his rights to have a citation or warrant heard and disposed of in the court, unless said citation or warrant constitutes the third or subsequent violation of this chapter, in which event no waiver shall be granted and the owner shall, in addition to the provisions contained herein, appear before the court at the time set forth in said citation or warrant, at which time the judge shall dispose of the case.

(5) Any owner who does not desire to waive a hearing before the court shall at the time he redeems his dog as is set out in subsection (2) of this section, accept service of a citation or warrant against him if a citation or warrant has not previously been served upon him, which shall set forth the charges brought against him in violation hereof, at which time his case will be scheduled within five (5) days to appear before the court, at which time he may appear and present evidence in his own behalf.

(6) Any persons aggrieved by the decision of the court shall have the right to appeal said decision as in other cases held in the court.

(7) All fees and fines shall be paid by the owner who shall be given a receipt therefore, which shall be presented to the rabies control officer before said dog is relinquished to the owner or redeemer.

(8) No dog shall be released, in any event, from the shelter unless and until it has been inoculated, and satisfactory proof thereof furnished to the officer or designee in charge of the dog shelter at that time.

(9) If the dog owner to whom notice is sent does not redeem said dog or make arrangements for an extension of time within the five (5) day period provided, or if an untagged dog, then, at the end of the five (5) day period, said dog may be disposed of in the most humane way at the discretion of the rabies control officer under the direction and supervision of the director of public works. The owner of the dog, if known, shall still be responsible for all costs associated with the impoundment of the dog. The rabies control officer is to maintain records regarding the time and method of disposal of all dogs. (as added by Ord. #1-2010, Feb. 2010)

10-110. Protection for dogs. (1) All dogs within the city are hereby declared to be personal property and subjects of larceny, and it shall be unlawful for any person except an officer or authorized agent of the city or other peace officer, deliberately or by any means, to kill or injure or detain or to attempt deliberately to kill, or injure, or detain any dog; provided, any citizen of the city may summarily destroy any dog, whether or not tagged, which gives

unmistakable evidence of being rabid or mad. The burden of proof that a dog did give such evidence shall be upon the person destroying the dog.

(2) In case of accidental destruction or injury to a dog, the person causing such destruction or injury shall immediately report the same to the owner of the dog, or to the animal control division, giving his name and address.

(3) It shall be unlawful for any person to place any poison of any description in any place, on his own premises or elsewhere, where it may be easily found or taken by dogs.

(4) It shall be unlawful for any person to subject any dog, either his own or belonging to another, to any treatment which may reasonably be considered inhumane. (as added by Ord. #1-2010, Feb. 2010)

10-111. Abatement of nuisance. (1) Upon the issuance of any citation or warrant signed by any person that the owner of any dog within the city is in violation of the provisions hereof, in addition to the impoundment procedures hereinabove set out, said owner shall be required to appear before the court at the time designated in said citation or warrant, to answer the charges brought against him, at which time the prosecutor shall be present and shall present evidence for consideration by said court. If any owner shall be found in violation of the provisions hereof, he shall be fined fifty dollars (\$50.00), plus the costs of the cause, and shall be subject to whatever rules or stipulations as the judge shall impose and shall be subject to all other provisions of this chapter.

(2) In addition to the penal provisions hereinabove set out, any citizen shall have the right to seek whatever legal redress such citizen desires in a court of competent jurisdiction to abate any nuisance created by the owner of any dog within the city. (as added by Ord. #1-2010, Feb. 2010)

10-112. Vicious dogs. (1) Definitions. (a) "Vicious dog" is:

(i) Any dog with a known propensity, tendency or disposition or whose conduct indicates same, to attack unprovoked, to cause injury to, or otherwise threaten the safety of human beings or domestic animals; or

(ii) Any dog which, without provocation, attacks or bites, or has attacked or bitten, a human being or domestic animal; or

(iii) Any dog owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting.

(b) No dog may be declared vicious as a result of injury or damage if, at the time of injury or damage, the victim of the injury or damage;

(i) Was committing a willful trespass or other tort upon premises occupied by the owner or keeper of the dog;

(ii) Was teasing, tormenting, abusing or assaulting the dog; or

(iii) Was committing or attempting to commit a crime. No dog may be declared vicious if the dog was protecting or defending a person within the immediate vicinity of the dog from an unjustified attack. No dog may be declared vicious if an injury or damage was sustained by a domestic animal, which, at the time of the injury damage, was teasing, tormenting, abusing or assaulting the dog.

(c) "Vicious dog at large" is: Any dog which has been classified as vicious and/or is unattended, unrestrained by leash and muzzle, and/or unconfined as per the restrictions outlined in this section either on its own property or on the property of someone other than its owner.

(2) Responsibilities of the owner of a vicious dog. (a) The owner of a vicious dog shall not permit the dog to go unconfined.

(b) A vicious dog is "unconfined" if the dog is not securely confined indoors or confined in a securely enclosed and locked pen or structure upon the premises of the owner of the dog. The pen or structure must have secure sides and a secure top attached to the sides which shall be made of nine (9) gauge wire, or stronger, and inspected and approved by the animal control officer. The pen must be a minimum of five feet by ten feet (5' x 10') or a minimum of fifty (50) square feet. If the pen or structure has no bottom secured to the sides, the sides must be embedded into the ground no less than one foot (1'). All such pens or structures must be adequately lighted and kept in a clean and sanitary condition. This structure must be at least ten feet (10') from an adjoining property owner's property; this structure shall leave an outer fence three feet (3') from the interior fence constructed of at least the same gauge material.

(c) Leash and muzzle. The owner of a vicious dog shall not allow or permit the dog to go unconfined unless the dog is securely muzzled and restrained by a chain or leash, and under the physical restraint of an adult. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but shall prevent it from biting any human or animal.

(d) Signs. The owner of a vicious dog shall display at all entry points on his or her premises a clearly visible warning sign indicating that there is a vicious dog on the premises. A similar sign is required to be posted on the pen or kennel of the animal. The sign shall be made with reflective letters not less than one and one-half inches (1.5") in width and one and one-half inches (1.5") in height and reading "Beware of Vicious Dog."

(e) Insurance. Owners of vicious dogs must provide proof to the city recorder of liability insurance in the amount of at least one hundred thousand dollars (\$100,000.00) insuring the owner for any personal injuries inflicted by his or her vicious dog.

(f) The owner must register the dog with the animal control division, must allow inspection of the dog and its enclosure by animal control, and must produce, upon demand, proof of compliance with such restrictions.

(g) The owner of a dangerous dog shall not permit such a dog to be chained, tethered, or otherwise tied to any inanimate object such as a tree, post, or building, inside or outside of its own separate enclosure.

(h) A dog declared to be vicious shall be photographed by animal control for future identification purposes.

(i) Neutering or spaying of the dog.

(j) Implantation of an identification microchip in such dog; the serial number of the identification chip must be supplied to animal control.

(k) Notification in writing to the animal control department of the location of the dog's residence, temporary or permanent, including prior notice of plans to move the dog to another residence within the city or outside of the city and/or notification of transfer of ownership of the dog. The city shall be notified within forty-eight (48) hours of the death of the dog.

(l) Any other reasonable requirement specified by the court. The owner must pay the cost of all such restrictions and requirements.

(3) Observation, seizure, impoundment and disposition of vicious dogs.

(a) In the event that a vicious dog is found to be in violation of this chapter, thereby creating a hazard to person or property, such animal may, in the discretion of the animal control officer or police officer, be destroyed if it cannot be confined or captured.

(b) (i) Upon the complaint of an individual that a person is keeping a vicious dog on premises in the City of Pulaski, the animal control officer shall investigate, and if after investigation the facts indicate that the person named in the complaint is keeping a vicious dog in the city and that the dog is not in compliance with all requirements for possessing a vicious dog, the animal control officer may enter upon private premises in order to seize any such vicious dog, whether running at large or not. An animal so seized shall be impounded or quarantined at the animal shelter and shall not be released to the owner, but shall continue to be held at the expense of the owner, pending the outcome of the hearing. A written notice of the impoundment shall be given by the animal control officer to the person keeping the dog suspected to be vicious, and shall be served personally or by certified mail. If the dog has not attacked or bitten a person or other animal, the owner may waive a hearing by registering the dog as vicious and complying with all requirements within this chapter. The dog will not be released until those requirements have been satisfied and

the animal control officer has verified it, and all fees have been paid.

(ii) If the owner does not declare the dog to be vicious, a citation or warrant shall also be served upon the keeper of said suspected vicious dog pursuant to the provisions found in this code.

(c) Hearing on impoundment. The keeper of an impounded dog shall have the right to appear at a hearing to contest the impoundment, and/or defend the charges set forth in the citation issued to him.

(i) The hearing shall be before a judge through the judicial process, and shall be conducted as are other matters in the court. The owner may be represented by counsel, present oral and written evidence and cross-examine witnesses.

(ii) After considering all of the relevant evidence, the judge shall issue a decision and may order the destruction of the impounded dog, or may release the dog to its owner, conditioned upon the owner having complied with the requirements set forth in this section or with any other requirements necessary to protect the public health, or safety. The judge shall also determine if the keeper of said vicious dog has violated the provisions hereof and issue an order accordingly. If the animal is not determined to be vicious, all costs of such impoundment or quarantine shall be paid by the city.

(iii) If the owner of an impounded dog fails to appear at a hearing, the dog shall be destroyed.

(d) The animal control officer of the City of Pulaski shall have the authority to enforce this chapter without a warrant or citation if he observes a violation occurring in his presence.

(4) Vicious dog exemptions. (a) The prohibitions contained in this section shall not apply to the keeping of vicious dogs in the following circumstances:

(i) The keeping of guard dogs, at both commercial establishments and residences, under the following provisions: Guard dogs must be kept within a structure or fixed enclosure at all times, and any guard dog found at large may be processed as a vicious dog pursuant to this section. Any premises guarded by a guard dog shall be prominently posted with a sign containing the wording "guard dog," or "vicious dog," and the signage shall comply with § 10-113(2)(d). The owner of such premises shall inform the chief of police and the animal control department in writing that a guard dog is on duty at said premises. Any gate to any fence enclosing guard dogs shall be kept closed and locked when persons are located upon the property housing them.

(ii) Animals under the control of a law enforcement or military agency.

(5) Penalty provisions. It shall be unlawful for anyone to harbor or maintain or own a vicious dog as defined herein in violation of or in noncompliance with the provisions hereof and anyone who shall do so shall be subject to the general penalty provisions found in the code of ordinances of the City of Pulaski, Tennessee. (as added by Ord. #1-2010, Feb. 2010)

10-113. Concealing dogs. Any person who shall hide or conceal or aid or assist in hiding or concealing any dog owned, kept or harbored in violation of any provisions of this chapter, shall be guilty of a misdemeanor and subject to fine as provided herein. (as added by Ord. #1-2010, Feb. 2010)

10-114. Stealing tags. Anyone who shall steal or otherwise acquire and use a dog identification or rabies inoculation tag for which it was not issued shall be guilty of a violation of the provisions of this chapter and shall be fined. (as added by Ord. #1-2010, Feb. 2010)

10-115. Dogs and cats to be vaccinated. Dogs and cats shall be vaccinated as required by Tennessee Code Annotated, § 68-8-104, as amended. (as added by Ord. #1-2010, Feb. 2010)

10-116. Location of dog kennel and dog run. A dog kennel and/or dog run and/or associated appurtenances to same, whether permanent or portable, shall be located only within the rear yard of a property and shall be located a minimum of five feet (5') from all property lines. The dog kennel and/or dog run shall be well drained to prevent the accumulation of standing water and other conditions deemed a public nuisance. (as added by Ord. #1-2010, Feb. 2010)

CHAPTER 2

DOGS

SECTION

- 10-201. Rabies vaccination and registration required.
- 10-202. Dogs to wear tags.
- 10-203. Running at large prohibited.
- 10-204. Vicious dogs to be securely restrained.
- 10-205. Noisy dogs prohibited.
- 10-206. Violations and penalties.
- 10-207. Seizure and disposition of dogs.

10-201. Rabies vaccination and registration required. It shall be unlawful for any person to own, keep, or harbor any dog 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 through 68-8-114) or other applicable law. (1977 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 the vaccination and registration required by the preceding section. (1977 Code, § 3-202)

10-203. Running at large prohibited.¹ It shall be unlawful for any person knowingly to permit any dog owned by him or under his control to run at large within the corporate limits. (1977 Code, § 3-203)

10-204. Vicious dogs to be securely restrained. It shall be unlawful for any person to own or keep any dog known to be vicious or dangerous unless such dog is so confined and/or otherwise securely restrained as to provide reasonably for the protection of other animals and persons. (1977 Code, § 3-204)

10-205. Noisy dogs prohibited. No person shall own, keep, or harbor any dog which, by loud and frequent barking, whining, or howling, annoys, or disturbs the peace and quiet of any neighborhood. (1977 Code, § 3-205)

10-206. Violations and penalties. Any police officer observing a violation of any of the foregoing sections shall cite the owner or keeper of the dog to appear in city court. Any citizen witnessing a violation of any of the foregoing sections may likewise make a complaint and sign a warrant against the owner

¹State law reference

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

or keeper of the dog, which said warrant shall be served by any officer citing the defendant owner or keeper to appear in city court.

If the defendant is found guilty, the city judge will assess a penalty in accordance with section 5 of the adopting ordinance for this municipal code. (1977 Code, § 3-206)

10-207. Seizure and disposition of dogs. Upon the arrest of the owner or keeper of a dog which is in violation of the foregoing sections, the arresting officer shall hold the dog in the dog pound pending the hearing. If the owner or keeper is found not guilty, the case shall be dismissed and the dog returned to him. If the owner or keeper is found guilty of a violation of the rabies control sections, he may recover the dog by paying all fines and costs assessed by the court and the costs for keeping at the pound, inoculating, and tagging the dog.

If the owner or keeper be found guilty of a violation of §§ 10-203, 10-204, or 10-205, he may recover the dog by paying the fine and costs, the cost of keeping the dog at the pound, and upon presentation of satisfactory evidence to the health officer that the dog will be kept in conformity with the ordinances of the City of Pulaski.

If the owner or keeper of any dog not be known, then the provisions of § 10-107 will be applicable. However, in no event shall a dog be released from the pound unless it has been vaccinated and has a tag placed on its collar.¹ (1977 Code, § 3-207)

¹State law reference

For a Tennessee Supreme Court case upholding the summary destruction of dogs pursuant to appropriate legislation, see Darnell v. Shapard, 156 Tenn. 544, 3 S.W.2d 661 (1928).