

TITLE 10**ANIMAL CONTROL**¹**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.

10-101. 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. (1978 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 to come within one thousand (1,000) feet of any residence, place of business, or public street without a permit from the health officer. The health officer, animal warden or other official designated by the council, 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. (1978 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. (1978 Code, § 3-103)

¹Charter reference

Regulation of animals and fowls: § 1.04(o).

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, safe condition, and wholesomeness for food if so intended.

All feed shall be stored and kept in a rat-proof and fly-tight building, box, or receptacle. (1978 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. (1978 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. (1978 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 health officer, animal warden, any police officer, or other official designated by the council, and confined in a pound provided or designated by the town council. 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 town council.

The pound keeper shall be entitled to collect from each person claiming an impounded animal or fowl a reasonable fee to cover the costs of impoundment and maintenance. (1978 Code, § 3-107)

CHAPTER 2

DOGS

SECTION

- 10-201. Rabies vaccination and registration required.
- 10-202. Dogs to wear tags.
- 10-203. Dogs running at large and/or creating a nuisance prohibited.
- 10-204. Vicious dogs to be securely restrained.
- 10-205. Noisy dogs prohibited.
- 10-206. Confinement of dogs suspected of being rabid.
- 10-207. Apprehension and disposition of dogs
- 10-208. Fees.
- 10-209. Dogs to be neutered.
- 10-210. Female dogs coming in heat.
- 10-211. Fines for violation of this chapter.

10-201. Rabies vaccination and registration required. It shall be unlawful for any person to own, keep, or harbor any dog within the corporate limits of the Town of Huntingdon 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 to 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 within the corporate limits of the Town of Huntingdon which does not wear a tag evidencing the vaccination and registration required by the preceding section. (1978 Code, § 3-202)

10-203. Dogs running at large and/or creating a nuisance prohibited. (1) It shall be unlawful for any person having a right of property in a dog, or who keeps or harbors a dog, or who has it in his care, or acts as its custodian, or who permits a dog to remain on or about any premises occupied or controlled by such person, to allow such animal to run at large off the premises of said person unless the animal is under such control so as to reasonably provide for the protection of persons, other animals, or property by means of a leash, cord or chain secured to an adequate stationary object or to the hand of the owner or other qualified person so that it shall not be able to bite or injure any person or animal, or damage any property. Further, if said animal is on the premises of said person but outside of adequate fencing or other restraining device, said animal shall be under the direct supervision and control of said person or his agent of responsible age.

(2) It shall be unlawful to keep a dog in such a manner, place, or condition so as to become a nuisance either because of noise, odor, contagious disease, or other offensive habits or reason.

(3) For the purpose of this chapter a dog shall be defined as any member of the canine family three (3) months or more of age. (1978 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 within the corporate limits of the Town of Huntingdon unless such dog is so confined and/or otherwise securely restrained as to provide reasonably for the protection of other animals and persons. (1978 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, disturbs the peace and quiet of any neighborhood. (1978 Code, § 3-205)

10-206. 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, a state or county health officer, the animal warden, any police officer or other official designated by the council may cause such dog to be confined or isolated for such time as he deems reasonably necessary to determine if such dog is rabid. (1978 Code, § 3-206)

10-207. Apprehension and disposition of dogs. Any dog found running at large and/or creating a nuisance may be seized by the animal warden, any police officer, or other official designated by the council, and placed in a pound provided or designated by the town council. 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 and redeem his dog by paying the apprehension fee and boarding fee established by this chapter, or the dog will be humanely destroyed or sold. If said dog is not wearing a tag it shall be humanely destroyed or sold unless legally claimed by the owner within two (2) days. No dog shall be released in any event from the pound unless or until such dog has been vaccinated and has a tag evidencing such vaccination placed on its collar. The owner shall be responsible for paying the vaccination fee. When, because of its viciousness or apparent infection with rabies, a dog found running at large cannot be safely apprehended and impounded, it may be summarily destroyed by the animal warden or any policeman.¹

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).

For these purposes the animal warden, any police officer, or other official designated by the council, shall hereby be authorized to utilize tranquilizer dart guns, or other capture devices in the apprehension or destruction of same. (1978 Code, § 3-207)

10-208. Fees. (1) Apprehension and impoundment fees shall be:

- (a) \$25.00 for the first pick-up;
- (b) \$35.00 for the second pick-up;
- (c) Sited into court for the third pickup.

(2) Should the dog require services of a veterinarian or other professional animal services while in the custody of the town, the cost of such services shall be added to the apprehension and impoundment fees. (1978 Code, § 3-208, as replaced by Ord. #496, Sept. 2006)

10-209. Dogs to be neutered. Dogs which are to be released from the animal shelter for adoption by a new owner shall be neutered by a competent veterinarian, and the cost of which shall be added to any impoundment fees and paid by the new owner(s). (1978 Code, § 3-209)

10-210. Female dogs coming in heat. All female dogs within the town upon coming in heat, shall be kept in a secure enclosure or under complete control by the owner for a minimum period of twenty-one (21) days beginning the first day the evidence of attraction is noticeable to the owner. Any such female dog running loose, with or without the tags evidencing vaccination and registration, demonstrating evidence of attraction, shall be picked up by the animal warden and confined in a separate compartment at the impoundment facility. If said dog is wearing a tag, the owner shall be notified by telephone or by postcard addressed to his last known mailing address, to appear within five (5) days and redeem his dog by paying the apprehension fee and boarding fee established by this chapter, or the dog will be humanely destroyed or sold. If said dog is not wearing a tag, it shall be humanely destroyed or sold unless legally claimed by the owner within two (2) days. (1978 Code, § 3-210)

10-211. Fines for violation of this chapter. The animal warden, any police officer or other official designated by the council shall have the authority to investigate all violations observed by him, and to investigate all complaints filed by any person. Any owner found guilty of violating any section of this chapter may, upon conviction, be fined from one dollar (\$1.00) to fifty dollars (\$50.00). (1978 Code, § 3-211)