

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

1. IN GENERAL.
2. DOGS.

**CHAPTER 1****IN GENERAL****SECTION**

- 10-101. Running at large prohibited.
- 10-102. Definition.
- 10-103. Violation; seizure and disposition.

**10-101. Running at large prohibited.** No person owning or having in his or her possession, or under his or her control, any livestock or domestic fowls within the limits of the City of Clifton, or near the corporate limits of such City of Clifton, shall permit or allow the same to run at large upon the streets or alleys of the City of Clifton, or upon the premises of others without the permission of the owner or owners of such premises. (1999 Code, § 10-101)

**10-102. Definition.** The term "livestock" shall include horses, mares, mules, asses, cows, bulls, calves, sheep, goats and hogs; and the term "domestic fowls" shall include chickens, turkeys, guineas, geese and ducks. But the inclusion of those animals and domestic fowls specified shall not be held to exclude any others of like species or classes. (1999 Code, § 10-102)

**10-103. Violation; seizure and disposition.** Any person found guilty of violating either of the provisions of this chapter shall be deemed guilty of a misdemeanor, and shall be fined for each offense not less than two dollars and fifty cents (\$2.50) and not more than fifty dollars (\$50.00); and any animal or fowl found running at large may be taken up, impounded and held by the person designated by the city for such duties until the owner or party in possession or control of same shall have paid any fine and costs assessed against him or her; or such animals and fowls may be sold, killed, or otherwise disposed of to pay reasonable costs of taking up, feeding, watering and otherwise caring for and disposing of such animal or fowl. (1999 Code, § 10-103)

## CHAPTER 2

### DOGS<sup>1</sup>

#### 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.
- 10-208. Destruction of vicious or infected dogs running at large.
- 10-209. Unlawful abandonment.
- 10-210. Violations and penalty.

**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) or other applicable law. (1999 Code, § 10-201)

**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. (1999 Code, § 10-202)

**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.

Any person knowingly permitting a dog to run at large, including the owner of the dog, may be prosecuted under this section even if the dog is picked up and disposed of under the provisions of this chapter, whether or not the disposition includes returning the animal to its owner. (1999 Code, § 10-203)

**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 provide reasonably for the protection of other animals and persons. A violation of this section shall subject the offender to a penalty of fifty dollars (\$50.00) for each offense. (1999 Code, § 10-204, modified)

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<sup>1</sup>Wherever this chapter refers to "dogs," it means "dogs and cats."

**10-205. Noisy dogs prohibited.** No person shall own, keep, or harbor any dog which, by loud and frequent barking, whining, or howling, disturbs the peace and quiet of any neighborhood. (1999 Code, § 10-205)

**10-206. Confinement of dogs suspected of being rabid.**<sup>1</sup> 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 any other properly designated officer or official may cause such dog to be confined or isolated for such time as he deems reasonably necessary or may authorize medical testing procedures to determine if such dog is rabid. (1999 Code, § 10-206)

**10-207. Seizure and disposition of dogs.** Any dog found running at large may be seized by any police officer or other properly designated officer or official and placed in a pound provided or designated by the board of commissioners. If the dog is wearing a tag the owner shall be notified in person, by telephone, or by postcard addressed to his last-known mailing address to appear within seven (7) days and redeem his dog by paying a reasonable fee, in accordance with a fee approved by the board of commissioners. This fee shall be an increasing fee based upon the number of times that the owner has had an animal seized by the city. The fee shall be twenty-five dollars (\$25.00) for the first offense and fifty dollars (\$50.00) for the second offense. In addition, a daily boarding fee of actual costs of boarding will apply. Animals not claimed by the owner within seven (7) days shall be humanely sold or destroyed. Those individuals appearing in court will be subject to fines and cost as set by the city judge. If the dog is not wearing a tag it shall be sold or humanely destroyed unless legally claimed by the owner within seven (7) days. No dog shall be released in any event from the pound unless or until such dog has been vaccinated and has a tag evidencing such vaccination placed on its collar. (1999 Code, § 10-207, modified)

**10-208. 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<sup>2</sup>. (1999 Code, § 10-208)

**10-209. Unlawful abandonment.** It shall be unlawful to abandon an animal within the City of Clifton. Such abandonment shall carry a fine per dog

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<sup>1</sup>State law reference  
Tennessee Code Annotated, § 68-8-109

<sup>2</sup>State law reference  
For a Tennessee Supreme Court case upholding the summary destruction of dogs pursuant to appropriate legislation, see Darnell v. Shapard, 156 Tenn. 544, 3 S.W. 2d 661 (1928).

in accordance with the general penalty provision of this code. (1999 Code, § 10-209, modified)

**10-210. Violations and penalty.** Any violation of this chapter shall constitute a civil offense and shall, upon conviction, be punished under the general penalty provision of this code. Each day a violation shall be allowed to continue shall constitute a separate offense. (1999 Code, § 10-210)