

Johnson City

10-111. Compliance. No owner, lessee, tenant or subtenant of any property, public or private, located within the city shall keep, maintain or cause to be kept any horses, mules, donkeys, cattle, swine, chickens, turkeys, ducks, geese, goats, sheep, hares or similar animals or fowl either domesticated or nondomesticated except under conditions set forth in the provisions of this chapter. (Ord. #3425, March 1998)

10-112. Near residence or business. No animals, fowl, swine or poultry described in § 10-111 shall be kept within a distance of one thousand (1,000) linear feet of any residence or place of business or industry within the city, without the approval of the health officer. The health officer shall approve the keeping of the animals and fowl on public and private premises only when in his opinion the keeping of such animals and fowl will not injuriously affect the public health and welfare. (Ord. #3425, March 1998)

10-113. Approval of health officer; factors considered. The health officer is authorized to prohibit the keeping of animals and fowl described in § 10-111 within the city when it has been determined that the keeping of such animals and fowl is not in compliance with the provisions included in § 10-112, or when in his opinion the keeping of such animals and fowl may prove detrimental to the public health by creating or causing situations conducive to the breeding and attracting of flies and other injurious and obnoxious insects, the breeding, feeding and harboring of rats, and which may give rise to offensive smells and odors. Approval for the maintenance of such animals or fowl may be at the discretion of the health officer. Owners and keepers of such animals and fowl, when not specifically notified to dispose of them within a reasonable specified time, may construe their failure to receive such notice as evidence of approval and that they may maintain such animals or fowl for as long as their maintenance does not constitute a hazard to the public health and welfare. (Ord. #3425, March 1998)

10-114. Maintenance of stalls, stables, pens, etc. (1) No animals or fowl described in § 10-111 shall be kept in any place in which manure or liquid discharges from such animals or fowl shall collect or accumulate to any degree of offensiveness. Such manure and liquids shall be at once removed to some proper place of disposal or effectively stored between periods of removal in closed containers, which shall provide for the maximum practical fly, rodent and odor control.

(2) Stalls, stables, pens, yards and appurtenances in which such animals and fowl are kept shall at all times be maintained in a clean and wholesome condition, so that no offensive odor shall be allowed to escape therefrom, and no rodents, flies or other insects will be able to breed therein or become attracted thereto.

(3) Buildings, pens, yards and appurtenances constructed for the purpose of housing and impounding animals and fowl shall be located with the view of adequate drainage and constructed so as to facilitate routine cleaning. (Ord. #3425, March 1998)

Bristol (No prohibition against keeping fowl inside city limits)

Sec. 10-1. - Employment, duties, status of animal control officer. The city manager shall employ an animal control officer, whose duty it shall be to act as an enforcement officer for this chapter, with the authority provided in section 1-10 of this Code. (Code 1980, § 3-210)

Sec. 10-2. - Running at large prohibited. It shall be unlawful for any person owning or controlling any animal to allow such animal to run at large within the corporate limits of the city. (Code 1980, § 3-101) State law reference— Livestock at large, T.C.A. § 44-8-401.

Sec. 10-3. - Sanitation of pens, enclosures. When animals or fowl are kept within the corporate limits, the building, structure, corral, pen or enclosure in which they are kept shall at all times be maintained in a clean and sanitary condition and free from all objectionable odors. (Code 1980, § 3-102)

Sec. 10-4. - Prohibited in food establishments; exception. It shall be unlawful at any time for any person to lead, carry, entice or permit any dog or other domestic animal to enter or remain in any food establishment, food store or restaurant in the city. The provisions of this section shall not apply to a guide dog assisting a blind, physically disabled or hearing-impaired person. (Code 1980, § 3-106) State law reference— Guide dogs to be admitted to various public facilities, T.C.A. § 62-7-112.

Sec. 10-5. - Creation of nuisance. No animal or fowl shall be kept in such a place or condition as to become a nuisance either because of noise, odor, contagious disease or other reason. (Code 1980, § 3-103)

Sec. 10-6. - Cruelty to animals. It shall be unlawful for any person to intentionally or knowingly:

- (1) Torture, maim or grossly overwork an animal.
- (2) Fail unreasonably to provide necessary food, water, care or shelter for an animal in the person's custody.
- (3) Abandon unreasonably an animal in the person's custody.
- (4) Transport or confine an animal in a cruel manner.
- (5) Inflict burns, cuts, lacerations, or other injuries or pain, by any method, including blistering compounds, to the legs or hooves of horses in order to make them sore for any purpose including, but not limited to, competition in horse shows and similar events. (Code 1980, §§ 3-104, 3-105) State law reference— Similar provisions, T.C.A. § 39-14-202(a)—(e)(2).

Sec. 10-7. - Hunting, molesting birds and nests prohibited; exception. It shall be unlawful to trap, shoot, hunt or attempt to shoot or molest in any manner any bird or wildfowl or to rob birds' nests or wild fowls' nests. However, if starlings or similar birds are found to be congregating in such numbers in a particular locality that they constitute a nuisance or menace to health or property, in the opinion of the health authorities of the city, the birds may be destroyed in such numbers and in such manner as is deemed advisable by the chief of police. (Code 1980, § 3-107)

Sec. 10-8. - Keeping of dogs and cats regulated.

- (a) It shall be unlawful for any person to own, possess or harbor any dog or cat within the city unless such dog or cat is inoculated against rabies.
- (b) It shall be unlawful for any person or family living in the same household to own, possess or harbor more than four adult dogs or four adult cats, unless the animals are used for breeding purposes for sale to the public.
- (c) The provisions of this section shall not be applicable to dogs or cats under six months of age. (Code 1980, § 3-109; Ord. No. 92-18, 7-7-92) State law reference— Vaccination required, T.C.A. § 68-8-103.

Sec. 10-9. - Quarantines authorized. The chief of police and the city health officer are hereby authorized to declare an emergency due to an outbreak of rabies or other cause. They may then quarantine all animals within the corporate limits of the city and require that persons owning or controlling such animals confine the animals to pens, kennels or other similar enclosures, or keep them on leashes sufficient to secure the animals so that they will not be exposed to or come in contact with animals owned by other persons. (Code 1980, § 3-110)

Sec. 10-10. - Impoundment and/or destruction of animals running at large. Any animal found running at large may be impounded and disposed of pursuant to state law. If the animal cannot be seized it may be destroyed by the police officer or other designated officer. (Code 1980, § 3-111)

Sec. 10-11. - Dyed baby fowl and rabbits.

- (a) It is unlawful for any person to:

(1) Sell, offer for sale, barter or give away baby chickens, ducklings or goslings of any age, or rabbits under two months of age, as pets, toys, premiums or novelties, if such fowl or rabbits have been colored, dyed, stained or otherwise had their natural color changed; or

(2) Bring or transport such fowl or rabbits into the city for such purposes.

(b) This section shall not be construed to prohibit the sale or display of such baby chickens, ducklings or other fowl or rabbits in proper facilities by breeders or stores engaged in the business of selling for purposes of commercial breeding and raising or laboratory testing.

(c) Each such baby chicken, duckling, other fowl or rabbit sold, offered for sale, bartered or given away in violation of this section constitutes a separate offense. State law reference— Similar provisions, T.C.A. § 39-14-204(a).

Sec. 10-12. - Enforcement equipment provided by council. The city council shall provide the necessary physical equipment for the enforcement of this chapter. (Code 1980, § 3-211)

Sec. 10-13. - Violations. It shall be unlawful for any person to violate or fail to comply with any provision of this chapter.

Sec. 10-14. - Animal waste. The owner or other such person in control of every animal shall be responsible for the removal of any excreta deposited by his/her animal(s) on any public property (including but not limited to sidewalks, streets and recreation areas) or deposited on private property. (Ord. No. 95-61, § I, 11-7-95)

Elizabethton

10-101. Running at large prohibited. It shall be unlawful for any person owning or being in charge of any cows, swine, sheep, horses, mules, goats, or any chickens, ducks, geese, turkeys, or other domestic fowl, cattle, or livestock, to permit any of them to run at large in any street, alley, or unenclosed lot within the corporate limits. (1982 Code, § 3-101)

10-102. Keeping near a residence or business restricted. No person shall keep any animal or fowl enumerated in the preceding section within one thousand (1,000) feet of any residence or place of business without a permit from the health officer. The health officer shall issue a permit only when in his sound judgment the keeping of such an animal in a yard or building under the circumstances as set forth in the application for the permit will not injuriously affect the public health. Any person aggrieved by the health officer's decision in such case may appeal the same to the city council. (1982 Code, § 3-102)

Morristown

10-108. Restrictions on keeping animals and fowls within the city.

(1) No person shall keep any animal or fowl, other than domestic dogs and cats, within one thousand (1,000) feet of any residence, place of business, or public street.

(2) When any animals or fowl are kept within the town, the building, structure, corral, pen, or other enclosures in which they are kept shall be at all times maintained in a clean and sanitary condition and free from excessive odor. When any animal is confined by the use of a chain, the chain must be a minimum of fifteen (15) feet in length, and must be attached to the animal by an appropriate collar or harness, and must remain free from possible entanglement. (Ord. #2592, Feb. 1990)

Cleveland (No prohibition against keeping fowl inside city limits)

10-101. Running at large prohibited. It shall be unlawful for any person owning or being in charge of any cows, sheep, horses, mules, goats, dogs, cats, chickens, ducks, geese, turkeys, or other domestic fowl,

cattle, or livestock, knowingly or negligently to permit any of them to run at large in any street, alley, or unenclosed lot within the corporate limits.

Any person, including its owner, knowingly or negligently permitting an animal to run at large may be prosecuted under this section even if the animal is picked up and disposed of under other provisions of this chapter, whether or not the disposition includes returning the animal to its owner. (1981 Code, § 5-51, modified, as amended by Ord. of 7/23/2001)

10-102. Swine prohibited. Swine are prohibited within the corporate limits.

10-103. Pen or enclosure to be kept clean. When animals or fowls are kept within the corporate limits, the building, structure, corral, pen, or enclosure in which they are kept shall at all times be maintained in a clean and sanitary condition. (1981 Code, § 5-92, modified)

10-104. Adequate food, water, and shelter, etc., to be provided. No animal or fowl shall be kept or confined in any place where the food, water, shelter, and ventilation are not adequate and sufficient for the preservation of its health and safety.

All feed shall be stored and kept in a rat-proof and fly-tight building, box, or receptacle.

It shall be unlawful for any person to beat or otherwise abuse or injure any dumb animal or fowl. (1981 Code, §§ 5-91 and 5-93, modified)

10-105. Keeping in such manner as to become a nuisance prohibited. No animal or fowl shall be kept in such a place or condition as to become a nuisance because of either noise, odor, contagious disease, or other reason.

10-106. Seizure and disposition of animals. Any animal or fowl found running at large or otherwise being kept in violation of this chapter may be seized by any police officer or other properly designated officer or official and confined in a shelter provided or designated by the city council. If the owner is known, the owner shall be given notice of the seizure in person, by telephone, or by a postcard addressed to the owner's last known mailing address. If the owner is not known or cannot be located, then no notice is required to be sent to the owner. If the owner is known, an impounded animal or fowl will be held for a period of five (5) days from its seizure before it is disposed of in accordance with this section. If the owner is not known, an impounded animal or fowl will be held for a period of three (3) days from its seizure before it is disposed of in accordance with this section. If the animal or fowl is not claimed within the applicable time period after its seizure, then the animal will be sold, adopted or humanely destroyed, or it may otherwise be disposed of as authorized by the city council. If an animal is claimed by its owner, then the owner must pay the shelter its costs. The shelter shall collect from each person claiming an impounded animal or fowl reasonable fees, in accordance with a schedule approved by the city council, to cover the costs of impoundment and maintenance. (1981 Code, § 5-52, as replaced by Ord. #2005-05, March 2005)

LaFollette

10-101. Running at large prohibited. It shall be unlawful for any person owning or being in charge of any cows, swine, sheep, horses, mules, goats, or any chickens, ducks, geese, turkeys, or other domestic fowl, cattle, or livestock, to knowingly or negligently permit any of them to run at large in any street, alley, or unenclosed lot within the corporate limits. (1975 Code, § 3-101)

10-102. Keeping near a residence or business restricted. No person shall keep any animal or fowl enumerated in the preceding section within one thousand (1,000) feet of any residence, place of business, or public street, without a permit from the health officer. The health officer shall issue a permit only when

in his sound judgment the keeping of such an animal in a yard or building under the circumstances as set forth in the application for the permit will not injuriously affect the public health. (1975 Code, § 3-102)

Pigeon Forge

10-101. Running at large prohibited. It shall be unlawful for any person owning or being in charge of any cows, swine, sheep, horses, mules, or goats, or any chickens, ducks, geese, turkeys, or other domestic fowl, cattle, or livestock, knowingly or negligently to permit any of them to run at large in any street, alley, or unenclosed lot within the corporate limits. (1979 Code, § 3-101)

10-102. Keeping near a residence or business restricted. No person shall keep any animal or fowl enumerated in the preceding section to come within one thousand (1,000) feet of any residence, place of business, or public street without a permit from the health officer. The health officer shall issue a permit only when in his sound judgment the keeping of such an animal in a yard or building under the circumstances as set forth in the application for the permit will not injuriously affect the public health. (1979 Code, § 3-102)

Gatlinburg

10-101. Running at large prohibited. It shall be unlawful for any person owning or being in charge of any cows, swine, sheep, horses, mules or goats, or any chickens, ducks, geese, turkeys, or other domestic fowl, cattle, or livestock, to knowingly or negligently permit any of them to run at large in any street, alley, or unenclosed lot within the corporate limits. (1976 Code, § 3-101)

10-102. Keeping near a residence or business restricted. No person shall keep any animal or fowl enumerated in the preceding section within three hundred (300) feet of any residence, place of business, or public street, without a permit from the city. The city shall issue a permit only when in his sound judgment the keeping of such an animal in a yard or building under the circumstances as set forth in the application for the permit will not injuriously affect the public health. Provided that, swine may be kept within the corporate limits at any recognized stock show for a duration of not more than one week, or when such animals are kept at a licensed slaughter house or recognized stockyard for not more than four days. Provided further that such swine shall be kept not less than five hundred (500) feet from any street, park, playground, school, church or similar activity or any residential building, business or industrial enterprise. (1976 Code, § 3-102, modified)

Oak Ridge

10-101. Definitions. The following definitions shall apply in the interpretation and enforcement of this chapter unless it is apparent from the context that a different meaning is intended:

(10) "Fowl." The term "fowl" means any wild or domesticated bird.

(13) "Livestock." The term "livestock" means all farm animals, including but not limited to cattle, horses, pigs, fowl, sheep, goats and mules.

10-114. Keeping or possessing livestock. It is unlawful for any person to keep or possess livestock, including pigs and goats, within the city.

This section is inapplicable to areas zoned for livestock, provided the owner complies with the conditions set forth in the zoning ordinance. (Ord. #15-99, Aug. 1999)

10-116. Condition for sales of certain animals. (1) Fowl or rabbits younger than eight (8) weeks of age may not be sold in quantities of less than twenty-five (25) to a single purchaser.

(2) No person shall give away any live animal, including fish, reptile or bird, as a prize for, or as an inducement to enter, any contest, game, or other competition, or as an inducement to enter a place of amusement; or offer such animal as an incentive to enter any business agreement whereby the offer was for the purpose of attracting trade.

(3) No person shall sell, offer for sale or give away any dog or cat under six (6) weeks of age. (Ord. #15-99, Aug. 1999)

10-117. Dyed baby fowl and rabbits. (1) It is unlawful for any person to:

(a) Sell, offer for sale, barter or give away baby chickens, ducklings or goslings of any age, or rabbits under two (2) months of age, as pets, toys, premiums or novelties, if such fowl or rabbits have been colored, dyed, stained or otherwise had their natural color changed; or

(b) Bring or transport such fowl or rabbits into the city for such purposes.

(2) This section shall not be construed to prohibit the sale or display of such baby chickens, ducklings, or other fowl or rabbits in proper facilities by breeders or stores engaged in the business of selling for purposes of commercial breeding and raising or laboratory testing.

(3) Each such baby chicken, duckling, other fowl or rabbit sold, offered for sale, bartered or given away in violation of this section constitutes a separate offense. (Ord. #15-99, Aug. 1999, as replaced by Ord. #17-06, Sept. 2006)

Knoxville

Sec. 5-107. Domesticated chickens.

(a) Purpose. The purpose of this section is to provide standards for the keeping of domesticated chickens. It is intended to enable residents to keep a small number of female chickens on a noncommercial basis while limiting the potential adverse impacts on the surrounding neighborhood. The city recognizes that adverse neighborhood impacts may result from the keeping of domesticated chickens as a result of noise, odor, unsanitary animal living conditions, unsanitary waste storage and removal, the attraction of predators, rodents, insects, or parasites, and non-confined animals leaving the owner's property. This section is intended to create licensing standards and requirements that ensure that domesticated chickens do not adversely impact the neighborhood surrounding the property on which the chickens are kept.

(b) Permit required. An annual permit is required for the keeping of any domesticated chickens.

Additionally, a building permit is required for the construction of a henhouse and chicken pen.

(1) The annual permit to keep chickens is personal to the permittee and may not be assigned. In addition, the permit authorizes the keeping of chickens only upon the property described in the permit. The permittee must occupy the residence on the property where the chickens are kept as the permittee's personal, primary residence. An applicant for a permit must either own the property or have permission from the property owner to be eligible for a permit. Only one (1) permit is allowed per permittee. In the event the permittee is absent from the property for longer than thirty (30) days, the permit automatically shall terminate and become void. The issuance of a permit does not create a vested right to renewal of the permit beyond the stated term thereof.

(2) The first permit year shall extend from the date of issuance through December 31, 2010.

Thereafter the permit year shall be January 1 through December 31.

(c) Fees. The fee for an annual permit to keep chickens is twenty-five dollars (\$25.00). In addition, a fifty dollar (\$50.00) fee shall be required for the building permit for the construction of a henhouse and fenced enclosure.

(d) Number and type of chickens allowed.

(1) Up to six (6) chickens may be allowed. The provisions of this section apply to all lots regardless of how many dwelling units are on the lot. In the case of multifamily residential complexes without individually owned back yards, the maximum number of chickens allowed is six (6) per complex.

(2) Only female chickens (hereinafter "hens") are allowed. There is no restriction on domestic chicken breeds. However, fowl and poultry other than chickens are not allowed.

(e) Noncommercial use only. Hens shall be kept for personal use only; no person shall sell eggs or engage in chicken breeding or fertilizer production for commercial purposes. The slaughtering of chickens is prohibited.

(f) Fenced enclosures and henhouses.

(1) Hens must be kept in a fenced enclosure at all times. The fenced enclosure must be either: (i) covered, or (ii) at least forty-two (42) inches high, in which case, all hens must be wing-clipped to prevent escape. Hens shall be secured within the henhouse during non-daylight hours.

(2) In addition to the fenced enclosure, hens shall be provided with a covered, predator-resistant henhouse.

(3) A minimum of two (2) square feet per hen shall be provided for henhouses and six (6) square feet per bird for fenced enclosures.

(4) Fenced enclosures and henhouses must be properly ventilated, clean, dry, and odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact.

(5) The henhouse and fenced enclosure must provide adequate ventilation and adequate sun, shade and must be constructed in a manner to resist access by rodents, wild birds, and predators, including dogs and cats.

(6) Henhouses shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator- and bird-resistant wire of less than one (1) inch openings.

(7) The materials used in making the henhouse and fence shall be uniform for each element of the structure such that the walls are made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials. The henhouse shall be well-maintained.

(8) Henhouses shall be located in compliance with the City of Knoxville Code of Ordinances, appendix B, zoning regulations.

(9) Neither the henhouse nor the fenced enclosure may be located less than ten (10) feet from any abutting property line.

(10) Henhouses and enclosures shall not be permitted in front yards.

(g) Food storage and removal. All stored food for the hens must be kept either indoors or in a weather-resistant container designed to prevent access by animals. Uneaten food shall be removed daily.

(h) Waste storage and removal. Provision must be made for the storage and removal of chicken manure. All manure for composting or fertilizing shall be contained in a well-aerated garden compost pile. All other manure not used for composting or fertilizing shall be removed. In addition, the henhouse and surrounding area must be kept free from trash and accumulated droppings.

(i) [All other rules of this code apply.] In addition to the standards set forth in this ordinance, the permittee must follow all other applicable rules for the keeping of animals included in this code.

(j) Application for permit. Every applicant for a permit to keep domesticated hens shall:

(1) Complete and file an application on a form prescribed by the animal control unit;

(2) Deposit the prescribed permit fee with the animal control office at the time the application is filed. Any material misstatement or omission shall be grounds for denial, suspension or revocation of the permit.

(k) Approval of permit. The animal control board shall issue a permit if the applicant has demonstrated compliance with the criteria and standards in this section.

(l) Denial, suspension or revocation of permit. The animal control board shall deny a permit if the applicant has not demonstrated compliance with all provisions of this section. A permit to keep domesticated hens may be suspended or revoked by the animal control board where there is a risk to public health or safety or for any violation of or failure to comply with any of the provisions of this section or with the provisions of any other applicable ordinance or law. Any denial, revocation or suspension of a permit shall be in writing and shall include notification of the right to and procedure for appeal.

(m) Penalty. In addition to any other enforcement action which the city may take, violation of any provision of this section shall be a civil violation and a fine not exceeding fifty dollars (\$50.00) may be imposed. Each day that a violation continues will be treated as a separate offense.

(n) Separability. In the event that any portion of this section shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other portion of this section.

(Ord. No. O-116-2010, § 2, 8-24-10)