

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

1. IN GENERAL.
2. DOMESTIC ANIMALS AND PETS.

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

- 10-101. Running at large prohibited.
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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, 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. (1978 Code, § 3-101)

10-102. Keeping near a residence or business restricted. No person shall keep any animal or fowl enumerated in the preceding section within one thousand feet (1,000') 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. (1978 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. (1978 Code, § 3-103)

10-104. Storage of food. All feed shall be stored and kept in a rat-proof and fly-tight building, box, or receptacle. (1978 Code, § 3-104, modified)

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. (1978 Code, § 3-105)

10-106. Sale or storage for sale of stock or poultry. It shall be unlawful for any person or persons to carry on or permit to be carried on his or its property any stock or poultry for the purpose of keeping the same for sale or stored for sale and permit the same to be done for a period exceeding ten (10) days time. (1978 Code, § 3-106)

10-107. Cruel treatment prohibited. It shall be unlawful for any person to unnecessarily beat or otherwise abuse or injure any dumb animal or fowl. (1978 Code, § 3-107)

10-108. 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 the health officer or by the city marshal or any deputy marshal and confined in a pound provided or designated by the city council. If the owner is known he shall be given notice in person, by telephone, or by a postcard 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 by paying the pound costs or the same will be humanely destroyed or sold. If not claimed by the owner, the animal or fowl shall be sold or humanely destroyed, or it may otherwise be disposed of as authorized by the city council.

The pound keeper shall be entitled to collect from each person claiming an impounded animal or fowl reasonable fees, in accordance with a schedule approved by the city council, to cover the costs of impoundment and maintenance. (1978 Code, § 3-108)

10-109. Inspections of premises. For the purpose of making inspections to insure compliance with the provisions of this title, the health officer, or his authorized representative, shall be authorized to enter, at any reasonable time, any premises where he has reasonable cause to believe an animal or fowl is being kept in violation of this chapter. (1978 Code, § 3-109)

10-110. Violations. The violation of any section or subsection of this chapter shall constitute a misdemeanor and be punishable in accordance with

the general penalty clause for this code. Each day's violation shall constitute a separate offense. (1978 Code, § 3-110)

CHAPTER 2

DOMESTIC ANIMALS AND PETS

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 domestic animals and pets.
- 10-208. Violations and penalties.

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. (1978 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. (1978 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. (1978 Code, § 3-203)

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. (1978 Code, § 3-204)

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. (1978 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 health officer or city marshal may cause such dog to be confined or isolated for such time as he deems reasonably necessary to determine if such dog is rabid. (1978 Code, § 3-206)

10-207. Seizure and disposition of domestic animals and pets. Any domestic animal or pet found running at large may be seized by the health officer or the city marshal or any deputy marshal and placed in a pound provided or designated by the city council. If said domestic animal or pet is wearing a tag the owner shall be notified in person, by telephone, or by a postcard addressed to his last-known mailing address to appear within five (5) days and redeem his domestic animal or pet by paying a reasonable pound fee, in accordance with a schedule approved by the city council, or the domestic animal or pet will be humanely destroyed or sold. If said domestic animal or pet is not wearing a tag it shall be humanely destroyed or sold unless legally claimed by the owner within two (2) days. No domestic animal or pet shall be released in any event from the pound unless or until such domestic animal or pet has been vaccinated and had a tag evidencing such vaccination placed on its collar.

When, because of its viciousness or apparent infection with rabies, a domestic animal or pet found running at large cannot be safely impounded it may be summarily destroyed by the health officer or any marshal.¹ (Ord. #352, June 2002)

10-208. Violations and penalties. The violation of any section or subsection of this chapter shall constitute a misdemeanor and be punishable in accordance with the general penalty clause for this code. Each day's violation shall constitute a separate offense. (Ord. #352, June 2002)

¹State 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).