

**TITLE 10****ANIMAL CONTROL****CHAPTER****1. DOGS AND CATS.****CHAPTER 1****DOGS AND CATS****SECTION**

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**10-101. Running at large prohibited.** 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.

Any person knowingly permitting a dog to run at large, including the owner of the dog, may be prosecuted under this section even if the dog is picked up and disposed of under the provisions of this chapter, whether or not the disposition includes returning the animal to its owner. (as added by Ord. #10-101, Jan. 2009)

**10-102. 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. A violation of this section shall subject the offender to a penalty provision of this code. (as added by Ord. #10-101, Jan. 2009)

**10-103. Noisy dogs prohibited.** No person shall own, keep, or harbor any dog which, by loud and frequent barking, whining, or howling, disturbs the peace and quiet of any neighborhood. (as added by Ord. #10-101, Jan. 2009)

**10-104. Confinement of dogs suspected of being rabid.** If any dog has bitten any person or is suspected of having bitten any person or is for any reason suspected of being infected with rabies, the chief of police or any other properly designated officer or official may cause such dog to be confined or

isolated for such time as he deems reasonably necessary to determine if such dog is rabid. (as added by Ord. #10-101, Jan. 2009)

**10-105. Vicious dogs shall be securely restrained.** (1) It shall be unlawful for any owner, as defined herein, or other person who has control or custody over a dog, whether such control or custody shall be temporary or otherwise, to own, keep, harbor or permit to remain on or about the premises of such owner a vicious dog unless such vicious dog shall be securely restrained or confined to an area so as to prevent contact with other animals and persons. Any person having control or custody over a vicious dog, as stated above, shall obtain approval from the rabies control officer as to the adequacy of the restraint or confinement used to secure the vicious dog so as to prevent contact with other animals and persons. A vicious dog not restrained or confined as provided herein may be seized by the rabies officer or any law enforcement agency for impoundment or confinement.

(2) It shall be unlawful for any owner to own, keep, harbor or permit to remain on or about the premises of such owner a vicious dog without posting notice on the premises in an area in plain view to the general public that a vicious dog is on the premises. (as added by Ord. #10-101, Jan. 2009)

**10-106. Unprovoked attack by a dog.** (1) The owner of any dog that attacks by biting, maiming or killing a person shall submit such dog to seizure, confinement, and examination, including both external examination and submission of the dog to internal biological testing, as may be required by the rabies officer, health officer, and/or any law enforcement authorities. For purposes of this section, an attack shall not be considered unprovoked if a dog bites, maims, or kills a person or domestic animal under circumstances that establish that the dog's conduct was reasonable.

(2) The owner of a dog that kills or maims one (1) or more persons or other domestic animals, in one (1) or more unprovoked attacks shall be required to have the dog destroyed on written order of the rabies officer. Any owner may appeal to the city court for review of the order of the rabies officer by filing a petition in the court within five (5) days of receipt of the written order issued by the rabies officer. (as added by Ord. #10-101, Jan. 2009)

**10-107. Vicious dogs.** (1) For the purposes of this section, "vicious dogs" means:

- (a) Any dog which has attacked a human being or domestic animal one (1) or more times without provocation; or
- (b) Any dog with a history, tendency or disposition to attack, to cause injury or to otherwise endanger the safety of human beings or domestic animals; or
- (c) Any dog that snaps, bites or manifests a disposition to snap or bite; or

(d) Any dog that has been trained for dog fighting, animal fighting or animal baiting, or is owned or kept for such purposes; or

(e) Any dog trained to attack human beings, upon command or spontaneously in response to human activities except dogs owned by and under the control of the police department, a law enforcement agency of the State of Tennessee or the United States or a branch of the armed forces of the United States.

(f) Staffordshire terrier breed of dog; or

(g) The American pit bull breed of dog; or

(h) The American Staffordshire terrier breed of dog; or

(i) Dogs of mixed breed or other breeds than above listed which breed or mixed breed is known as pit bulls, pit bull dogs or pit bull terriers; or

(j) Any dog which has the appearance and characteristics of being predominantly the breed of Staffordshire terrier; any other breed commonly known as pit bulls, pit bull dogs or pit bull terriers; or a combination of any of these breeds.

(2) All vicious dogs shall be securely confined within an occupied house or residence or in a securely enclosed and locked pen or kennel, except when leashed and muzzled provided below. Such pen, kennel or structure must have secure sides and a secure top attached to the sides or in lieu of a top, walls at least six feet (6') in height and at least six feet (6') taller than any internal structure.

All pens or other structures designed, constructed or used to confine vicious dogs must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom, floor or foundation attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two feet (2') so as to prevent digging under the walls by the confined dog. All pens must have a sign with minimum two inch (2") lettering saying "BEWARE OF VICIOUS DOG." The city officers or other person designated by the city council is empowered to inspect such pens at least once per year.

No person shall permit a vicious dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than six feet (6') in length and a muzzle. No person shall permit a vicious dog to be kept on a chain, rope or other type leash outside its kennel or pen unless both dog and leash are under the actual physical control of a person eighteen (18) years of age or older.

Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, or any other object or structure. violation of this section is a misdemeanor and shall be punishable to the maximum allowable under law for each violation.

(3) A vicious dog which is found twice not to be confined as required by this section shall be required to be permanently removed from the town or

destroyed. An animal which is returned to the town after removal under this section shall be destroyed. (as added by Ord. #10-101, Jan. 2009)

**10-108. Violation and penalty.** Any violation of this chapter shall constitute a civil offense and shall, upon conviction, be punishable under the general penalty provision of this code. Each day a violation shall be allowed to continue shall constitute a separate offense. (as added by Ord. #10-101, Jan. 2009)