

TITLE 10

ANIMAL CONTROL

CHAPTER

1. IN GENERAL.
2. DOGS.

CHAPTER 1

IN GENERAL

SECTION

- 10-101. Running at large prohibited.
- 10-102. Keeping near a residence or business restricted.
- 10-103. Pen or enclosure to be kept clean.
- 10-104. Adequate food, water, and shelter, etc., to be provided.
- 10-105. Keeping in such manner as to become a nuisance prohibited.
- 10-106. Cruel treatment prohibited.
- 10-107. Seizure and disposition of animals.
- 10-108. Inspections of premises.

10-101. Running at large prohibited. It shall be unlawful for any person owning or being in charge of any cows, swine, sheep, horses, mules, 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. (1981 Code, § 3-101)

10-102. Keeping near a residence or business restricted. No person shall keep any animal or fowl enumerated in the preceding section within five hundred (500) feet of any residence, place of business, or public street, without a permit from the health officer. The health officer shall issue a permit only when in his sound judgment the keeping of such an animal in a yard or building under the circumstances as set forth in the application for the permit will not injuriously affect the public health. (1981 Code, § 3-102)

10-103. 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. (1981 Code, § 3-103)

10-104. 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. (1981 Code, § 3-104)

10-105. 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. (1981 Code, § 3-105)

10-106. Cruel treatment prohibited. It shall be unlawful for any person to beat or otherwise abuse or injure any dumb animal or fowl. (1981 Code, § 3-106)

10-107. 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 dog catcher or by any police officer and confined in a pound provided or designated by the governing body. 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 governing body.

The pound keeper shall collect from each person claiming an impounded animal or fowl reasonable fees, in accordance with a schedule approved by the governing body, to cover the costs of impoundment and maintenance. (1981 Code, § 3-107)

10-108. Inspections of premises. For the purpose of making inspections to insure compliance with the provisions of this chapter, 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. (1981 Code, § 3-108)

CHAPTER 2

DOGS

SECTION

- 10-201. Definition.
- 10-202. Rabies vaccination and registration required.
- 10-203. Dogs to wear collars and tags.
- 10-204. Running at large prohibited.
- 10-205. Vicious dogs to be securely restrained.
- 10-206. Noisy dogs prohibited.
- 10-207. Confinement of dogs suspected of being rabid.
- 10-208. Seizure and disposition of dogs.
- 10-209. Penalty provision.

10-201. Definition. The term "running at large" shall be intended to mean that the dog is off the property of the owner and not under the control of the owner. The term "control" shall mean that the dog must be under the immediate command and supervision of the owner or another qualified person or the dog must be on a leash, cord or chain secure to a stationary object. The term "owner" shall mean any person having a right of property in a dog or who keeps or harbors a dog or has it in his care with the permission of the legal owner. The term "vicious dog" shall mean any dog which has attacked or shown a vicious propensity to endanger, bite or maim any human being. The term "vicious propensity" shall mean the nature of habitual inclination or the tendency to do any act that might endanger the safety of a person and property of others in any given situation including, but not limited to, the habitual chasing of bicycles, motor bikes, motorcycles, motor scooters, automobiles and trucks or either public or private property; a natural fierceness or disposition to mischief that might occasionally lead a dog to attack human beings without provocation. (1981 Code, § 3-201, as replaced by Ord. #2004-006, Oct. 2004)

10-202. 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. (1981 Code, § 3-202, as replaced by Ord. #2004-06, Oct. 2004)

10-203. Dogs to wear collars and 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. The collar and/or tag must also provide the name and address of the owner or the name

and phone number of the owner. (1981 Code, § 3-203, as replaced by Ord. #2004-06, Oct. 2004)

10-204. 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. (1981 Code, § 3-204, as replaced by Ord. #2004-06, Oct. 2004)

10-205. 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. (1981 Code, § 3-205, as replaced by Ord. #2004-06, Oct. 2004)

10-206. 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. (1981 Code, § 3-206, as replaced by Ord. #2004-06, Oct. 2004)

10-207. 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 health officer or chief of police may cause such dog to be confined or isolated for such time as he deems reasonably necessary to determine if such dog is rabid. (1981 Code, § 3-207, as replaced by Ord. #2004-06, Oct. 2004)

10-208. Seizure and disposition of dogs. Any dog found running at large may be seized by the dog catcher or any police officer and placed in a pound provided or designated by the governing body. If said dog is wearing a tag the owner shall be notified in person, by telephone, or by a postcard addressed to his last-known mailing address to appear within five (5) days. No dog shall be released in any event from the pound unless or until such dog has been vaccinated and had a tag evidencing such vaccination placed on its collar. When, because of its viciousness or apparent infection with rabies, a dog found running at large cannot be safely impounded it may be summarily destroyed by the health officer or any policeman.² (as added by Ord. #2004-06, Oct. 2004)

¹State law reference

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

²State 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).

10-209. Penalty provision. Any person violating any provision of this chapter shall be guilty of a misdemeanor, punishable by a fine of not more than \$50.00 for each separate violation. Each day that any violation of the chapter continues shall constitute a separate offense. The imposition of a penalty under the provisions of this section shall not prevent the taking of any punitive or remedial action or called for under the municipal code or other applicable law. (as added by Ord. #2004-06, Oct. 2004)