TITLE 10

ANIMAL CONTROL

CHAPTER
1. IN GENERAL.
2. DOGS.

CHAPTER 1

IN GENERAL

SECTION
10-102. Keeping near a residence or business restricted.
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10-104. Adequate food, water, and shelter, etc., to be provided.
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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 or 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. (1967 Code, § 3-101)

10-102. Keeping near a residence or business restricted. 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 without a permit from the health officer. The health officer 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. (1967 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. (1967 Code, § 3-103)

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. (1967 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 because of either noise, odor, contagious disease, or other reason. (1967 Code, § 3-105)

10-106. Cruel treatment prohibited. It shall be unlawful for any person to unnecessarily beat or otherwise abuse or injure any dumb animal or fowl. (1967 Code, § 3-106)

10-107. Seizure and disposition of animals. Any animal or fowl found running at large may be seized by the animal control officer or by any police officer and confined in a pound or animal shelter provided or designated by the board of mayor and aldermen. If the owner is known he or she shall be given notice in person, by telephone, or by correspondence addressed to his or her last-known mailing address, and the animal or fowl shall be humanely destroyed, sold, or made available for adoption, by the pound or animal shelter, or otherwise disposed of as authorized by the board of mayor and aldermen, if not claimed within five (5) days, or such other period as provided by this title. If the owner is not known, a notice describing the impounded animal or fowl will be posted in at least three (3) public places within the corporate limits. The notice shall state that the impounded animal or fowl must be claimed within five (5) days by paying the pound or animal shelter costs or the same shall be humanely destroyed, sold, or made available for adoption, by the pound or animal shelter, or otherwise disposed of as authorized by the board of mayor and aldermen. If not claimed by the owner within the specified period, the animal or fowl shall be humanely destroyed, sold, or made available for adoption, by the pound or animal shelter, or otherwise disposed of as authorized by the board of mayor and aldermen.

The animal control officer or any police officer may take possession of any animal or fowl whose ownership is surrendered to the animal control officer by the owner. Said animal or fowl shall be humanely destroyed, sold, or made available for adoption, by the pound or animal shelter, or otherwise disposed of as authorized by the board of mayor and aldermen, without further notice to the owner.

Notwithstanding the foregoing, the animal control officer is additionally authorized to act in any other manner authorized by state law, as from time to time may be amended, with regard to any animal or owner found to be in violation of the provisions of this title. (1967 Code, § 3-107, as replaced by Ord. #524, July 2017)
10-108. Vicious dogs. (1) Definition of terms. As used in this chapter:
(a) "Owner" means any person, firm, corporation, organization or department possessing or harboring or having the care or custody of a dog.
(b) "Vicious dog" means:
   (i) Any dog with a known propensity, tendency or disposition to attack unprovoked, to cause injury to, or otherwise threaten the safety of human beings or domestic animals; or
   (ii) Any dog which because of its size, physical nature, or vicious propensity is capable of inflicting serious physical harm or death to humans and which would constitute a danger to human life or property if it were not kept in the manner required by this chapter; or
   (iii) Any dog which, without provocation, attacks or bites, or has attacked or bitten, a human being or domestic animal; or
   (iv) Any dog owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting; or
   (v) Any pit bull terrier, which shall be defined as any American Pit Bull Terrier or Staffordshire Bull Terrier or American Staffordshire Terrier breed of dog, or any mixed breed of dog which contains as an element of its breeding the breed of American Pit Bull Terrier or Staffordshire Bull Terrier or American Staffordshire Terrier as to be identifiable as partially of the breed of American Pit Bull Terrier or Staffordshire Bull Terrier or American Staffordshire Bull Terrier; or
   (vi) Any Doberman Pinscher, which shall be defined as any Doberman Pinscher breed of dog, or any mixed breed of dog which contains as an element of its breeding the breed of Doberman Pinscher as to be identifiable as partially of the breed of Doberman Pinscher; or
   (vii) Any Rottweiler, which shall be defined as any Rottweiler breed of dog, or any mixed breed of dog which contains as an element of its breeding the breed of Rottweiler as to be identifiable as partially of the breed of Rottweiler.
(c) A vicious dog is "unconfined" if the dog is not securely confined indoors or confined in a securely enclosed and locked pen or structure upon the premises of the owner of the dog. The pen or structure must have secure sides and a secure top attached to the sides. If the pen or structure has no bottom secured to the sides, the sides must be embedded into the ground no less than one foot. All such pens or structures must be adequately lighted and kept in a clean and sanitary condition.
(2) Confinement. The owner or custodian of a vicious dog shall not suffer or permit the dog to go unconfined.
(3) **Exceptions to confinement.** A vicious dog may be unconfined for the following purposes:

(a) Transporting the dog to or from a state-licensed veterinary office;

(b) Transporting the dog to or from a state-licensed kennel for the lodging or breeding of dogs; or

(c) Transporting the dog to the residence of a person who has purchased the dog.

When exercising these exceptions, the owner of a vicious dog shall not suffer or permit the dog to go beyond confinement unless the dog is securely muzzled and restrained by chain or leash, and under the physical restraint of an adult person whose weight is greater than said dog. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but shall prevent it from biting any human or animal.

(4) **Signs.** The owner of a vicious dog shall display in a prominent place on his or her premises a clearly visible warning sign indicating that there is a vicious dog on the premises. A similar sign is required to be posted on the pen or kennel of the animal.

(5) **Dog fighting.** No person, firm, corporation, organization or department shall possess or harbor or maintain care or custody of any dog for the purpose of dog fighting, or train, torment, badger, bait or use any dog for the purpose of causing or encouraging the dog to attack human beings or domestic animals.

(6) **Insurance.** The owner of a vicious dog must within 30 days of the effective date of this chapter provide proof to the city recorder of public liability insurance in the amount of at least $50,000.00, insuring the owner for any personal injuries inflicted by his or her vicious dog.

(7) **Permit required.** No person shall own or maintain any vicious dog within the city until he/she shall receive a permit so to do from the city recorder. The city recorder shall issue such a permit to any applicant whose premises comply with the requirements of this section, as determined by the code enforcement officer of the city, and who has otherwise exhibited compliance with the other provisions of this section. Any permit so issued may be revoked by the city recorder or by the code enforcement officer for failure to comply with any requirement of this section. However, notice of revocation shall be proffered in writing by said officer and served upon the permittee and he/she shall be given the right to be heard by the board of mayor and aldermen as to why his permit should not be revoked, upon request by said permittee made in writing within 5 days of notice of revocation.

(8) **Existing ownership(s) of vicious dogs.** Any owner or custodian of a vicious dog in existence at the time this section becomes effective shall have thirty (30) days in which to obtain a permit and bring his/her premises into compliance with this section.

(9) **City property.** The owner or custodian of a vicious dog shall not
suffer or permit the dog to be upon city-owned property for any purpose, except upon the city roads for the purposes described in subsection (3) herein.

(10) **Penalty.** Any owner or custodian of a vicious dog in violation of any provision of this section shall be guilty of a misdemeanor for each said violation and upon conviction thereof shall be fined not less than two dollars ($2.00) nor more than the maximum amount allowable under this municipal code for each offense. Each day such violation shall continue shall constitute a separate offense. (as added by Ord. #348, § 1, June 1996, and amended by Ord. #435, Jan. 2002)
CHAPTER 2

DOGS

SECTION

10-201. Rabies vaccination and registration required.
10-203. Running at large prohibited.
10-204. [Deleted].
10-205. Noisy dogs prohibited.
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" (Tennessee Code Annotated, §§ 68-8-101 through 68-8-114). (1967 Code, § 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. (1967 Code, § 3-202)

10-203. Running at large prohibited. 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. (1967 Code, § 3-203)

10-204. [Deleted]. (1967 Code, § 3-204, as deleted by Ord. #521, April 2017)

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. (1967 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, the chief of police or the health officer may cause such dog to be confined or isolated for such time as he reasonably deems necessary. (1967 Code, § 3-207)

\[^1\]State law reference

10-207. **Seizure and disposition of dogs.** The provisions of § 10-107 shall apply to any dog running at large or otherwise being kept in violation of this chapter except that dogs without tags shall be held only two (2) days and no notice shall be required before they are disposed of.

No dog shall be released from the pound unless it has been vaccinated and has a tag placed on its collar.  (1967 Code, § 3-206)