



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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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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Table of Contents

Chapter II - Animals and Fish	3
Animal Control	3
Private Acts of 1990 Chapter 223	3
Animals and Fish - Historical Notes	3

Chapter II - Animals and Fish

Animal Control

Private Acts of 1990 Chapter 223

SECTION 1. Animal control officers of Williamson County are hereby vested with, and shall exercise in addition to their other powers, the power to issue citations pursuant to Tennessee Code Annotated, Section 40-7-118, for any violation of Tennessee Code Annotated, Section 44-8-401 et seq., or any other state or local statute or ordinance pertaining to the control of animals.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Williamson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body of Williamson County 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 as provided in Section 2.

Passed: April 11, 1990.

Animals and Fish - Historical Notes

Animals-Fish

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 Williamson County. They are included herein for reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1870, Chapter 19, prohibited the seining, netting, either with set or dip net, basketing or trapping, in any stream, pond, or reservoir, in Rutherford, Davidson, Robertson, Montgomery, Cheatham, Williamson, Maury, Stewart, Cannon, Marion, Warren and Dickson Counties, and further, no seine or net could be stretched across the mouth of Stone's River. Fines were set from \$5 to \$20 for the first offense, and \$20 to \$50 for the second, one-half to be paid to the informer, and one-half to be paid to the State. Justices of the Peace would have jurisdiction to try the cases.
2. Acts of 1875, Chapter 114, made it unlawful, without the written permission of the owner, in Tennessee to catch fish in the waters covering the lands of another person with seines, nets, or traps. Nor could any person place a net, or seine, near the mouth of any stream, or hinder in any manner the free passage of fish up and down the stream. No fishing with seine or traps at all was allowed in the months of March, April, and May. This Act was a general law but all the counties in East Tennessee were exempted, plus several others which were named but Williamson was not numbered in either group.
3. Acts of 1879, Chapter 198, declared it to be unlawful for any person to take any fish in any of the waters of Dickson, Houston, Cheatham, Davidson, Rutherford, Williamson, Shelby, Fayette, Tipton, and Carroll Counties, except by baited hook and line, or trot line. The catching of any fish in these counties by any other means than those mentioned above constituted a misdemeanor subject to fines ranging from \$25 to \$100. This Act would not be applied to people owning fish ponds, or the land on both sides of a stream, or to the Cumberland, Tennessee, and Big Hatchie Rivers.
4. Acts of 1889, Chapter 171, made it unlawful to hunt and trap deer in Tennessee except for one's own consumption between August 1 and January 1 of each year but one could hunt and trap for profit on his own land during that time. It was further unlawful to hunt, or kill, quail or partridges, for profit in Tennessee except on one's own land between November 1 and March 1 following but the netting of quail was forbidden to be done at any time. Penalties could go from \$5 to \$25 for the first offense, and from \$25 to \$50 for the second. The Act named Constables and Justices of the Peace as Game Wardens to enforce its terms. Williamson County was exempted from this Act initially. Acts of 1891, Chapter 203, removed Williamson County from among those counties which were exempted from the Act.
5. Acts of 1897, Chapter 157, rendered it illegal in Sumner, Tipton, Anderson, Rutherford, and Williamson Counties, to catch, kill, injure, or pursue any quail, partridge, prairie chicken, grouse, or pheasant, for a period of two years after the passage of this Act, all violators being subject to fines from \$2 to \$25. Anyone disturbing, destroying, or having in their possession any eggs of the

- above specified fowls were also subject to the quoted fines. Anyone who sold or attempted to sell, or to ship the same out of the county, could be fined from \$5 to \$25, or imprisoned up to 30 days.
6. Acts of 1901, Chapter 447, stated that no person shall catch, kill, injure or pursue, any ruffled grouse, prairie chicken, Mongolian, Ring-necked or English pheasants before November 15, 1908, in Stewart, Robertson, Cheatham, Montgomery, and Williamson Counties, and, after that date, they could be killed only between the dates of November 15 and January 15 inclusive. The destruction of the nests and eggs were likewise forbidden to take place, all subject to \$25 to \$50 fines, and/or 60 days in jail, but nothing in this Act shall be construed to prevent enclosure for the domestication or propagation of these birds.
 7. Private Acts of 1919, Chapter 221, directed the Election Commissioners of Williamson County to hold an election within 30 days from the passage of this Act to ascertain the will of the voters on the question of a stock law, or no fence law, for the County.
 8. Private Acts of 1921, Chapter 583, stated in its preamble that the Tennessee Supreme Court has recommended that all cases brought under Public Acts of 1919, Chapter 61, the State "Dog Law", be dismissed upon payment of the costs, and further, that 19 citizens of Williamson County had paid the court costs, plus a \$10 fine for violation of the terms of that Act prior to the decision of the Supreme Court and the money derived therefrom is still in the Sheep Fund which is in the hands of the Trustee. Justice required that the ten dollar fine be returned to the citizens in light of the Court decision.
 9. Private Acts of 1923, Chapter 446, made it unlawful in Williamson County for the owner of a horse, cow, sheep, goat, or hog, or any other live stock, to permit the same to run at large but it was not unlawful to use unfenced areas of the County as range land if the flock had a herdsman. The owner who allowed the animals to run at large was declared liable for the damages caused thereby and the injured party would have a lien on the trespassing stock for the damages. The action was also termed a misdemeanor for which one could be fined from \$5 to \$15. Nothing in this Act was to be construed as affecting the railway fence and stock law.
 10. Private Acts of 1925, Chapter 305, applied to the counties of Sullivan, Johnson, Hawkins, Claiborne, Williamson, and Lawrence. The Act declared it to be lawful to take, catch and kill fish by gig, and fish basket, in all the streams of the above counties, but the season for gigging was limited to November 1 until March 1 following. Slats on all fish baskets could not be closer than 1½ inches. All parties engaging in the above must procure a license from the County Court Clerk for \$1 which money went to the Department of Game and Fish. Violators could be fined from \$10 to \$25. Private Acts of 1929, Chapter 148, repealed Private Acts of 1925, Chapter 305, insofar as this Act applied to Williamson County.
 11. Private Acts of 1929, Chapter 727, declared it unlawful for any person, firm, or corporation, to take, hunt or kill, by means of a trap, gun, or dogs, any fur bearing animal in Williamson County except between November 1 and the following February 1, prohibiting snares and deadfalls being used at any time. Fines for violations ran from \$25 to \$50 but would not be applicable to the chasing of foxes and rabbits with dogs, and, further, raccoons, opossum, skunk, and mink may be taken with gun or dog, from November 1, until the following February 1. This Act was repealed by Private Acts of 1937, Chapter 168.
 12. Private Acts of 1935, Chapter 660, allowed the citizens of Williamson County to fish, hunt, trap, or catch during the open season established by the Game and Fish Law, in the Civil District where they reside, without the payment of any privilege license after obtaining permission from the landowner. It was lawful for a resident citizen to catch or take fish of any kind from any stream in their Civil District except by explosives, poison, artificial bait, lure, gig or spear, or seine, but minnow seines were not forbidden. It was lawful to hunt, trap, catch or kill red and gray foxes in open season and at any time when they are destroying property. All fur bearing animals, except rabbits and ground hogs, may be killed between November 1, and February 15, but squirrels have a closed season from January 1 until June 1 of each year. It was also lawful to kill or capture some birds or fowls. This Act was repealed by Private Acts of 1937, Chapter 167.
 13. Private Acts of 1935 (Ex. Sess.), Chapter 139, amended Section 1, Private Acts of 1935, Chapter 660, by adding a proviso that all resident citizens of each Civil District in the County fishing by means of artificial bait would be required to obtain a privilege license as required by the General Fish and Game Law. This Act was repealed by Private Acts of 1937, Chapter 169.
 14. Private Acts of 1937, Chapter 392, stated that C. A. Dean, a resident of Williamson County, had had a three year course in a college for veterinarians, two year's practice in a small animal hospital in Michigan, and two year's practice under a licensed veterinarian plus twelve years experience in general field practice, and resides in a rural district where the services of a

registered veterinarian are not available, from all of which he would be permitted to continue the practice of veterinary medicine and be held to have come under and complied with Section 7079 of the Code of Tennessee without having to obtain a license to practice in Williamson County. Private Acts of 1945, Chapter 548, amends Private Acts of 1937, Chapter 392, to expressly confer upon Dean the authority to make tests for tuberculosis and to draw blood for the purpose of making tests for Bangs Disease.

15. Private Acts of 1939, Chapter 230, made it unlawful to take and catch minnows from any of the streams and waters of Williamson County for the purpose of selling the same but did not prohibit the taking and catching of minnows for one's own use or from one's own ponds. The fine provided ran from \$10 to \$25.
16. Private Acts of 1955, Chapter 40, declared a closed season on the trapping and killing of Red Foxes in Williamson County from May 1, 1955 until April 30, 1957. It would be lawful to kill these animals at any time when they were committing depredations on livestock or crops. Fines were provided from \$25 to \$50 for violators. This Act was rejected by the Quarterly Court and never took effect in the County.

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