



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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Chapter II - Animals and Fish

Animal Control Program

Private Acts of 1986 Chapter 167

SECTION 1. By Resolution of its county legislative body, Washington County is authorized to establish and administer an animal control program, to appropriate funds for such program, to employ personnel, to establish reasonable fees for services performed under such program, to make rules and regulation governing vaccination and the control of dogs and cats not in conflict with the general law, to establish civil penalties not to exceed fifty dollars (\$50.00) per occurrence for violation of such rules and regulations, to enforce the laws preventing cruelty to animals, with authority vested in the Washington County - Johnson City Animal Center, to contract with any municipality located in the county for the purpose of effectuating an animal control program in the county, and to allocate responsibilities and funding of an animal control program between the county and any contracting municipalities according to the contract approved by the county legislative body, and to do all things necessary or appropriate in accomplishing the above stated goal, not in conflict with the general state law, to enforce Tennessee Code Annotated, Section 39-14-202, the prevention of cruelty to animals.

As amended by: Private Acts of 1990, Chapter 145,
Private Acts of 2000, Chapter 88.

SECTION 2. This Act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the county legislative body of Washington County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Washington 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 on the 25th day of November, 1986.

PASSED: April 7, 1986

Foxes

Public Act of 1985 Chapter 331

SECTION 1. It shall be unlawful to take or kill foxes in Washington County.

SECTION 2. All laws or parts of laws in conflict with this Act are hereby repealed.

SECTION 3. This Act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 2, 1985.

Livestock Inspector

Private Acts of 1953 Chapter 243

SECTION 1. That in counties of this State with a population of not less than 59,500, nor more than 60,000, by the Federal Census of 1950, or any subsequent Federal Census, the Quarterly County Court is hereby authorized to elect for a term of two years, not exceeding three 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 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 Ten (10.00) Dollars per annum for each inspector so appointed. Elections thereof may be made by the Quarterly County Court at any regular term and the person so elected shall hold office for period of two years from the date of such election. The said County shall not be liable for the default or negligence of any such livestock inspectors where such 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: March 26, 1953.

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

1. Private Acts of 1820, Chapter 22, authorized William Massengill to retain his fish dam on the Watauga River provided that he did not obstruct the navigation of the river.
2. Private Acts of 1823, Chapter 69, authorized John Hoss, William Massengill and John Houston of Washington County to rebuild their fish traps in the Watauga River, but made them liable for any boats grounding thereon.
3. Private Acts of 1829-30, Chapter 302, authorized the county court of Washington County to appoint commissioners to superintend the removal of fish traps and dams in the Nolichucky River.
4. Private Acts of 1868-69, Chapter 26, authorized David and Daniel Regan to build a fish trap in the Nolichucky River within one mile of the mouth of Little Limestone Creek.
5. Public Acts of 1887, Chapter 71, made it a misdemeanor to kill partridge, quail, woodcock, pheasant or wild turkey, or to export such birds, in Washington County from April 1 to October 1.
6. Public Acts of 1893, Chapter 31, made it a misdemeanor to hunt or kill any partridge or quail in Washington County for a period of five years from the passage of the act.
7. Public Acts of 1899, Chapter 114, made it a misdemeanor to hunt or kill any partridge or quail in Washington County for a period of five years from the passage of the act.
8. Public Acts of 1899, Chapter 359, exempted Washington County from Public Acts of 1895, Chapter 359, the general law prohibiting fishing with nets, traps or baskets.
9. Acts of 1903, Chapter 450, exempted Washington County from the law requiring owners to keep their livestock on their own premises.
10. Acts of 1903, Chapter 455, established and made lawful a four wire, three plank or three rail or slate fence in Washington County.
11. Acts of 1905, Chapter 496, made it a misdemeanor for an owner to allow his livestock to run at large in Washington County.
12. Acts of 1905, Chapter 515, amended Acts of 1903, Chapter 169, the general game law, so as to provide that squirrels may be caught and killed in Washington County at anytime.
13. Acts of 1907, Chapter 185, amended Acts of 1903, Chapter 169, the general game law, so as to provide a "no close season" on squirrels in Washington County.
14. Acts of 1907, Chapter 213, made it a misdemeanor for an owner to allow his livestock to roam freely in Washington County.
15. Private Acts of 1911, Chapter 155, made it unlawful for the owners of livestock to permit them to run at large in Washington County. This act also provided for a remedy for damage committed by such livestock when allowed to run at large in violation of this act.
16. Private Acts, 1913, Chapter 271, made it a misdemeanor to hunt quail or partridge in Washington County for a period of five years from passage of the act.
17. Private Acts, 1915, Chapter 593, made it a misdemeanor to hunt or kill foxes, disturb their den or set traps for them (except around the owner's house or chicken house) in Washington County. This act was amended by Private Acts of 1917, Chapter 135, so as to make it unlawful for any person to shoot any fox, destroy the den of any young fox or foxes, or to catch any foxes in Washington County.
18. Private Acts, 1915, Chapter 608, provided that from the last day in July to March 15th, fish could be caught by seine or trap or shot with a gun provided that the fishermen has permission of the owner of the land through which the stream runs. This act was amended by the Private Acts of 1919, Chapter 4, so as to provide additional legal means of fishing during this period.
19. Private Acts, 1915, Chapter 613, made it a misdemeanor to kill or take quail or partridges from January 1 to November 20 in Washington County.
20. Private Acts, 1921, Chapter 405, exempted Washington County from the provisions of Public Acts of 1919, Chapter 61, the general act licensing and regulating ownership of dogs.

21. Private Acts, 1923, Chapter 642, made it a misdemeanor to kill or take quails and partridges from November 25 to January 15 each year in Washington County.
22. Private Acts, 1929, Chapter 753, prohibited the hunting of quail if the ground was covered with snow. This act also provided that it was unlawful to hunt wild turkeys for two years from passage of the act.
23. Private Acts, 1931, Second Extra Session, Chapter 76, permitted the fishing with nets or traps in all streams in Washington County provided that the mesh was 2" or more.
24. Private Acts, 1935, Chapter 646, regulated the hunting and selling of gray foxes and rabbits in Washington County.
25. Private Acts of 1935, Chapter 684, allowed fishing in the Nolichucky and Watauga Rivers by Washington County residents with fish baskets, provided that the fish were for the fishermen's own use and not for sale.
26. Private Acts of 1953, Chapter 542, provided for a closed season upon foxes at all times in Washington County.
27. Private Acts of 1985, Chapter 62, would have authorized Washington County to establish and support an animal control program and to contract with local municipalities for this purpose, however, this act was disapproved by Washington County and never became law.

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