



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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Chapter II - Animals and Fish

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Table of Contents

Chapter II - Animals and Fish 3
Canine and Feline Vaccinations 3
Private Acts of 1977 Chapter 62 3
Animals and Fish - Historical Notes 5

Chapter II - Animals and Fish

Canine and Feline Vaccinations

Private Acts of 1977 Chapter 62

SECTION 1. In Maury County it shall be unlawful for any person to own, keep or harbor on the premises where he resides, owns, rents, leases or uses, any dog over three (3) months of age or any cat over six (6) months of age which has not been duly vaccinated annually against rabies, provided that for a period of thirty (30) days after this Act becomes effective, any person owning, keeping or harboring a dog or cat upon the premises where such person resides may be permitted to keep such dog or cat exclusively upon the premises where he resides and within his own enclosure until the dog or cat has been so vaccinated against rabies. A certificate of vaccination shall be issued by a licensed veterinarian duly authorized to administer vaccinations and such certificate shall be kept by the person who owns, keeps or harbors such dog or cat at all times subject to the inspection of the proper county officer.

SECTION 2. It shall be the duty of the veterinarian duly authorized to use a vaccine and to perform the vaccination in a manner that meets the standards of the United States Department of Agriculture, and to make the certificate of vaccination in triplicate, giving one copy to the person who owns, keeps or harbors the dog or cat; one to be given to the local health department which will be maintained at the County Pound facility, and one to be kept in the files of the veterinarian. 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 3. All persons owning, keeping or harboring on the premises where they reside, own, rent, lease, or use, any dog over three (3) months of age, shall pay on or before May 1, 1978, and each year thereafter to the County Trustee, or his authorized agent, a fee of one dollar and fifty cents (\$1.50) for each dog so owned, kept or harbored. Provided further that persons operating licensed kennels where dogs are bred for sale shall not be required to pay the above license fees, but in lieu thereof shall pay a license fee as kennel keepers as follows:

For each kennel of less than ten (10) dogs, five dollars (\$5.00) per year, or any fraction thereof.

For each kennel of from ten (10) to twenty (20) dogs, ten dollars (\$10.00) per year, or any fraction thereof. For each kennel of over twenty (20) dogs, fifteen dollars (\$15.00) per year, or any fraction thereof.

At the time such license fee is paid there shall be presented to the County Trustee, or his authorized agent, a certificate of vaccination showing that the dogs kept in such kennel, for which a license is sought, have been vaccinated as herein provided. At no time shall the number of dogs in the kennel exceed the number covered by the license.

All fees for licenses as provided herein shall be known as the "Animal Control Fund" and shall be disbursed by the County Trustee in a manner prescribed by the Quarterly County Court exclusively for the payment of salaries of animal control officers and pound officers appointed by the Pound Committee under the jurisdiction of the Health Committee, for the establishment and operation of a County Pound, or for other expenses incidental to the enforcement of this Act on order of the Judge or Chairman of the Quarterly County Court. Any funds remaining at the end of any fiscal year shall be carried over to the next fiscal year and its expenditure authorized by the County Court exclusively for the purpose of animal control.

SECTION 4. It shall be the duty of the County Trustee, or his designated agent, to collect fees under this Act. He shall in a well bound book to be furnished by the County, record the name of each person paying a license fee on any dog or dogs, and the date and amount of such payment, the description and sex of each dog on which the license fee is paid, the tag number issued by him for such dog and the date when the dog was vaccinated. Unless the certificate of vaccination is exhibited at the time request for the license is made, as herein provided, the County Trustee shall not issue a license. But if the certificate is so presented, he shall issue to the person paying the license fee a receipt to be furnished by the County showing the name of the owner of the dogs or kennel on which such license fee is paid, the date and amount of such payment, the license tag number issued for each dog, or kennel, and the date of vaccination of such dog, and shall deliver to the owner a metal license tag bearing the serial number and the year for which the license fee is paid. Such tags are to be supplied by the County Health Department to be made available in its budget by the County Court out of the revenue of the Animal Control Fund. It shall be the duty of the owner to attach such license tag to a collar which shall be worn at all times by each dog licensed, and in the event of the loss of such license tag the County Trustee shall issue a duplicate tag for which shall be paid by the owner the sum of twenty-five cents (\$.25) and such duplicate

tag shall be forthwith attached to the dog's collar and at all times worn thereon, provided that the collar may be removed in case of hunting dogs while in chase or returning from chase or a show dog in a duly recognized dog show. But nothing contained herein shall authorize the use of an unlicensed and unvaccinated dog in either hunt, chase or show.

SECTION 5. It shall be a misdemeanor for any person to own, keep or harbor any dog or dogs who has not paid the license fee on such dogs as required by this Act or who shall own, keep or harbor any dog or cat which has not been vaccinated as provided herein against rabies; or to permit any dog or dogs to run at large at anytime not wearing a tag except as otherwise provided by this Act; and every person guilty of such misdemeanor shall on conviction of the first offense be fined not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00); for the second offense a fine of not less than fifteen dollars (\$15.00) nor more than fifty dollars (\$50.00); for the third or subsequent offense a fine of not less than twenty dollars (\$20.00) nor more than fifty dollars (\$50.00).

SECTION 6. Any owner, after being notified, of a female dog must keep her confined from the beginning of the first symptom of being in heat for twenty-one (21) days. If such dog is found at large, the owner shall be subject to a fine for the first offense of not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00); for the second offense a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00); for the third offense and subsequent offenses a fine of not less than twenty dollars (\$20.00) nor more than fifty dollars (\$50.00).

SECTION 7. Any dog found running at large in violation of the provisions of this Act may be seized by the proper county authorities or by any peace officer and imprisoned in the County Pound. When such dog is so found running at large, the owner, if the dog bears a tag, shall be notified by a postcard addressed to the last known mailing address to appear within five (5) working days and redeem the dog. Such person shall pay a pound fee of one dollar and fifty cents (\$1.50) for each dog so seized and impounded as well as any daily board fee and pickup fee which may be set by the Pound Committee and approved by the County Court. Upon payment of all fees, the dog shall be delivered to him, but if the dog or cat so seized has not been vaccinated, the owner shall, before he is permitted to regain permanent possession of such dog or cat, have the animal vaccinated and present the certificate of vaccination to the Pound authority. The payment of this pound fee, daily board fee and pickup fee, and the delivery of the dog or cat to the owner shall not however, relieve the owner from the other penalties provided for the violation of this Act. If the owner does not appear after the notice has been mailed to him, or if after appearing declines to pay the pound fee, daily board fee and pickup fee described herein and redeem his or her dog or dogs, then the County shall destroy or adopt out such dog or dogs. If such a dog is not wearing a tag the same will be destroyed or adopted out at the end of three (3) working days. Cats will be held for three (3) working days, then destroyed or adopted out. Any person who adopts a dog or cat from the pound must have the animal vaccinated and present the certificate of vaccination to the Pound authority and pay the pound fee of one dollar and fifty cents (\$1.50) plus the daily board fee and the pickup fee before the dog or cat can be released.

SECTION 8. Any person who does not desire to pay the license fee herein provided upon any dog or dogs or to vaccinate for rabies any dog or cat owned, kept or harbored on premises owned, rented, leased or used by him shall bring such dog or cat to the County Pound to be destroyed or adopted out, if such dog be more than three (3) months old and such cat be more than (6) months old, within thirty (30) days after this Act becomes effective or otherwise within thirty (30) days after such dog becomes three (3) months of age and such cat becomes six (6) months of age.

SECTION 9. All vicious or biting dogs shall be kept securely tied by a strong collar and chain, fenced or housed securely. On the front entrance to the premises containing such dog, a sign shall be exhibited bearing the words "VICIOUS DOG", which shall be in letters sufficiently large to be easily read and plainly visible at the sufficient distance to protect anyone from the attack of such dog. Any owner failing to protect the public from a bad or vicious dog shall be responsible for any damage to any person or property by such animal, and any person allowing a dog to run at large in violation of the provisions of this Act shall also be responsible for any damage to person or property inflicted by such animal, without regard to whether or not said animal has been of previous vicious tendencies. Any person who shall own, harbor, or keep any vicious or biting dog in violation of this Act shall be guilty of a misdemeanor and, upon conviction, fined not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for the first offense; for the second offense a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00); for the third and subsequent offense a fine of not less than twenty dollars (\$20.00) nor more than fifty dollars (\$50.00).

SECTION 10. This Act shall not be held to prohibit transportation of dogs through the County provided such dogs are securely confined or kept upon a leash during their transportation through the County.

SECTION 11. If any dog, cat or other animal 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 Department or county official duly authorized may cause such dog, cat or other animal to be confined or isolated at a veterinary hospital or the Maury County Animal Control Pound for such time as the Health Department deems it necessary to protect the safety of the people and/or property.

SECTION 12. Any person who shall hide, conceal or aid or assist in hiding or concealing any dog or cat owned, kept or harbored in violation of any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction fined not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for the first offense; for the second offense a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00); for the third and subsequent offense a fine of not less than twenty dollars (\$20.00) nor more than fifty dollars (\$50.00).

SECTION 13. The County Court shall have full power and authority to authorize the use of any portion of the funds derived from the administration of this Act, and to authorize the appointment of any inspector or inspectors, and to provide, on contract or otherwise, a pound or place of enclosure for the dogs and cats, big enough to enforce the provisions of this Act, or to contract with any licensed veterinarian for the care of any impounded dog or cat. All animals at the pound or veterinarian will be treated in a humane manner according to Tennessee Code Annotated, Title 39, Chapter 4, and will be destroyed in a humane manner.

SECTION 14. All peace officers shall have the right to take up and put in the County Pound, any and all dogs violating any provision of this Act.

SECTION 15. The grand jury shall have inquisitorial power to investigate violations of this Act and it shall be their duty to do so.

SECTION 16. It shall be the duty of the Pound Committee under the jurisdiction of the Health Committee to enforce the provisions of this Act, and it shall have the authority to employ or appoint all necessary personnel as may be authorized by the Quarterly Court.

SECTION 17. The Animal Control officer is granted authority to issue citations or serve warrants for violation of this Act, and he is hereby authorized to carry firearms to protect himself if necessary from a rabid or vicious dog or one which he is unable to catch. He is also authorized to enter private premises with a warrant or permission from the owner of the property in connection with alleged violations of this Act.

SECTION 18. All fines levied for violations of the Act shall be used only for Animal Control.

SECTION 19. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

SECTION 20. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to that end the provisions of this Act are declared to be severable.

SECTION 21. This Act shall have no effect unless it is approved by two-thirds (2/3) vote of the Quarterly County Court of Maury County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Quarterly County Court of Maury County and certified by him to the Secretary of State.

SECTION 22. For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 21.

Passed: April 21, 1977.

Animals and Fish - Historical Notes

The following is a listing of acts that at one time affected, but no longer appear to have any effect on, hunting, fishing or animal control in Maury County. They are included herein for reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1869-70 (2nd Ex. Sess.), Chapter 19, prohibited seining, netting, either with set or dipnet, basketing, or trapping, in any stream, pond, or reservoir in the Counties of Maury, Rutherford, Davidson, Robertson, Montgomery, Cheatham, Williamson, Stewart, Cannon, Marion, Warren, and Dickson, and provided for fines for violation of the act.
2. Public Acts of 1871, Chapter 9, repealed Public Acts of 1870, Chapter 19 as the law applied to Maury, Dickson, Warren, Marion, Benton, Humphreys, and Cannon Counties.
3. Public Acts of 1873, Chapter 83, made it unlawful in Montgomery, Robertson, Davidson, and Maury counties from the first of February to the first of September to hunt, kill, or capture any song bird, any game bird, or any bird which feeds on the insects which destroy fruit trees, and

- provided for fines for violation of the act.
4. Public Acts of 1877, Chapter 25, made it unlawful in Robertson, Montgomery, Maury, Gibson, Madison, Stewart, Franklin, Loudon, Monroe, Hawkins, Henry, and Crockett Counties, except that part of Crockett formerly in Dyer County, to fish with seines, nets, traps, or gigs, or by any other means than hook and line and trotline, or to place nets across the mouth of any stream to prevent free passage of fish. Violations of the act were declared to be misdemeanors.
 5. Private Acts of 1897, Chapter 272, made it lawful to catch fish with one's hands in Maury County during the months of June, July, and August of each year.
 6. Public Acts of 1899, Chapter 229, made it a misdemeanor for any person to kill or capture partridges, quail, or any other game birds in Maury County for a period of two years after the passage of the act. Violators were subject to a fine of from \$5 to \$50.
 7. Acts of 1901, Chapter 234, made it unlawful for any person to capture, kill, shoot, wound, or destroy partridges, quail, or any other game bird in Maury County from the 1st day of March to the 1st day of November each year. The act declared it unlawful to hunt, pursue, kill, or capture with dog or gun, any game of any kind, except foxes, upon the enclosed lands of another without the landowner's consent. Justices of each civil district were made game wardens and were to report and enforce any violations of the act. All fines imposed and collected would be placed in the school fund.
 8. Acts of 1909, Chapter 72, prohibited professional fishermen from taking fish for sale in any manner regardless of permits or licenses under penalty of fines of \$25 to \$50. Citizens could take fish for their own use with rod and line, trotline, or with their hands at any time in all streams; nets and seines of certain types were permitted in Duck River but banned in all other streams during April and May of each year. The act was to be enforced by the County Game Wardens.
 9. Acts of 1909, Chapter 227, repealed Acts of 1901, Chapter 150, as it applied to Maury County. The act had prohibited the running at large or trespassing of hogs, sheep, goats, or geese.
 10. Acts of 1909, Chapter 487, permitted the sale of catfish caught by nets, baited basket, and baited traps, but without the use of dams or other obstructions and by grabbing by the hands.
 11. Private Acts of 1911, Chapter 104, also repealed Acts of 1901, Chapter 150, as it applied to Maury County.
 12. Private Acts of 1911, Chapter 143, prohibited in Maury County professional fishermen from taking fish for sale, except catfish. Maury County citizens could take fish for their own use.
 13. Private Acts of 1917, Chapter 390, was a comprehensive fish protection act for Maury County which fixed the closed fishing season, with some exceptions, as the period of May 1st to June 15th. Private pond fishing and the catching of minnows for bait were exempted from the act. Penalties for violations were fines of between \$25 and \$50 and up to thirty days in jail.
 14. Private Acts of 1921, Chapter 681, made it unlawful for any person to hunt, wound, or kill quail in Maury County except during December and January.
 15. Private Acts of 1921, Chapter 891, made it unlawful for any owner or keeper of horses, mules, jack stock, cattle, sheep, goats, hogs, or any kind of livestock to permit the animals to run at large. The penalty for violation of the act was a fine of from \$2 to \$10. The act granted a lien upon any livestock at large causing damage in favor of the person damaged.
 16. Private Acts of 1927, Chapter 702, was the first "Dog Law" for Bedford, Montgomery, Maury, and Wilson Counties. A schedule of licensing fees was set up for the owning and keeping of dogs, part of which went to the State, part to the County Trustee for collecting the fees if he were not on salary, and part for damages to persons who had animals killed by dogs. Dogs caught killing, chasing or worrying sheep could be killed on sight. Those running at large without a license tag, whose owners were known could be killed only after notice and hearing. A Game and Fish warden was required to kill a dog on sight which was caught harming sheep or any domestic animal. If he failed to perform his duties assigned in the act, a warden or a County Trustee could be charged with a misdemeanor.
 17. Private Acts of 1929, Chapter 30, recognized that the Trustee of Maury County possessed \$1,624.36 in undistributed funds collected as a result of the operation of the "Dog Law". It authorized the funds to be distributed one-half to the Trustee for his services rendered and one half to the satisfaction of unpaid claims of persons entitled to damages under the "Dog Law".
 18. Private Acts of 1929, Chapter 31, repealed the "Dog Law", Private Acts 1927, Chapter 702 as it applied to Bedford, Maury, and Montgomery Counties, leaving only Wilson under the Act. It was repealed as it applied to Wilson County in 1931.

19. Private Acts of 1937 (3rd Ex. Sess.), Chapter 41, dictated that all general fish and game laws were to be upheld except that open season for water fowls would be October 15 to January 1 in Maury County.
20. Private Acts of 2000, Chapter 131, amended Private Acts of 1977, Chapter 62, relative to the Maury County Animal Control Board. Private Acts of 2000, Chapter 131, was repealed by Private Acts of 2008, Chapter 65.

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