

ORDINANCE NO. _____

An Ordinance to amend Title 10, Chapter 2 of the Crossville Municipal Code pertaining to Dogs by adding Section 10-202.1 Humane Restraint, Shelter, and Minimum Enclosure Guidelines

NOW, THEREFORE, BE IT ORDAINED by the City of Crossville, Tennessee as follows:

In order to enhance the quality of life of citizens and dogs and to protect the general public from damage and nuisance that may be caused by dogs confined outdoors,

- (A) No person shall tether, fasten, chain, tie, or restrain a dog, or cause a dog to be tethered, fastened, chained, tied, or restrained, to a dog house, tree, fence, or any other stationary object other than a spiral tie-out stake or permanently affixed anchor which allows 360 degrees of movement. Notwithstanding, a person may attach a dog to a running line, pulley, or trolley system. Any pulley or trolley system must be at least fifteen (15) feet in length and at least four (4) feet and no more than seven (7) feet off the ground.
- (B) The tether must allow the dog to easily stand, sit, lie, turn around, and make all other normal body movements in a comfortable normal position. Vinyl coated cable is the preferred and recommended material for tethering. (However, if a chain is used, no chain or tether shall weigh more than 1/8 of the animal's body weight and be appropriate for the size of the dog. Welded metal link chain with links larger than 7/64 inches in thickness cannot be used to tether an animal regardless of the length or weight of the chain.)
- (C) Any tether shall be at least twelve (12) feet in length and have swivels on both ends.
- (D) Any tether must be attached to a properly fitting buckle-type collar or harness worn by the animal. Choke collars and pinch collars are prohibited for purposes of tethering an animal to a spiral tie-out stake, pulley system or cable run. A person may not wrap tether around an animal's neck.
- (E) A tether used to restrain an animal must, by design and placement, be unlikely to become entangled with other objects or animals or from extending over an object or edge that could result in the strangulation or injury of the dog.
- (F) It shall be unlawful to tether any un-sterilized female dog during their 24-day period of fertility per TCA 44-8-410.
- (G) The dog cannot be tethered (or confined to an outdoor enclosure) during extreme weather, including, but not limited to, extreme heat or near-freezing temperatures, dangerous thunderstorms, ***unless adequate food, potable water, shade, shelter and protection is provided as outlined in this ordinance.*** Animals must have access to enter a dwelling during severe weather alerts from the National Weather Service (i.e., tornado watches, floods, etc.).
- (H) The animal, while restrained by a tether (or confined to an outdoor enclosure) shall have access to tip-proof potable (sanitary and liquid) water at all times, sufficient food and dry ground.
- (I) A dog may never be left tethered (or confined in an outdoor enclosure) and unattended on vacant or abandoned property.
- (J) A dog that has been declared dangerous **cannot** be tethered. A dog that is demonstrably aggressive cannot be tethered unless a competent adult is present for the duration of the tethering.
- (K) The following dogs may not be tethered: Sick or injured, pregnant, a female nursing pups, a dog less than six (6) months of age.
- (L) The animal (tethered or confined to an outdoor enclosure) must be kept in a clean, sanitary and healthy manner and not confined so as to be forced to stand, sit or lie in its own excrement; The animal must be able to defecate and urinate in an area separate from the area where it must eat, drink and lie down. The person(s) responsible for animal(s) shall regularly and as often as necessary to prevent odor or health and sanitation problems, maintain all animal areas or areas of animal contact and keep them free of sharp objects, trash, or debris.
- (M) Shade, separate from the shelter, either natural or manmade, shall be available at all times to a tethered dog, or a dog confined to an outdoor enclosure.

- (N) The animal, while restrained by tether or in an outdoor enclosure, shall have access to proper shelter at all times.
- (O) Proper shelter shall have a weatherproof roof, enclosed sides, a doorway, a solid floor raised at least two inches above the ground. No interior surfaces shall be metal. The shelter shall have an entryway that the dog can easily enter and sufficient in size for a dog to stand, turn around, lie down, and exit in a natural manner. The shelter shall have adequate ventilation and protection from temperature extremes at all times. The shelter shall be small enough to retain the animal's body heat and large enough to allow the animal to stand up and turn around comfortably. The enclosure shall be structurally sound and in good repair. Bedding, such as wood shavings, straw or other material, shall be provided in sufficient quantity for insulation. Bedding shall be kept dry.
- (P) Any dog confined within a permanent outdoor enclosure must have adequate space for exercise. A minimum of 100 square feet is required. Dogs over 75 pounds must have an additional 50 square feet. Seventy-five square feet is required for each additional dog kept within the same enclosed area. This requirement shall not apply to portable, temporary kennels.
- (Q) Any dog tethered or confined must be provided reasonable necessary medical care to prevent suffering, in addition to the required rabies.

Exceptions: Hunting Dogs as defined below:

Of hunting dogs. As used in this Paragraph, the term "hunting dog" means a dog actually used to lawfully hunt game in TN or another State of the United States under a valid hunting license issued by the State where the hunting occurred during the present year or the year previous, and with respect to a dog of less than eighteen (18) months of age, a dog that has had training toward hunting lawful game in TN or another state of the United States. The owner of the dog relying on the dog's status as a "hunting dog" under this paragraph may establish a prima facie case of such status by providing to a law enforcement officer with a sworn written statement setting forth the specific facts establishing that the dog is a "hunting dog" within the meaning of this paragraph. This exception shall not apply to unsterilized female dogs as noted in section F.

Of Working Dogs. As used in this Paragraph, the term "working dog" means a dog that functions in a herding, service, therapy, or K-9 capacity and is only exempt when working in that capacities.

Mayor

Council Member

Council Member

Council Member

Council Member

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney

Passed 1st Reading: _____

Passed 2nd Reading: _____

Passed 3rd Reading: _____