

ORDINANCE

AN ORDINANCE OF THE COMMISSION OF
KNOX COUNTY, TENNESSEE, AMENDING
KNOX COUNTY CODE, CHAPTER 6, ARTICLE II
ENTITLED "ANIMAL CONTROL" TO AMEND
SECTION 6-31, "DEFINITIONS", BY ADDING
A DEFINITION OF THE TERM "EXTREME
WEATHER CONDITIONS"; TO AMEND SECTION 6-44,
"ANIMAL CARE AND MANNER OF KEEPING", TO
REVISE PORTIONS OF THE MINIMUM CARE
REQUIREMENTS; TO AMEND SECTION 6-46,
"IMPOUNDMENT", TO PROVIDE THAT EXPENSES
INCURRED FOR VETERINARY CARE AND TREATMENT
SHALL BE THE RESPONSIBILITY OF THE OWNER;
TO AMEND VARIOUS SECTIONS OF CHAPTER 6,
ARTICLE II, DIVISION 1 TO REFLECT THAT THE
KNOX COUNTY ANIMAL CONTROL DIVISION IS
UNDER THE KNOX COUNTY SHERIFF'S OFFICE;
AND TO AMEND SECTION 6-47, "VIOLATIONS;
CIVIL INFRACTIONS; CIVIL PENALTIES" TO
REFLECT THAT THE GENERAL SESSIONS COURT
HAS JURISDICTION OVER VIOLATIONS OF THE
ANIMAL CONTROL PROVISIONS OF THE KNOX
COUNTY CODE. (Ord. Nos. O-96-5-101, adopted
6-24-96 and O-07-12-102, adopted 1-28-08).

ORDINANCE: O-15-4-101

REQUESTED BY: COMMISSIONERS OWNBY
& BROYLES

PREPARED BY: KNOX COUNTY LAW
DIRECTOR'S OFFICE

APPROVED AS TO FORM
AND CORRECTNESS: 
DIRECTOR OF LAW

APPROVED 1ST READING: April 27, 2015
DATE

APPROVED 2ND READING: May 26, 2015
DATE

APPROVED EMERGENCY: _____
(YES) (NO)

VETOED: _____
DATE

VETO
OVERRIDE: _____
DATE

MINUTE
BOOK _____ PAGE _____

WHEREAS, the Knox County Commission has previously adopted regulations for the care and control of animals in Knox County, which regulations have been codified at Chapter 6 of the Knox County Code; and

WHEREAS, the Commission has determined that it is appropriate and in the public interest to enhance the well-being and safety of pets in Knox County by amending the appropriate sections of the Knox County Code to require any person who keeps an animal to provide that animal access to shelter sufficient to protect the animal during extreme weather conditions and by modifying other portions of the animal care requirements; and

WHEREAS, the Commission has also determined that it is appropriate and necessary to amend the appropriate sections of the Knox County Code to reflect that the Knox County Animal Control Division is now under the Knox County Sheriff's Office and not the Knox County Health Department.

NOW THEREFORE BE IT ORDAINED BY THE COMMISSION OF KNOX COUNTY AS FOLLOWS:

SECTION 1. Knox County Code, Chapter 6, Article II, Division 1, Section 6-31, entitled "Definitions", shall be amended by replacing "health department" with "sheriff's office" in the definitions of "*Animal control division*" and "*Animal control officer*".

SECTION 2. Knox County Code, Chapter 6, Article II, Division 1, Section 6-31, entitled "Definitions", shall be amended by adding a new appropriately placed definition for the term "*Extreme weather conditions*", to read as follows:

Extreme weather conditions means those conditions that pose life-threatening health conditions to animals who are dependent upon their owners' care and protection. Extreme weather conditions shall include temperatures reported and verified by the National Weather Service below 32 degrees, temperatures above 95 degrees, or in instances when the National Weather Service issues a weather advisory for a tornado warning or severe thunderstorm warning.

SECTION 3. Knox County Code, Chapter 6, Article II, Division 1, Section 6-34, entitled "Number of animals, acreage restrictions", shall be amended by replacing in Subsection (e) the term "health officer for the county" with the term "animal control division".

SECTION 4. Knox County Code, Chapter 6, Article II, Division 1, Section 6-40, entitled "Animal bite investigations and quarantine", by replacing "health department" with "sheriff's office" wherever it appears in Section 6-40.

SECTION 5. Knox County Code, Chapter 6, Article II, Division 1, Section 6-44, entitled "Animal care and manner of keeping", shall be amended by deleting said section in its entirety and substituting therefor the following:

Sec. 6-44. - Animal care and manner of keeping.

(a) Except for emergencies or circumstances beyond the owner's control, it shall be unlawful for any person keeping an animal to fail to provide it with the minimum care sufficient to preserve the health and well-being of the animal considering the species, breed and type of animal. Minimum care includes but is not limited to, the following requirements:

- (1) Clean, sanitary and humane conditions;**
- (2) Food of sufficient quantity, quality and nutrition to allow for normal growth or maintenance of body weight;**
- (3) Open or adequate access to potable water in sufficient quantity to satisfy the animal's needs. Snow or ice is not an adequate water source;**
- (4) Proper air ventilation and circulation;**
- (5) Access to a well-constructed shelter, barn, doghouse, or other shelter sufficient to protect the animal from the elements, environment and extreme weather conditions. Such shelter must be placed in a dry area free of debris, feces, and standing water. It must have at least three (3) sides and a weatherproof roof; have a solid level floor raised at least two (2) inches from the ground and be adequately ventilated; it must provide shelter from wind, rain, sun, extreme weather conditions and the elements at all times;**
- (6) Medical attention and/or necessary veterinary care when it is sick, diseased or injured; and**
- (7) Annual inoculations, as recommended by a veterinarian, against diseases infectious to humans or animals.**

(b) It shall be unlawful for any person to tease or molest any animal.

(c) It shall be unlawful to keep an animal in a vehicle or other type of conveyance without adequate ventilation and/or enclosing any animal in the trunk of a vehicle.

(d) Violations of this section shall constitute a civil violation subject to fines and enforcement as set out in § 6-47, Knox County Code of Ordinances.

(e) This section does not replace the criminal offense part of T.C.A. § 39-14-202, pertaining to cruelty to animals.

SECTION 6. Knox County Code, Chapter 6, Article II, Division 1, Section 6-46, entitled "Impoundment", shall be amended by adding a sentence before the last sentence in Subsection (a), to read as follows:

Any expenses incurred for veterinary care and treatment shall be the responsibility of the owner.

SECTION 7. Knox County Code, Chapter 6, Article II, Division 1, Section 6-47, entitled "Violations; civil infractions; civil penalties", shall be amended by replacing in Subsection (c) the word "environmental" with "general sessions".

SECTION 8. This Ordinance shall take effect as provided by the Charter of Knox County, Tennessee, the public welfare requiring it.

B. O. Allen 5-26-15
Presiding Officer of the Commission Date

John O. Allen 5/27/15
County Clerk Date

Approved: Allen 6/2/15
County Mayor Date

Vetoed: _____
County Mayor Date