

TITLE 10

ANIMAL CONTROL

CHAPTER

1. IN GENERAL.
2. DOGS.

CHAPTER 1

IN GENERAL

SECTION

- 10-101. Running at large prohibited.
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- 10-103. Pen or enclosure to be kept clean.
- 10-104. Adequate food, water, and shelter, etc., to be provided.
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- 10-106. Cruel treatment prohibited.
- 10-107. Seizure and disposition of animals.

10-101. Running at large prohibited. It shall be unlawful for any person owning or being in charge of any fur bearing animal, 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 any animals, fowls, or fur bearing animals 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. Adequate food, water, and shelter, etc., to be provided. No animal, fowl, or fur bearing animal 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.

10-105. Keeping in such manner as to become a nuisance prohibited. No animal, fowl, or fur bearing animal 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. Cruel treatment prohibited. It shall be unlawful for any person to beat or otherwise abuse or injure any dumb animal, fowl, or fur bearing animal.

10-107. Seizure and disposition of animals. Any animal, fowl, or fur bearing animal 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 commissioners. 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, fowl, or fur bearing animal 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, fowl or fur bearing animal shall be sold or humanely destroyed, or it may otherwise be disposed of as authorized by the board of commissioners.

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

CHAPTER 2

DOGS

SECTION

- 10-201. Rabies vaccination and registration required.
- 10-202. Dogs to be licensed and display tags.
- 10-203. Running at large prohibited.
- 10-204. Vicious dogs to be securely restrained.
- 10-205. Pen or enclosure to be kept clean.
- 10-206. Noisy dogs prohibited.
- 10-207. Confinement of dogs suspected of being rabid.
- 10-208. Seizure and disposition of dogs.
- 10-209. Destruction of vicious or infected dogs running at large.
- 10-210. Cruelty to animals.
- 10-211. Animal restraints.
- 10-212. Dumping or abandonment prohibited.

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, sections 68-8-101 through 68-8-114) or other applicable law.

10-202. Dogs to be licensed and display tags. (1) It shall be unlawful for any person to own, keep or harbor any dog over four (4) months old which does not wear a current license tag issued by the Town of Graysville.

(2) The recorder on application by the dog owner shall issue a license tag, provided that no license shall be issued without the owner furnishing proof of rabies vaccination as required in § 10-201. A metallic tag and license certificate with corresponding numbers shall be furnished by the recorder to any person upon payment of the appropriate fee. The recorder shall keep a record of the name of the owner or person making payment of the license fee, to whom a certificate and tag have been issued, and the number and date of such certificate and such tag. Such metal tag issued shall be securely fixed to a collar, harness or other device to be worn at all times by the dog for whom the registration is issued, except while such dog remains indoors.

(3) The fee for a dog license shall be five (5) dollars. The license shall be valid for a period of one (1) year from the date of issue.

(4) Duplicate tags. When a tag has been stolen or lost, the owner of the dog for which the same was issued may, upon the payment of fifty (50) cents to the recorder and upon making and subscribing to an affidavit of such loss and filing the same with the recorder, receive a duplicate tag for the remaining portion of the then current year.

(5) Exceptions. No license shall be required

(a) Where the dog is owned by a nonresident of the town who is visiting the city for less than thirty-one (31) days, or

(b) The dog is a police dog used by a law enforcement agency.

(6) Enforcement. An unlicensed dog, other than those found running loose as covered by § 10-208 below, shall cause the owner to be subject to a violation notice. Violation notices may be issued by any police officer or other properly designated officer or official for unlicensed dogs. A violation notice gives the owner a fifteen (15) day period in which to obtain a license, at the cost of the license in section (3) above plus a fee of ten (10) dollars. Failure of the owner to respond within the fifteen (15) day period shall cause a citation to be issued to the owner. (as amended by Ord. #2000-2, July 2000)

10-203. Running at large prohibited.¹ (1) It shall be unlawful for any person knowingly to permit any dog owned by him or under his control to run at large upon any public place or any private property other than that of such owner except with the prior consent of the person in charge of such private property, unless such dog is securely restrained by a substantial leash and is under the charge and control of a person competent to keep such dog under effective charge and control. Nothing in this section shall prevent a dog from being used without a leash

(a) To hunt wild birds or game or to herd, gather or otherwise work domestic animals or fowl or

(b) For obedience training or exercise, in or upon a public place so long as such dog is under the charge and control of a person competent to keep such dog under effective charge and control and so long as such dog does not wrongfully harm or damage or threaten to harm or damage any person on public or private property.

(2) The owner of any female dog shall keep such dog confined in a secure enclosure during any time that such dog is in heat.

(3) Any person knowingly permitting a dog to run at large, including the owner of the dog, may be prosecuted under this section even if the dog is picked up and disposed of under the provisions of this chapter, whether or not the disposition includes returning the animal to its owner. (as amended by Ord. #2000-2, July 2000)

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.

¹State law reference

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

10-205. Pen or enclosure to be kept clean. When any dogs 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.

10-206. 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.

10-207. Confinement of dogs suspected of being rabid. If your pet bites any person, you must notify Graysville City Hall or the police. The animal may be required to be confined for ten (10) days for rabies observation. (This may be done at a shelter, a licensed veterinary hospital or at your home, if approved by the recorder or chief of police and you have a valid rabies certificate for your pet. If quarantined at home, the animal must be kept confined in an enclosure where it cannot bite again and the animal's potential rabies exposure is distinctly minimized.) If any dog is suspected of being infected with rabies the recorder or the chief of police may cause such dog to be confined or isolated for such time as deemed reasonably necessary to determine if such dog is rabid. If the animal is held for observation at a city owned facility there will be a charge of \$5.00 per day to be paid by the owner of the dog. (as amended by Ord. #2000-2, July 2000)

10-208. Seizure and disposition of dogs. (1) Any dog found running at large may be seized by any police officer or other properly designated officer or official and placed in a facility provided or designated by the city commission.

(2) If the dog is wearing a license tag the owner shall be notified in person, by telephone, by E-mail, or by U.S. mail addressed to the last known mailing address, to appear within five (5) days and redeem the dog by paying an impound fee. The fee for impounding a dog shall be twenty-five (25) dollars for the first offense and fifty (50) dollars for the second and subsequent offenses. If the dog is not redeemed within five (5) days it may be adopted by another person, humanely destroyed or dispositioned as appropriate at the discretion of the recorder.

(3) If the dog is not wearing a tag it will be impounded for five (5) days unless legally claimed by the owner. The owner of the dog will be charged an impound fee as stated in (2). If the dog is not redeemed within the five (5) day period it will be dispositioned as stated in (2).

(4) Injured or ill animals will be timely and humanely dispositioned at the discretion of the recorder after making reasonable effort to locate the owner. Any expense incurred is to be paid by the owner.

(5) No dog shall be released from the shelter in any event unless or until such dog

(a) Has been vaccinated for rabies, or the owner pledges to have the dog vaccinated within a fifteen (15) day period as required in § 10-201

by putting up a \$10.00 deposit that will be refunded when proof of vaccination is provided,

(b) Has a town license (provided the owner lives within the Town of Graysville) and

(c) Pays an adoption fee, said fee being computed at two (2) dollars per day for each day the dog has been kept at the pound but not to exceed ten (10) dollars.

The animal must receive a rabies vaccination prior to adoption. The adoptee will be responsible for the expense incurred. The adoptee will be required to have the animal spayed or neutered.

(6) The town accepts no liability and makes no guarantees regarding the acceptability, suitability, or health of such animals as may be adopted in accordance with this chapter. (Ord. # 1985-1, modified, as amended by Ord. #2000-2, July 2000)

10-209. Destruction of vicious or infected dogs 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.¹

10-210. Cruelty to animals. No person shall maliciously kill, disfigure, poison, or intentionally inflict pain on any animal. All pets must be humanely treated with proper food, water, care, shelter and exercise. No person shall overload, torture or cruelly beat any animal. Animals shall not be transported or confined in a cruel manner. Violation of this section may result in citation and confiscation of the animal and/or transport vehicle. (as added by Ord. #2000-2, July 2000)

10-211. Animal restraints. When a restraint is used to tether an animal, it shall be placed or attached so that it cannot become entangled with the restraining device or any other animal or with any other object. It shall be affixed by means of a well fitted collar, and shall be at least four times the length of the animal as measured from the tip of its nose to the base of its tail and shall allow the animal convenient access to food, water, and shelter adequate to protect the animal from the elements. Violation of this section may result in citation and/or confiscation of the animal. (as added by Ord. #2000-2, July 2000)

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).

10-212. Dumping or abandonment prohibited. It shall be prohibited for any person to dump or abandon any animal in the Town of Graysville. Such action, if witnessed will be punished with the maximum allowable fine. (as added by Ord. #2000-2, July 2000)