

TITLE 10**ANIMAL CONTROL****CHAPTER****1. IN GENERAL.****CHAPTER 1****IN GENERAL****SECTION**

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10-101. Animals and fowls running at large. It shall be unlawful for any person or persons, owning or having in control and custody, horses, mules, donkeys, sheep, goats, or other livestock, to permit same to run at large in the corporate limits of the city. Any damages done by said livestock running at large in the city shall be and is constituted a lien upon said livestock, and may be enforced as any other lien by writ of attachment. Any person or persons upon whose land such livestock shall be found running at large, shall have the right to take up and confine same, giving them reasonably good feed and attention, and shall be entitled to a reasonable compensation for the same. A lien upon said livestock for this care is given, which lien may be enforced by writ of attachment. The mayor is given authority to appoint a stock patrolman to put up any livestock found running at large in the city; unclaimed livestock may be advertised and sold when so authorized by the mayor. (1952 Code, § 11-1)

10-102. Keeping of hogs. No swine shall be permitted in the city; except that, the Friendsville Board of Zoning Appeals (BZA) may allow the keeping or raising of swine as a special exception use within any zoning district which permits general farming, provided the following conditions can be met. These conditions are to be considered minimum standards and the BZA may impose additional or higher standards based upon circumstances which may be peculiar to any one site.

(1) No hog(s) shall be placed upon any parcel of property that is less than five (5) acres in size.

(2) Up to three (3) hogs may be permitted on any one five (5) acre parcel and one (1) additional hog may be permitted for each acre over five (5)

acres contained in any one parcel; provided the provisions of (3)--(5) below are observed.

(3) No free-ranging swine nor any barn, pen, feed lot, or watering pond or trough, shall be located any closer than five hundred (500) feet from any property line and/or free-flowing stream. The area within which swine are confined shall be surrounded by a structure and/or fencing that will prevent the escape of swine onto adjoining properties or public right-of-way.

(4) The manner in which swine are kept, in addition to the conditions set out in sections (1), (2), and (3) above, shall be in accordance with generally accepted swine farming practices. The BZA may consult with the Blount County Agricultural Extension Agent, Blount County Health Department, or other recognized experts in order to determine if proper practices are being proposed.

(5) No swine farming operation shall be conducted in such a manner as to become a nuisance or threat to the public health or safety. (Ord. #89-14, April 1990)

10-103. Fowls making loud noises. It shall be unlawful for any person to own, harbor, keep, or possess any chickens, ducks, geese, fowls, or other birds which by loud and frequent quacking, crowing, or cackling, or by any other noise, disturb the peace, or cause annoyance to any of the citizens of the city. (1952 Code, § 11-3)

10-104. Animals making loud noises. It shall be unlawful for any person to own, keep, harbor, or possess any animals which, by loud and frequent howling, barking, yelping, growling, bleating, braying, or bawling, or by any other noise, cause annoyance to any of the citizens of the city. (1952 Code, § 11-4)

10-105. Regulation of dogs. (1) It shall be unlawful for any person to allow a dog belonging to him or under his control, or that may habitually be found on the premises occupied by him to go upon the premises of another within the city, or upon the streets of the city. This shall not apply to dogs driving stock upon streets or to dogs being taken out for a hunt or chase, or returning from a hunt or chase, or to dogs being moved from one premises to another, if, in all such cases, dogs are accompanied by their owners or persons in charge and kept strictly under their control.

(2) If any dogs are found roaming through the city unaccompanied by their owners, and upon inquiry their owners cannot be found and dealt with, then said dogs shall be confined for a period of ten (10) days. If within that time the owner has not claimed and redeemed same by paying fine and cost, then said dog shall be considered worthless and same shall be disposed of by sale. (1952 Code, § 11-5)

10-106. Vicious dogs. (1) It shall be unlawful for any person to own or in any way maintain a vicious dog within the City of Friendsville unless certain safety procedures are taken and approved by the animal control officer or the chief of police. The owner or keeper of vicious dogs shall keep them chained and muzzled or in a secure enclosure at all times. In addition, all vicious dogs shall be registered at city hall and the name, address of the owner, proof of current vaccination of the dog and homeowner insurance shall be provided by the owner of such dogs.

(2) Any owner or keeper of a vicious dog who fails to comply with the requirements of section (1) shall be fined fifty dollars (\$50.00) per day for each and every day the vicious dog remains within the city limits of the City of Friendsville in violation of this section.

(3) If a dog attacks a person by biting or in any manner causing injury or habitually or repeatedly attacks livestock or other domestic animals without provocation, it shall be prima facie evidence that the dog is vicious. After a notification by the police chief or animal control officer that the dog is vicious, the owner or keeper of such dog shall register the animal at city hall and shall keep the dog chained and muzzled, or in a secure enclosure at all times.

(4) Any person who receives a notice from the police chief or animal control officer that they are keeping a vicious dog shall have the right to appeal within ten (10) days the decision to the city judge by submitting a written protest of such notification at the city hall. The city judge shall upon receiving such appeal conduct a hearing within ten (10) days to determine if the animal is vicious. If the animal is judged not to be vicious, it may be returned to the owners. If the animal is judged to be vicious the owner or keeper shall comply with the registration and confinement requirements of section (1) or shall be fined accordingly. (Ord. #96-11, Sept. 1996)