

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

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**CHAPTER 1****IDENTIFICATION AND VACCINATION****SECTION**

- 10-101. Identification of dogs.
- 10-102. Identification of cats.
- 10-103. Vaccination.
- 10-104. Penalties.

**10-101. Identification of dogs.** Each owner of a dog more than three (3) months of age shall attach a metal tag or otherwise affix to the collar of said dog information including but not limited to the owner's name and address. Such identification shall be in addition to a vaccination tag as otherwise required by law. (1996 Code, § 10-101)

**10-102. Identification of cats.** Each owner of a cat more than six (6) months of age shall attach a metal tag or otherwise affix to the collar of said cat information including but not limited to the owner's name and address. Such identification shall be in addition to a vaccination tag as otherwise required by law. (1996 Code, § 10-102)

**10-103. Vaccination.**

(1) It shall be the duty of each dog owner to have such dog inoculated with an avianized antirabic vaccine or any similar vaccine by a veterinarian according to the provisions of state law.

(2) It shall be the duty of each cat owner to have such cat inoculated with an avianized antirabic vaccine or any similar vaccine by a veterinarian according to the provisions of state law.

(3) Dogs under three (3) months of age and cats under six (6) months of age are not required to be vaccinated.

(4) Any dog or cat, for which a veterinarian licensed by the state issues a certificate to the effect that the proposed inoculation will be harmful, shall be exempt from the inoculation prescribed by this chapter. (1996 Code, § 10-103)

**10-104. Penalties.** In addition to the penalties hereinafter provided any Police Officer of the City or any person designated by the Chief of Police shall impound any such dog or cat which does not carry tags. The owner may obtain possession of any dog or cat so impounded or seized by paying an impounding fee in accordance with schedule set forth in § 10-402 and paying the reasonable cost of keeping such dog or cat during the time that it is impounded, provided, however, that said dog or cat shall not be released until proof has been furnished to the Police Officer that the dog or cat has been inoculated with antirabic vaccine in accordance with the terms of this chapter.

After such dog or cat has been so impounded for a period of not less than seventy-two (72) hours without having been reclaimed by its owner or anyone in behalf of said owner, said dog or cat shall be destroyed under the direction of the county humane society. Notice of impounding shall be given by the person or Officer in the possession of the dog or cat within twenty-four (24) hours of impounding to the owner of the dog or cat to the owner of the dog or cat if known. (1996 Code, § 10-104)

**CHAPTER 2****INJURY TO PROPERTY****SECTION**

10-201. Injury to property.

10-202. Waste products accumulations.

**10-201. 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, flowerbed, plant, shrub, tree or garden in any manner whatsoever, or to defecate thereon. (1996 Code, § 10-201)

**10-202. 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 section shall not apply to a person who is visually or physically handicapped. (1996 Code, § 10-202)

**CHAPTER 3****MANNER OF KEEPING****SECTION**

10-301. Pens, yards, or runs.

10-302. Fences.

**10-301. Pens, yards, or runs.** All pens, yards or 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. (1996 Code, § 10-301)

**10-302. Fences.** Fences which are intended as enclosures for any animal shall be securely constructed, shall be adequate for the purpose, kept in good repair and shall not be allowed to become unsightly. (1996 Code, § 10-302)

## CHAPTER 4

### DOGS AND CATS RUNNING AT LARGE

#### SECTION

10-401. Prohibition.

10-402. Impounding dogs and cats.

**10-401. 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 paragraph, "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 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 beaches or any swimming areas open to the public in the City. (1996 Code, § 10-401, modified)

**10-402. 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 not less than seventy-two (72) hours. 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 any Police Officer or any person designated by the Chief of Police under the provisions of this chapter shall be by means of a manner prescribed by the county humane society. (1996 Code, § 10-402)

## CHAPTER 5

### KEEPING BARKING DOGS AND CRYING CATS

#### SECTION

10-501. Harboring.

10-502. Petitions complaining of vicious or barking dogs or crying cats.

**10-501. 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 and cats are hereby declared to be a public nuisance. (1996 Code, § 10-501)

**10-502. Petitions complaining of vicious or barking dogs or crying cats.**

(1) 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 City, 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.

(2) If the warning given to the person alleged to be keeping a dog or cat as set forth in (1) above is ineffective, then a verified complaint of at least two (2) 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 City. 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. (1996 Code, § 10-502)

**CHAPTER 6****KEEPING OF NUMEROUS DOGS AND CATS IN THE CITY****SECTION**

10-601. Nuisance.

10-602. Number of dogs and cats limited.

10-603. Kennels.

**10-601. Nuisance.** The keeping of an unlimited number of dogs and cats in the City for a considerable period of time detracts from and, in many instances, is detrimental to the healthful and comfortable life for which such areas were created. The keeping of an unlimited number of dogs and cats is, therefore, declared to be a public nuisance.

(1) "Dog" shall mean any canine, regardless of age or sex.

(2) "Cat" shall mean any feline, regardless of age or sex. (1996 Code, § 10-601)

**10-602. Number of dogs and cats limited.**

(1) It shall be unlawful for any person or persons to keep more than five (5) dogs or five (5) cats within the City, with the exception that a litter of pups or a litter of kittens, or a portion of a litter may be kept for a period of time not exceeding five (5) months from birth.

(2) The provisions of this section shall not apply to any establishment wherein dogs or cats are kept for breeding, sale, sporting purposes or boarding. (1996 Code, § 10-602)

**10-603. Kennels.** In the areas where kennels are permitted, no kennel shall be located closer than one hundred feet (100') to the boundary of the nearest adjacent residential lot. (1996 Code, § 10-603)

**CHAPTER 7****PIGEON CONTROL****SECTION**

10-701. Pigeons.

10-702. Complaints.

**10-701. Pigeons.** Owners of pigeons allowing their pigeons to roost or linger on the property or buildings of others pose a health hazard in addition to offending aesthetic senses by pigeon contamination. Such lingering or roosting is declared to be a public nuisance. (1996 Code, § 10-901)

**10-702. Complaints.** Whenever a verified complaint of at least two (2) citizens is presented to the Police Department, alleging that a person is allowing pigeons to linger upon the property of the complainants, the Police Department shall inform the owner of such pigeons that said petition has been received and shall cite the owner of the pigeons for the violation alleged in said petition. (1996 Code, § 10-902)



**CHAPTER 8****BEEES****SECTION**

10-801. Keeping of bees.

**10-801. Keeping of bees.**

(1) It shall be unlawful for any person to establish or maintain any hive, stand, or box where bees are kept, or keep any bees in or upon any premises within the corporate limits of the City unless the bees are kept in accordance with the following provisions:

(a) If bee colonies are kept within fifty feet (50') of any exterior boundary of the property on which the hive, stand, or box is located, a barrier that will prevent bees from flying through it, no less than five feet (5') high, shall be installed and maintained along said exterior boundary. Said barrier may be either a plant or artificial.

(b) Fresh, clean watering facilities for bees shall be provided on the said premises.

(c) The bees and equipment shall be kept in accordance with the provisions of the state statutes.

(2) Nothing in this section shall be deemed or construed to prohibit the keeping of bees in a hive, stand or box located or kept within a school building for the purpose of study or observation. (1996 Code, § 10-1001)

**CHAPTER 9****WILD OR VICIOUS ANIMALS****SECTION**

10-901. Keeping of wild and vicious animals.

10-902. Definitions.

**10-901. Keeping of wild and vicious animals.**

(1) It shall be unlawful for any person to keep or permit to be kept on his premises any wild or vicious animal for display or for exhibition purposes, whether gratuitously or for a fee. This section shall not be construed to apply to zoological parks, performing animal exhibitions, or circuses.

(2) It shall be unlawful for any person to keep or permit to be kept any wild animal as a pet, unless a permit is granted by the department of natural resources of the state.

(3) It shall be unlawful for any person to harbor or keep a vicious animal within the City. Any animal which is found off the premises of its owner may be seized by any Police Officer or Humane Officer and upon establishment, to the satisfaction of any court of competent jurisdiction, of the vicious character of said animal, it may be killed by a Police Officer or Humane Officer; provided however, that this section shall not apply to animals under the control of a law enforcement or military agency, nor to animals which are kept for the protection of property, provided that such animals are restrained by a leash or chain, cage, fence, or other adequate means, from contact with the general public or with persons who enter the premises with the actual or implied permission of the owner or occupant.

(4) The Police Department may issue a temporary permit for the keeping, care and protection of an infant animal native to this area which has been deemed to be homeless. (1996 Code, § 10-1101)

**10-902. Definitions.**

(1) "Vicious animal" shall mean any animal which has previously attacked or bitten any person or which has behaved in such a manner that the person who harbors said animal knows or should reasonably know that the animal is possessed of tendencies to attack or bite persons.

(2) "Wild animal" shall mean any live monkey or ape, raccoon, skunk, fox, snake, other reptile, leopard, panther, tiger, lion, lynx or any other animal or any bird of prey which can normally be found in the wild state. (1996 Code, § 10-1102)

**CHAPTER 10****RABIES AND ANIMAL BITES****SECTION**

10-1001. Reporting.

10-1002. Control.

**10-1001. Reporting.** Anyone having knowledge or reason to believe that any animal in the City 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. (1996 Code, § 10-1201)

**10-1002. Control.**

(1) Whenever any domesticated 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 may be killed and head shipped to the state laboratory for rabies examination.

(2) Whenever a wild animal has bitten a person, it shall be killed, avoiding damage to the head (brain) area, and shipped to the Tennessee Department of Agriculture Knoxville Branch Rabies Laboratory, under refrigeration, but not frozen, for rabies examination. (Ord. #2011-021, Dec. 2011)

**CHAPTER 11****KEEPING ANIMALS AND BIRDS****SECTION**

10-1101. Regulations.

10-1102. Buildings and coops.

**10-1101. Regulations.** It shall be unlawful for any person to erect, place, maintain or continue any pen, coop, yard or other building upon any lot or ground in the City for the purpose of confining or housing any domestic animal or bird unless the same is at least twenty-five feet (25') distance from any dwelling, house, apartment, hotel, restaurant, food or drinking establishment or rooming house, school, church, or any building wherein people are employed and unless the floor of such building or coop is constructed of such material and in such a manner that it can be kept clean and sanitary at all times, and unless the location of such shall be authorized by the board of health. (1996 Code, § 10-1301)

**10-1102. Buildings and coops.** All coops and other buildings wherein domesticated animals and birds are kept shall be provided with flytight bins or other tightly closed receptacles for manure, of dimensions sufficient to contain all accumulations of manure as to prevent its becoming a nuisance. No manure shall be allowed to accumulate on the floor or on adjacent ground. (1996 Code, § 10-1302)

**CHAPTER 12****MISCELLANEOUS PROVISIONS****SECTION**

10-1201. Certain prohibitions.

10-1202. Exception.

10-1203. Powers of Police Chief.

10-1204. Special permits.

**10-1201. Certain prohibitions.** Except as otherwise provided in this chapter no person shall keep within the City any cattle, cows, horses, sheep, swine, goats, chickens, ducks, turkeys, geese, or other livestock. (1996 Code, § 10-1401)

**10-1202. Exception.** This chapter shall not apply in areas of the City that are agricultural in nature nor shall this chapter apply to livestock brought into the City for the purpose of being shipped out of the City. (1996 Code, § 10-1402)

**10-1203. Powers of Police Chief.** The Police Chief shall have the power to issue an order prohibiting the keeping of any animal, fowl, or bird which is deemed to pose a health hazard to the general public. (1996 Code, § 10-1403)

**10-1204. Special permits.** The keeping of animals, birds or fowls otherwise prohibited by this chapter may be permitted by applying for a special permit from the Board of Mayor and Aldermen. Such permits may be issued to permit circus performances or other public exhibition or entertainment events. (1996 Code, § 10-1404)

**CHAPTER 13****FEEDING WATER FOWL AND/OR AQUATIC LIFE PROHIBITED****SECTION**

10-1301. Feeding on public property prohibited.

10-1302. Definitions.

10-1303. Penalties.

**10-1301. Feeding on public property prohibited.** It shall be unlawful for any person to feed water fowl or aquatic life in or on any of the City parks, golf courses, walking trails and/or greenways or other City property. (Ord. #2007-016, July 2007)

**10-1302. Definitions.**

(1) "Aquatic life" is defined as fish, turtles, frogs, and other like water breeding vertebrates and invertebrates.

(2) "Feeding" is defined as providing substances which are subject to being eaten by water fowl or aquatic life and/or that may be consumed by either water fowl or aquatic life. Feeding shall include but not be limited to, hand feeding of water fowl, placement of food on the ground, casting of food out upon the grounds or in the water, for consumption by water fowl or aquatic life.

(3) "Water fowl" is defined but not limited to, aquatic birds such as geese, ducks, swans, and other like birds. (Ord. #2007-016, July 2007)

**10-1303. Penalties.** Persons found guilty of violating this chapter shall be liable for a fine of up to fifty dollars (\$50.00) plus court costs in Sevierville City Court. (Ord. #2007-016, July 2007)