

TITLE 10

ANIMAL CONTROL¹

CHAPTER

1. IN GENERAL.
2. DOGS AND CATS.
3. VICIOUS DOGS.

CHAPTER 1

IN GENERAL

SECTION

- 10-101. Livestock at large--generally.
- 10-102. Dangerous or mischievous animals.
- 10-103. Seizure and disposition generally.
- 10-104. Keeping under conditions constituting nuisance.
- 10-105. Keeping hogs.
- 10-106. Confined animals--water, shelter, ventilation and food.
- 10-107. Clean enclosure required.
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10-101. Livestock at large--generally. It shall be unlawful for any person owning or being in charge of any cattle, cows, swine, sheep, horses, mules, goats, or any offensive animal, or any chickens, ducks, geese, turkeys, or other domestic fowl, to permit them or any of them to run at large in any street, alley or unenclosed lot within the city.² (1998 Code, § 10-101)

10-102. Dangerous or mischievous animals. It shall be unlawful for any person owning or being in charge of a dangerous or mischievous animal to permit the same to run at large. (1998 Code, § 10-102)

10-103. Seizure and disposition generally. Any animal or fowl found running at large in violation of this chapter may be seized by the health officer or any police officer and impounded in a suitable place provided or designated by the city council. The owner of any such impounded animal or fowl, if known, shall be notified immediately, either personally or by telephone or postcard, to

¹Charter reference

Corporate powers, animals and fowl: § 1.04(r).

²State law reference

Livestock running at large: Tennessee Code Annotated, § 44-8-101.

claim said animal or fowl by payment of all cost incurred by the city, within ten (10) days or the impounded animal or fowl will be humanely disposed of as the chief of police shall direct. If the owner is not known, then a public notice briefly describing said animal or fowl and giving notice of its impoundment and the time within which it may be claimed shall be run one time in the official city newspaper. In the event it is not claimed and the costs paid within ten (10) days, said animal or fowl may be sold, given away, or otherwise disposed of or humanely destroyed by the chief of police. When a sale is made, any proceeds over and above the costs incurred by the city shall be remitted to the owner of the animal or fowl sold, if known. Otherwise any such surplus shall be paid into the general fund of the city. (1998 Code, § 10-103)

10-104. Keeping under conditions constituting nuisance. No animal or fowl shall be kept in such a place or condition as to become a nuisance either because of noise, odor, contagious disease or other reason.(1998 Code, § 10-104)

10-105. Keeping hogs. The keeping of hogs within the corporate limits of the city is prohibited except in pens or enclosures maintained in such a condition as not to be offensive or injurious to the health of humans, and located not less than five hundred feet (500') from any occupied building.¹(1998 Code, § 10-105)

10-106. Confined animals--water, shelter, ventilation and food. No animal or fowl of any kind shall be kept or confined in any place in the city where the water, shelter, ventilation and food are not adequate and sufficient for the preservation of its health, safe condition and wholesomeness for food if so intended.² (1998 Code, § 10-106)

10-107. Clean enclosure required. When animals or fowls are kept within the city, the building, structure, corral, pen or enclosure in which they are kept shall be maintained in a clean and sanitary condition at all times.³ (1998 Code, § 10-107)

¹Municipal code references

Feeding of garbage to swine: § 17-119.

²Municipal code reference

Seizure and disposition of dogs running at large: § 10-203.

³State law reference

Similar provisions: Tennessee Code Annotated, § 39-3-104.

10-108. Violation of chapter declared nuisance. It shall be a nuisance for any animal or fowl to be allowed to run at large or otherwise be kept in violation of any provision of this chapter. (1998 Code, § 10-109)

CHAPTER 2

DOGS AND CATS

SECTION

10-201. Rabies vaccination required.

10-202. Running at large--prohibited.

10-203. Seizure and disposition.

10-204. Barking or howling dogs.

10-201. Rabies vaccination 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 in accordance with the provisions of the state law.¹ (1998 Code, § 10-201, modified)

10-202. Running at large--prohibited. It shall be unlawful for any person to permit any dog or cat owned by him or under his control to run at large within the city. (1998 Code, § 10-202, modified)

10-203. Seizure and disposition. Any dog found running at large may be seized by the health officer, county rabies control officer or by any police officer and confined in a suitable place provided or designated by the city council. If said dog is wearing a tag, the owner shall be notified by a postcard addressed to his last-known mailing address to appear within five (5) days and redeem his dog by paying the pound costs or the same will be destroyed. If said dog is not wearing a tag, the same shall be sold, given away, or destroyed, unless legally claimed by the owner within three (3) days. The owner of a dog found running at large shall be fined ten dollars (\$10.00) for the first such offense, twenty-five dollars (\$25.00) for the second such offense, and fifty dollars (\$50.00) for the third and each subsequent such offense. (1998 Code, § 10-203, modified)

10-204. Barking or howling dogs. No person shall harbor any dog which, by loud or frequent habitual barking, yelping or howling, shall become a nuisance to any neighbor of the owner or to the people passing upon the streets. (1998 Code, § 10-204)

¹State law references

Anti-Rabies Law: Tennessee Code Annotated, title 68, chapter 8.

CHAPTER 3

VICIOUS DOGS

SECTION

- 10-301. Definition of terms.
- 10-302. Confinement.
- 10-303. Leash and muzzle.
- 10-304. Signs.
- 10-305. Dog fighting.
- 10-306. Violations and penalty.

10-301. Definition of terms. (1) "Fighting dog." Any dog owned or harbored primarily or in part for the purpose of dog fighting or any dog trained for dog fighting.

(2) "Owner" means any person, firm, corporation, organization or department possessing or harboring or having the care or custody of a dog, or the parents or guardian of a child claiming ownership.

(3) "Potentially vicious dog" means a dog that may reasonably be assumed to pose a threat to public safety as demonstrated by any of the following behaviors:

(a) When unprovoked and off the property of the owner or keeper of the dog, inflicts a bite causing bodily injury, as defined in Tennessee Code Annotated, § 39-11-106, to a person or domestic animal; or

(b) When unprovoked and off the property of the owner or keeper of the dog, on two (2) or more separate occasions, chases, menaces or approaches a person or domestic animal in an aggressive manner or apparent attitude of attack;

(c) "Vicious dog" means any dog that without provocation and off the property of the owner or keeper of the dog, has attacked a person causing death or serious bodily injury, as defined by Tennessee Code Annotated, § 39-11-106, to such person.

(4) "Unconfined." 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 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 (1'). All such pens or structures must be adequately lighted and kept in a clean, sanitary condition. (Ord. #12-007, Nov. 2012)

10-302. Confinement. The owner of a vicious dog shall not suffer or permit the dog to go unconfined. (Ord. #12-007, Nov. 2012)

10-303. Leash and muzzle. The owner of a vicious dog shall not suffer or permit the dog to go beyond the premises of the owner unless the dog is securely muzzled and restrained by a chain or leash, and under the physical restraint of a person. 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. (Ord. #12-007, Nov. 2012)

10-304. 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. (Ord. #12-007, Nov. 2012)

10-305. 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. (Ord. #12-007, Nov. 2012)

10-306. Violations and penalty. Any persons violating any provision of this chapter shall be guilty of a civil offense, and upon conviction shall be subject to a fine that shall not exceed fifty dollars (\$50.00). (Ord. #12-007, Nov. 2012)