

TITLE 10

ANIMAL CONTROL¹

CHAPTER

1. IN GENERAL.
2. DOGS AND CATS.
3. NORRIS WATERSHED HUNTING ACT OF 1984.
4. DELETED.

CHAPTER 1

IN GENERAL

SECTION

10-101. Area designated as a wildlife sanctuary.

10-101. Area designated as a wildlife sanctuary. The entire area within the corporate limits of the city on and to the south of Clear Creek Road from the point of intersection of Norris Dam Reservation to the point where this road intersects the corporate boundary line north of the junction of the Clear Creek Road and Andersonville Road (FAS 2475), is hereby designated as a sanctuary for wild mammals and birds. It shall be unlawful, except by federal and state banding permits, to trap, hunt, shoot, or attempt to shoot, or molest, or harass in any manner any wild bird or wild mammal or to rob wild birds' nests. When any species of wild bird or mammal is found to be congregating in such numbers in a particular locality that they constitute a nuisance or menace to health or property and if such are so declared by qualified authorities to be creating a public nuisance or menace, and the city manager be so informed, appropriate action may be determined and carried out by official or officials designated by the city manager.

A qualified authority is any one of the following:

- (1) The state fish and game officer responsible for Anderson County.
- (2) The state fish and game district biologist. (1972 Code, § 3-101)

¹Charter reference

Authority to regulate, tax, and license animals: art. IV, § 31.

CHAPTER 2

DOGS AND CATS

SECTION

- 10-201. Definitions of words and phrases.
- 10-202. Licensing requirements.
- 10-203. Confinement of female dogs and cats "in season."
- 10-204. Vicious dogs and cats to be securely restrained.
- 10-205. Seizure and redemption of dogs and cats generally.
- 10-206. Miscellaneous provisions for protection of dogs and cats.
- 10-207. Remuneration of persons damaged while enforcing chapter.
- 10-208. Dogs and cats running at large prohibited.
- 10-209. Authority to declare quarantines.
- 10-210. Confinement of dogs and cats suspected of being rabid.
- 10-211. License, impoundment and animal control fees.
- 10-212. Noisy animals.
- 10-213. Destruction of vicious or infected dogs and cats running at large.
- 10-214. Spay, neuter law enacted.

10-201. Definitions of words and phrases. For the purposes of this chapter, the following words and phrases shall have the definitions indicated:

(1) "Dog" or "Cat" as commonly used and to give this chapter its most reasonable application.

(2) "Owner" any person, firm, or corporation owning, harboring, or keeping a dog or cat. The occupant of any premises on which a dog or cat remains or to which it customarily returns is presumed to be the owner of the dog or cat.

(3) "Animal control officer" any official trained and designated as such, whose pay shall be set by council along with other animal control fees. Duties and responsibilities shall be prepared by the city manager and approved by city council.

(4) "At large" means to be off the premises of the owner or a member of his immediate family except by means of a leash; but a dog or cat upon or within an automobile of its owner shall be deemed upon the owner's premise.

(5) "Leash" a cord, thong, or chain, by which a dog is controlled by the person accompanying it.

(6) "License" when used as an adjective, noun, or verb shall be construed and interpreted in accordance with the Norris City Charter, art. IV, § 21.

(7) "Stray dog or cat" any dog or cat that has no apparent owner or one that has migrated from outside the Norris city limits.

(8) "In season" or "In heat" means that periodic manifestation of the natural reproductive function during which unspayed female dogs or cats become extraordinarily attractive to male dogs or cats.

(9) "Spayed female" a female dog or cat which has been rendered sexually sterile by surgical means.

(10) "A vicious dog or cat" one which has maliciously and without provocation attacked and bitten a human being.

(11) "Neutered male" a male dog or cat which has been rendered sexually sterile by surgical means. (1972 Code, § 3-201)

10-202. Licensing requirements. (1) Every dog and cat over three months of age having been kept within the corporate limits of the City of Norris at least thirty (30) days shall be required to be licensed yearly.

(2) Licenses shall be issued and sold by the city manager and local veterinarians as designated by the city manager only after the owner presents satisfactory proof that the dog or cat has received, from a licensed veterinarian, an anti-rabies inoculation pursuant to Tennessee Code Annotated, §§ 68-8-101 through 68-8-114. Each owner shall be provided with a suitable metal or permanent type tag as well as a certificate and receipt for the license fee. Said tag shall bear the name of the City of Norris, a serial number, and shall indicate the year for which issued. The shape of such metal or permanent type tag shall be distinctive and shall be changed from year to year.

(3) The certificate issued with each license tag shall contain the following information concerning the dog or cat:

- (a) Owners name, address, and telephone number.
- (b) Breed.
- (c) Sex.
- (d) Age.
- (e) Color.
- (f) Markings.
- (g) Name.

A copy of each per numbered certificate shall be retained by the city manager. The veterinarian issuing licenses shall within ten (10) days furnish the city manager with a copy of the issued license.

(4) The license tag shall be securely fastened upon a collar which shall be kept on the dog or cat at all times, and any dog or cat not bearing a license tag shall be deemed to be unlicensed.

(5) In case of the loss of a duly issued dog or cat license tag, the owner shall immediately report the loss to the city manager who shall issue a duplicate or replacement tag.

(6) In order to be charged the spayed/neutered fee, as opposed to the higher nonspayed/neutered fee, proof of the spaying/neutering must be presented in writing from a veterinarian.

(7) The license period under this section shall be yearly from date of issue. (1972 Code, § 3-202; and replaced by Ord. #448, Sept. 1998)

10-203. Confinement of female dogs and cats "in season." All female dogs and cats within the city shall, upon coming "in season," be kept inaccessible to male dogs and cats for a minimum period of twenty eight (28) days, beginning the first day that evidence of attraction is noticeable. Any dog or cat not so kept shall constitute a nuisance which shall be abated according to Tennessee Code Annotated, §§ 44-8-410 and 44-8-411. (1972 Code, § 3-203)

10-204. Vicious dogs and cats to be securely restrained. It shall be unlawful for any person to own or keep any dog or cat known to be vicious or dangerous unless such dog or cat is so confined and/or otherwise securely restrained as to provide reasonably for the protection of other animals and persons. (1972 Code, § 3-204)

10-205. Seizure and redemption of dogs and cats generally.

(1) The animal control officer shall be primarily responsible for seizing any stray or vicious dog or cat in the city or any dog or cat found at large in violation of this chapter.

(2) Dogs and cats so seized shall be detained in Norris for at least three days but not more than seven days, unless conditions warrant a longer stay as determined by the city manager, if properly licensed (or there are other means to identify the resident owner) and the owner shall be notified. Redemption fees will be in accordance with the policies established by city council under "animal control fees".

(3) Seized animals whose owners cannot be reasonably identified will be taken to the Oak Ridge Animal Shelter.

(4) When the animal control officer is off-duty the public safety officer on duty shall respond to complaints of vicious or rabid animals and take appropriate action.

(5) The animal control officer shall perform his duties in compliance with the job description provided by the city manager and approved by city council. (1972 Code, § 3-205)

10-206. Miscellaneous provisions for protection of dogs and cats.

(1) All dogs and cats within the City of Norris are hereby declared to be personal property and subjects of larceny. It shall be unlawful for any person, except an officer or authorized agent of the city, deliberately or by any means to kill, injure or detain any dog or cat (unless it is being detained for the sole purpose of expeditiously turning the animal over to its owner or the authorities) which is duly licensed for the current year.

(2) In case of accidental destruction or injury to a dog or cat, the person or persons causing such destruction or injury shall immediately report the same to the owner, or to the city police, giving his name and address.

(3) It shall be unlawful for any person to place any poison of any description in any place, on his own premises or elsewhere, where it may be easily found and/or taken by dogs or cats.

(4) It shall be unlawful for any person to subject any dog or cat, either his own or belonging to another, to any treatment which may reasonably be considered inhumane. (1972 Code, § 3-206)

10-207. Remuneration of persons damaged while enforcing chapter. The animal control officer or others having sustained damage through the enforcement of this chapter may be remunerated in the amount of such damage from otherwise unappropriated funds. (1972 Code, § 3-207)

10-208. Dogs and cats running at large prohibited. It shall be unlawful for any person to allow a dog or cat belonging to him, or under his control, or that may be habitually found on premises occupied by him, or immediately under his control, to be at large (§ 10-201(4)) upon the premises of another, or upon a highway or upon a public road or street. The foregoing shall not apply to a dog in that section of the City of Norris north of Clear Creek Road from the point of intersection of Norris Dam Reservation to the point where this road intersects the corporate boundary line north of the junction of the Clear Creek Road and Andersonville Road (hunting or chasing is prohibited in all other areas of the city designated as a wildlife sanctuary by title 10, § 10-101). (1972 Code, § 3-208)

10-209. Authority to declare quarantines. City council shall have the power to declare, by resolution, quarantine periods of definite and reasonable duration whenever such quarantine seems necessary or desirable for the control of epidemic dog or cat diseases. (1972 Code, § 3-209)

10-210. Confinement of dogs and cats suspected of being rabid. If any dog or cat has bitten any person or is suspected of having bitten any person or is for any reason suspected of being infected with rabies, the animal control officer or any other properly designated officer or official may cause such dog or cat to be confined or isolated for such time as he deems reasonably necessary to determine if such dog or cat is rabid. (1972 Code, § 3-210)

10-211. License, impoundment and animal control fees. Fees charged by the city for licensing, impounding and animal control expenses shall be in accordance with a fee schedule set by the city council. (1972 Code, § 3-211)

10-212. Noisy animals. It shall be unlawful to keep any animal which by causing frequent or long continued noise shall disturb the comfort or repose of person(s) in the vicinity as regulated by § 11-211 of the Norris Municipal Code. (1972 Code, § 3-212)

10-213. Destruction of vicious or infected dogs and cats running at large. When, because of its viciousness or suspected infection with rabies, a dog or cat found running at large cannot be safely impounded it may be summarily destroyed by any public safety officer or other properly designated officer. (1972 Code, § 3-213)

10-204. Spay, neuter law enacted. (1) Every dog or cat adopted from the city animal control must have been spayed or neutered or the owner must agree to spay or neuter the animal within 30 days or within 30 days of when the animal reaches 6 months of age.

(2) A deposit of \$25.00 is required to ensure that the new owner neuters the animal.

(3) The deposit will be refunded when the owner presents proof of neutering.

(4) The City of Norris will retain the deposit if the owner fails to have the animal neutered or fails to request return of the deposit within 10 days after the neutering was required to be done.

(5) The city reserves the right to go to court to seek compliance.

(6) Animals claimed by owners within seven days of being taken into custody are not subject to the law. (as added by Ord. #459, Oct. 2000)

CHAPTER 3

NORRIS WATERSHED HUNTING ACT OF 1984

SECTION

- 10-301. Short title.
- 10-302. Definitions.
- 10-303. Authority to control hunting.
- 10-304. Compliance with applicable laws and ordinances.
- 10-305. Regulation by other agencies.
- 10-306. Special regulations applicable to deer hunting.
- 10-307. Penalties.
- 10-308. Interpretation.

10-301. Short title. The short title for this ordinance shall be known and may be cited as the "Norris Watershed Hunting Act of 1984." (1972 Code, § 3-301)

10-302. Definitions. For the purpose of this code, the following terms, phrases, words and their derivation shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural numbers. The word "shall" is always mandatory and not merely directory, and "may" is permissive. Words not defined shall be given their common and ordinary meaning.

- (1) "Board" is the Norris Watershed Board.
- (2) "City" is the City of Norris, Tennessee.
- (3) "Council" is the governing legislative body of the City of Norris, Tennessee.
- (4) "Sanctuary" is that portion of the watershed designated a wildlife sanctuary, marked thereby on official city maps, and posted thereby with perimeter signs stating wildlife sanctuary.
- (5) "Norris" means the present municipal corporation of Norris, together with any future annexation made pursuant to law. Also referred to as "city."
- (6) "Designated hunt" shall refer to each separate period of time whereby hunting is legally sanctioned by the State of Tennessee in that portion of Anderson County wherein lies the city of Norris, Tennessee.
- (7) "TWRA" is the Tennessee Wildlife Resources Agency. (1972 Code, § 3-302)

10-303. Authority to control hunting. The city warrants it has a right to control and regulate access to hunting and to other recreational purposes

within the municipal corporate limits and that the Norris Watershed is entirely within said limits. (1972 Code, § 3-303)

10-304. Compliance with applicable laws and ordinances. A person shall be subject to all lawful exercise of the police power by the city and to such reasonable regulations as the city shall hereafter by resolution or ordinance provide. Unless otherwise prohibited by state or federal law, or where jurisdiction has been or shall be conferred upon a state or federal body, the city reserves a right by ordinance or resolution to regulate such hunting as to permit fees, quotas; to promulgate rules and regulation and necessary supervisory procedures to ensure a safe and orderly hunt; and to adopt such other rules and regulations it may now or hereafter lawfully impose in keeping with and not in conflict with applicable state law. (1972 Code, § 3-304)

10-305. Regulation by other agencies. Any person shall be subject to lawful regulations heretofore or hereafter adopted by TWRA and also to the lawful rules and regulations adopted by any similar federal or state body having jurisdiction. If any person shall fail to comply with any federal and or state statute, rule, regulation, order, or condition lawfully vested the city shall have the right to terminate any permits granted. (1972 Code, § 3-305)

10-306. Special regulations applicable to deer hunting. The hunting of deer shall be permitted upon recommendation by the Watershed Board and approval of council for each season as may be legally set by TWRA, subject to all rules, regulations and limitations as may be imposed by TWRA. In addition to state and federal regulations the following special rules shall be in effect during each authorized hunt.

(1) Hunting will only be permitted using shotgun with slugs, archery and muzzle loading rifles. All other weapons shall be banned.

(2) Each person who hunts upon the watershed shall possess valid state license, tags, and/or stamps and a city permit. Such permits shall be valid for the length of time designated on the permit. Separate permits are required for each separate designated hunt.

(3) Permits shall be issued by the Norris Department of Public Safety. The number of permits and the permit fee shall be determined from time to time upon recommendation by the board and approval of council. Revenues derived from the sale of permits will be utilized by the board for enforcement of these regulations and/or for wildlife management activities.

(4) Certification of successful completion of a hunter safety course shall be required for all minors under the age of 18. For those 18 and over a certificate of completion of a hunter safety course is required, although for 1984 only a certification by the hunter that he/she is familiar with the generally recognized safety standards and procedures and will utilize these same standards and procedures during the course of deer hunting is acceptable.

(5) Hunting is strictly prohibited within the sanctuary south of Clear Creek.

(6) Within state regulations a bag limit for deer hunting is hereby established at one deer per hunter per year. All other appropriate state regulations on sex or bag limits shall apply.

(7) Camping and open fires are prohibited during designated hunts.

(8) Operation of motorized vehicles is confined to gravel, or dirt roads and designated areas. Driving into woods, fields, foot trails, or areas marked "no motorized vehicles" is prohibited.

(9) No species of wildlife may be molested except those authorized for the hunt and no animal killed shall be dismembered to the extent that its species and sex cannot be identified.

(10) No person shall damage or remove any trees or other plants, soil, gravel, rock, stone or sod from the watershed without specific authorization.

(11) The use of wire, nails or other metal materials is expressly prohibited in the building or attaching of climbing devices or hunting stands on or in trees. Hunting is prohibited from any stand permanently attached to a tree. (1972 Code, § 3-306)

10-307. Penalties. Violation of any state, federal, or Norris city regulations will abrogate all watershed use privileges of the violator for three consecutive years in addition to any fines or other penalties assessed by any court. Any person found to have violated any section of this ordinance may be fined up to \$50.00 for each separate violation. (1972 Code, § 3-307)

10-308. Interpretation. Where a condition imposed by a provision of this chapter is less restrictive than comparable conditions imposed by any other provision of this ordinance or any other ordinance, the provisions which are more restrictive shall govern. (1972 Code, § 3-309)

CHAPTER 4

DELETED

This chapter was deleted by Ord. #584, Sep. 2015.