

TITLE 10

ANIMAL CONTROL

CHAPTER

1. IN GENERAL.
2. DOGS AND CATS.

CHAPTER 1

IN GENERAL

SECTION

- 10-101. Running at large prohibited.
- 10-102. Keeping near a residence or business restricted.
- 10-103. Pen or enclosure to be kept clean.
- 10-104. Storage of food.
- 10-105. Keeping in such manner as to become a nuisance prohibited.
- 10-106. Seizure and disposition of animals.
- 10-107. Violation and penalty.

10-101. Running at large prohibited. It shall be unlawful for any person owning or being in charge of any cows, 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.

Any person, including its owner, knowingly or negligently permitting an animal 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.

10-102. Keeping near a residence or business restricted. Swine are prohibited within the corporate limits. No person shall keep or allow any other animal or fowl enumerated in the preceding section to come within one thousand (1,000) feet of any residence, place of business, or public street, as measured in a straight line.

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.

10-104. Storage of food. All feed shall be stored and kept in a rat-proof and fly-tight building, box, or receptacle.

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.

10-106. 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 designated officer or official and confined in a pound provided or designated by the board of mayor and aldermen. 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 (\$50.00 per day plus \$10.00 impoundment fee) 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 board of mayor and aldermen.

The pound keeper shall collect from each person claiming an impounded animal or fowl reasonable fees, in accordance with a schedule approved by the board of mayor and aldermen, to cover the costs of impoundment and maintenance.

10-107. Violation and penalty. Any violation of any section of this chapter shall subject the offender to a penalty under the general penalty provision of this code. Each day the violation shall continue shall constitute a separate offense.

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 prohibited.
- 10-206. Confinement of dogs and cats suspected of being rabid.
- 10-207. Animals creating a nuisance.
- 10-208. Confinement of female dogs and cats in season.
- 10-209. Seizure and disposition of dogs and cats.
- 10-210. Destruction of vicious or infected dogs and cats running at large.
- 10-211. 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" (Tennessee Code Annotated, §§ 68-8-101 through 68-8-113) or other applicable law.

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

10-203. Running at large prohibited.¹ It shall be unlawful for any person knowingly to permit any dog and/or cat owned by him or under his control to run at large within the corporate limits.

Any person knowingly permitting a dog and/or cat to run at large, including the owner of the dog and/or cat, may be prosecuted under this section even if the dog and/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.

10-204. Vicious dogs and cats to be securely restrained. It shall be unlawful for any person to own or keep any dog and/or cat known to be vicious or dangerous unless such dog and/or cat is so confined and/or

¹State law reference

Tennessee Code Annotated, §§ 68-8-107.

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 under the general penalty provision of this code.

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.

10-206. Confinement of dogs and cats suspected of being rabid. If any dog and/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 chief of police or any other properly designated officer or official may cause such dog and/or cat to be confined or isolated for such time as he deems reasonably necessary to determine if such dog or cat is rabid.

10-207. Animals creating a nuisance. Every person responsible for an animal shall keep it from creating a nuisance. An animal creates a nuisance if it:

- (1) Is offensive to others due to an odor caused by the animal
- (2) Repeatedly turns over or rummages through refuse containers, damages flower or vegetable gardens, or causes damage to public property or property of others.
- (3) Without provocation, chases or approaches a pedestrian, bicycle rider or vehicle in a menacing fashion or apparent attitude of attack.
- (4) Without provocation, attacks or bites persons or other animals
- (5) Impedes refuse collections, mail delivery, meter reading or other public service activities.
- (6) Trespasses on property not owned, leased or rented by the person responsible for the animal
- (7) Is maintained in a manner that is dangerous to the health, safety or welfare of the community.

10-207. Confinement of female dogs or cats in season
It shall be unlawful for any owner of a dog or a cat, or any person having control or custody over a dog or cat, whether such control or custody is temporary or otherwise, to fail to confine a female dog or cat in an enclosed area during the time such dog or cat is in season or in heat. The confinement shall prevent the female dog or cat from leaving with other dogs or cats. Any dog or cat not so confined may be seized pursuant to the provisions in sections 10-206 and 10-209

10-209. Seizure and disposition of dogs and cats. Any dog and/or cat 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 mayor and aldermen. If the dog or cat 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 dog or cat by paying a reasonable pound fee, in accordance with a schedule approved by the board of mayor and aldermen, or the dog or cat will be sold or humanely destroyed. If the dog or cat is not wearing a tag it shall be sold or humanely destroyed unless legally claimed by the owner within two (2) days. No dog or cat shall be released in any event from the pound unless or until such dog or cat has been vaccinated and has a tag evidencing such vaccination placed on its collar.

Any new owner adopting a dog or cat that has not been spayed or neutered must pay a twenty-five dollar (\$25.00) deposit before a dog or cat may be released, as required by the Tennessee Spay/Neuter Law.¹

10-210. Destruction of vicious or infected dogs or cats 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.

10-211. Violation and penalty. Any violation of this chapter shall constitute a civil offense and shall, upon conviction, be punishable under the general penalty provision of this code. Each day a violation shall be allowed to continue shall constitute a separate offense. Fees of no less than \$50.00 and no more than \$250.00 per offense.

¹State law reference

Tennessee Code Annotated, § 44-17-501, et seq., "The Tennessee Spay/Neuter Law," prohibits persons from adopting a dog or cat from an agency (pound, animal shelter, etc.) operated by a municipality unless the dog or cat was already spayed or neutered, was spayed or neutered while in the custody of the agency, or the new owner signs a written agreement to have the animal spayed or neutered within 30 days of the adoption if the animal is sexually mature, or within 30 days after the animal reaches six (6) months of age if it is not sexually mature.

Before an agency may release an animal which has not been spayed or neutered it must collect a twenty-five dollar (\$25.00) deposit from the new owner to ensure compliance with the law. If the new owner does not comply with the law, the deposit is forfeited and the agency may file a petition in court to force the new owner to either comply with the law or return the animal.

An agency may not spay or neuter a dog or cat that is returned to its original owner within seven (7) days of its being taken into custody by the agency.