

TITLE 10

ANIMAL CONTROL

CHAPTER

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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. Adequate food, water, and shelter, etc., to be provided.
- 10-105. Keeping in such manner as to become a nuisance prohibited.
- 10-106. Cruel treatment prohibited.
- 10-107. Seizure and disposition of animals.
- 10-108. Inspections of premises.

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. Provided, however, that the foregoing restrictions of this section shall not apply to those additions to the town known as the newly annexed areas. (1983 Code, § 3-101)

10-102. Keeping near a residence or business restricted. 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, without a permit from the mayor. The mayor 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. (1983 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. (1983 Code, § 3-103)

10-104. Adequate food, water, and shelter, etc., 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 safe condition.

All feed shall be stored and kept in a rat-proof and fly-tight building, box, or receptacle. (1983 Code, § 3-104)

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. (1983 Code, § 3-105)

10-106. Cruel treatment prohibited. It shall be unlawful for any person to beat or otherwise abuse or injure any dumb animal or fowl. (1983 Code, § 3-106)

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 the health officer or by any police officer and confined in a pound provided or designated by the town 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 Town of White Bluff. 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 town council.

The pound keeper shall collect from each person claiming an impounded animal or fowl a reasonable fee, to cover the costs of impoundment and maintenance. (1983 Code, § 3-107)

10-108. 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. (1983 Code, § 3-108)

CHAPTER 2

DOMESTIC PETS

SECTION

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

10-201. Rabies vaccination and registration required. It shall be unlawful for any person to own, keep, or harbor any pet 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. (Ord. #148, Jan. 1996)

10-202. Pets to wear tags. It shall be unlawful for any person to own, keep, or harbor any pet which does not wear a tag evidencing the vaccination and registration required by the preceding section. (Ord. #148, Jan. 1996)

10-203. Running at large prohibited.² It shall be unlawful for any person knowingly to permit any pet owned by him or under his control to run at large within the corporate limits. Provided, however, that the foregoing restrictions of this section shall not apply to pets on leash or to pets otherwise exempted by law. (Ord. #148, Jan. 1996)

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 reasonably provide for the protection of other animals and persons. (Ord. #148, Jan. 1996)

10-205. Noisy pets prohibited. No person shall own, keep, or harbor any pet which, by loud and frequent barking, whining, or howling, disturbs the peace and quiet of any neighborhood. (Ord. #148, Jan. 1996)

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.

10-206. Confinement of pets suspected of being rabid. If any pet 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 may cause such pet to be confined or isolated for such time as he deems reasonably necessary to determine if such pet is rabid. (Ord. #148, Jan. 1996)

10-207. Seizure and disposition of pets. Any pet found running at large may be seized by any police officer or animal control officer. Upon seizure, the pet shall be placed in a pound provided or designated by the town council. If said pet is wearing a tag, the owner shall be notified in person, by telephone, or by postcard addressed to his last known mailing address to appear within five (5) days and redeem his pet by paying a twenty-five (\$25.00) dollar pick-up fee and five (\$5.00) dollars for each day the pet has been impounded, or the pet will be humanely destroyed or sold. If said pet is not wearing a tag, it shall be humanely destroyed or sold unless legally claimed by the owner within three (3) days. No pet shall be released in any event from the pound unless or until such pet has been vaccinated and a tag placed on its collar.

When, because of its viciousness or apparent infection with rabies, a pet found running at large cannot be safely impounded it may be summarily destroyed by any policeman.¹

Note: Pet, as described in previous sections, would be classified as dog, cat, domestic pig, domestic fowl, or any domestic pet knowingly kept at a person's residence. (Ord. #148, Jan. 1996)

¹State law reference

For a Tennessee Supreme Court case upholding the summary destruction of dogs pursuant to appropriate legislation, see the 1927 case of Darnell v. Shapard, 156 Tenn. 544, 3 S.W.2d 661 (1928).

CHAPTER 3**BIRD SANCTUARY****SECTION**

10-301. Boundaries.

10-302. Violations.

10-303. Penalties.

10-301. Boundaries. The entire area embraced within the corporate limits of the Town of White Bluff be, and the same is hereby designated as, a bird sanctuary. (1983 Code, § 3-301)

10-302. Violations. It shall be unlawful to trap, shoot, hunt, or attempt to shoot or molest in any manner any bird or wild fowl; or to rob birds nests or wild fowl nests, excepting crow, starling, house sparrow, and/or any other bird deemed a public nuisance and/or a public health hazard by vote of the council; and game birds in season. (1983 Code, § 3-302)

10-303. Penalties. Anyone violating the provisions of this chapter shall be punished by a fine of not more than \$100.00. (1983 Code, § 3-303, modified)