

TITLE 10**ANIMAL CONTROL****CHAPTER**

1. LIVESTOCK AND FARM ANIMALS.
2. DOGS AND CATS.
3. EXOTIC ANIMALS.

CHAPTER 1**LIVESTOCK AND FARM ANIMALS****SECTION**

- 10-101. Definition.
- 10-102. Livestock prohibited under certain circumstances.
- 10-103. Violations and penalty.

10-101. Definition. Livestock and farm animals for the purposes of this chapter are defined as cattle, goats, kids, hogs, sheep, horses, poultry, donkeys and mules, and other livestock or farm animals. (2000 Code, § 10-101)

10-102. Livestock prohibited under certain circumstances. No livestock or farm animals shall be kept or maintained by any person, partnership, corporation, or other entity within two hundred feet (200') of any residence belonging to any other person, partnership, corporation, or other entity. (2000 Code, § 10-102)

10-103. Violations and penalty. Any person, partnership or corporation violating the terms of this chapter shall be assessed a civil penalty not greater than the sum of fifty dollars (\$50.00) per day. Each day of a violation of this chapter shall constitute a separate and distinct offense. (2000 Code, § 10-103)

CHAPTER 2

DOGS AND CATS

SECTION

- 10-201. Definitions.
- 10-202. Owner responsibility.
- 10-203. Injury to property.
- 10-204. Manner of keeping.
- 10-205. Dogs and cats running at large.
- 10-206. Keeping barking dogs and crying cats.
- 10-207. Rabies and animal bites.
- 10-208. Violations and penalty.

10-201. Definitions. As used in this chapter the following terms mean:

- (1) "Animal." For the purpose of this chapter, animal shall mean dog or cat.
- (2) "Animal control authority." The person or persons designated to enforce this chapter.
- (3) "Animal shelter." Facility designated or recognized by the Town of Pittman Center for the purpose of impounding and caring for animals.
- (4) "At large." A dog or cat shall be deemed to be at large when off the property of the owner and not under restraint.
- (5) "Humane manner." Care of an animal to include, but not be limited to, adequate heat, ventilation and sanitary shelter, wholesome food and water, consistent with the normal requirements and feeding habits of the animal's size, species and breed.
- (6) "Nuisance." A dog or cat shall be considered a public nuisance if it: Damages, soils, defiles, or defecates on private property other than the owner's or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner; causes unsanitary, dangerous, or offensive conditions; causes a disturbance by excessive barking or other noisemaking; or chases vehicles, or molests, attacks, or interferes with persons or other domestic animals.
- (7) "Owner." A person having the right of property or custody of a dog or cat or who keeps or harbors a dog or cat or knowingly permits a dog or cat to remain on or about any premises occupied by that person.
- (8) "Restraint." A dog or cat shall be considered under restraint if it is within the real property limits of its owner or secured by a leash or lead and under the control of a responsible person.
- (9) "Vicious animal." A dog or cat that constitutes a physical threat to humans or other domestic animals. (2000 Code, § 10-201)

10-202. Owner responsibility. (1) All dogs and cats shall be kept under restraint.

(2) Every vicious dog or cat, as determined by the Town of Pittman Center shall be confined by its owner within a building or secure enclosure and shall be secured muzzled or caged whenever off the premises of its owner.

(3) No dog or cat shall be allowed to cause a nuisance. The owner of every dog or cat shall be held responsible for every behavior of such dog or cat under the provisions of this chapter. (2000 Code, § 10-202)

10-203. Injury to property. (1) Injury to property. It shall be unlawful for any person owning or possessing a dog or cat to permit such dog or cat to go upon any sidewalk, parkway, or private lands or premises without the permission of the owner of such premises and break, bruise, tear up, crush or injure any lawn, flower bed, plant, shrub, tree or garden in any manner whatsoever, or to defecate thereon.

(2) Waste products accumulations. It shall be unlawful for any person to cause or permit a dog or cat to be on property, public or private, not owned or possessed by such person unless such person has in his immediate possession an appropriate device for scooping excrement and an appropriate depository for the transmission of excrement to a receptacle located upon property owned or possessed by such person. This chapter shall not apply to a person who is visually or physically handicapped. (2000 Code, § 10-203)

10-204. Manner of keeping. (1) Pens, yards, and runs. All pens, yards and runs or other structures wherein any animal is kept shall be of such construction so as to be easily cleaned and kept in good repair.

(2) Fences. Fences which are intended as enclosures for any animal shall be securely constructed and shall not be allowed to become unsightly. (2000 Code, § 10-204)

10-205. Dogs and cats running at large. (1) Prohibition. It shall be unlawful for any person owning or possessing any dog or cat to permit the same to run at large. For the purpose of this section, "running at large" shall be defined to be the presence of a dog or cat at any place except upon the premises of the owner.

A dog or cat shall not be considered to be running at large if it is on a leash and under the control of a person physically able to control it.

No dog or cat shall be permitted in any cemetery. No dog or cat shall be allowed in any parks, beaches or any swimming areas open to the public in the town.

(2) Impounding dogs and cats. Whenever any police officer or other person designated by the chief of police shall find any dog or cat running at large as defined in this chapter, he shall, if possible, pick up and impound such animal in such place as the chief of police may direct.

Whenever any impounded dog or cat shall bear an identification mark such as a collar or tag, the owner shall be notified forthwith. Any dog impounded shall be held for a period of seven (7) days. There shall be no required holding period before returning any impounded cat to the owner unless such cat is suspected of having rabies, in which case the impounded cat shall be held for a period of seven (7) days. At the end of seven (7) days the impounded dog or cat shall be disposed of unless the owner thereof shall reclaim such dog or cat and pay at the police department the reasonable cost of keeping such dog or cat and an impounding fee of ten dollars (\$10.00) for the first impounding and of fifteen dollars (\$15.00) and twenty-five dollars (\$25.00) for the second and third impounding, respectively, in one (1) year. The destruction of any impounded dogs or cats by the police officer or any person designated by the chief of police under the provisions of this chapter shall be by means prescribed by the Sevier Animal Care Center. (2000 Code, § 10-205, modified)

10-206. Keeping barking dogs and crying cats. (1) Harboring. It shall be unlawful for any person knowingly to keep or harbor any dog which habitually cries or howls to the great discomfort of the peace and quiet of the neighborhood, or in such manner as to materially disturb or annoy persons in the neighborhood who are of ordinary sensibilities. Such dogs or cats are hereby declared to be a public nuisance.

(2) Petitions complaining of vicious or barking dogs or crying cats. Whenever any person shall complain to the police department that a dog which habitually barks, howls or yelps or a cat which habitually cries or howls is being kept by any person in the town, the police department shall notify the owner of said dog or cat that a complaint has been received and that the person should take whatever steps necessary to alleviate the howling, yelping or crying.

If the warning given to the person alleged to be keeping a dog or cat as set forth above is ineffective, then a verified complaint of at least two citizens not from the same family may be presented to the police department, alleging that a vicious dog or a dog which habitually barks, howls or yelps, or a cat which habitually cries or howls is being kept by any person within the town. The police department shall inform the owner of such dog or cat that said petition has been received and shall cite the owner of the dog or cat for the violation alleged in said petition. (2000 Code, § 10-206)

10-207 Rabies and animal bites. (1) Reporting. Anyone having knowledge or reason to believe that any animal in the town has bitten a person shall report within twenty-four (24) hours, so far as is known, the name and address of the owner and circumstances of the animal. Such report concerning bites shall be made to the police department.

(2) Control. Whenever any domestic animal has bitten a person, it shall be confined in such place as the police department may direct and for such period of observation as may be necessary, unless such animal is too vicious and

dangerous to be impounded safely, in which case it shall be killed and head shipped to the state laboratory for rabies examination. (2000 Code, § 10-208)

10-208 Violations and penalty. Failure to comply with the provisions of this chapter shall be subjected to a civil penalty of not to exceed fifty dollars (\$50.00) per day, per occurrence, plus court costs. (2000 Code, § 10-209)

CHAPTER 3

EXOTIC ANIMALS

SECTION

10-301. Keeping wild or exotic animals unlawful; exceptions.

10-302. Permits.

10-301. Keeping wild or exotic animals unlawful; exceptions.

(1) It shall be unlawful for any person, firm or corporation to keep, maintain possess or have under their control within the town any venomous reptile or any other wild or exotic animal.

(2) A wild or exotic animal shall be defined as one which would ordinarily be confined to a zoo, or one would ordinarily be found in the wilderness of this or any other country, or one which otherwise causes a reasonable person to be fearful of bodily harm or significant destruction of property. Such animals are further defined as being those mammals or those non-venomous reptiles weighing over fifty (50) pounds at maturity which are known at law as "ferae naturae." Wild or exotic animals specifically do not include animals of a species customarily used in Tennessee as ordinary household pets, animals of a species customarily used in Tennessee as domestic farm animals, fish confined in an aquarium, birds, nor insects.

(3) The provisions of this chapter shall have no application to the following:

(a) A zoological park accredited by the American Association of Zoological Parks.

(b) Any veterinary establishment licensed by the state.

(c) Any laboratory facilities owned and maintained by licensed veterinary hospitals.

(d) Appropriately accredited colleges, universities or other institutions of higher learning which own, keep or maintain any such animals for educational or scientific purposes.

(e) Handicapped persons who utilize primates to assist them in their daily activities.

(f) Persons or entities maintaining such animals within the corporate limits of the town pursuant to a valid permit issued on a temporary basis by the board.

(4) The provisions of this chapter shall not apply to existing venomous reptiles or wild or exotic animals which are kept, maintained or possessed within the town on November 16, 1995, or which come under the jurisdiction of the town through annexation, if the owner or keeper thereof gives written notice to the town clerk within thirty (30) days of the time when the keeping of the animal is under the jurisdiction of the town. This notice shall include the existence, genus and species, age and location of each animal, together with the

provisions for the confining thereof, and copies of all state and federal permits which may be required. (2000 Code, § 10-301)

10-302. Permits. Temporary permit for keeping certain wild animals. The director of animal control may issue a temporary permit for the keeping, care and protection of injured wild animals or infant wild animals native to this area which have been deemed to be incapable of surviving without assistance. (2000 Code, § 10-302)