

HARTSVILLE/TROUSDALE COUNTY GOVERNMENT

LAW ENFORCEMENT COMMITTEE

*Beverly Atwood
Mary Ann Baker
Shane Burton*

*Rick Davis
Rachel Jones
Gary Walsh
Steve Whittaker*

*Dwight Jewell, Comm Chair
Stephen Chambers, Mayor
Ray Russell, Sheriff
Wayland Cothron, Chief Deputy*

DECEMBER 2, 2021 | 7:00 PM | TC COURTHOUSE

Agenda

1. Open Meeting
2. Review Minutes from August 10, 2021
3. Elect Officers
4. Discussion Items
 - A. Title 11 Municipal Offenses
 - B. Title 10 Vicious Animals
 - C. Request for Qualifications (RFQ) Engineering Services – Justice Center
 - D. ARPA Premium Pay
5. Public Comments
6. Adjourn

Law Enforcement Committee

Meeting Minutes

August 10, 2021 – 6:00 P.M. – Trousdale County Courthouse – 2nd Floor

Present: Gary Walsh, Mary Ann Baker, Beverly Atwood, Shane Burton, Rick Davis, Richard Johnson, Steve Whittaker and Mayor Stephen Chambers.

Absent: Dwight Jewell, Rachel Jones, Amber Russell and Lonnie Taylor.

Others Present: Chris Gregory, Branden Bellar and Chief Deputy Wayland Cothron.

Vice Chairman Gary Walsh called the meeting to order at 6:00 P.M. and Secretary Baker conducted a roll call.

Approval of Minutes

Richard Johnson made a motion to approve the minutes of the November 19, 2021 meeting, seconded by Steve Whittaker.

MOTION CARRIED

Old Business

- A. MOE School Resource Officers – Mayor Chamber advised this is a memorandum of understand between the Sheriff’s Department and the School System. Branden Bellar advised that it is a work in progress and they had started on a very comprehensive one last year and the council for the school system was in Memphis and they hope to have it completed soon.

New Business

- A. Appoint Subcommittee to review Title 11 of the Municipal Code. – Mayor Chambers advised that some of the ordinances were overwritten by state statute. The committee would be made up of the Mayor, County Attorney, Sheriff and a member of this committee (Gary Walsh). After some discussion Shane Burton made a motion to include Wayland Cothron in this committee, seconded by Beverly Atwood.

MOTION CARRIED

- B. Criminal Justice Proposal – Jim Hart, Jail Management Consultant with the County Technical Assistant Service had completed a needs assessment for the Trousdale County Jail which was presented to members for review. The proposed facility included 105 beds consisting of 89 male beds and 12 female beds. With that size of facility inmates with special/medical needs, work programs could be separated as needed.

The Criminal Justice Committee highly recommended including court facilities, attorney/client meeting and criminal clerk facilities in this new facility.

Mayor Chambers advised that the next step in this process would be to issue a request for qualification in an engineering firm to look at this project to get a cost.

Members discussed female beds being too low, engineering costs and property needing to be purchased for this facility. Also discussed were options to pay for the facility such as using Core Civic administrative fees, perhaps a wheel tax, etc. However, must be cautious with counting on State Inmates as a source of revenue as they can be moved at any time.

- C. Other – None

Public Comments

None

Adjourn

Richard Johnson made a motion to adjourn, seconded by Beverly Atwood and the meeting was adjourned.

Minutes Submitted by

Mary Ann Baker

08-11-2021

TITLE 11

MUNICIPAL OFFENSES¹

CHAPTER

1. ALCOHOL.
2. . Reserved
3. .
4. OFFENSES AGAINST THE PEACE AND QUIET.
5. INTERFERENCE WITH PUBLIC OPERATIONS AND PERSONNEL.
6. .FIREARMS, WEAPONS AND MISSILES.
7. TRESPASSING, MALICIOUS MISCHIEF AND INTERFERENCE WITH TRAFFIC.
8. MISCELLANEOUS.

CHAPTER 1

ALCOHOL²

SECTION

- 11-101. Drinking beer, etc. on streets, etc.
 11-102. Minors in beer places.

11-101. Drinking beer, etc. on streets, etc. It shall be unlawful for any person to drink or consume, or have an open can or bottle of beer in or on any public street, alley, avenue, highway, sidewalk, public park, public school ground or other public place unless the place has a beer permit and license for on premises consumption. (1975 Code, § 10-229)

¹Municipal code references

Animals and fowls: title 10.

Housing and utilities: title 12.

Fireworks and explosives: title 7.

Traffic offenses: title 15.

Streets and sidewalks (non-traffic): title 16.

²Municipal code reference

Sale of alcoholic beverages, including beer: title 8.

State law reference

See Tennessee Code Annotated § 33-8-203 (Arrest for Public Intoxication, cities may not pass separate legislation).

11-102. Minors in beer places. No person under twenty-one (21) years of age shall loiter in or around, , or otherwise frequent any place where beer is sold at retail for consumption on the premises. (1975 Code, § 10-222, modified)

CHAPTER 2

OFFENSES AGAINST THE PERSON

SECTION

Reserved

Chapter 4 Offenses Against the Peace and Quiet

SECTION

1 1-401. Disturbing the peace.

1 1-402. Anti-noise regulations.

11-401. Disturbing the peace. No person shall disturb, tend to disturb, or aid in disturbing the peace of others by violent, tumultuous, offensive, or obstreperous conduct, and no person shall knowingly permit such conduct upon any premises owned or possessed by him or under his control (1975 Code, § 10-202)

11-402. Anti-noise regulations. Subject to the provisions of this section the creating of any unreasonably loud, disturbing, and unnecessary noise is prohibited. Noise of such character, intensity, or duration as to be detrimental to the life or health of any individual or in disturbance of the public peace and welfare is prohibited.

(1) **Miscellaneous prohibited noises enumerated.** The following acts, among others, are declared to be loud, disturbing, and unnecessary noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

(a) **Blowing horns.** The sounding of any horn or other device on any automobile, motorcycle, bus, truck, or vehicle while not in motion except as a danger signal if another vehicle is approaching, apparently out of control, or if in motion, only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time.

(b) **Radios, phonographs, etc.** The playing of any radio, phonograph, or any musical instrument or sound device, including but not limited to loudspeakers or other devices for reproduction or amplification of sound, either independently or in connection with motion pictures, radio, or television, in such a manner or with such volume, particularly during the hours between 11:00 P.M. and 7:00 A.M., as to annoy or disturb the quiet, comfort, or repose of persons in any office or hospital, or in any dwelling, hotel, or other type of residence, or of any person in the vicinity.

(c) **Yelling, shouting, hooting, etc.** Yelling, shouting, hooting, whistling, or singing on the public streets, particularly between the hours of 11:00 P.M. and 7:00 A.M. or at any time or place so as to annoy or disturb the quiet, comfort, or repose of any persons in any hospital, dwelling, hotel, or other type of residence, or of any person in the vicinity.

(d) **Pets.** The keeping of any animal, bird, or fowl which by causing frequent or long continued noise shall disturb the comfort or repose of any person in the vicinity.

(e) **Use of vehicle.** The use of any automobile, motorcycle,

truck, or vehicle so out of repair, so loaded, or in such manner as to cause loud and unnecessary grating, grinding, rattling, or other noise.

(f)

(g) Exhaust discharge. To discharge into the open air the exhaust of any steam engine, stationary internal combustion engine, motor vehicle, or boat engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(h) Building operations. The erection (including excavation), demolition, alteration, or repair of any building in any residential area or section or the construction or repair of streets and highways in any residential area or section, other than between the hours of 7:00 A.M. and 6:00 P.M. on week days, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building official should determine that the public health and safety will not be impaired by the erection, demolition, alteration, or repair of any building or the excavation of streets and highways between the hours of 6:00 P.M. and 7:00 A.M. and if he shall further determine that loss or inconvenience would result to any party in interest through delay, he may grant permission for such work to be done between the hours of 6:00 P.M. and 7:00 A.M. upon application being made at the time the permit for the work is awarded or during the process of the work.

(i) Noises near schools, hospitals, churches, etc. The creation of any excessive noise on any street adjacent to any hospital or adjacent to any school, institution of learning, church, or court while the same is in session.

(j) Loading and unloading operations. The creation of any loud and excessive noise in connection with the loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates, and other containers.

(k) Noises to attract attention. The use of any drum, loudspeaker, or other instrument or device emitting noise for the purpose of attracting attention to any performance, show, or sale, or display of merchandise.

11-7

(1) Loudspeakers or amplifiers on vehicles. The use of mechanical loudspeakers or amplifiers on trucks or other moving or standing vehicles for advertising or other purposes.

(m) Fireworks. Limited time period to use fireworks. Fireworks discharge or usage outside of time period specified herein. It is unlawful to discharge or use fireworks except from 10:00 a.m. until 10:30 p.m. daily with the exception of July 4th from 10:00 a.m. until 1:00 a.m. July 5th and December 31st from 10:00 a.m. until 1:00 a.m. on January 1st.

(2) Exceptions. None of the terms or prohibitions hereof shall apply to or be enforced against:

(a) Municipal vehicles. Any vehicle of the municipality while engaged upon necessary public business.

(b) Repair of streets, etc. Excavations or repairs of bridges,

streets, or highways at night, by or on behalf of the municipality, the county, or the state, when the public welfare and convenience renders it impracticable to perform such work during the day.

(c) Noncommercial and nonprofit use of loudspeakers or amplifiers. The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial *in* character and *in* the course of advertising functions sponsored by nonprofit organizations. However, no such use shall be made until a permit therefore is secured from the clerk. Hours for the use of an amplified or public address system will be designated in the permit so issued and the use of such systems shall be restricted to the hours so designated in the permit. (1975 Code § 10-233).

CHAPTER 5

INTERFERENCE WITH PUBLIC OPERATIONS AND PERSONNEL

SECTION

- 11-501. Escape from custody or confinement.
- 11-502. Impersonating a government officer or employee.
- 11-503. False emergency alarms.
- 11-504. Resisting or interfering with city personnel.
- 11-505. Coercing people not to work.

11-502. Impersonating a government officer or employee. No person other than an official law enforcement officer of the County shall wear the uniform, apparel, or badge, or carry any identification card or other insignia of office like or similar to, or a colorable imitation of that adopted and worn or carried by the official law enforcement of the County. Furthermore, no person shall deceitfully impersonate or represent that he is any government officer or employee. (1975 Code, § 10-211)

11-503. False emergency alarms. It shall be unlawful for any person intentionally to make, turn in, or give a false alarm of fire, or of need for police or ambulance assistance, or to aid or abet in the commission of such act. (1975 Code, § 10-217)

11-504. Resisting or interfering with County personnel. It shall be unlawful for any person to knowingly resist or in any way interfere with or attempt to interfere with any officer or employee of the municipality while such officer or employee is performing or attempting to perform his official duties. (1975 Code, § 10-210)

11-505. Coercing people not to work. It shall be unlawful for any person in association or agreement with any other person to assemble, congregate, or meet together in the vicinity of any premises where other persons are employed or reside for the purpose of inducing any such other person by threats, coercion, intimidation, or acts of violence to quit or refrain from entering a place of lawful employment. It is expressly not the purpose of this section to prohibit peaceful picketing. (1975 Code, § 10-230)

CHAPTER6**FIREARMS, WEAPONS AND MISSILES****SECTION**

11-601. Air rifles, etc.

11-602. Throwing missiles.

11-603. Discharge of firearms.

11-601. Air rifles, etc. It shall be unlawful for any person in the Urban Services District to discharge any air gun, air pistol, air rifle, "BB" gun, or sling shot capable of discharging a metal bullet or pellet, whether propelled by spring, compressed air, expanding gas, explosive, or other force-producing means or method. (1975 Code, § 10-213)

11-602. Throwing missiles. It shall be unlawful for any person to throw any stone, snowball, bottle, or any other missile upon or at any vehicle, building, tree, or other public or private property or upon or at any person. (1975 Code, § 10-214)

11-603. Discharge of firearms. It shall be unlawful for any unauthorized person to discharge a firearm within the Urban Services District. (1975 Code, § 10-212, modified)

CHAPTER7**TRESPASSING, MALICIOUS MISCHIEF AND INTERFERENCE WITH TRAFFIC****SECTION**

11-701. Trespassing.

11-702. Malicious mischief.

11-703. Interference with traffic.

11-701. Trespassing. The owner or person in charge of any lot or parcel of land or any building or other structure within the corporate limits may post the same against trespassers. It shall be unlawful for any person to go upon any such posted lot or parcel of land or into any such posted building or other structure without the consent of the owner or person in charge.

It shall be unlawful and deemed to be a trespass for any peddler, canvasser, solicitor, transient merchant, or other person to fail to leave promptly the private premises of any person who requests or directs him to leave. (1975 Code, § 10-226)

11-702. Malicious mischief. It shall be unlawful and deemed to be malicious mischief for any person willfully, maliciously, or wantonly to damage, deface, destroy, conceal, tamper with, remove, or withhold real or personal property which does not belong to him. (1975 Code, § 10-225)

11-703. Interference with traffic. It shall be unlawful for any person to stand, sit, or engage in any activity whatever on any public street, sidewalk, bridge, or public ground in such a manner as to prevent, obstruct, or interfere unreasonably with the free passage of pedestrian or vehicular traffic thereon. (1975 Code, § 10-232)

CHAPTERS

MISCELLANEOUS

SECTION

- 11-801. Abandoned refrigerators, etc.
- 11-802. Caves, wells, cisterns, etc.
- 11-803. Posting notices, etc.
- 11-804. Curfew for minors.
- 11-805. Wearing masks.
- 11-806. Halloween curfew.

11-801. Abandoned refrigerators, etc. It shall be unlawful for any person to leave in any place accessible to children any abandoned, unattended, unused, or discarded refrigerator, icebox, or other container with any type latching or locking door without first removing therefrom the latch, lock, or door. (1975 Code, § 10-223)

11-802. Caves, wells, cisterns, etc. It shall be unlawful for any person to permit to be maintained on property owned or occupied by him any cave, well, cistern, or other such opening in the ground which is dangerous to life and limb without an adequate cover or safeguard. (1975 Code, § 10-231)

11-803. Posting notices, etc. No person shall fasten, in any way, any show-card, poster, or other advertising device or sign upon any public or private property unless legally authorized to do so. (1975 Code, § 10-227)

11-804. Curfew for minors. It shall be unlawful for any person under the age of eighteen (18) years to be abroad at night between 11:00 P.M. and 5:00 A.M. except when going directly to or from a lawful activity or upon a legitimate errand for, or accompanied by, a parent, guardian, or other adult person having lawful custody of such minor. (1975 Code, § 10-224)

11-805. Exceptions. It shall be a valid exception to the operation of the curfew if the minor was:

1. at any time, accompanied by his or her parent; or
2. accompanied by an adult authorized by a parent of such minor to take said parent's place in accompanying said minor for a designated period of time and purpose within a specified area; or
3. legally employed, for the period from forty-five minutes after work, while going directly between his or her home and place of employment without any stop or detour. This exception shall also apply if the minor is in a public place during curfew hours in the course of his or her employment. To come within this exception, the minor must be carrying a written statement of employment issued by the employer; or
4. on the property of, or the sidewalk directly adjacent to, the place where such minor resides or the place immediately adjacent thereto if the owner of the adjacent building does not communicate an objection to the minor and the

law enforcement officer; or

5. returning home by a direct route from, and within forty-five minutes of the termination of, a school activity or an activity of a religious or other voluntary association or a place of public entertainment, such as a movie, play or sporting event. This exception will not apply beyond 1:30am. If the event is not commercial in nature or does not have a fixed, publicly known time at which it will or does end, the sporting organization must register the event with the Sheriff's Department at least 24 hours in advance, informing the Sheriff's Department of the time such event is scheduled to begin, the place at which it shall be held, the approximate time at which it shall end and the name of the sponsoring organization; or

6. in the case of reasonable necessity, but only after such minor's parent has communicated to the Sheriff's Department personnel the facts establishing such reasonable necessity relating to specified streets, at a designated time, for a prescribed purpose including place or origin and destination. A copy of such communication, or the law enforcement record thereof, with an appropriate notation of the time it was received and of the names and addresses of such parent and minor shall constitute evidence of qualification under this exception; or

7. exercising First Amendment rights protected by the United States Constitution such as the free exercise of religion, freedom of speech and the right of assembly; or

8. involved in an emergency; or

9. married, had been married or had disability of minority removed in accordance with Tennessee law. Each of the foregoing exemptions and their several limitations, such as provisions for notification, are severable.

11- 806. Wearing masks. It shall be unlawful for any person to appear on or in any public way or place while wearing any mask, device, or hood whereby any portion of the face is so hidden or covered as to conceal the identity of the wearer. The following are exempted from the provisions of this section:

(1) Children under the age of ten (10) years.

(2) Workers while engaged in work wherein a face covering is necessary for health and/or safety reasons.

(3) Persons wearing gas masks in civil defense drills and exercises or emergencies.

(4) Public health emergency.

(5)

11-806. Halloween curfew. It shall be unlawful for anyone under the age of 18 to be on or about the public streets from 8:00 P.M. to 5:00 A.M. the night of October 31 or another such date as the board of commissioners deems proper for the observation of the Halloween celebration.

It shall be enforced on those that do not have a lawful reason for being on the street. It will not interfere with going to or from work or out while with a parent or legal guardian.

It shall be unlawful to possess any egg for the purpose other than for food on or about this period of time.

Possession of eggs could result in a fine of \$5.00 per egg plus court cost. It shall also be unlawful to possess any other item for the purpose to be thrown at person or property on or about this date - hedge - apples, brick, rock, water ballons, etc., not limited to just the above items.

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. Seizure and disposition of animals.
- 10-108. Inspections of premises.

10-101. Running at large prohibited. It shall be unlawful for any person owning or being in charge of any cows, 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. (1975 Code, § 3-101)

10-102. Keeping near a residence or business restricted. No person shall keep or allow any other 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. (1975 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. (1975 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. (1975 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. (1975 Code, § 3-105)

10-106. Cruel treatment prohibited. It shall be unlawful for any person to unnecessarily beat or otherwise abuse or injure any dumb animal or fowl. (1975 Code, § 3-106)

10-107. 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 the health officer or by any police officer and confined in a pound provided or designated by the board of commissioners. If the owner is known he shall be given notice in person, by telephone, or by a postcard addressed to his last-known mailing address. If the owner is not known or cannot be located, a notice describing the impounded animal or fowl will be posted in at least three (3) public places within the corporate limits. In either case the notice shall state that the impounded animal or fowl must be claimed within five (5) days by paying the pound costs or the same will be humanely destroyed or sold. If not claimed by the owner the animal or fowl shall be sold or humanely destroyed, or it may otherwise be disposed of as authorized by the board of commissioners.

The pound keeper shall collect from each person claiming an impounded animal or fowl reasonable fees in accordance with a schedule approved by the board of commissioners, to cover the costs of impoundment and maintenance. (1975 Code, § 3-107)

10-108. 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. (1975 Code, § 3-108)

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. (1975 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. (1975 Code, § 3-202)

10-203. Running at large prohibited.¹ 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. (1975 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 reasonably provide for the protection of other animals and persons. (1975 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. (1975 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

¹State 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. (1975 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 commissioners. 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 commissioners, 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 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.¹

It will remain at a designated pound for 3 days. After 3 days it will be disposed of at a designated humane shelter. If within 3 days the owner claims the dog a \$15.00 pickup fee, plus vet charges for a rabies shot will be charged at time owners claim.

The owner will be issued a citation for allowing the dog to run loose.

The judge may impose a fine in range from \$5.00 to \$50.00, plus court cost.

A dog may be adopted after 3 days by paying a pickup and vet fee.

If a police officer is called to a dog nuisance problem and the dog is running loose the owner will be issued a citation to appear in city court. (1975 Code, § 3-207, modified)

¹State 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).

HARTSVILLE/TROUSDALE COUNTY GOVERNMENT
ORDINANCE #169-2018-15

**AN ORDINANCE TO UPDATE THE POLICIES AND PROCEDURES AT THE
HARTSVILLE/TROUSDALE COUNTY ANIMAL SHELTER**

WHEREAS, the Hartsville/Trousdale County Animal Shelter Board has met and considered the current operations of the Hartsville/Trousdale County Animal Shelter, and

WHEREAS, this Board has made certain recommendations to the Hartsville/Trousdale County Commission to replace the policies put in place by Ordinance 38-2006-08, and

WHEREAS, THE Hartsville/Trousdale County Commission and County Attorney have reviewed the attached policy with attached forms and recommends the adoption of the Animal Shelter Policy and Procedures with Fee Schedule attached herewith.

NOW, THEREFORE, BE IT RESOLVED by the Hartsville/Trousdale County Commission meeting in regular session this 27th day of August 2018, that Ordinance 38-2006-08 be repealed in its entirety and replaced by attached new policy herewith entitled "Hartsville/Trousdale County Animal Shelter Policy and Procedures".

AND BE IT FURTHER ORDAINED by the Hartsville/Trousdale County Commission that these changes shall take effect on the earliest date permitted by law of the passing of this ordinance.

Recommended by Animal Shelter Board August 13, 2018

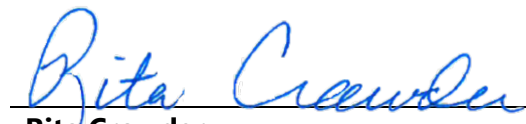
First Reading:	<u>August 27, 2018</u>	1M <u>Shane Burton</u>						PASSED
		2m <u>Amber Russell</u>	YES <u>19</u>	NO <u>0</u>	ABS <u>1</u>			
Open Public Hearing:	<u>September 24, 2018</u>	1M <u>Gary Claridy</u>						OPENED
		2m <u>Steve Whittaker</u>	YES <u>20</u>	NO <u>0</u>	ABS <u>0</u>			
Close Public Hearing:	<u>September 24, 2018</u>	1M <u>Dwight Jewell</u>						CLOSED
		2m <u>Shane Burton</u>	YES <u>19</u>	NO <u>1</u>	ABS <u>0</u>			
Second Reading:	<u>September 24, 2018</u>	1M <u>R Harsh</u>						PASSED
		2m <u>Shane Burton</u>	YES <u>19</u>	NO <u>1</u>	ABS <u>0</u>			

PASSED AND SO ORDERED, THIS 24th DAY OF SEPTEMBER 2018

Approved:


Jerry Ford
Commission Chairman

Attest:


Rita Crowder
County Clerk

HARTSVILLE/TROUSDALE COUNTY GOVERNMENT

COUNTY ANIMAL SHELTER

POLICIES AND PROCEDURES

I. Intakes

All dogs to be accepted must be brought to the shelter. Hartsville/Trousdale County Shelter staff will not be responsible for picking up animals at this time.

Dogs will be accepted based on health, age, temperament, shelter capacity, etc all at the discretion of the Shelter director. Vicious dogs will not be accepted at the Shelter. Vicious animals are to be reported to the Sheriff's Department.

Dogs will be vetted by the HTC Animal Shelter Staff. This will include any necessary vaccinations, deworming, spay/neuter verification and quarantine requirements. Dogs will be documented by staff to include photos, identifying markings, and vaccination records.

Any unclaimed dog will be available for adoption or rescue after 5 days. Dogs will be advertised on social media and/or newspaper and/or public notice boards.

II. Claim

Any dog accepted by the HTC Shelter can be claimed by the owner from day one of intake. To claim a dog, the owner must be able to provide proof of ownership through veterinarian records, pictures, or official papers. Upon validated proof of ownership, the dog will be released to the owner per fee schedule. Owner must sign release forms and provide proof of rabies vaccination within 10 days.

III. Adoption/Rescue

After 5 days, the dog will be available for adoption or rescue. Adoption forms/valuation will need to be assessed by the HTC Shelter staff. Shelter staff will place the dog into accepted adoptive family or rescue.

IV. Termination

Termination or euthanasia of a dog will be at the discretion of the HTC Shelter director and staff. Reasons will include gravely ill and vicious animals. Termination will be handled by a certified veterinarian facility.

V. Volunteer Staff

Anyone wishing to volunteer their time at the HTC Shelter will need to fill out a Volunteer registration form and sign an agreement, nondisclosure, and waiver forms.

VI. Remedies and Penalties

REMEDIES

Any person(s) or business allowing animal(s) to run at large, and the animal(s) are serviced by the Hartsville/Trousdale County Animal Shelter and/or staff are subject to the following administrative and/or remedial fees:

A. Boarding

Boarding at large animals will be charged a rate of twenty (\$20.00) dollars per day, not to exceed the maximum amount of two hundred (\$200.00) dollars.

B. Vaccination/Intake Medication

An administrative expense up to thirty (\$30.00) dollars maximum may be required for Dhpp, Bordatella, de-wormer, flea and tick prevention and other animal welfare and care.

C. Rabies Validation

If no proof of rabies vaccination is provided within ten (10) days of intake, a fifty (\$50.00) dollar administration expense will be required.

PENALTIES

Any person violating any requirement of this ordinance shall be fined not less than fifty (\$50.00) dollars for each offense. Each day such violation shall continue constitutes a separate offense. No person shall be fined more than five hundred (\$500.00) dollars.

Nothing herein this section prevents alternate remedies for negligence and/or intentional acts of any person(s) and/or business for acts or omissions constituting a separate claim for relief under Federal or State Laws or any other claim for equitable and/or administrative relief.

All remedies and penalties may be waived at the discretion of the Animal Shelter Director and the Hartsville/Trousdale County Animal Shelter Board.

VII. Money Intake

All fees and donations collected by the HTC Animal Shelter are to be validated by the Shelter Director and one other witness. The deposits are to be turned into the Mayor's office and then deposited to the Trustee within three (3) days of reception.