

## TITLE 10

ANIMAL CONTROL

## CHAPTER

1. IN GENERAL.
2. DOGS.

## CHAPTER 1

IN GENERAL<sup>1</sup>

## SECTION

- 10-101. Running at large prohibited.
- 10-102. Pen or enclosure to be kept clean.
- 10-103. Keeping in such manner as to become a nuisance prohibited.
- 10-104. Seizure and disposition of animals.
- 10-105. Inspections of premises.
- 10-106. Requirements of keeping horses, mules, cows, goats, hogs, etc.

**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. (1994 Code, § 3-101)

**10-102. 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. (1994 Code, § 3-102)

**10-103. 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 either because of noise, odor, contagious disease, or other reason. (1994 Code, § 3-104)

**10-104. 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 any police officer and confined in a pound provided or designated by the board of mayor and aldermen. If the owner is

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<sup>1</sup>Municipal code reference

Riding or driving animals, etc.: § 15-108

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 board of mayor and aldermen.

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 board of mayor and aldermen, to cover the costs of impoundment and maintenance. (1994 Code, § 3-106)

**10-105. 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. (1994 Code, § 3-107)

**10-106. Requirements for keeping horses, mules, cows, goats, hogs, etc.** (1) It shall be unlawful for any person to keep or maintain one or more horses, mules, cows, goats, hogs and the like in any residential section of the town unless:

(a) On a tract of land greater than four (4) acres in size; and

(b) The boundary of the pen, corral, enclosure, or barn in which the animal is situated is further than one hundred (100) feet to any residence, unless the owner and/or occupant of record of adjoining residence consents in writing and the same is approved by the board of mayor and aldermen; and

(c) No animal shall be kept closer than twenty-five (25) feet from the boundary line of any adjoining parcel, unless the owner and/or occupant of adjacent property consents in writing and the same is approved by the board of mayor and aldermen.

(2) In no event shall any person keep or maintain any more than one (1) horse, mule, cow, goat, hog and the like, per every two (2) acres of land owned or leased in any residential section of the town.

(3) Places where any such animals are kept shall be kept clean and dry. All manure shall be picked up daily and kept in a bin or receptacle that will exclude flies and odors. The bin shall be located at a point most remote from the dwelling or other structure owned or occupied by other than the owner of the above premises and shall likewise be placed at a point most remote on the premises from any street. It shall be unlawful for any person to hold such manure on any premises in bins after the same shall have become a nuisance

or unsanitary; provided, that any person may use such manure on their premises for the purpose of enriching their own ground or for any other use to which manure can properly be put when the same is not offensive or unsanitary. (as added by Ord. #2006-02, March 2006)

## CHAPTER 2

DOGS

## SECTION

- 10-201. Rabies vaccination and registration required.
- 10-202. Dogs to wear tags.
- 10-203. Running at large prohibited.
- 10-204. Number of dogs on premises restricted.
- 10-205. Vicious dogs to be securely restrained.
- 10-206. Noisy dogs prohibited.
- 10-207. Confinement of dogs suspected of being rabid.
- 10-208. Seizure and disposition of dogs.

**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. (1994 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. (1994 Code, § 3-202)

**10-203. Running at large prohibited.**<sup>1</sup> 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. (1994 Code, § 3-203)

**10-204. Number of dogs on premises restricted.** In a district designated as residential on the official zoning map of the town, keeping or maintaining more than four (4) dogs over six (6) months old on the premises is prohibited. (1994 Code, § 3-204)

**10-205. 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. (1994 Code, § 3-205)

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<sup>1</sup>State law reference

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

**10-206. 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. (1994 Code, § 3-206)

**10-207. 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 chief of police may cause such dog to be confined or isolated for such time as he deems reasonably necessary to determine if such dog is rabid. (1994 Code, § 3-207)

**10-208. Seizure and disposition of dogs.** Any dog found running at large may be seized by the health officer or any police officer and placed in a pound provided or designated by the board of mayor and aldermen. If said dog 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 by paying a reasonable pound fee, in accordance with a schedule approved by the board of mayor and aldermen, or the dog will be humanely destroyed or sold. If said dog is not wearing a tag it shall be humanely destroyed or sold unless legally claimed by the owner within three (3) days. No dog shall be released in any event from the pound unless or until such dog 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 dog found running at large cannot be safely impounded it may be summarily destroyed by the health officer or any policeman<sup>1</sup>. (1994 Code, § 3-208)

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<sup>1</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).