

TITLE 10

ANIMAL CARE AND CONTROL

SECTION

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CHAPTER 1

IN GENERAL

SECTION

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10-101. Running at large prohibited. It shall be unlawful for any person owning or being in charge of any hogs, cows, swine, sheep, horses, mules, goats, llamas, emus, 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, as replaced by Ord. #04-23, Nov. 2004, and Ord. #13-23, Jan. 2014)

10-102. Animals prohibited. It shall be unlawful for any person to keep hogs, cows, swine, sheep, horses, mules, goats, llamas, emus, or any chickens, ducks, geese, turkeys, or other domestic fowl, cattle or livestock within the corporate limits unless the property is zoned agriculture and contains five (5) or more acres.

This section shall not be applicable to property used to keep the aforementioned animals as of the effective date of the enactment of this chapter. The keeping of said animals shall be treated as a non-conforming use as authorized by the Springfield Zoning Ordinance. At such time as the property ceases to be used to keep said animals, this section shall be applicable to said property. (as replaced by Ord. #04-23, Nov. 2004, and Ord. #13-23, Jan. 2014)

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, and replaced by Ord. #13-23, Jan. 2014)

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. (1981 code, § 3-104, and replaced by Ord. #13-23, Jan. 2014)

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. (1981 code, § 3-105, and replaced by Ord. #13-23, Jan. 2014)

10-106. Cruel treatment prohibited. It shall be unlawful for any person to beat or otherwise abuse or injure any animal or fowl. (1981 code, § 3-106, and replaced by Ord. #13-23, Jan. 2014)

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 animal care and control officer 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. The notice shall state that the impounded animal or fowl must be claimed within seven (7) 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. (1981 code, § 3-107, and replaced by Ord. #13-23, Jan. 2014)

10-108. Noisy pets prohibited. No person shall own, keep or harbor any animal which by loud and frequent barking, whining, howling or other noise, annoys or disturbs the peace and quiet of any neighborhood. (as added by Ord. #13-23, Jan. 2014)

10-109. Animal waste. The owner of every animal shall be responsible for the removal of any excreta deposited by their animal(s) on public walks and property, recreation areas, or private property belonging to others. Every owner while in the process of walking or riding his animal(s) shall be required to carry on his person a bag or scooping device of adequate size to collect and carry the excreta to be removed so that it can be disposed of in a proper and sanitary manner. This section shall not apply to guide dogs and other service animals. (as added by Ord. #15-20, Nov. 2015)

## CHAPTER 2

### DOGS AND CATS

#### SECTION

10-201. Definitions.

10-202. Vaccinations.

10-203. Dogs not to run at large.

10-204. Impoundment; redemption by owner.

10-205. Disposition of unlicensed or unclaimed dogs/cats.

10-206. Confinement of dogs/cats which have bitten persons, are suspected of rabies, etc.

10-207. Authority to impound dogs/cats.

10-208. Interfering with police officers or health department officials.

10-209. Law enforcement work dogs.

10-210. Destruction of vicious or infected dogs running at large.

10-211. [Deleted.]

10-201. Definitions. For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

(1) "Owner." Any person having a right of property in a dog or cat, or who keeps, harbors or habitually feeds a dog or cat, or who has it in his care, or acts as its custodian, or who permits a dog or cat to habitually remain on or about any premises occupied by that person.

(2) "Vaccination." The process whereby an animal is immunized against rabies using a vaccine and a technique approved by the board of health.

(3) "City veterinarian." Person employed or hired on a contract basis by the City of Springfield who meets the standards of veterinary medicine for the State of Tennessee. (Ord. # 90-16, Dec. 1990, as replaced by Ord. #96-54, § 1, Feb. 1997, Ord. #08-27, Nov. 2008, and Ord. #13-23, Jan. 2014)

10-202. Vaccinations. (1) Vaccinations of dogs or cats required. It shall be unlawful for any owner to keep, harbor or permit to remain on or about any premises any dog or cat over six (6) months of age which has not been vaccinated against rabies as required by the board of health. A certificate of such vaccination shall be issued by a licensed veterinarian duly authorized to administer such a vaccination, and such certificate shall be kept by the person who owns, keeps, or harbors such dog or cat, subject to the inspection of the animal care and control and police departments.

(2) Standard for vaccine and vaccination. It shall be the duty of the veterinarian, duly licensed by the state board of veterinary medical examiners and approval by the board of health, to administer such a vaccination and to

perform such vaccination in such a manner as meets the standard of the State Board of Veterinary Medical Examiners. (Ord. # 90-16, Dec. 1990, and replaced by Ord. #08-27, Nov. 2008, and Ord. #13-23, Jan. 2014)

10-203. Dogs not to run at large. (1) Every person owning or having possession, charge, care, custody or control of any dog shall keep such dog exclusively upon his own premises; provided, however, that such dog may be off such premises if it is under the control of a competent person and restrained by a chain, leash, or other restraining device being no greater than fifteen feet (15') in length. A dog, not classified as vicious, that is upon the running board or in the bed of a truck, or is enclosed within the cab of a vehicle shall be considered on the premises of the owner.

(2) Any dog found running at large or any dog or cat found without a proper rabies tag may be seized by the proper authorities of the animal control and police departments. Any owner whose dog is found to be running at large or whose dog or cat has not been vaccinated against rabies shall be guilty of a violation.

(3) When any person is charged with a violation of this section, the animal control officer, or his designated representative, is hereby authorized to issue a citation for such violation. When a citation is issued for the violation of this section, it shall be the duty of the court in which such case is set for trial to try the same without the issuance or service of a warrant upon such defendant, provided the defendant has signed a waiver on such citation agreeing to come to court and waiving the issuance and service of a warrant upon him. (Ord. # 90-16, Dec. 1990, as replaced by Ord. #96-54, § 1, Feb. 1997, Ord. #00-01, March 2000, Ord. #08-27, Nov. 2008, Ord. #12-01, April 2012, Ord. #13-23, Jan. 2014, and Ord. #15-21, Nov. 2015)

10-204. Impoundment; redemption by owner. When any dog is found running at large or when any dog or cat is found without a proper rabies tag, it shall be impounded, and the owner, if the dog/cat bears a tag of identification, shall be sent by mail a postcard addressed to the last known mailing address or notified in person, to appear within five (5) days and redeem his dog/cat, and he shall pay the established impoundment fee for each dog/cat so seized and impounded, and the established boarding fee for each day or fraction thereof the dog/cat remains unclaimed. If the dog/cat so seized has not been vaccinated, the owner shall, before he is permitted to regain possession of such dog/cat, have such dog/cat vaccinated and licensed and present the license registration to the animal care and control authority. No impounded dog shall be released without wearing a collar and a leash.

The payment of this fee and the delivery of the dog/cat to the owner shall not relieve the owner from any other penalty for the violation of this chapter. If the owner does not appear after notice has been mailed to him, or if after appearing, declines to pay the fee as set out above and redeem his dog/cat, the dog/cat shall be disposed of in accordance with § 10-205. If the dog/cat

impounded does not have the proper collar and rabies tag, the dog/cat shall be disposed of in three (3) days, in accordance with § 10-205. (Ord. # 90-16, Dec. 1990, as replaced by Ord. #96-54, § 1, Feb. 1998, Ord. #00-01, March 2000, Ord. #08-27, Nov. 2008, and Ord. #13-23, Jan. 2014)

10-205. Disposition of unlicensed or unclaimed dogs/cats. (1) It shall be the duty of the animal care and control officer to keep all dogs/cats so impounded for the period of three (3) days. Any dog/cat found without a proper rabies tag is not redeemed or claimed at the expiration of three (3) days from the date notice is mailed to the owner, such dog/cat may be disposed of as follows:

(a) Whenever any individual shall apply to the animal control department for permission to adopt any impounded dog/cat remaining unclaimed, the animal care and control department may surrender such dogs/cats to the individual for adoption upon a payment of the established fees set by the board of mayor and aldermen.

All animals adopted from the shelter shall be vaccinated against rabies, and spayed or neutered by a licensed veterinarian. The costs of these services shall be included in the established fees for adoption services. If the dog or cat is not sexually mature at the time of adoption, the new owner shall sign a written agreement with the animal care and control department stating that the new owner shall have the dog or cat spayed or neutered by a licensed veterinarian within thirty (30) days after the dog or cat reaches six (6) months of age.

All animals adopted shall have a collar and leash, either furnished or purchased by the persons adopting the animals, when they leave the animal shelter.

(b) Whenever any dogs/cats remain unclaimed, such dogs/cats may be destroyed in manner to be determined by the animal care and control officer.

(2) Any unidentified dog/cat which the animal care and control officer determines to be suffering from rabies or other infections or dangerous diseases or to be in misery, need not be released, but may be disposed of immediately.

(3) Nothing in this part shall be construed to authorize the animal care and control department to spay or neuter a dog or cat, if such dog or cat is being claimed by and returned to its lawful owner. (Ord. # 90-16, Dec. 1990, as replaced by Ord. #96-54, § 1, Feb. 1997, Ord. #00-01, March 2000, Ord. #00-26, Jan. 2001, Ord. #01-27, Aug. 2001, Ord. #08-27, Nov. 2008, and Ord. #13-23, Jan. 2014)

10-206. Confinement of dogs/cats which have bitten persons, are suspected of rabies, etc. If any animal has bitten any person, or is suspected of having bitten any person, or is for any reason suspected of being infected with rabies, the animal care and control officer may cause the animal to be confined or isolated for such time as it is deemed necessary to protect the safety of people

and property. Such confinement or isolation shall be at a place designated by the animal care and control officer or health department. (Ord. #90-16, Dec. 1990, as replaced by Ord. #08-27, Nov. 2008, and Ord. #13-23, Jan. 2014)

10-207. Authority to impound dogs/cats. All police officers and animal care and control officers or other duly authorized persons shall have the right to take up and put into the City of Springfield shelter any dog/cat found in violation of any provision of this chapter. (Ord. # 90-16, Dec. 1990, as replaced by Ord. #08-27, Nov. 2008, and Ord. #13-23, Jan. 2014)

10-208. Interfering with police officers or health department officials. It shall be unlawful for any person to interfere with or hinder any police officer or any official of the health department, including the animal care and control officer, in the discharge or apparent discharge of his duty in enforcing the provisions of this chapter. (Ord. # 90-16, Dec. 1990, as replaced by Ord. #08-27, Nov. 2008, and Ord. #13-23, Jan. 2014)

10-209. Law enforcement work dogs. The provisions of this chapter do not apply to a dog being used by a law enforcement officer to carry out the law enforcement officer's official duties. (Ord. # 90-16, Dec. 1990, as replaced by Ord. #08-27, Nov. 2008, and Ord. #13-23, Jan. 2014)

10-210. 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. (as added by Ord. #00-01, March 2000, and replaced by Ord. #08-27, Nov. 2008, and Ord. #13-23, Jan. 2014)

10-211. [Deleted.] (as added by Ord. #00-01, March 2000, and deleted by Ord. #08-27, Nov. 2008)

## CHAPTER 3

VICIOUS DOGS

## SECTION

10-301. Definitions.

10-302. Vicious dogs prohibited.

10-303. Impoundment; proceedings against owner.

10-301. Definitions. For the purpose of this chapter, the following terms shall have the following meanings:

(1) "Confined" shall mean securely confined indoors, within an automobile or other vehicle, or confined in a securely enclosed and locked pen or structure upon the premises of the owner of such dog. Such pen or structure must have secure sides and a secure top. If the pen or structure has no bottom secured to the sides, the sides must be embedded into the ground no less than two (2) feet.

(2) "Vicious dog" shall mean any dog which attacks or bites a person or a domestic animal on any public or private property without provocation, or any dog owned or harbored primarily or in part for the purpose of fighting. (Ord. # 90-16, Dec. 1990, as replaced by Ord. #00-27, Jan. 2001)

10-302. Vicious dogs prohibited. It shall be unlawful for any person to keep or harbor a vicious dog within the area of the City of Springfield unless the vicious dog is confined. (Ord. # 90-16, Dec. 1990, as replaced by Ord. #00-27, Jan. 2001)

10-303. Impoundment; proceedings against owner. (1) Impoundment. Any vicious dog, may be taken into custody by the appropriate authorities of the Springfield Police Department and impounded. The fees imposed shall be imposed upon and paid by the owner of such vicious dog so impounded to cover the costs of the City of Springfield in impounding the dog.

(2) Court proceeding against owner. If any vicious dog is impounded, the appropriate authorities of the Springfield Police Department may institute proceedings in the Springfield City Court against the owner charging the owner with violation of this division. Nothing in this section shall be construed as preventing appropriate authorities of the Springfield government or a complaining citizen from instituting a proceeding in the Springfield City Court for violation of this division where there has been no impoundment.

(3) Court findings. If a complaint has been filed in the Springfield City Court against the owner of a dog for violation of this division, the dog shall not be released from impoundment or disposed of except on order of the court, payment of all charges and costs under this chapter, including penalties for violating this chapter. The court may, upon making a finding that the dog is a

vicious dog pursuant to this chapter, order the dog to be destroyed in an humane manner by the department of health. (Ord. # 90-16, Dec. 1990, as replaced by Ord. #00-27, Jan. 2001)



CHAPTER 4

PIT BULLS

SECTION

10-401. Definitions.

10-402. Restrictions.

10-403. Standards and requirements.

10-404. Sale or transfer of ownership prohibited.

10-405. Animals born of registered dogs.

10-406. Rebuttable presumption.

10-407. Failure to comply.

10-408. Violations and penalties.

10-401. Definitions. The word pit bull as used in this chapter shall have the following meanings:

- (1) The bull terrier breed of dog; and
- (2) Staffordshire bull terrier breed of dog; and
- (3) The American pit bull terrier breed of dog; and
- (4) The American Staffordshire terrier breed of dog, all of the above breeds to be identified as described by the American Kennel Club and United Kennel Club; and
- (5) Dogs of mixed breed or of other breeds than above listed which breed or mixed breed is known as pit bulls, pit bull dogs or pit bull terriers; and
- (6) Any dog which has the appearance and characteristics of being predominantly of the breeds of bull terrier, Staffordshire bull terrier, American pit bull terrier, American Staffordshire terrier; and any other breed commonly known as pit bulls, pit bull dogs or pit bull terriers; or a combination of any of these breeds. (as added by Ord. #00-28, Jan. 2001, and replaced by Ord. #11-10, Dec. 2011)

10-402. Restrictions. It shall be unlawful to keep, harbor, own or in any way possess a pit bull dog within the corporate limits of Springfield, Tennessee, except as provided in this chapter. (as added by Ord. #00-28, Jan. 2001, and replaced by Ord. # 11-10, Dec. 2011)

10-403. Standards and requirements. The following standards and requirements apply to pit bull dogs located within the corporate limits.

- (1) Registration. Each owner, keeper, harborer, or possessor of a pit bull dog shall register such dog with the city recorder.
- (2) Leash and muzzle. No person shall permit a pit bull dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four feet (4') in length. No person shall permit a pit bull dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a

person of suitable age and discretion is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, or structures. In addition, a muzzling device sufficient to prevent such dog from biting persons or other animals shall muzzle all pit bull dogs on a leash outside the animals' kennel.

(3) Confinement. All pit bull dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as above provided. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine pit bull dogs must be locked with a key or combination lock when such animals are within the structure and the structure must have a secure floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two feet (2'). All structures erected to house pit bull dogs shall comply with all zoning and building ordinances and regulations of the City of Springfield and shall be adequately lighted and ventilated and kept in a clean and sanitary condition.

(4) Confinement indoors. No pit bull dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition. In addition, no such dog may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacles preventing the dog from exiting the structure.

(5) Signs. All owners, keepers, harborers, or possessors of pit bull dogs shall display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog." In addition, a similar sign is required to be posted on the kennel or pen of such animal.

(6) Identification photographs. All owners, keepers, possessors, or harborers of pit bull dogs must provide to the city recorder two (2) color photographs of the dog clearly showing the color and approximate size of the animal.

(7) Reporting requirements. All owners, keepers, possessors, or harborers of pit bull dogs shall within ten (10) days of the incident report the following information in writing to the city recorder as required hereinafter:

- (a) The removal from the city or death of a pit bull dog; or
- (b) The birth of offspring of a pit bull dog; or
- (c) The new address of a pit bull dog owner should the owner move within the corporate limits of the city. (as added by Ord. #00-28, Jan. 2001, and replaced by Ord. # 11-10, Dec. 2011)

10-404. Sale or transfer of ownership prohibited. No person shall sell, barter or in any other way transfer possession of a pit bull dog to any person within the City of Springfield unless the recipient person registers the pit bull dog with the city recorder at the time of transfer. The owner of a pit bull dog may sell or otherwise dispose of a pit bull dog or the offspring of such dog to

persons who do not reside within the City of Springfield. (as added by Ord. #00-28, Jan. 2001, and replaced by Ord. # 11-10, Dec. 2011)

10-405. Animals born of registered dogs. All offspring born of pit bull dogs within the City of Springfield shall be registered with the city recorder within six (6) weeks of the birth of such animal. (as added by Ord. #00-28, Jan. 2001, and replaced by Ord. # 11-10, Dec. 2011)

10-406. Rebuttable presumptions. There shall be a rebuttable presumption that any dog registered within the City of Springfield as a pit bull dog or any of those breeds defined by § 10-401 hereof is in fact a dog subject to the requirements of this chapter. (as added by Ord. #00-28, Jan. 2001, and replaced by Ord. # 10-11, Dec. 2011)

10-407. Failure to comply. It shall be unlawful for the owner, keeper, harborer, or possessor of a pit bull dog within the City of Springfield to fail to comply with the provisions of this chapter. Any dog found to be subject of a violation of this chapter shall be subject to immediate seizure and impoundment. In addition, failure to comply will result in the revocation of the license of such animal resulting in the immediate removal of the animal from the City of Springfield. (as added by Ord. #00-28, Jan. 2001, and replaced by Ord. # 11-10, Dec. 2011)

10-408. Violations and penalties Any persons violating or permitting the violation of any provisions of this chapter shall, upon conviction, be subject to the fine prescribed in the general penalty clause of the Springfield Municipal Code. Each day that such violation shall continue constitutes a separate offense. Further, the city court may order the dog removed from the City of Springfield. Should the defendant refuse to remove the dog from the City of Springfield, the city judge shall find the defendant in contempt and order the immediate confiscation and impoundment of the animal. In addition to the foregoing penalties, any person who violates this chapter shall pay all expenses, including sums for shelter, food, handling, veterinary care and expert testimony, which are necessitated by the person's failure to abide by the provisions of this code. (as added by Ord. #00-28, Jan. 2001, and replaced by Ord. # 11-10, Dec. 2011)