

# TOWN OF BRUCETON

209 Cheatham Street, Bruceton, TN 38317  
 Telephone: (731) 586-2401 Facsimile: (731) 586-2402

## APPLICATION FOR LIVESTOCK/ANIMAL PERMIT

<b>Date:</b>		<b>Permit No:</b>	
<b>Name of Owner:</b>		<b>Telephone No:</b>	
<b>Type of Livestock/ Animals</b>		<b>Number of Livestock/ Animals</b>	<b>Acreage</b>
<b>Description of where Animals are to be kept, including but not limited to fencing type and shelter.</b>			

We the undersigned Neighbors of \_\_\_\_\_ who reside at \_\_\_\_\_  
do hereby give our consent to this permit (attach separate sheet for more space).

Name	Address	Contact Telephone Number	Signature	Date

**CODE RESTRICTIONS:** If the requirements of Title 10, Chapter 1 of the Municipal Codes are not complied with, the Town may revoke any permit granted and/or initiate prosecution for a civil infraction violation. A person who has been issued a permit shall submit it for examination upon demand by any Town official including but not limited to Police Officer, Health Office, City Recorder. Notwithstanding the issuance of a permit by the Town, private restrictions on the use of the property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium mast deed restrictions, neighborhood association by-laws, and zoning and covenant deeds. A permit issued to a person whose property is subject to private restrictions that prohibit the keeping of animals is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

I understand the above restrictions on the permit and am submitting this application in compliance with Title 10 , Chapter 1 of the Municipal Code of the Town of Bruceton.

<b>Signature of Owner/Applicant</b>		<b>Date:</b>	
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**LIVESTOCK:** Cows, sheep, horses, goats, donkeys, burros, and mules, or any other similar animals whose mature size is approximately that of those set out herein. Also, chickens, ducks, geese, turkeys, or other domestic fowl.

It is unlawful to keep livestock within the town except by permit issued by the health officer or his designee under the terms and conditions set forth set below:

**A. Permit Requirements:** Any person desiring to keep livestock may make application to the health officer, at City Hall and shall supply proof that the applicant and premises comply with the following requirements, as well as certifying that he or she will comply with all the following conditions for maintaining the livestock. The health officer may deny a permit if the applicant has a record of failure to comply with the provision of this order. Additionally, the health officer may revoke any permit for failure to comply with any of the conditions or restrictions of the permit. Appeal of the denial or revocation may be made in writing to the Mayor and Board of Aldermen.

1. A maximum of two (2) animals defined as "livestock" may be allowed for each permit.
2. The minimum area required for each permit shall be 2 acres, of which seventy five percent (75%) shall be irrigated "pastureland" with full vegetative cover watered regularly so as to be kept in a healthy, green, and growing condition.
3. Any animal shelter or feeding facility shall be located not to cause undue harm, including violation Title 10, Chapter 1, section 10-105 of the Municipal Code, to the adjacent properties.
4. A permittee shall at all times maintain the acreage on which livestock are kept in a clean and sanitary condition.
5. A permittee shall at all times maintain any shelter or feeding facility for the livestock in a clean and sanitary condition.
6. A permittee is prohibited from maintaining the acreage as a commercial feedlot to prepare livestock for market.
7. The written consent of at least seventy five percent (75%) of the adult owners and occupants of all premises, excepting public lands, within one hundred feet (100') of the perimeter of the applicant's property must accompany the application.
8. Offspring may be kept on the property only until standard weaning age.

**B. Fees:** The initial fee for each livestock permit shall be set by the Mayor and Board of Aldermen. Thereafter, the permittee must pay an annual renewal fee as set by the Mayor and Board of Aldermen for each permit, accompanied by written notice of any change in number of livestock or amount of acreage. The health officer or his designee may perform inspections to verify the information provided, and deny any permit renewal for failure to comply with this restriction. All application fees are non-refundable.

**C. Transfer of Permit Prohibited:** No livestock permit may be transferred to any other person or location.

FOR OFFICE USE ONLY:			
Approved or Denied by Health Officer?		Date:	
Authorized Signature:		Date:	
Expiration Date:		Date Paid:	
Conditions/Special Restrictions:			



## TITLE 10

ANIMAL CONTROL

## CHAPTER

1. IN GENERAL.
2. DOGS.

## CHAPTER 1

IN GENERAL

## SECTION

- 10-101. Running at large prohibited.
- 10-102. Keeping near a residence or business restricted.
- 10-103. Pen or enclosure to be kept clean.
- 10-104. Adequate food, water, and shelter, etc., to be provided.
- 10-105. Keeping in such manner as to become a nuisance prohibited.
- 10-106. Cruel treatment prohibited.
- 10-107. Inspections of premises.

**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, knowingly or negligently 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, 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. (1982 Code, § 3-102)

**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. (1982 Code, § 3-103)

**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. (1982 Code, § 3-104)

**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. (1982 Code, § 3-105)

**10-106. Cruel treatment prohibited.** It shall be unlawful for any person to beat or otherwise abuse or injure any dumb animal or fowl. (1982 Code, § 3-106)

**10-107. Inspections of premises.** For the purpose of making inspections to insure compliance with the provisions of this title, the health officer, or his authorized representative, shall be authorized to enter, at any reasonable time, any premises where he has reasonable cause to believe an animal or fowl is being kept in violation of this chapter. (1982 Code, § 3-107)



**ORDINANCE NO. 06- 06**  
**TOWN OF BRUCETON, TENNESSEE**

**AN ORDINANCE AMENDING TITLE TEN, CHAPTER TWO**  
**OF THE BRUCETON MUNICIPAL CODE**  
**RELATIVE TO ANIMAL CONTROL, DOGS AND CATS**

**SECTION I.** BE IT ORDAINED BY THE MAYOR AND THE BOARD OF  
ALDERMEN of the Town of Bruceton, Tennessee, that:

Title 10, Chapter 2, of the Bruceton Municipal Code shall be amended by deleting  
the Chapter in its entirety and by substituting in lieu thereof the following words and  
symbols:

**CHAPTER 2**

**DOGS AND CATS**

SECTION

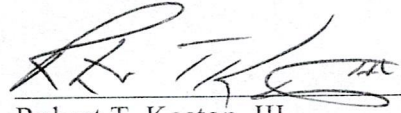
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|---------|---|
| 10-201. | Rabies vaccination and registration required.         |
| 10-202. | Dogs and cats to wear tags.                           |
| 10-203. | Running at large prohibited.                          |
| 10-204. | Vicious dogs to be securely restrained.               |
| 10-205. | Noisy dogs or cats prohibited.                        |
| 10-206. | Confinement of dogs or cats suspected of being rabid. |
| 10-207. | Seizure and disposition of dogs and cats.             |

10-201. Rabies vaccination and registration required. It shall be unlawful for any person to own, keep, or harbor any dog or cat without having the same duly vaccinated against rabies and registered in accordance with the provisions of the "Tennessee Anti-Rabies Law" (Tennessee Code Annotated, §§68-8-101 through 68-8-114) or other applicable law. (1982 Code, §3-201)

10-202. Dogs and cats to wear tags. It shall be unlawful for any person to own, keep or harbor any dog or cat which does not wear a tag evidencing the vaccination and registration required by the preceding section. (1982 Code, §3-202)

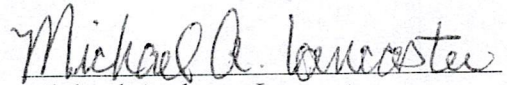
10-203. Running at large prohibited. It shall be unlawful for any person knowingly to permit any dog or cat owned by him or under his control to run at large within the corporate limits. (1982 Code, §3-203)

Dated this 14<sup>TH</sup> day of NOVEMBER, 2006.



Robert T. Keeton, III  
Mayor

ATTEST:



Michael Anthony Lancaster  
Town Recorder

Passed on First Reading: 10-10-06

Passed on Second Reading: 11-14-06



**COPY**

RESOLUTION 98-3-10

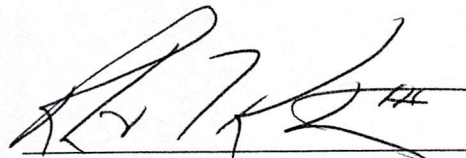
A RESOLUTION ESTABLISHING A DOG POUND FEE

WHEREAS, §3-207 of the Bruceton Municipal Code provides that the Board of Mayor and Aldermen shall set a reasonable pound fee for dogs seized pursuant to Chapter 3 thereof; and

WHEREAS, the cost of impounding animals is significant;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF BRUCETON, TENNESSEE, that the pound fee for dogs seized pursuant to Chapter 3 of the Bruceton Municipal Code is set at FIFTY (\$50.00) DOLLARS per animal.

Dated this 10<sup>th</sup> day of March, 1998.



Robert T. Keeton III  
Mayor

ATTEST:

Michael A. Lancaster  
Michael Anthony Lancaster  
Town Recorder

## CHAPTER 2

DOGS

## SECTION

- 10-201. Rabies vaccination and registration required.
- 10-202. Dogs to wear tags.
- 10-203. Running at large prohibited.
- 10-204. Vicious dogs to be securely restrained.
- 10-205. Noisy dogs prohibited.
- 10-206. Confinement of dogs suspected of being rabid.
- 10-207. Seizure and disposition of dogs.

10-201. Rabies vaccination and registration required. It shall be unlawful for any person to own, keep, or harbor any dog without having the same duly vaccinated against rabies and registered in accordance with the provisions of the "Tennessee Anti-Rabies Law" (Tennessee Code Annotated, §§ 68-8-101 through 68-8-114) or other applicable law. (1982 Code, § 3-201)

10-202. Dogs to wear tags. It shall be unlawful for any person to own, keep, or harbor any dog which does not wear a tag evidencing the vaccination and registration required by the preceding section. (1982 Code, § 3-202)

10-203. Running at large prohibited.<sup>1</sup> It shall be unlawful for any person knowingly to permit any dog owned by him or under his control to run at large within the corporate limits. (1982 Code, § 3-203)

10-204. Vicious dogs to be securely restrained. It shall be unlawful for any person to own or keep any dog known to be vicious or dangerous unless such dog is so confined and/or otherwise securely restrained as to provide reasonably for the protection of other animals and persons. (1982 Code, § 3-204)

10-205. Noisy dogs prohibited. No person shall own, keep, or harbor any dog which, by loud and frequent barking, whining, or howling, annoys, or disturbs the peace and quiet of any neighborhood. (1982 Code, § 3-205)

10-206. Confinement of dogs suspected of being rabid. If any dog has bitten any person or is suspected of having bitten any person or is for any reason suspected of being infected with rabies, the health officer or chief of

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<sup>1</sup>State law reference

Tennessee Code Annotated, §§ 68-8-108 and 68-8-109.



police may cause such dog to be confined or isolated for such time as he deems reasonably necessary to determine if such dog is rabid. (1982 Code, § 3-206)

**10-207. Seizure and disposition of dogs.** Any dog found running at large may be seized by the health officer or any police officer and placed in a pound provided or designated by the board of mayor and aldermen. If said dog is wearing a tag the owner shall be notified in person, by telephone, or by a postcard addressed to his last-known mailing address to appear within five (5) days and redeem his dog by paying a reasonable pound fee, in accordance with a schedule approved by the board of mayor and aldermen, or the dog will be humanely destroyed or sold. If said dog is not wearing a tag it shall be humanely destroyed or sold unless legally claimed by the owner within two (2) days. No dog shall be released in any event from the pound unless or until such dog has been vaccinated and had a tag evidencing such vaccination placed on its collar.

When, because of its viciousness or apparent infection with rabies, a dog found running at large cannot be safely impounded it may be summarily destroyed by the health officer or any policeman.<sup>1</sup> (1982 Code, § 3-207)

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<sup>1</sup>State law reference

For a Tennessee Supreme Court case upholding the summary destruction of dogs pursuant to appropriate legislation, see Darnell v. Shapard, 156 Tenn. 544, 3 S.W.2d 661 (1928).

RESOLUTION NO. 13- 01-08

**RESOLUTION ADJUSTING THE  
POUND FEE CHARGED FOR SEIZED ANIMALS**

WHEREAS, it appearing to the Town that the pound fee charged for housing of seized animals by the Town of Bruceton should be increased to offset costs and that an increase in the pound fee is in the Town's best interest.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Bruceton that the fee charged pursuant to BMC 10-207 for impounded animals shall be set at \$50.00 for each animal seized, with an additional \$20.00 per day charge for each day the animal is in the pound. The per day charge is assessed at 8 a.m. each day following the date of the seizure. Any cost for veterinary treatment for the animal shall be added to the owner's pound fee.

DATED, this 8<sup>th</sup> day of January, 2013.

Robert N. Scott  
Mayor

ATTEST:

Kimberly R. Owens  
Town Recorder

Approved as to Form:

Michael U. King  
Michael U. King, Town Attorney

**COPY**



## TOWN OF BRUCETON POLICY FOR SEIZURE AND RETURN OF DOGS

### SEIZURE AND DISPOSITION OF DOGS:

1. All dogs found running at large within the city limits are to be seized.
2. If the animal has a tag, the owner is to be contacted.
3. If the owner is known, BPD is to be contacted to determine whether to issue a citation for running at large in violation of BMC 10-203. The citation should be given at the time notice of the seizure is provided.
4. If a dog is vicious or infected with rabies then it may be summarily destroyed by the health officer or any policeman, if it cannot be safely impounded.
5. If a dog has a tag, notice is to be given to the owner in person, by mail to the last known address or by telephone. If the owner does not appear and redeem the dog within 5 days from the date of the notice, the dog may be humanely destroyed or sold.
6. If the dog does not have a tag, it shall be destroyed or sold unless claimed within 2 days of being seized.
7. If the dog has bitten someone or is believed to be rabid, the dog may be confined or isolated for such time as is reasonably necessary to determine if the animal is rabid.

### RETURN OF ANIMALS:

1. Prior to the return of an animal. The owner shall provide proof that the animal is vaccinated against rabies and registered in accordance with the provisions of the Tennessee Anti-Rabies Law. If the animal does not have its vaccinations, the owner may arrange for the animal to be vaccinated at his/her own expense. **The owner shall place a tag evidencing the vaccination on the dogs collar prior to removing the dog from the pound.**
2. **BPD should be contacted** to serve any citation for running at large at the time the dog is picked up, if not previously issued and served.
3. **All pound fees must be paid**, including any expenses associated with veterinary treatment.

ORIGINAL

ORDINANCE NO. 03- 08  
TOWN OF BRUCETON, TENNESSEE

AN ORDINANCE AMENDING TITLE 10 CHAPTER 1 OF THE  
BRUCETON MUNICIPAL CODE RELATIVE TO ANIMALS BEING  
KEPT IN THE TOWN

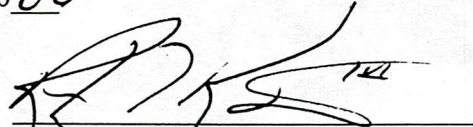
BE IT ORDAINED BY THE MAYOR AND THE BOARD OF ALDERMEN  
OF THE TOWN OF BRUCETON, TENNESSEE:

**Section 1.** That there is added to the Bruceton Municipal Code to be codified as  
Title 10, Chapter 1, Section 108 thereof the following words and symbols:

10-108. Keeping of wildlife or exotic animals prohibited. It is unlawful for any  
person or entity to keep, or allow to be kept or to possess within the Town any  
live wildlife or exotic animal as is classified or described in Title 70 of  
Tennessee Code Annotated or its successor provisions except that any such  
animal may be possessed at a zoo, circus, educational exhibit or the like if  
otherwise lawful. In addition to any penalty provided by law the health officer  
shall seize said animal and deliver the same to the Tennessee Wildlife Resources  
Agency.

**Section 2.** That the effective date of this ordinance is January 1, 2004.

Adopted this 9<sup>TH</sup> day of DECEMBER 2003



Robert T. Keeton III  
Mayor

Michael A. Lancaster  
Michael Anthony Lancaster  
Town Recorder