

ORDINANCE NO. 1098

AN ORDINANCE TO AMEND TITLE 10, CHAPTER 2, SECTION 10-202, REGULATING THE IMPOUNDMENT OF ANIMALS KNOWN OR SUSPECTED TO HAVE BITTEN A PERSON

WHEREAS, TCA § 68-8-109. Observation period by confinement or quarantine – Investigation provides general guidelines for confinement or quarantine of any animal that has bitten any person, is suspected of having bitten any person or is for any reason suspected of being infected with rabies.

WHEREAS, the City wishes to update the existing code and to expand on language found in TCA § 68-8-109 to provide the animal control officer with more discretion when handling investigations regarding rabies.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ATHENS, TENNESSEE, AS FOLLOWS:

SECTION 1: Title 10, Chapter 2, Section 10-202 entitled "Impoundment of animals know to have bitten a person" is amended as follows:

10-202. ~~Impoundment~~ Observation of animals known ~~or suspected~~ to have bitten a person. ~~If any Any animal known to have~~ has bitten a person, ~~or is suspected of having bitten any person or is for any reason suspected of being infected with or showing signs of~~ rabies shall be placed under an observation period either by confinement or by quarantine apprehended and impounded for not less than (10) days. The animal shall be ~~impounded~~ confined or quarantined at the ~~city-operated animal~~ shelter, ~~or~~ with a licensed veterinarian, or at the animal owner's home at the discretion of the animal control officer. All fees for such ~~impoundment~~ observation or confinement shall be the responsibility of the animal's owner. If, during the period of impoundment observation, the animal exhibits any of the behavioral signs associated with rabies, the animal shall be impounded and sacrificed immediately and the head removed and shipped to a State of Tennessee approved laboratory for testing for presence of Negri bodies.

SECTION 2: Any Ordinance, Resolution, Motion or parts thereof in conflict herewith are hereby repealed and superseded. If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction, such holding will not affect any other portion of this Ordinance.

SECTION 3: BE IT FURTHER ORDAINED, that this Ordinance shall take effect from and after its passage, the public welfare requiring it.

PASSED ON FIRST READING: _____ November 17, 2020 _____

PASSED ON SECOND READING: _____

DATE OF PUBLIC HEARING: _____ December 15, 2020 _____

WILLIAM BO PERKINSON, Mayor

C. SETH SUMNER, City Manager

APPROVED AS TO FORM:

H. CHRIS TREW, City Attorney