

**RESOLUTION NO. 16-11-003**

**SPONSORED BY COMMISSIONERS RICK CARVER, ARCHIE ARCHER, KENNETH MELTON, AND STEVE SAMPLES**

**A RESOLUTION TO ADOPT NEW BLOUNT COUNTY ORDINANCE PROVIDING FOR THE REGULATION OF DOGS AND CATS AND THE REGULATION, CAPTURE, IMPOUNDING AND HUMANE DISPOSITION OF STRAY DOGS, STRAY CATS AND OTHER STRAY ANIMALS**

**WHEREAS**, pursuant to State law, Blount County, through the Blount County Board of Commissioners in 1999 adopted Resolution No. 99-03-001 entitled a Resolution Providing for the Regulation of Dogs and Cats and the Regulation, Capture, Impounding and Humane Disposition of Stray Dogs, Stray Cats and Other Stray animals; and

**WHEREAS**, the said 1999 Resolution No. 99-03-001 has been amended from time to time; and

**WHEREAS**, there have been certain changes in the law and rules and regulations of the State law that regulates domestic animals; and

**WHEREAS**, certain aspects of the Resolution No. 99-03-001 (as amended) have become outdated and in need of modification; and

**WHEREAS**, the Director and Staff of the Blount County Animal Center, with the assistance of the County Attorney, have reviewed the applicable animal control laws and regulations and have drafted an ordinance entitled Ordinance Providing For The Regulation Of Dogs And Cats And The Regulation, Capture, Impounding And Humane Disposition Of Stray Dogs, Stray Cats And Other Stray Animals; and

**WHEREAS**, the Animal Center Advisory Board has approved said Ordinance and recommends the County Commission approve the same; and

**WHEREAS**, the Ordinance Providing For The Regulation Of Dogs And Cats And The Regulation, Capture, Impounding And Humane Disposition Of Stray Dogs, Stray Cats And Other Stray Animals would replace and supersede Resolution No. 99-03-001 and all amendments thereto; and

**WHEREAS**, the Director of the Blount County Animal Center has recommended to the full Blount County Commission that the Ordinance Providing For The Regulation Of Dogs And Cats And The Regulation, Capture, Impounding And Humane Disposition Of Stray Dogs, Stray Cats And Other Stray Animals be approved and implemented to replace the previous Resolution No. 99-03-001;

**NOW, THEREFORE, BE IT RESOLVED** by the Blount County Commissioners assembled in regular session at Maryville, Tennessee, on this 17th day of November, 2016, that the Ordinance Providing For The Regulation Of Dogs And Cats And The Regulation, Capture, Impounding And Humane Disposition Of Stray Dogs, Stray Cats And Other Stray Animals, a complete copy of

which is attached hereto, is hereby approved and adopted to regulate the issues therein dealing with dogs, cats, and other domesticated animals and Resolution No. 99-03-001 and any amendments thereto are hereby repealed.

**BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY, THE PUBLIC WELFARE REQUIRING IT.**

Duly authorized and approved this 17th day of November, 2016.

**CERTIFICATE OF ACTION**

**ATTEST**

  
Commission Chairman

  
County Clerk

Approved: ✓  
Vetoed:       

  
County Mayor

11-22-16  
Date

**ORDINANCE PROVIDING FOR THE REGULATION OF DOGS AND CATS  
AND THE REGULATION, CAPTURE, IMPOUNDING AND HUMANE DISPOSITION  
OF STRAY DOGS, STRAY CATS AND OTHER STRAY ANIMALS.**

WHEREAS, pursuant to section 5-1-120 of the Tennessee Code Annotated, Blount County may by resolution provide for the regulation of dogs and cats, and the regulation, capture, impounding and disposal of stray dogs, stray cats and other animals within the unincorporated territory of Blount County; and

WHEREAS, . Blount County may enter into a contract with an incorporated City within Blount County for the purpose of providing animal control and animal shelter services; and

WHEREAS, Blount County Animal Control is a Certified Animal Control Agency Licensed in the State of Tennessee to perform Animal Control Services and Licensed in the State of Tennessee to perform Chemical Capture of dogs and cats within its jurisdiction pursuant to Tennessee Code Annotated 44-17-601; and

WHEREAS, The Blount County Animal Center is a Veterinary Facility Licensed in the State of Tennessee;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Blount County, Tennessee, meeting in regular session assembled this 17<sup>th</sup> day of November, 2016, as follows:

**Section 1. Definitions.** As used in this resolution, the following terms shall mean:

1. **Animal Center:** Any premises designated by the County for the purpose of Impounding, quarantining, caring for, adopting, or humanely euthanizing and disposing of animals.
2. **Animal Control Officer:** A person employed or designated by the County as having responsibility for enforcement of animal control regulations and laws.
3. **Direct Control:** Immediate and continuous physical control of an animal (excluding herding dogs, dogs in the process of hunting, police dogs, and dogs participating in organized field competitions or events) at all times such as by means of a fence, leash, cord, or chain of sufficient strength to restrain the animal.
4. **Habitually:** Done regularly or repeatedly
5. **Intermittently:** Starting, stopping, and starting again: Not constant or steady
6. **Owner:** Any person possessing, keeping, having charge of, sheltering, feeding, harboring or taking care of any animal or livestock covered by this resolution.
7. **Owner Surrendered:** An animal whose legal owner has transferred ownership and care of the animal to the Blount County Animal Center or to a Blount County Animal Control Officer, and who has completed and signed the Owner Surrender Form.
8. **Person:** Any natural person, individual, firm, society, corporation, partnership, association, trust, estate or other legal entity. If the person is a minor as defined by

statute, said minor's parent(s) or legal guardian shall be the owner for the purposes of this resolution.

9. Quarantine: Is the strict confinement, isolation and observation of an animal suspected of having rabies. While quarantined, the animal is to be kept away from other animals and the public.
10. Restraint: A dog or cat is under restraint within the meaning of this resolution if such animal meets the criteria defined in Direct Control or is under control of a competent person and immediately obedient to that person's commands, on or within a vehicle being driven or parked on the streets, or within the property limits of its owner.
11. Running at Large: Shall mean any animal which is not confined to its owner's property or under direct control of the owner.
12. Secure Enclosure: Shall mean any building, wire or wooden kennel, or the owner's home, built in such a manner, and with sufficient strength, as to prevent an animal housed within from escaping by chewing, digging, climbing, or other means. This enclosure will be kept locked.
13. Serious Physical Injury: Shall mean any injury requiring immediate medical attention to stop bleeding, or which requires medical attention to close the wound or repair broken bone, or which may result in disfigurement or death of the victim.
14. Stray: A dog, cat, or other animal which is found wandering or running at large away from the property limits of its owner and not under the Direct Control or Restraint of a competent person, or which is lost, and its owner is unknown

**Section 2. Rabies Vaccination, certificate and tags**

1. It is unlawful within the unincorporated territory of Blount County for any person to own, keep, or harbor any dog or cat six (6) months of age or older that has not been vaccinated against rabies and registered in accordance with the provisions of the Tennessee Anti-Rabies law, Tennessee Code Annotated 68-8-103.
2. Evidence of such vaccination shall consist of a certificate that contains the owners name and address, date of vaccination, date the dog or cat should be revaccinated, description and sex of the dog or cat vaccinated, number of the vaccination tag issued when applicable, manufacture and lot number of vaccine administered and the name and signature of the supervising veterinarian. Vaccination of animals other than dogs and cats is not required unless deemed necessary by the State of Tennessee or the Blount County Department of Health. Paper forms, computer printout, or electronic format are acceptable proof of rabies vaccination.
3. The person or facility administering the vaccine shall issue a rabies tag for every dog vaccinated for rabies and the identification numbers on the tag will be recorded on the rabies certificate. Cats may be, but are not required to be issued a rabies tag.
4. Every dog owner shall attach a metal tag or other evidence of rabies vaccination to a collar, which shall be worn at all times by the dog vaccinated; provided, that the collar may be removed in the case of hunting dogs while in chase or returning from the chase. Nothing in this section shall be construed as permitting the use of an unvaccinated dog for any purpose. Tennessee Code Annotated 68-8-106

5. Any dog or cat found running at large in unincorporated Blount County may be seized by any peace officer or animal control officer and brought to the Blount County Animal Center. If the dog or cat is wearing a rabies vaccination tag or other identification, all reasonable effort shall be made to locate and notify the owners who shall be required to appear within five (5) business days and redeem the animal by paying an impound fee as set by Blount County resolution. If the dog or cat is not wearing a rabies vaccination tag or other identification the animal shall be impounded for a period of three (3) business days.
6. Failure to pay the impound fee, or have the animal vaccinated if proof of current vaccination is not produced prior to release, shall require the animal to be adopted or humanely euthanized.
7. No dog or cat three (3) months or older shall be released from the Blount County Animal Center without having proof of current vaccination or until it has been vaccinated and, where applicable, a tag issued.
8. Any person failing to meet any requirements or violating any of the provisions of the Anti-Rabies law of the State of Tennessee commits a Class C Misdemeanor with each violation being a separate offense. Tennessee Code Annotated 68-8-113.

**Section 3. Stray Animals / Animals at Large**

1. No person owning or having possession, charge, care, custody or control of any animal shall cause, permit or allow the animal to stray or in any manner to run at large in or upon any public street, sidewalk, park (except those areas in the County which have been designated for specific purpose as a Dog Park) or upon the property of another.
2. Every person owning or having possession, charge, care, custody or control of any animal shall keep such animal exclusively upon his own premises; provided, however, that such animal may be off such premises if it is under the direct control of a competent person.
3. This section shall not apply to a dog while engaged in an active hunt or chase, nor to a dog guarding or driving stock. This section shall not apply to any animal participating in an organized animal event.

**Section 4. Impoundment**

1. Except as provided in this section, any animal impounded under the provisions of this article shall be transported to the Blount County Animal Center, or to a veterinary facility if the animal is in immediate danger and the Center veterinarian is not available or unable to treat the animal. The Animal Control Officer will find suitable shelter for livestock and other animals that cannot be housed at the Center.
2. Stray Animals shall be held at the Animal Center for a waiting period of not less than three (3) business days, including the day the animal is received, but exclusive of legal holidays, unless the animal is wearing identification, rabies, or license tags in which case the waiting period shall be not less than five (5) business days, including the day the animal is received, but exclusive of legal holidays. During the prescribed waiting period the owner of the animal, if known, shall be notified and allowed to

reclaim the animal upon payment of any applicable fees. No Animal shall be adopted or humanely euthanized until the expiration of the prescribed waiting period except as provided in subsection 2a and 3 of this section.

- 2a. If, in the attempt to impound the animal, it becomes impossible to do so safely by proper handling procedures, the animal control officer, after being convinced that seizure of the animal is necessary to public welfare by reason of its viciousness or infection with rabies may, chemically capture the animal and transport it to the Animal Center for quarantine or euthanasia, or contact the Blount County Sheriff's Department to euthanize the animal utilizing a firearm.
3. If any impounded animal is found to be diseased, severely injured, or of a vicious nature, the animal may be immediately euthanized in a humane manner; provided, however, that if the owner is known, he shall be notified, and except in the case of a rabid animal, shall have the right to reclaim his animal and/or obtain the advice and services of a veterinarian. Where there has been a reasonable attempt to contact the owner and the owner has not promptly responded, then the animal may be humanely euthanized.
4. All impounded animals will be entered into the Animal Center's shelter operations database to create a permanent record which includes, but is not limited to, a description of the animal, the date, and location where the animal was picked up, the date the animal will be available for adoption, and any identifying information about the animal. All impounded animals will be scanned for a microchip and every reasonable effort will be made to contact the owner if the animal has been microchipped or is wearing a rabies tag.
5. Blount County Animal Control upon impoundment of any animal, and regardless of the reason for the impoundment, will make every reasonable effort to ascertain and notify the owner of the animal that their animal has been impounded and the reason for said impoundment. Reasonable effort in this case shall mean:
  - A. Affixing an animal control impoundment form to the residence of the owner in a conspicuous location;
  - B. Scanning the impounded animal for a microchip, or utilizing information on an ID tag;
  - C. Contacting the Blount County Health Department or the issuing agency of the rabies tag if one is with the animal impounded;
  - D. Posting the animal on social media.

**Section 5. Vicious Dogs and Cats**

1. No person living in unincorporated Blount County shall own, keep, harbor, or possess or in any way maintain a vicious dog or cat unless safety procedures as hereinafter provided have been implemented.

**Vicious Defined:**

2. If a dog or cat either attacks a person by biting or in any manner causes injury without provocation, or attacks a domesticated animal owned by another by biting or in any manner causes injury without provocation, or attacks livestock by biting or in any manner causes injury without provocation, it shall be prima facie evidence the dog or cat is vicious.

After notification in writing by an animal control officer that the dog or cat is vicious, the owner thereof shall keep the animal securely in an enclosure upon their premises, or have the animal humanely euthanized, or surrender the animal to the animal control officer for humane euthanasia.

If, at any time after the animal is deemed vicious and the animal is off the premises of the owner, it will be under the direct control of the owner and will be muzzled at all times.

**Appeal**

Any person who has received notification from an animal control officer that a dog or cat owned, kept, harbored or maintained by such person is deemed as vicious may appeal such determination to the Blount County Clerk, provided that such appeal is filed in writing with the Clerk within ten (10) calendar days of receiving said notification that a dog or cat is vicious. The Clerk shall conduct an administrative hearing within ten (10) days of receiving the timely filed notice of appeal to review the determination that a dog or cat is vicious.

**Safety Procedures Upon Physical Injury**

3. If the dog or cat attacks a person, without provocation, by biting and breaks the skin causing injury, but not serious physical injury, then the animal control officer shall have the option to:
  - a. Impound the animal and keep it in quarantine and under observation for rabies at the Blount County Animal Center for a period of ten (10) days before allowing the owner to pay the applicable fees and reclaim the animal; or
  - b. Direct the owner to quarantine the animal at their home for a period of ten (10) days during which time the owner agrees to allow the animal control officer to verify the quarantine as often as deemed necessary by the animal control officer or the Blount County Health Department; or
  - c. The owner may surrender the animal to the animal control officer for humane euthanasia.
4. If the quarantined animal does not have a current rabies vaccination then the owner will have three (3) business days after the animals release from quarantine to bring the animal to the Blount County Animal Center to receive a rabies vaccination, or to a Veterinarian to receive a rabies vaccination. In the latter case the owner must submit a copy of the current rabies certificate to the animal control officer without delay.

**Safety Precautions Upon Serious Physical Injury:**

5. If a dog or cat attacks a person without provocation by biting or in any manner causes serious physical injury requiring immediate medical care, or causes death to that person; or attacks a domesticated animal owned by another causing serious physical injury requiring immediate veterinary care, or causes death to that animal, or attacks livestock, owned by another, causing serious physical injury requiring immediate veterinary care, or causes death to that livestock, then the owner of the animal shall;
  - a. Immediately surrender the animal for quarantine to the Blount County Animal Control; or
  - b. Request humane euthanasia of the animal by the animal control officer; or
  - c. If the owner cannot be located or fails to surrender the animal for quarantine, the animal control officer will impound the animal and place it in quarantine.
6. The Blount County Animal Control Officer upon placing an animal involved in causing a serious physical injury into quarantine at the Animal Center will, without delay, contact the District Attorney for Blount County and ask for a petition to be filed in General Sessions Court for euthanasia of the animal.
  - a. If the petition is granted and the rabies vaccination status cannot be determined, or if the owner of the animal cannot be located to verify the rabies vaccination status of the animal, then the animal will be humanely euthanized and sent for rabies analysis by the Blount County Health Department; or
  - b. If the petition is granted and the animal is current on its rabies vaccination then the animal will be held in quarantine for a period of ten (10) days and then euthanized, or euthanized and sent for analysis if rabies develops or is suspected at any time during the ten(10) quarantine; or
  - c. If the petition is not granted the animal will remain in quarantine for a period of ten (10) days and then be eligible for reclaim by its owner. The owner will have three (3) business days to reclaim the animal or it will be euthanized.
7. If it is determined by a veterinarian at any time during quarantine the animal has rabies, the owner of the animal, if known, will be notified and the animal will immediately be humanely euthanized regardless of a petition being filed, granted or denied.
8. The responsibility of verifying current rabies vaccination will rest with the owner. The owner of the animal will be liable for any and all costs associated with the impoundment of the animal and in addition, if applicable, will be liable for the cost of testing the animal for rabies.
9. The Blount County Animal Control Officers may inspect and verify an animal, that has been deemed vicious, is being maintained in a secure enclosure, at their discretion, and within normal business hours, including weekends and holidays. Any animal which has been deemed vicious and is found to be running at large, or observed on the property of the owner outside of a secure enclosure and is not muzzled and under the "Direct Control" of its owner will immediately be impounded by the animal control officer and the owner will be issued a summons to appear in



General Sessions Court for violation of this Ordinance. The General Sessions Court Judge in addition to addressing the Ordinance violation will determine if the animal is to be released back to its owner or surrendered to Blount County Animal Control for humane euthanasia. If the animal is returned to its owner then the owner will be liable for all fees associated with the animal's impoundment and housing while at the Blount County Animal Center.

10. The owner of any animal deemed vicious by the General Sessions Court Judge, or by the owners failure to appeal the vicious determination by the animal control officer under the guideline set forth in Section 5-4 above, must display a visible and legible warning sign reading, "WARNING-DANGEROUS DOG-KEEP AWAY" or "WARNING-DANGEROUS CAT-KEEP AWAY". The sign must be visible and legible from the public way and from fifty (50) feet away from the secure enclosure. The letters must be capitalized and be at least one and one-half (1.5) inches in both height and width.

**Section 6. TCA 39-17-1363 Person convicted of violent felony prohibited from owning, possessing, or having custody of a potentially vicious dog or a vicious dog.**

- (a) For purpose of this section:
  - (1) "Potentially vicious dog" means a dog that may reasonably be assumed to pose a threat to public safety as demonstrated by any of the following behaviors:
    - (A) When unprovoked and off the property of the owner or keeper of the dog, inflicts a bite causing bodily injury, as defined in TCA 39-11-106, to a person or domestic animal; or
    - (B) When unprovoked and off the property of the owner or keeper of the dog, on two (2) or more occasions, chases, menaces or approaches a person or domestic animal in an aggressive manner or apparent attitude of attack;
  - (2) "Vicious dog" means any dog that without provocation and off the property of the owner or keeper of the dog, has attacked a person causing death or serious bodily injury, as defined by TCA 39-11-106, to such person; and
  - (3) "Violent felony" means:
    - (A) Any felony involving the use or attempted use of force, violence or a deadly weapon;
    - (B) A violation of TCA 39-17-417, TCA 39-17-433, or TCA 39-17-435; or
    - (C) A violation of TCA 39-14-203(a)(1)-(3), TCA 39-14-205, TCA 39-14-212, or TCA 39-14-214.
- (b) It is an offense for any person convicted of a violent felony to knowingly own, possess, have custody or control of a potentially vicious dog or a vicious dog for a period of the (10) years after such person has been released from custody following completion of sentence or is no longer under active probation, community correction or parole supervision for such violent felony, whichever date is later.

- (c) It is an offense for any person convicted of a violent felony to own, possess, or have custody or control of a dog that:
  - (1) Is not microchipped for permanent identification; and
  - (2) Is not spayed or neutered and is older than twelve (12) weeks of age.
- (d) A violation of this section is a Class A Misdemeanor under State law but is also deemed a violation of this Ordinance.

**Section 7. Animals Creating a Nuisance**

- 1. The owner having control or custody of any animal or livestock shall maintain, control and care for said animal or livestock so as not to create a nuisance as defined by this Ordinance. The failure to do so shall be deemed a violation of this Ordinance. For the purposes of this Section a nuisance is defined as follows:
  - a. An animal or livestock which habitually barks, whines, meows, squawks, or causes other objectionable noise resulting in a nuisance to a neighboring resident. For purposes of this section, "habitually" shall mean continuously for a period of thirty (30) minutes or intermittently for a period of one (1) hour; or
  - b. An animal or livestock disturbs the peace by destroying, desecrating, or soiling public or private property, chasing, snapping, or charging of persons, livestock, cars, or other vehicles, running at large, or other behavior that interferes with the reasonable use and enjoyment of said property, shall be deemed to be committing an act in violation of this resolution; or
  - c. Maintains an animal in an unsanitary environment which results in offensive odors or which is dangerous to the animal or the public health, welfare or safety; or
  - d. Maintains property in a manner that is offensive, annoying, or dangerous to the public health, welfare, or safety because of the number, type, variety, density, or location of animals thereon.
- 2. The owner having control or custody of a female dog or cat in heat (estrus) shall humanely confine such dog or cat for the duration of estrus, except for controlled and intentional breeding of such animal. Failure to do so shall constitute a violation of this Ordinance.
- 3. This section does not apply to livestock raised for agricultural purposes nor does it apply to a licensed veterinary facility, licensed boarding facility, or licensed animal center.

**Section 8. Dogs and Cats in Food Service Establishments**

- 1. Except as specified in Section 8.2 and 8.3 below, live animals may not be allowed on the premises of a food establishment in Unincorporated Blount County.
- 2. Live animals are allowed in the following situations if the owner or operator does not permit animals to physically contact food, serving dishes, utensils, tableware, linens,

unwrapped single-service and single-use articles or other food service items that may result in contamination of food or food-contact surfaces and does not permit animals to physically contact employees engaged in the preparation or handling of food:

- a. Fish or crustacea in aquariums or display tanks;
- b. Patrol dogs accompanying police or security officers in offices and dining, sales, and storage areas; and sentry dogs in outside fenced areas;
- c. Service animals accompanying persons with disabilities in areas that are not used for food preparation;
- d. In areas that are not used for food preparation, storage, sales, display, or dining, in which there are caged animals or animals that are similarly confined, such as in a variety store that sells pets or a tourist park that displays animals.

**3. Dogs and Cats in Outdoor Dining Areas**

Dogs and cats, other than service dogs may be permitted in outside areas of a food establishment, pursuant to the following:

- a. The animals shall be properly restrained;
- b. Except as provided in Section 8, no animal shall be present in the interior of any restaurant or in any area where food is prepared;
- c. The food establishment shall have the right to refuse to serve the owner of an animal if the owner fails to exercise reasonable control over the animal or the animal is otherwise behaving in a manner that compromises or threatens to compromise the health or safety of any person present in the food establishment;
- d. The person in charge shall not permit animals to physically contact food, serving dishes, utensils, tableware, linens, unwrapped single-service and single-use articles or other food service items that may result in contamination of food or food-contact surfaces and shall not permit animals to physically contact employees engaged in the preparation or handling of food:
- e. The person in charge shall instruct employees and patrons that animals shall not be allowed to come into contact with serving dishes, utensils, tableware, linens, paper products or any other items involved in food service operations;
- f. Patrons shall keep their animals on a leash at all times and keep their animals under reasonable control;
- g. Animals shall not be allowed on tables, chairs or other furnishings;
- h. The person in charge shall ensure that any accidents involving animal waste are cleaned immediately and the area sanitized with an approved product. A

kit with the appropriate materials for this purpose shall be kept near the designated outdoor area.

- i. The permit holder shall post a sign or signs reminding employees and patrons of the applicable rules on the premises in a manner and in such place(s) as determined by the local permitting authority; and
- j. Animals shall not be permitted to travel through indoor or non-designated portions of the food establishment, and ingress and egress to the designated outdoor portions of the food establishment shall not require entrance into nor passage through any indoor area of the food establishment.

T.C.A. 6-54-135, 53-8-117, and 68-14-701 through 68-14-726.

4. Nothing withstanding these provisions nothing in this Ordinance prohibits a food establishment from prohibiting dogs and cats in outdoor dining areas.

#### **Section 9. Wild or Exotic Animals**

1. No person shall have, sell, keep or maintain any wild, exotic, dangerous, or nondomesticated animal within unincorporated Blount County. "Wild, exotic, dangerous, or non-domesticated animal" shall be defined to include all animals classified as class I animals under Tennessee Code Annotated Section 70-4-403, as amended, and shall also include any wolf hybrid.
2. Notwithstanding any provision of this resolution to the contrary, the provisions of this section shall have no application to the following:
  - 2a. A veterinary establishment licensed by the State;
  - 2b. Appropriately accredited colleges, universities, or other institutions of higher learning which own, keep or maintain any such animals for educational or scientific purposes; or
  - 2c. Persons or entities maintaining such animals pursuant to a valid permit issued by the Tennessee Wildlife Resources Agency.
3. Any person maintaining a wild or exotic animal described in this section, who possesses a valid permit from TWRA for that animal will notify the Blount County Animal Control Officer immediately, once the permit has been issued, and will give the animal control officer a copy of the current permit, and a copy of all subsequent renewal permits for said animal. Maintaining a permitted animal without a valid permit constitutes a violation of this section and the animal control officer may impound, or cause to have impounded, the animal.

#### **Section 10. Interference with Enforcement**

1. It shall be unlawful for any person to knowingly hinder, resist, or oppose any animal control officer or any other law enforcement officer performing animal control functions in the performance of his/her duties.

2. It shall be unlawful for any person to knowingly interfere with or damage any humane animal trap owned by Blount County Animal Control or to molest or release any animal caught therein.

**Section 11. Animal Care and Manner of Keeping**

1. It shall be unlawful for any person keeping an animal to fail to provide for that animal:
  - a. Clean, sanitary, and humane conditions;
  - b. Sufficient quantities of food and clean fresh water daily;
  - c. Proper air ventilation and circulation;
  - d. Sufficient shelter and protection from the elements and environment;
  - e. Medical attention and/or necessary veterinary care when it is sick, diseased, or injured; and
  - f. Annual inoculations, as recommended by a veterinarian, against disease infectious to humans or animals.
2. It shall be unlawful for any person to tease or molest any animal.
3. This section does not replace the criminal offense part of the Tennessee Code Annotated 39-14-202 pertaining to cruelty to animals.

**Section 12. Animals injured on the County Maintained Roads and Right of Way**

1. Dogs, cats, or other animals injured on the County maintained roads and right of way shall be considered strays, and the animal control officer may remove all such animals. The owner of the injured animal shall be liable for impoundment costs. If the owner of the animal is known a reasonable effort must be made to contact them prior to providing veterinary treatment.

**Section 13. Ignorance of Dog's or Cat's Habits No Defense**

1. It shall be the duty of any person owning, keeping, harboring, possessing or maintaining any dog or cat to maintain close supervision of such animal, and ignorance of the habits or character of such dog or cat on the part of such person shall be no defense in actions arising under this resolution.

**Section 14. Tethering of Dogs:**

Residents of Unincorporated Blount County may tether a dog on their property or business under the following guidelines:

1. Tethering material must be of sufficient tensile strength to prevent the dog from breaking the tether.

2. Tethers must be a minimum of ten (10') feet in length.
3. Logging chains, large gauge chains or heavy steel cable, may not be used to tether an animal.
4. Dogs on a tether must be able to have access to shelter which is dry and provides sufficient protection for the outside temperature, and suitable for the breed of dog tethered.
5. The area where the dog is tethered will have sufficient clean water and food. Water containers should be of such construction and placement as to not be susceptible to tipping easily.
6. The area where the dog is tethered shall be free of snags, impediments, etc. to prevent the possibility of the dog being injured or injuring itself while on the tether.
7. The use of pinch or choke collars, or any other collar device designed to tighten around the dog's neck are prohibited. Non-tightening collars and harnesses are allowed.

**Section 15. Penalty and Jurisdiction**

1. A violation of any provision or section of this resolution, unless otherwise noted, is punishable by a civil penalty of not less than fifty (\$50.00) dollars or more than five hundred (\$500.00) dollars; provided the complaining party carries the burden of proof by a preponderance of the evidence.
2. The General Sessions Court for Blount County, Tennessee, shall have jurisdiction to enforce this resolution by assessing the monetary penalties provided in number 1 of this section.

**IN RE: ADJOURNMENT**

Chairman Moon declared the meeting to be adjourned.