

TITLE 10

ANIMAL CONTROL¹

CHAPTER

1. IN GENERAL.
2. DOGS.

CHAPTER 1

IN GENERAL

SECTION

- 10-101. Running at large prohibited.
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- 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 within city limits.

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 or goats, or any chickens, ducks, geese, turkeys, or other domestic fowl, cattle, or livestock, to knowingly or negligently permit any of them to run at large within the corporate limits. (Ord. # 1988-5)

10-102. Keeping near a residence or business restricted. No person shall keep any animal or fowl, as referred in the preceding section, within five hundred (500) feet of any residence of another, or place of business of another, within such distance of the public road, alley, or street without a permit being issued for the keeping of such animal or fowl. Such permit will be issued by the city council at its discretion, subject to a review of the premises, the public health and safety, and the following conditions:

- (1) The land or lot must contain a minimum of 5 acres.
- (2) The area of enclosure must be securely fenced.
- (3) Each animal shall have at least 1.5 acres of enclosure.

A permit issued by the council may be reviewed at any time or revoked if the permittee does not comply with the terms of this chapter. (Ord. # 1988-5)

10-103. Pen or enclosure to be kept clean. When animals or fowls are kept within the corporate limits, the building, keep, barn, structure, pen, corral,

¹See Article 1, section 1.04(o) of the basic charter.

enclosure, or pasture in which they are kept shall at all times be maintained in a clean and sanitary condition so as not to become a public nuisance. (Ord. # 1988-5)

10-104. Adequate food, water, and shelter, etc., to be provided. No animal or fowl shall be kept or confined in any place, enclosure or pasture where the food, water, shelter and ventilation are not adequate and sufficient for the preservation of its life, health, and safety. (Ord. # 1988-5)

10-105. Keeping in such manner as to become a nuisance prohibited. No animal or fowl shall be kept in such a manner, place or condition as to become a nuisance to other either because of pollution, contaminated run-off, noise, offensive odor, contagious disease, insects, or other public health concern or valid police power reason. (Ord. # 1988-5)

10-106. Cruel treatment prohibited. It shall be unlawful, punishable as a misdemeanor, for any person to beat without reason or otherwise abuse, taunt, sore, fight or injure by intent, any animal or fowl, which shall not include valid veterinarian treatment or sexual neutering of animals. (Ord. # 1988-5)

10-107. Seizure and disposition of animals. Any animal or fowl found running at large or otherwise being kept in violation of the provisions of this chapter may be seized by any employee of the city or any other designated person upon application to and an order issued by a magistrate of the city court. Such animal or fowl will then be confined in a location designated by the mayor. If the owner is known, notice of confinement will be given in person, or by telephone, or by mail addressed to the last known address. If the owner is not known or cannot be located, then notice describing the impounded animal or fowl will be posted in at least three (3) places frequented by the general public within the corporate limits. Said notice shall further state that the impounded animal or fowl must be claimed within five (5) days or the same will be sold to pay its costs of capture and confinement. If unable to be sold then it shall be humanely destroyed. Notwithstanding the sale of the animal or fowl at whatever the same shall bring, the city may still collect its cost, expenses and reasonable charge from the owner of the animal or fowl if such costs should exceed the amount received by sale. (Ord. # 1988-5)

10-108. Inspections of premises within city limits. For the purpose of insuring compliance with the provisions of this chapter, the employees of the city or any other designated person shall be authorized to enter for the purpose of making an inspection any premises situated within the city limits, at any reasonable time, where there is reasonable cause to believe an animal or fowl is being kept in violation of this chapter. (Ord. # 1988-5)

CHAPTER 2

DOGS

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.

10-201. 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" (Sections 68-8-101 to 68-8-114, Tennessee Code Annotated). (1973 Code, sec. 3-201)

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. (1973 Code, sec. 3-202)

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. (1973 Code, sec. 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 unless such dog is so confined and/or otherwise securely restrained as to reasonably provide for the protection of other animals and persons. (1973 Code, sec. 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, annoys, or disturbs the peace and quiet of any neighborhood. (1973 Code, sec. 3-205)

¹See sections 44-8-108, 68-8-108, and 68-8-109, Tennessee Code Annotated.

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 health officer or chief of police may cause such dog to be confined or isolated for such time as he reasonably deems necessary to determine if such dog is rabid. (1973 Code, sec. 3-206)

10-207. Seizure and disposition of dogs. Any dog found running at large may be seized by the health officer 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 and redeem his dog by paying a reasonable pound fee, to be fixed by the pound keeper, 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 a tag 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.¹ (1973 Code, sec. 3-207)

¹For a Tennessee Supreme Court case upholding the summary destruction of dogs pursuant to appropriate legislation, see the 1927 case of Darnell v. Shapard, 156 Tenn. 544.