

**Tipton
County
Animal
Control Act**

SECTION I. DEFINITIONS: The following definitions shall apply in the interpretation and enforcement of this chapter.

Animal Control Director – The person that has overall responsibility for the animal control program of Tipton County. The Director will be recommended by the general welfare committee of Tipton County concurred in by the County Executive and approved by the Tipton County Commission.

Animal control officer(s) – The individual(s) hired by the Animal Control Director to capture animals at large and manage the Tipton County Animal facility.

Volunteer(s)-Non paid citizen volunteers are welcome to aid in care of animals and facilities under the supervision of the animal control staff.

Competent Person- Any person twenty one (21) years of age or older, who is able to comprehend and understand the nature of his/her responsibility and has sufficient ability, mentally and physically, to handle any particular animal he/she may take charge of, or have in his/her control.

Cat – all members of all breeds of cats considered as pets and normally kept around a dwelling that are three months of age.

Dog – all members of the dog-family three months or more of age.

Owner – Any person who has property rights in a cat or dog or other animal designated by the Animal Control Director who keeps or permits a cat or dog or other designated animal to remain on or about any premises owned or controlled by such person in Tipton County.

Keeper or Responsible Person – Any individual, corporation, firm, partnership or organization and any other group acting as a unit in Tipton County, Tennessee that has charge over an animal.

Vaccination – The injection of a vaccine for cats and dogs that meets the standards prescribed by the United States Department of Agriculture for interstate sale.

Dangerous/vicious animal- Means any dog, or animal of the canine family, that according to records of the appropriate authority.

- a) Has aggressively bitten, attacked, or has otherwise inflicted injury on a human or domesticated animal being on public or private property;
- b) Has severely injured or killed a human being or domesticated animal.
- c) Has been used primarily, or in part, for the purpose of dog fighting or any other aggressive activity.

Unprovoked Attack- An attack in which an animal without provocation attacks or bites a human being, who has been conducting himself peacefully and lawfully and has not abused, threatened or otherwise provoked the attacking animal.

SECTION 2. ANIMAL CONTROL DIRECTOR

The Director is authorized to promulgate regulations to carry out the purposes of this act and to adopt and enforce all measures for the animal control program not prohibited by this chapter or other state or federal laws.

The Director shall appoint an Animal Control Officer(s) who shall serve at the pleasure of the Director. The salary of the Animal Control Officer(s) shall be established by the Director and ratified by the County Legislative Body as a part of its annual budget process. The Animal Control Officer and any other employees hired shall be under the day-to-day supervision of the Director.

SECTION 3. BUDGETING

The director shall recommend to the legislative body of Tipton County a budget for all animal control activities. The director shall submit the proposed budget for any fiscal year beginning on or after July 1 to the budget committees of the aforementioned legislative body by May 1st of each year.

The proposed budget shall consist of revenues from fees and penalties provided under authority of this act, gifts and appropriations made by any participating entity. The budget of the Animal Control Director shall consist of fees and penalties received from the operations of the animal control program. The animal control program shall be budgeted within the funds under the supervision of the Director of Public Works. Any funds at the end of any fiscal year shall be carried over to the next fiscal year and used for the purposes of this act.

SECTION 4. CUSTODY OF FUNDS: EXPENDITURES

All funds received by or in behalf of the director or its agents shall be promptly deposited in the Tipton County Public Works Highway Fund. These funds shall be tracked in order to make sure that funds collected through the animal control program are used for the purpose of running the animal control program.

The Director shall serve as purchasing agent for the animal control operation and shall follow purchasing regulations established by the Tipton County Commission.

SECTION 5. REGISTRATION:

All owners as herein defined shall apply to the animal control officer or his designee (licensed veterinarians) for a registration certificate or license for such dog or cat or other animal designated by the director and the animal control officer or his designee shall,

upon payment of a registration fee, issue such certificate or license to the owner of the cat or dog or other designated animal giving the owner's name, name of the dog or cat or designated animal, date issued, amount paid, description and sex of the dog or cat or other designated animal for which the registration is being issued, the registration tag number issued, and the date said dog or cat or other designated animal was vaccinated and the type of vaccine used, together with a metal registration tag or disc bearing the serial number of the registration certificate and the year in which it was delivered. No dog or cat's registration certificate shall be issued unless an unexpired certificate of rabies vaccination is exhibited. Designated animals other than dogs and cats may be required to be registered and/or vaccinated by their owners pursuant to the regulations promulgated by the director that may differ from regulations pertaining to cats and dogs.

SECTION 6. REGISTRATION BY KENNELS

Persons operating kennels where dogs and/or cats or other designated animals are bred for sale, shall not be required to pay a registration fee, but in lieu thereof shall pay on or before the first day of June of each year, or at such time as the kennel shall be open a registration fee to the animal control officer as kennel operator thereof as follows:

Kennel of less than ten dogs or cat or other designated animals – See Section 18.

For kennels of not less than ten, but not more than twenty dogs or cats or other designated animals – See Section 18.

For kennels of not less than twenty dogs or cats or other designated animals- See Section 18.

Provided, however, that at no time shall the number of dogs or cats or other designated animals in the kennel exceed the number covered by the registration and further, that no kennel registration certificate shall be issued unless an unexpired certificate of rabies vaccination for each dog or cat (or other designated animals if required by regulation) to be kept in the kennel is exhibited. Furthermore, the board may adjust the amount of the fees required by this section annually. Kennel operators will be required to contact Animal Control prior to registration in order to be approved by Animal Control for a Kennel Registration. Kennels will be inspected to make sure that they comply with any State or Federal Laws and animals are housed in adequate kennels. Kennel operators will be required to appear the County Court Clerk for a business license and the remainder of the registration is to be remitted to Animal Control.

SECTION 7. REGISTRATION FEE

The registration fee shall be in such amount as follows:

The fee shall be established in Section 18 for each spayed/neutered dog or cat. For each unsprayed/unneutered dog or cat the fee shall be established in Section 18. This fee applies to all animals within Tipton County regardless if the animal is used for breeding

purposes. Any issuing agency of the registration shall be entitled to a \$1.00 fee, which shall be deducted from the fee due to the county.

SECTION 8. DUTY OF OWNER- EXCEPTION

It shall be the duty of the owner of each dog or cat or other designated animal to attach the registration tag to the collar which shall be worn at all times by all dogs and cats or other designated animals registered and in the event the registration tag is lost the animal control officer shall issue a duplicate tag which shall be attached to the dog or cat or other designated animal's collar and at all times be worn thereon; provided that the collar may be removed in case of hunting dogs while in a chase, but nothing contained herein shall authorize the use of an unregistered dog, either in hunt or in a chase.

SECTION 9. VACCINATION REQUIRED

It shall be unlawful for any person to own a dog or cat, which does not have the rabies inoculation, required by state law.

SECTION 10. INOCULATION TAG

Any person who owns or has a dog or cat or other animal designated by the director under his control shall, upon the inoculation of such animal, procure a metal tag from the veterinarian, which tag shall show the inoculation number of such animal and the year in which the inoculation was given. Such owner shall keep the tag attached to the collar, which shall be worn at all times by all dogs and cats or designated animals as required by state law, provide that the collar may be removed in the case of hunting dogs while in a chase or returning from the chase. Nothing herein shall be construed as permitting the use of an unvaccinated dog in either the hunt or chase. Inoculation tags are available to all veterinarians through Tipton County Animal Control and as a courtesy delivered to each vet by request within 72 hours of notification to animal control. If tags are required prior to the 72 hour timeframe they may be picked up at Tipton County Animal Control during normal business hours. State Rabies Vaccination Tags are generated by the State of Tennessee and are not the responsibility of Tipton County Animal Control. Once the allotment of State Tags are expended, Tipton County Animal Control Registration Tags shall be issued and the owner will be responsible for keeping up with their Certificate of Vaccination for proof of Rabies.

SECTION 11. CERTIFICATE OF INOCULATION

Each owner or person owning and controlling an inoculated animal shall keep his current certificate of inoculation and shall present such certificate when requested by properly authorized officers or persons designated to enforce the provisions of this chapter.

SECTION 12. EVIDENCE OF VACCINATION

Evidence of vaccination shall consist of a certificate bearing the owner's name and address, number of the vaccination tag issued, date of vaccination, description and the sex of the dog or cat or other designated animal vaccinated, type and lot number of the vaccine administered, and the signature of the person administering the vaccine. The certificate shall be prepared in triplicate. The original shall be given to the owner, a copy shall be filed in the office of the animal control in Tipton County, and the another copy retained by the person administering the vaccine. The certificate form shall be that prepared and distributed by the State Department of Public Health. All vaccinations shall be administered by or under the supervision of a veterinarian licensed by the State Board of Veterinary Medical Examiners to practice veterinary medicine in the State of Tennessee.

SECTION 13. ADMINISTRATION OF RABIES CONTROL PROGRAM

It shall be the duty of the office of the animal control to administer the rabies control program for the county, but under the direction and supervision of the State Department of Public Health as provided by state law. Animal Control shall be required to operate in the spring of each year a Rabies Clinic in conjunction with the local veterinarians.

SECTION 14. IMPOUNDMENT AUTHORIZED

The animal control officer and his deputies are authorized to capture, confine and or impound all dogs and cats and other animals designated by the director found in the county whose owners are in violation of this chapter. Said enforcement officer may call upon members of the Sheriff's Department or other peace officers for assistance. Also, all other stray animals may be captured, confined, impounded and returned to their owner or disposed of according to the provisions of this chapter for dogs and cats and other designated animals. Animals other than dogs or cats are subject to the same fees and laws as set forth in these provisions.

Impoundment of dogs and cats or other designated animals found to be in violation of this chapter by such enforcement officers is hereby authorized for violation of the registration provisions of this chapter, violation of the vaccination provisions, or any other part of these provisions. The owner of any animal impounded by animal control shall be required to remit an impoundment fee (See Section 18) per day of impoundment and if proof of Rabies Vaccination cannot be shown, a fee (See Section 18) to cover the cost of the vaccination if said animal is part of the vaccination program.

SECTION 15. CUSTODY AND NOTICE OF IMPOUNDMENT

Owners or persons who own, keep or harbor impounded dogs or cats or other designated animals, if known, shall be notified of such animal's impounded. If any such dog or cat or other designated animal is wearing a tag, the owner shall be notified by post card addressed to its last-known address or by telephone to appear within (5) days and redeem

his dog or cat or other designated animal by paying the fees afore mentioned, or the same will be adopted to a new owner or destroyed.

If such dog or cat or other designated animal is not wearing a tag, at any time after five (5) days notice is given as provided in the preceding paragraph, animal control shall have the right to make available for adoption any impounded and unredeemed dog or cat or other designated animal. All impounded dogs or cats or other designated animals not redeemed or adopted, under the provisions of this section, shall be destroyed in a humane manner according to State Law. If the impounded animal is not redeemed within the time frame set forth in this section, animal control shall not be held liable for the release or destruction of the animal.

SECTION 16. DISPOSAL AUTHORIZED – CONSENT

If it is not practical to capture, confine and/or impound such a dog or cat or other designated animal or if any dogs or cats or other designated animals are found to be such, injured or of a vicious nature, the animal control officer or his designee may humanely dispose of such animals immediately, provided, however, that if the owner is known, he shall be notified and shall have right to obtain the advise and services of a veterinarian and in all such cases where the owner of the dog or car or other designated animal is known, the dog or cat or other designated animal shall not be killed without the consent of the owner unless the animal control officer or other authorized enforcement officer is convinced that seizure of the dog or cat or other designated animal is dangerous and that it is necessary to the public welfare by reason of such dog or car or other designated animal by shooting whereupon the animal control officer or his designee may at his reasonable discretion shoot and kill the animal in a humane manner and in such a manner that no lives shall be imperiled by his action.

SECTION 17. REDEMPTION BY OWNER AND PAYMENT OF FEES

If the owner of any animal impounded pursuant to provisions of this chapter shall appear and claim it within the period prescribed in the section above, the same shall be released to the owner upon the owner procuring the required rabies vaccination and upon payment of the registration, Animal Control Facility and other applicable fees and the tags evidencing registration and vaccination are placed on its collar. May only leave with animal using appropriate leash/carrier.

SECTION 18. CHARGES

The Director on an annual basis shall determine all fees and charges that are referenced in this act. The fee schedule shall be updated and kept on file with Tipton County Animal Control. Any fees due to animal control in addition to any actual costs incurred by reason of any medical attention needed by the dog or cat or other designated animal during its impound, shall be paid in full prior to any impounded dog or cat or other designated animal being redeemed by the owner or any person for the owner's benefit.

SECTION 19. ADOPTION PROCEDURES

Prior to an animal being adopted out of the Tipton County facility a member of the animal control staff shall conduct an interview of the prospective adoptee. The adoption interview shall be held to determine the suitability of the prospective adoptee for the proper care and maintenance of the animal desired. A payment shall be collected to cover the county license fee, the vaccination fee plus a Animal Control Facility fee as referenced in Section 18.

SECTION 20. COMPLIANCE WITH SPAY/NEUTER LAW (TCA Title 44, Chap. 17 Section 501-505)

No person shall adopt a dog or cat from this agency unless:

The dog or cat has already been spayed or neutered, the dog or cat has been spayed or neutered by a licensed veterinarian while in the custody of the agency or the new owner signs a written agreement with the agency stating that the new owner will have the dog or cat spayed or neutered by a licensed veterinarian and has paid the twenty-five dollar (\$25.00) spay/neuter deposit. The new owner may request and shall receive a refund of the deposit from the agency upon providing confirmation of the spaying or neutering. The new owner must perform the spay/neuter within thirty (30) days of the date of the adoption, if such dog or cat is sexually mature or within thirty (30) days after the dog or cat reaches six (6) months of age, if the dog or cat is not sexually mature at the time of the adoption. Nothing in this section shall preclude the spaying or neutering of a sexually immature dog or cat at the discretion of a licensed veterinarian with the consent of the new owner.

If the new owner fails to have the dog or cat spayed or neutered within the time frame established above or if the spaying or neutering is timely performed but the owner fails to request the return of the deposit within an additional ten (10) days after the date by which the spaying or neutering is required to be performed, such deposit shall be forfeited to the agency holding the deposit and shall be used by the agency to conduct programs to spay or neuter dogs and cats and/or to conduct educational programs in support of the spaying and neutering of dogs and cats.

If a person fails to comply with the provisions of this act, animal control may file a petition with a court of competent jurisdiction seeking compliance and/or requesting return of the dog or cat to the agency from which it was adopted.

Nothing in this part shall be construed to authorize an agency to spay or neuter a dog or cat, if such dog or cat is being claimed and returned to its lawful owner within seven (7) days of such dog or cat being taken into custody by the agency.

SECTION 21. PICK-UP/REMOVAL OF DOGS AND CATS STRUCK ON COUNTY ROADS

Outside of municipalities and on county roads dead animals will be removed and disposed of by the animal control officer. A private contractor shall remove large animals that are struck on county roads. Citizens may contact animal control with large animals and animal control will contact the private contractor for removal of the animal.

SECTION 22. UNVACCINATED ANIMALS.

It is hereby declared a misdemeanor for any person to own, keep or harbor any cat or dog or other animal designated by the Director which has not been vaccinated pursuant to the requirements of this chapter and further permit any dog or cat or other designated animal to run at large for any time not wearing a vaccination tag except as otherwise provided by this chapter and violators of this provision of this chapter shall be punished according to State Law (Tennessee Code Annotated).

SECTION 23. ENFORCEMENT OF CHAPTER

It shall be the duty of the animal control officer, his deputies and all peace officers to enforce the provisions of this chapter by any agency, department or person whose duty it is to enforce the provisions of this chapter shall have the power and authority to enter into a court of the State of Tennessee having proper jurisdiction to seek an injunction against any owner not in compliance with the provisions of this chapter and is further empowered to enter into any such court to enforce provisions. Any violation of an injunction obtained under this section shall be contempt with a fine of fifty dollars (\$50.00) and each day in contempt of such an injunction shall be considered a separate offense.

SECTION 24. PROVISION OF EQUIPMENT AND ANIMAL CONTROL FACILITY

The Director may establish a Animal Control Facility to provide a place for the keeping of impounded dogs or cats and other designated animals in contract with other agencies or individuals for the keeping of dogs and cats or other designated animals with a veterinarian or other suitable person and the Director and governmental entity shall provide necessary equipment for the operation of the animal control program and the enforcement of this act. The Tipton County Legislative Body as part of its annual budget process shall authorize all expenditures for such equipment or Animal Control Facility.

SECTION 25. DANGEROUS ANIMALS PROHIBITED

1. Dangerous or Vicious Animals

Animal control officers shall make an initial determination on whether an animal shall be classified as dangerous/vicious and notification shall be given to the owner or other responsible party. After such determination it shall be the responsibility of the owner to comply with the rules of this section. The owner has the right to appeal the animal control officer's opinion to the Director of animal control. After a determination has

been made by the Director if the owner is still not satisfied, the owner may petition the court for a ruling as to why the animal should/should not be declared dangerous/vicious. The judges ruling shall be final and the owner will be required to comply with the provisions of this act. No animal, not already dangerous shall not be declared dangerous, if the threat, injury or damage was sustained by a person who, at the time was committing a willful trespass in an enclosed area upon the premises occupied by the owner or keeper of the animal, or was tormenting, abusing or assaulting the animal, or has in the past, been observed or reported to have tormented, abused or assaulted the animal or was committing or attempting to commit a crime.

2. The owner shall immediately notify animal control when an animal that has been classified as dangerous/vicious:

- a) Is running at large or unconfined,
- b) Has bitten a human being, or domesticated animal
- c) Is sold, given away, or dies,
- d) Is moved to another address.

3. Any person or organization which falls into one of the following subsections shall be permitted to own, harbor or have charge, custody, control or possession of any animal described as dangerous or vicious, provided further that owners, keepers or harborers of a dangerous/vicious animal shall also be required to register their animals in accordance with the provisions of this ordinance. Furthermore, any animal declared to be dangerous/vicious not surrendered to the animal control facility for disposal shall be required to comply with the conditions set out for a dangerous/vicious animal pursuant to this chapter.

Exempt organizations shall include:

- a) Zoos, bona fide educational or medical institutions or museums for the purpose of instructions of study.
- b) Any circus, carnival or other licensed exhibit or show which keeps such animals for exhibition to the public.
- c) A bona fide, licensed veterinary hospital which keeps such animals for treatment
- d) The owner of a dangerous/vicious animal who has applied for and received a dog license and registration from animal control for such dangerous/vicious animal pursuant to subsection (4) below, and who maintains the dangerous/vicious animal at all times in compliance with the dangerous/vicious animal license requirements of subsection (4) of this section and all other applicable requirements of this chapter.
- e) The Tipton County Animal Control Facility for temporary harboring and transporting of any dangerous/vicious animal for purposes of enforcing the provisions of this chapter.

f) Any humane society operating an animal shelter which is sequestered and licensed by the county for temporary holding of any dangerous/vicious animal that it has received or otherwise recovered but only for so long as it takes to contact animal control and either turn the dangerous/vicious animal over to the facility or it's authorized assistants to destroy or have destroyed the dangerous/vicious animal.

4. Registration permits for dangerous/vicious animals. The license shall be issued under the following conditions:

a) The owner of any dangerous/vicious animals shall provide proof of rabies vaccinations and shall pay the annual dangerous animal license fee set in Section 18.

b) The owner of any dangerous/vicious animal shall keep current the license for such dangerous/vicious animals through annual renewal on October 1st of each calendar year. Such license is not transferable and shall be renewable only by the holder of the license or by a member of the immediate family of such license. Animal Control will issue any dangerous/vicious animal's license tag to the owner at the time of issuance of the license. Such license tag shall be attached to any dangerous/vicious animal by means of a collar or harness and shall not be attached to any dangerous/vicious animal other than the dangerous animal for which the license was issued. If the dangerous/vicious animal's tag is lost or destroyed a duplicate may be issued upon the payment of a fee. (See Section 18).

c) The owner must be competent to have said dangerous/vicious animal at least twenty-one (21) years of age.

d) All owners, keepers or harborers of dangerous/vicious animals must at the time of initial application provide to the Director proof of general liability insurance, bond or surety insurance, in a single incident amount no less than \$50,000.00 for any injury and/or death which may result from the ownership, keeping or maintenance of such a dangerous/vicious animal. At the time of subsequent registration the owner, keeper or harborer must show proof of insurance, bond or surety for the present registration period and proof that there was insurance, bond or surety coverage throughout the period of the prior registration year.

e) The owner shall, at the owner's expense, have the dangerous/vicious spayed or neutered and shall present to animal control documentary proof from a licensed veterinarian that the sterilization has been performed.

f) The owner shall, at the owner's expense, bring any dangerous/vicious animal to a facility or place designated by the Director or his designee and shall have an electronic implant administered to the dangerous/vicious animal. Animal Control shall maintain a file containing the registration numbers, names and photographs specified in subsection (8) below of the dangerous/vicious animals and the names and address of the owners. The owner shall notify the director, sheriff's department and appropriate police and fire department of any change of address

5. The owner shall keep the dangerous/vicious animal “confined”, confined shall mean:

a) Leash and Muzzle. No person shall permit a dangerous/vicious animal to go outside its kennel or pen unless such dangerous/vicious animal is outfitted with a choke collar and securely leashed with a substantial chain or leash no longer than four (4) feet in length. No person shall permit a dangerous/vicious animal to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person at least 21 years of age is in physical control of the leash. Such dangerous/vicious animals may not be leashed to inanimate objects such as trees, posts, buildings, etc...In addition, all dangerous/vicious animals on a leash outside the animal kennel must be muzzled by a muzzling device sufficient to prevent such dangerous/vicious animal from biting persons or other animals.

b) Confinement outdoors. All dangerous/vicious animals shall be securely confined indoors or in a securely enclosed and locked pen or kennel except when leashed and muzzled as above provided. Such pen, kennel or structure shall be at least 30 feet from any street or sidewalk, 10 feet from any property line and must have secure sides and a secure top attached to the sides. Such structures must be locked with a key or combination lock when such dangerous animals are within the structure. Such structures must have a secure concrete bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two (2) feet. All structures erected to house dangerous/vicious animals, must comply with all zoning and building regulations of the county. All such structures must be adequately ventilated and kept in a clean and sanitary condition.

c) Confinement Indoors. No dangerous/vicious animal may be kept on a porch, patio or in any part of a house or structure that would allow the dangerous animal to exit such building of its own volition. In addition, no such dangerous/vicious animal may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacles preventing the dangerous/vicious animal from exiting the structure.

6. Transfer or Sale of Dangerous or Vicious Animal

The owner shall not sell or otherwise transfer any dangerous/vicious animal, as determined by Tipton County Animal Control, to any person within Tipton County. In the event of a litter, the owner must deliver the animals to a facility designated by the Director for destruction.

7. Warnings Required

The owner or keeper shall have posted at each possible entrance to the owner’s property where any dangerous/vicious animal is kept a conspicuous and clearly legible dangerous/vicious animal. Such sign must be at least eight (8) inches by ten (10) inches in rectangular dimensions and shall contain the words “BEWARE OF DANGEROUS ANIMAL” in lettering not less than two (2) inches in height.

8. Records

All owners, keepers or harborers of dangerous/vicious animals must at the time of initial registration provide to Animal Control two (2) color photographs of the dangerous/vicious animal clearly showing the color and approximate size of the animal. Prior to the annual renewal of any permit issued hereunder and at least once not more than six (6) months after the issuance of any such permit or after its renewal, the Director or his designated representative should inspect the premises subject to such permit to determine whether the person to who it has been issued is continuing to comply with all the conditions specified in this chapter. If the Director determines during any such inspection that any of the conditions therein specified are being violated, he shall immediately impound the dangerous/vicious animal and cite the owner for violation of the appropriate section within this ordinance. It shall be unlawful for the owner, keeper or harborer of any dangerous/vicious animal to fail to comply with requirements and conditions set forth in this ordinance, or to fail to allow unimpeded inspection by the Director or his designee. Where compliance is made, the owner shall pay all impound costs before said dangerous/vicious animal is released.

9. Law Enforcement

This section shall not apply to animals used by the Tipton County Sheriff's department, any other municipal police department or any federal government agency.

10. Enforcement

a) If an animal has attacked or bitten a human without provocation or committed any other violation of this ordinance and a petition is not filed by the Tipton County District Attorney in Circuit Court pursuant to Tennessee Code Annotated, Section 44-17-120, then the Director of the Tipton County Animal Control shall then, upon complaint of an attack or bite, or other violation of this ordinance, cite the owner of the animal alleged to have attacked or bitten a human or other animal without provocation. Upon receipt of a complaint the Director or his representative is authorized to impound the animal that was alleged to have attacked or bitten a person or another animal or committed any other violation of this ordinance and hold this animal until final disposition in General Sessions Court.

b) If the animal should have no license or tattoo, then disposition of the animal shall be subject T.C.A. Section 68-8-101 et Seq.

c) The trial in General Sessions Court shall be held within fourteen (14) days of the filing of the citation before the judge in General Sessions Court.

d) Should the owner appeal the judgment to Circuit Court, then the owner shall post an indemnity bond in the amount of two thousand (\$2,000) dollars, for the costs of boarding said dangerous animal for the duration of the appeal. Such bond

must be submitted to and approved by the director in order for the animal to be held.

e) Costs to be paid by responsible person.

a) In addition to the foregoing fines, all court costs and all expenses, including any costs incurred by the animal control to shelter, feed, handle, veterinary care and legal costs necessitated by the enforcement of this ordinance shall be charged against the owner, keeper or harbinger of such animal and/or the owner of the property on which such animal is kept.

b) No animal shall be released until such costs have been paid. All such costs shall be paid within 3 days of the disposition of the citation. If such costs are not so paid, then the animal becomes the property of Tipton County Animal Control and shall be disposed of as required by these provisions. This does not relieve the owner of legal responsibility for the costs incurred, the costs will still be due and payable.

11. Reporting of incidents; statistics.

a) It shall be mandatory for the Tipton County Sheriff's Department, appropriate police department, fire department, emergency medical services, any ambulance service, any breeders, trainers or groomers, private veterinarians, veterinarian clinics, physicians, and hospitals, to notify Tipton County Animal Control of any reported bites, incidents or occurrences. No veterinarian shall license vicious animals or vicious breeds of animals.

b) The Tipton County Health Department shall keep the records of such incidents including: (a) the date and location of such incident, (b) the name, address and age of the victim, (c) the identity of the owner of the dog, if known, (d) the breed of animal involved or its classification as mixed breed, and (e) the action taken by the director. This section shall not apply to an owner of any animal who is attacked by his own animal.

12. Violation

It is a violation punishable by fine for an animal to make an unprovoked attack and/or bite to a human or domesticated animal. Where a dangerous/vicious animal makes an unprovoked attack or without provocation bites a human or domesticated animal, the owner of the attacking or biting dangerous/vicious animal shall be fined fifty dollars (\$50.00).

Section 26 – Female Dogs while Proud

As per TCA 44-8-410, no female dog shall be confined for a twenty-four (24) day period while proud. The owner of such dog shall be responsible for the confinement of such animal. Any individual responsible for killing a female dog while proud shall not be held liable for such action as per TCA 44-8-411. Any owner who is found guilty of not

confining such an animal shall be guilty of this section and subject to a fine as defined in Section 18 of these regulations. Any litters that are submitted to animal control as a result of such action shall be charged a fee per puppy as defined in Section 18 of these regulations. The first offense shall result in said fees and the owner will be summoned to court on a second violation.

Section 27 – Cruelty to Animals

As per TCA 39-14-202 any person who inflicts harm on an animal shall be cited to court for any of the following issues;

- (a) A person commits an offense who intentionally or knowingly:
 - (1) Tortures, maims or grossly overworks an animal;
 - (2) Fails unreasonably to provide necessary food, water, care or shelter for an animal in the person's custody;
 - (3) Abandons unreasonably an animal in the person's custody;
 - (4) Transports or confines an animal in a cruel manner; or
 - (5) Inflicts burns, cuts, lacerations, or other injuries or pain, by any method, including blistering compounds, to the legs or hooves of horses in order to make them sore for any purpose including, but not limited to, competition in horse shows and similar events.

- (b) It is a defense to prosecution under this section that the person was engaged in accepted veterinary practices, medical treatment by the owner or with the owner's consent, or bona fide experimentation for scientific research.

- (c) Whenever any person is taken into custody by any officer for violation of subdivision (a)(4), the officer may take charge of the vehicle or conveyance, and its contents, used by the person to transport the animal. The officer shall deposit these items in a safe place for custody. Any necessary expense incurred for taking charge of and sustaining the same shall be a lien thereon, to be paid before the same can lawfully be recovered; or the expenses, or any part thereof, remaining unpaid may be recovered by the person incurring the same of the owners of the animal in an action therefor.

- (d) In addition to the penalty imposed in subsection (f), the court making the sentencing determination for a person convicted under this section shall order the person convicted to surrender custody and forfeit the animal or animals whose treatment was the basis of the conviction. Custody shall be given to a humane society incorporated under the laws of this state. The court may prohibit the person convicted from having custody of other animals for any period of time the court determines to be reasonable, or impose any other reasonable restrictions on the person's custody of animals as necessary for the protection of the animals.

(e) 1. Nothing in this section shall be construed as prohibiting the owner of a farm animal or someone acting with the consent of the owner of such animal from engaging in usual and customary practices which are accepted by colleges of agriculture or veterinary medicine with respect to such animal.

2. It is an offense for a person other than a law enforcement officer acting with probable cause to knowingly interfere with the performance of any such agricultural practices permitted by subdivision (e) (1).

3. An offense under subdivision (e) (2) is a Class B misdemeanor.

(f) 1. Cruelty to animals is a Class A misdemeanor.

2. A second or subsequent conviction for cruelty to animals is a Class E felony.

Section – 28 Leash Law

Any animal that is removed from its confinement area (ie fenced back yard, owner's home, cable run or chain) shall be leashed by the owner and kept under the owner's control at all times. Under no circumstances shall an animal be allowed to run at large. Any owner that does not comply with the provisions of this section shall be cited to court. The first offense of this section shall be a fine as per Section 18 of these regulations and the second and subsequent violations shall result in the owner being cited to court.

Section – 29 Animal Bite Reporting

Any individual who witnesses or is the victim of any type of animal bite is responsible for notifying Tipton County Animal Control within 24 hours of such incident. Any hospital, clinic or medical treatment facility that treats a victim of such an incident is also responsible for reporting the incident within 24 hours of treatment. This also applies to any veterinary clinic in which the veterinarian of record is responsible for reporting to Tipton County Animal Control any such incident within 24 hours of notification. Failure of notification is a violation of these regulations and shall be cited to court for such.

SECTION 18 FEES:

Kennels less than 10 dogs or cats	\$ 50.00
Kennels 10-20 dogs or cats	\$100.00
Kennels more than 20 dogs or cats	\$150.00
County registration Spayed/Neutered	\$ 5.00
County registration not Spayed/Neutered	\$ 10.00
Impoundment fee per day	\$ 10.00
Rabies Voucher S/N	\$ 13.00
Rabies Voucher not S/N	\$ 18.00
Adoption Fees:	
Impoundment fee	\$ 10.00
Rabies Voucher S/N	\$ 13.00
Rabies Voucher not S/N	\$ 18.00
Spay/Neuter Deposit (unless already S/N)	\$ 25.00
Dangerous Animal License (per year)	\$200.00
Replacement License Fee (if lost or stolen)	\$ 50.00