

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

1. IN GENERAL.
2. DOGS AND CATS.

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

- 10-101. Running at large prohibited.
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- 10-108. Issuance of orders and notices.
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10-101. Running at large prohibited. It shall be unlawful for any person owning or being in charge of any dogs, cats, cows, sheep, horses, mules, goats, or any chickens, ducks, geese, turkeys, or other domestic fowl, cattle, or livestock to knowingly or negligently permit any of them to run at large in any street, alley, or unenclosed lot within the corporate limits.

Any person, including its owner, who knowingly or negligently permits an animal or animals to run at large may be prosecuted under this section even if the animal is picked up and disposed of under other provisions of this chapter, whether or not the disposition includes returning the animal to its owner. (Ord. #01-05, Sept. 2001)

10-102. Keeping near a residence or business restricted. No person shall keep any animal or fowl enumerated in the preceding section with the exception of dogs and cats within one thousand feet (1,000') of any residence or place of business without the approval of the Monteagle Board of Aldermen who shall only grant such approval when in their sound judgment the keeping of such animal(s) or fowl(s) under the circumstances as set forth in application for the permit will not injuriously affect the public health and welfare. (Ord. #01-05, Sept. 2001)

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 such other enclosure in which they are kept shall at all times be maintained in a clean and sanitary condition. (Ord. #01-05, Sept. 2001)

10-104. Adequate food, water, and shelter 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 and safety. All feed shall be stored and kept in a rat-proof and fly-tight building, box, or receptacle. (Ord. #01-05, Sept. 2001)

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. (Ord. #01-05, Sept. 2001)

10-106. Cruel treatment prohibited. It shall be unlawful for any person to beat or otherwise abuse or injure any animal or fowl. (Ord. #01-05, Sept. 2001)

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 any police officer or other properly person designated by the board and confined in a pound provided or designated by the board. If the owner is known he shall be given notice in person, by telephone, or by letter addressed to his last-known mailing address. If the owner is not known or cannot be located, a notice describing the impounded animal or fowl will be posted in at least three (3) public places within the corporate limits. In either case the notice shall state that the impounded animal or fowl must be claimed within five (5) days from the date of the notice by paying the pound costs and fines which may be levied against the owner or the same will be humanely destroyed or otherwise disposed of. If not claimed by the owner, the animal or fowl shall be sold, given away, or humanely destroyed, or it may otherwise be disposed of as authorized by the board.

The town recorder shall collect from each person claiming an impounded animal or fowl reasonable fees and fines, in accordance with a schedule approved by the board. (Ord. #01-05, Sept. 2001)

10-108. Issuance of orders and notices. It shall be the duty of the rabies control officer or his representative or such other person authorized by the board to issue orders requiring the removal of animals and fowls from within the corporate limits of the Town of Monteagle when the keeping of such animals and/or fowls is in violation of this chapter and at all times when the keeping of such animals and/or fowls may constitute a hazard or a nuisance to the public.

He may issue orders requiring the owner(s) or occupant(s) of properties where such animals and/or fowls are quartered, to clean stalls, stables, pens, and yards routinely and to maintain such appurtenances in a clean and sanitary condition. Failure to maintain premises in a satisfactory condition at any and all times following the receipt of such orders will be considered as justification for causing the removal of such animals or fowls from within the corporate town limits. (Ord. #01-05, Sept. 2001)

10-109. Violation and penalty. Anyone found guilty of a violation of this chapter is subject to a fine of up to fifty dollars (\$50.00) per day of violation. (Ord. #01-05, Sept. 2001, modified)

CHAPTER 2

DOGS AND CATS

SECTION

- 10-201. Rabies vaccination and registration required.
- 10-202. Dogs and cats to wear tags.
- 10-203. Running at large prohibited.
- 10-204. Vicious dogs and cats to be securely restrained.
- 10-205. Noisy dogs and cats prohibited.
- 10-206. Confinement of dogs and cats suspected of being rabid.
- 10-207. Seizure and disposition of dogs and cats.
- 10-208. Destruction of vicious or infected dogs and cats running at large.
- 10-209. Violation and penalty.

10-201. Rabies vaccination and registration 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 and registered in accordance with the provisions of the "Tennessee Anti-Rabies Law"¹ or other applicable law. Any impounded dog or cat must be vaccinated before release if proof of current vaccination is not furnished by the owner. The owner shall pay the cost of vaccination and an additional fee of twenty-five dollars (\$25.00) for escorting the animal to a veterinary clinic for vaccination prior to release. (Ord. #01-05, Sept. 2001, modified)

10-202. Dogs and cats to wear tags. It shall be unlawful for any person to own, keep, or harbor any dog or cat which does not wear a tag evidencing the vaccination and registration required by the preceding section. (1989 Code, § 10-202, modified)

10-203. Running at large prohibited.² It shall be unlawful for any person knowingly to permit any dog or cat owned by him or under his control to run at large within the corporate limits.

Any person knowingly permitting a dog or cat to run at large, including the owner of the dog or cat, may be prosecuted under this section even if the dog or cat is picked up and disposed of under the provisions of this chapter, whether or not the disposition includes returning the animal to its owner. (1989 Code, § 10-203, modified)

¹State law reference

Tennessee Code Annotated, §§ 68-8-101 through 68-8-114.

²State law reference

Tennessee Code Annotated, §§ 68-8-108 and 68-8-109.

10-204. Vicious dogs and cats to be securely restrained. It shall be unlawful for any person to own or keep any dog or cat known to be vicious or dangerous unless such dog or cat is confined and/or otherwise securely restrained as to provide reasonably for the protection of other animals and persons. (Ord. #01-05, Sept. 2001, modified)

10-205. Noisy dogs and cats prohibited. No person shall own, keep, or harbor any dog(s) or cat(s) which, by loud and frequent barking, whining, or howling, disturbs the peace and quiet of any neighborhood. (Ord. #01-05, Sept. 2001, modified)

10-206. Confinement of dogs and cats suspected of being rabid. If any dog or cat 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 control officer or other person designated by the board may cause such dog or cat to be confined or isolated for such time as he deems reasonably necessary to determine if such dog or cat is rabid. (Ord. #01-05, Sept. 2001, modified)

10-207. Seizure and disposition of dogs and cats. Any animal or fowl found running at large or otherwise being kept in violation of this chapter may be seized by any police officer or other properly person designated by the board and confined in a pound provided or designated by the board. If the owner is known he shall be given notice in person, by telephone, or by letter addressed to his last-known mailing address. If the owner is not known or cannot be located, a notice describing the impounded animal or fowl will be posted in at least three (3) public places within the corporate limits. In either case the notice shall state that the impounded animal or fowl must be claimed within five (5) days from the date of the notice by paying the pound costs and fines which may be levied against the owner or the same will be humanely destroyed or otherwise disposed of. If not claimed by the owner, the animal or fowl shall be sold, given away, or humanely destroyed, or it may otherwise be disposed of as authorized by the board.

The town recorder shall collect from each person claiming an impounded animal or fowl reasonable fees and fines, in accordance with a schedule approved by the board. (Ord. #01-05, Sept. 2001, modified)

10-208. Destruction of vicious or infected dogs and cats running at large. When, because of its viciousness or apparent infection with rabies, a dog or cat running at large cannot be safely impounded, it may be summarily destroyed by an police officer or other person designated by the board. (Ord. #01-05, Sept. 2001, modified)

10-209. Violation and penalty. Anyone found guilty of a violation of this chapter is subject to a fine of up to fifty dollars (\$50.00) per day for violation. (Ord. #01-05, Sept. 2001, modified)