

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

1. IN GENERAL.
2. DOGS AND CATS.

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. Seizure and disposition of animals.
- 10-107. Violation and penalty.

10-101. Running at large prohibited. It shall be unlawful for any person owning or being in charge of any cows, 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.

Any person, including its owner, knowingly or negligently permitting an animal to run at large may be prosecuted under this section even if the animal is picked up and disposed of under other provisions of this chapter, whether or not the disposition includes returning the animal to its owner.

10-102. Keeping near a residence or business restricted. Swine are prohibited within the corporate limits. No person shall keep or allow any other 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, as measured in a straight line.

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.

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.

It shall be unlawful for any person to beat or otherwise abuse or injure any dumb animal or fowl.

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 because of either noise, odor, contagious disease, or other reason.

10-106. 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 any police officer or other properly designated officer or official and confined in a pound provided or designated by the board of mayor and council. If the owner is known all reasonable effort will be made to locate and notify them. If the owner is not known or cannot be located, a notice describing the impounded animal or fowl will be posted in the local newspaper or local news media web site. 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 may be adopted or humanely destroyed.

Any owner of any animal so impounded may redeem the same upon the payment of a service charge or fee of twenty-five (\$25.00) dollars plus ten dollars (\$10.00) per day for reasonable cost and expenses of maintenance of such animal.

Any owner of an animal determined to be "special needs" so impounded may redeem the same upon the payment of a service charge or fee of twenty-five dollars (\$25.00) plus a twenty dollar (\$20.00) per day fee during the period of impoundment. (as replaced by Ord. #1089, Feb. 2012)

10-107. Violation and penalty. Any violation of this section shall be subject to a fine not to exceed state authorized limits and costs for every act in violation of said section. Each day the violation shall continue shall constitute a separate offense. (as replaced by Ord. #1089, Feb. 2012)

CHAPTER 2

DOGS AND CATS

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. Confinement of dogs suspected of being rabid.
- 10-207. Seizure and disposition of dogs.
- 10-208. Destruction of vicious or infected dogs running at large.
- 10-209. Violation and penalty.

10-201. Rabies vaccination and registration required. It shall be unlawful for any person to own, keep, or harbor any dog or cat 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 68-8-115) or other applicable law.

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.

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.

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.

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. A violation of this section shall subject the offender to a penalty under the general penalty provision of this code.

¹State law reference

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

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.

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, 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.

10-207. Seizure and disposition of dogs. (1) Any dog found running at large may be seized by any police officer or other properly designated officer or official and placed in a pound provided or designated by the board of mayor and council. If the dog is wearing a rabies tag or other identification all reasonable effort will be made to locate and notify the owners who shall be required to appear within five (5) days and redeem their dog by paying the pound fee of twenty-five dollars (\$25.00) plus ten dollars (\$10.00) per day during the period of impoundment or the dog will be adopted, or humanely destroyed. If the dog is not wearing a tag it may be adopted or humanely destroyed unless legally claimed by the owner within five (5) days. No dog shall be released in any event from the pound unless such dog has been vaccinated or arrangements have been made for said vaccination within seventy-two (72) hours of release with tag evidencing such vaccination.

If owner cannot provide proof of vaccination the owner may provide a deposit in the amount of twenty-five dollars (\$25.00) to ensure the dog will be vaccinated for rabies within seventy-two (72) hours of release from the dog pound. Upon proper proof of the rabies vaccination the deposit shall be refunded to the owner. Should owner not provide proof of vaccination within the seventy-two (72) hour period a citation may be issued against said owner to appear in city court and shall require the animal be adopted or destroyed.

Any owner of any dog so impounded may redeem the same from the dog pound upon the payment of a service charge or fee of twenty-five dollars (\$25.00) plus ten dollars (\$10.00) per day for reasonable cost and expenses of maintenance of such dog.

Any owner of a dog determined to be "special needs" so impounded may redeem the same from the dog pound upon the payment of a service charge or fee of twenty-five dollars (\$25.00) plus a twenty dollar (\$20.00) per day fee during the period of impoundment.

The City of Lawrenceburg offers the voluntary surrender of dogs for Lawrenceburg residents (proof of address required) to the Lawrenceburg Dog Pound, for the purpose of adoption, or humane disposal of such dogs at the cost of twenty-five dollars (\$25.00) for one (1) dog, forty-five dollars (\$45.00) for two to three (2 - 3) dogs and sixty dollars (\$60.00) for four (4) or more dogs. Dogs

will be accepted on a case by case basis; certain restrictions apply. This section does not relieve owners of humane responsibilities.

(2) Disposition of dogs through adoption. (a) No person shall adopt a dog from the City of Lawrenceburg Dog Pound unless:

(i) Dog has already been spayed or neutered;

(ii) The dog has been spayed or neutered by a licensed veterinarian while in the custody of the agency; or

(iii) The new owner signs a written agreement with the agency (requiring a twenty-five dollar (\$25.00) deposit) stating that the new owner will have the dog spayed or neutered by a licensed veterinarian:

(A) Within thirty (30) days of the date of the adoption, if such dog is sexually mature; or

(B) Within thirty (30) days after the dog reaches six (6) months of age, if the dog is not sexually mature at the time of the adoption.

(C) The new owner may request and shall receive a refund of the deposit from the dog pound upon providing confirmation of the spaying or neutering.

(b) Nothing in this section shall preclude the spaying or neutering of a sexually immature dog at the discretion of a licensed veterinarian with the consent of the new owner.

(c) Adopter shall provide a deposit in the amount of twenty-five dollars (\$25.00) to ensure the animal will be vaccinated for rabies within seventy-two (72) hours of release from the pound. Upon proper proof of the rabies vaccination the deposit shall be refunded to the owner. Should owner not provide proof of vaccination within the seventy-two (72) hour period a citation in a court of competent jurisdiction seeking compliance shall be issued and shall require the animal be returned or destroyed. (as replaced by Ord. #1089, Feb. 2012)

10-208. Destruction of vicious or infected dogs running at large.

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 any policeman or other properly designated officer.¹

10-209. Violation and penalty. Any violation of this chapter shall be subject to a fine not to exceed state authorized limits and costs for every act in

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).

Change 2, February 9, 2012

10-6

violation of said chapter. Each day the violation shall continue shall constitute a separate offense. (as replaced by Ord. #1089, Feb. 2012)