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Chapter II - Animals and Fish

Dear Reader:

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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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Chapter II - Animals and Fish

Estray Pens

Private Acts of 1974 Chapter 267

SECTION 1. The Quarterly County Court of Hamblen County is hereby authorized to appropriate county funds sufficient for the operation and maintenance of estray pens or animal shelters in Hamblen County. The Quarterly County Court of Hamblen County shall choose, at its discretion, the humane society which shall receive such funds for use in the operation and maintenance of estray pens or animal shelters in the county for the benefit of the people of Hamblen County.

SECTION 2. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Hamblen County within one hundred twenty (120) days of its enactment. Its approval or nonapproval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

SECTION 3. 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 2.

Passed: March 28, 1974.

Livestock Inspectors

Private Acts of 1951 Chapter 209

SECTION 1. That in counties of this State with a population of not less than 18,610, nor more than 18,615 by the Federal Census of 1940, or any subsequent Federal Census, the Quarterly County Court is hereby authorized to elect for a term of four years, not exceeding four animal inspectors.

It shall be the duty of such livestock inspectors to make an inspection and examination of the livestock in said County and to treat such as may be found ailing or sick with the view to promoting the spread of health among such stock and to reduce the danger of infectious or contagious diseases. Such animal inspectors may contract with the owner or owners of any diseased or ailing livestock found by them for the treatment thereof by such inspectors, the compensation therefor to be mutually agreed upon between the parties. Such livestock inspectors may be compensated by the Quarterly County Court of such counties to which this Act applies in an amount not to exceed \$10.00 per annum for each inspector so appointed.

Elections thereof may be made by the Quarterly County Court at any regular term, or any called session, and the person or persons so elected shall hold office for a period of four (4) years from the date of such election and until his and/or their successors shall be duly elected and qualified. The said County shall not be liable for the default or negligence of any such livestock inspectors where the County Court has used care and caution in the selection thereof, but nothing herein shall exempt such inspectors personally for the negligence in the performance of their duties.

SECTION 2. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 15, 1951.

Red Foxes - Closed Season

Private Acts of 1955 Chapter 366

SECTION 1. That there shall be a closed season upon red foxes at all times, and that red foxes may be chased with dogs at any time of the year except during such periods as may be fixed by the Game and Fish Commission for the protection of the species in all counties of this State having a population of not less than 23,970 and not more than 23,985 inhabitants, according to the Federal Census of 1950, or any subsequent Federal Census.

It shall be lawful for any person to kill red fox at any time in the county to which this Act applies when such fox is committing depredations upon livestock, domestic fowls, or crops.

Should the Game and Fish Commission determine that there is need for an open season on red foxes in

any such county or counties, they shall have the power and authority to open same for such a period of time as they may deem necessary and advisable.

SECTION 2. That all laws or parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act shall take effect from and after its passage, public welfare requiring it.

Passed: March 16, 1955.

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 Hamblen County. They are included herein for reference purposes.

1. Acts of 1895, Chapter 159, was an act for the protection of quail and partridge in Hamblen County which regulated hunting, capturing, or killing those birds would be unlawful from April 1st to October 1st of each year, and that netting or exporting the birds from the county for profit would be unlawful at any time of the year. Violation of these regulations could result in a fine of not less than \$25 and possible imprisonment.
2. Acts of 1899, Chapter 309, was another act for the protection of game in Hamblen County. It required a hunter to receive the landowner's permission before hunting on private land, and made it unlawful to ship quail or partridge from Hamblen County. This was amended by Acts of 1901, Chapter 193, to close the season on quail and partridge from March 1st to November 1st.
3. Private Acts of 1911, Chapter 175, was the first fence law for Hamblen County. It required the owners of geese, horses, mules, donkeys, cattle, sheep, goats and swine to keep them enclosed and not allow them to roam at large.
4. Private Acts of 1915, Chapter 315, was a law to regulate fishing in Hamblen County. All "bona fide" residents of the county could catch fish at any season by rod and line, trot line, basket or net, and by shooting or gigging from April 1st to June 30th of each year. No fees or license was required for fish caught for home consumption.
5. Private Acts of 1921, Chapter 405, exempted Hamblen County from the general state law regulating the ownership and harboring of dogs.
6. Private Acts of 1925, Chapter 572, amended the general law to give Hamblen County fishermen the same rights and privileges for fishing in the Nolachucky River which they had for other rivers in the county.
7. Private Acts of 1973, Chapter 84, made it a misdemeanor to use or carry firearms when hunting raccoons in Hamblen County. Any raccoon when treed, could be captured or killed by the hunter, if the hunter climbed the tree or knocked the raccoon from the tree or other place of hiding. This act was repealed by Private Acts of 2004, Chapter 74.

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