



July 22, 2024

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,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

Table of Contents

Chapter II - Animals and Fish	3
Beaver Hunting	3
Private Acts of 1974 Chapter 203	3
Protection of Habitat	3
Acts of 1907 Chapter 494	3
Animals and Fish - Historical Notes	3

Chapter II - Animals and Fish

Beaver Hunting

Private Acts of 1974 Chapter 203

SECTION 1. The hunting and killing of beaver is prohibited in Sullivan County and the State Game and Fish Commission shall have no authority under Section 51-409, Tennessee Code Annotated, to open the season on beaver in Sullivan County.

SECTION 2. This Act shall become effective on May 1, 1974.
Passed: February 21, 1974.

Protection of Habitat

Acts of 1907 Chapter 494

SECTION 1. That it shall be unlawful for any person, firm, or corporation to place, cause to be placed in any of the running streams, lakes, ponds, in Sullivan County, Tenn., or place so near the banks of said running streams, lakes, and ponds so that the same will be washed therein by high tides or overflows any sawdust, shavings, or off-fallings from sawmills or planing machines. Provided, that this Act shall not apply to the South Fork of the Holston River, in Sullivan County nor shall said apply to any branch or creek flowing into said South Fork of Holston River.

As amended by: Private Acts of 1909, Chapter 251.

SECTION 2. That any violation of this Act shall be a misdemeanor, and the punishment for each offense shall, upon conviction, be a fine of not less than fifty nor more than two hundred dollars.

SECTION 3. That the grand juries of Sullivan County have inquisitorial power under this Act.

SECTION 4. That this Act take effect from and after its passage, the public welfare requiring it.
Passed: March 12, 1907.

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 Sullivan 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 1824, Chapter 123, authorized Elisha Cole and Clark Cole to construct a fish trap and dam in the Holston River in Sullivan County.
2. Private Acts of 1825, Chapter 221, authorized Jacob Sampson, of Sullivan County, to build two fish traps in the Holston River.
3. Private Acts of 1826, Chapter 84, authorized the empaneling of a jury to determine if certain fish traps and mill dams were obstructions to the navigation of the Holston River in Sullivan County.
4. Private Acts of 1827, Chapter 92, allowed persons who owned fish traps and dams in Sullivan County to file a petition with the county court if they were aggrieved by an act of the general assembly passed in 1825.
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 Sullivan County from April 1 to October 1.
6. Public Acts of 1887, Chapter 232, made it a misdemeanor to hunt, chase, wound, or kill any wild deer in Sullivan County.
7. Public Acts of 1889, Chapter 179, made it a misdemeanor for any non-resident of the state to hunt game in Sullivan County. This act was amended by Public Acts of 1893, Chapter 128, to permit non-residents of the state to hunt on Sullivan County land with the owner permission.
8. Public Acts of 1891, Chapter 257, prevented the taking or catching of fish by means of any seine or net from any running stream of water in Sullivan County. This act was subsequently repealed by Public Acts of 1893, Chapter 9.
9. Public Acts of 1899, Chapter 119, authorized fish to be taken from any of the waters in Sullivan and Hawkins County by means of a trap, gun and gig between November 15 to March 1. This act,

- also, made it lawful to trap fish if the slats of the trap were more than 1½ inches apart. This act was amended by Private Acts of 1901, Chapter 252, so as to allow the taking of fish in said counties by means of a gun from June 1 to November 15.
10. Public Acts of 1901, Chapter 45, established and made lawful a four wire, three plank, or three rail fence law for Sullivan County.
 11. Private Acts of 1901, Chapter 436, made it unlawful to kill or capture partridges in Sullivan County between February 15 and November 1.
 12. Acts of 1903, Chapter 273, prescribed that all owners of livestock must keep their animals on their own premises. However, Sullivan County was exempted from the provisions of this act.
 13. Acts of 1903, Chapter 337, made it a misdemeanor to hunt, trap or shoot foxes in Sullivan County, except upon their own premises.
 14. 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 Sullivan County.
 15. Acts of 1909, Chapter 451, allowed residents of Sullivan County to gig and shoot fish and to shoot quail during certain times prescribed in the act.
 16. Private Acts of 1911, Chapter 577, provided for the shooting of fish and quail and the gigging of fish in Sullivan County during certain months of each year.
 17. Private Acts of 1915, Chapter 319, allowed landowners with written permission from the Sullivan County Court to fish in streams adjacent to their lands with traps, provided that the slats of the traps were more than 1½ inches apart.
 18. Private Acts of 1921, Chapter 405, exempted Sullivan County from the provisions of Public Acts of 1919, Chapter 61, the general act licensing and regulating ownership of dogs.
 19. Private Acts of 1921, Chapter 930, made it unlawful to catch black bass or perch in the Holston River, in Sullivan County, from April 1 to June 15.
 20. Private Acts of 1921, Chapter 978, made it a misdemeanor for an owner to allow his livestock to run at large in Sullivan County.
 21. Private Acts of 1925, Chapter 117, made it unlawful to hunt partridges or quails from January 1st to November 25th in Sullivan County. This act also made it unlawful to hunt at any time on the enclosed lands of another without permission.
 22. Private Acts of 1925, Chapter 305, made it lawful to use traps to catch fish and to gig fish from November 1st to March 1st in Sullivan County.
 23. Private Acts of 1927, Chapter 257, allowed unrestricted rabbit hunting in Tennessee but Sullivan County was one of the counties specifically exempted from its provisions.
 24. Private Acts of 1929, Chapter 207, made it unlawful to hunt deer in Sullivan County. Violators were subject to a fine of not less than \$50.
 25. Private Acts of 1929, Chapter 377, made it lawful to gig fish in Sullivan County between November 1 and January 1.
 26. Private Acts of 1929, Chapter 404, allowed adjacent landowners to use traps to fish in the Holston River. This act was amended by Private Acts of 1929, Chapter 854, so as to allow adjacent landowners to fish with traps in the Watauga River and in all other rivers in Sullivan County.
 27. Private Acts of 1931, Chapter 802, made it unlawful to hunt rabbits and quails from January 1 to November 15 in Sullivan County.
 28. Private Acts of 1931, Second Extra Session, Chapter 28, made it lawful to gig fish in Sullivan County between November 1st and January 1st.
 29. Private Acts of 1933, Chapter 438, exempted those citizens of Sullivan County who fished by hook and line from the \$2.00 license fee.
 30. Private Acts of 1935, Chapter 580, regulated hunting, fishing and trapping in Sullivan County and provided appropriate penalties for violations of this act.
 31. Private Acts of 1935 (Ex. Sess.), Chapter 17, established a county game and fish commission to employ and supervise game wardens to protect wildlife in Sullivan County. This act was repealed by Private Acts of 1937, Chapter 151.
 32. Private Acts of 1945, Chapter 297, authorized George W. Lyons, of Sullivan County, to practice veterinary medicine and surgery in Sullivan County. This act was repealed by Private Acts of 1949, Chapter 42.

33. Private Acts of 1945, Chapter 405, regulated the practice of veterinary surgery and prescribed the qualifications for same; and permitted Mark Whitcomb to practice veterinary medicine and surgery in Sullivan County.
34. Private Acts of 1965, Chapter 68, made it unlawful for any person in Sullivan County to own, possess, or harbor a dog within said county outside the corporate limits of the cities of Sullivan County unless the dog was licensed. This act also required rabies immunization as a prerequisite to licensing, required metal license tags and metal rabies tags; provided for the collection of fees and the issuance of licenses, provided for the establishment of a pound, the employment of a pet warden and the keeping and disposition of unlicensed dogs. This act was repealed by Private Acts of 1979, Chapter 153.
35. Private Acts of 1979, Chapter 153, made it unlawful for any person in Sullivan County to own, possess, or harbor a dog or cat within said county outside the corporate limits of the cities of Sullivan County unless the dog or cat was licensed. This act also required rabies immunization as a prerequisite to licensing, required metal license tags and metal rabies tags; provided for the collection of fees and the issuance of licenses, provided for the establishment of a pound, the employment of a pet warden and the keeping and disposition of unlicensed dogs and cats. This act was repealed by Private Acts of 1983, Chapter 116.

Source URL: <https://www.ctas.tennessee.edu/private-acts/chapter-ii-animals-and-fish-40>