

ORDINANCE NO. 4708-19

AN ORDINANCE TO REVISE, UPDATE, AND ADD NEW SECTIONS TO THE CODE OF THE CITY OF JOHNSON CITY REGARDING ANIMAL CONTROL BY AMENDING TITLE 10 OF THE CODE OF THE CITY OF JOHNSON CITY, TENNESSEE, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY OF JOHNSON CITY as follows:

SECTION I. That Title 10 of the Code of the City of Johnson City, Tennessee, has been revised in its entirety by repealing certain sections and subsections that no longer apply, revising language and reorganizing sections and subsections and adding new sections and subsections to regulate registration, restraint, and spay and/or neuter, as more particularly shown on Exhibit "A" attached hereto.

SECTION II. BE IT FURTHER ORDAINED that all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION III. BE IT FURTHER ORDAINED that this ordinance shall take effect upon third and final reading, and publication, as required by law, the public welfare requiring it.

PASSED ON FIRST READING 10-17-2019
PASSED ON SECOND READING 11-07-2019
PASSED ON THIRD READING 11-21-2019
APPROVED AND SIGNED IN OPEN MEETING
ON THE 21st DAY OF November, 2019

/s/ Jenny Brock

MAYOR

ATTEST:

/s/ Janet Jennings

JANET JENNINGS, City Recorder

APPROVED AS TO FORM:

/s/ Sunny R. Sandos

SUNNY R. SANDOS, Staff Attorney

TITLE 10

CHAPTERS

1. ANIMAL CONTROL ORDINANCE: REGISTRATION OF ANIMALS
2. SPAY/NEUTER REGULATIONS FOR DOGS AND CATS

CHAPTER 1

ANIMAL CONTROL ORDINANCE

SECTION

- 10-101. Definitions.
- 10-102. Registration of animals.
- 10-103. Restraint.
- 10-104. Impoundment and violation notice.
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- 10-114. Maintenance of stalls, stables, pens, etc.
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- 10-118. Enforcement.
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10-101. Definitions. As used in this ordinance the following terms mean:

- (1) "Animal." Any live, vertebrate or invertebrate creature, domestic or wild, warm or cold blooded, other than a human being.
- (2) "Animal control officer." Any person employed and designated by the WCJC Animal Shelter as its enforcement officer(s) with primary responsibility in the area of animal control.
- (3) "Business day." A business day shall be any day that the shelter is open for intake and adoptions.
- (4) "Extreme Weather." Any weather situation that includes excessive heat >85 degrees, excessive cold of < 32 degrees, and/or during periods of severe thunderstorms, flooding or tornado warnings.

- (5) “Fees.” All Fees referred to herein shall be set by the WCJC Animal Control Board annually, shall be comparable to Fees set by other shelters statewide, and shall be made available to the public through the WCJC Animal Shelter.
- (6) “Fines.” All Fines referred to herein shall be set by the WCJC Animal Control Board annually, shall be comparable to Fees set by other shelters statewide, and shall be made available to the public through the WCJC Animal Control Board.
- (7) “Livestock.” All equine as well as animals which are being raised primarily for use as food or fiber for human consumption or utilization including, but not limited to cattle, sheep, swine, goats, and poultry.
- (8) “Nuisance animal.” Any animal or animals which:
- (a) Molests passersby or passing vehicles;
 - (b) Attacks other animals;
 - (c) Trespasses on school grounds;
 - (d) Is repeatedly at large;
 - (e) Damages private or public property; or
 - (f) Barks, whines or howls in an excessive, continuous or untimely fashion, or adversely affects the health or disturbs the repose of any neighbor or disturbs the peace and quiet of a neighborhood.
- (9) “Owner.” Any person, association, partnership, corporation or other entity owning, keeping or harboring one or more animals. An animal shall be deemed to be harbored if it is fed or sheltered for three (3) consecutive days or more.
- (10) “Pet.” Any domesticated living creature (non-livestock) kept for pleasure rather than commercial use.
- (11) “Registration Certificate.” (“Certificate”). A pet owner is required to register each animal with the WCJC Animal Shelter.
- (12) “Restraint.” Any animal secured by a leash or lead, or under the control of a responsible person, or within the real property limits of its owner.
- (13) “Unaltered Registration Certificate.” A pet owner who meets the spay/neuter exemptions in 10-201 may apply for a Registration Certificate that states that the animal has been identified as exempt by the WCJC Animal Shelter, and shall pay the Fee set for such unaltered certificate.
- (14) “Vicious animal.” Any animal or animals that attacks, bites, or injures or poses a threat to human beings or other animals without adequate provocations; or which, because of temperament, conditioning or training, has a known propensity to attack, bite or injure human beings or other animals.
- (15) “WCJC Animal Shelter.” Any facility operated in Washington County/Johnson City for the purpose of impounding and providing care of animals held under the authority of the city/county, or state, and governed by the Animal Control Board.
- (16) “Wild animal.” Any live monkey (nonhuman primate), raccoon, skunk, fox, poisonous snake, leopard, panther, tiger, lion, lynx or any other warm-blooded animal which can normally be found in the wild state. (Ord. #3425, March 1998, as amended by Ord. #4155-06, March 2006).

10-102. Registration of animals.

- (1) All residents owning, keeping, harboring, or having custody of dogs over three months of age within Washington County/Johnson City shall register that animal by making application in written form to the WCJC Animal Shelter or its designee. This provision shall not apply to the keeping of small, caged birds; rodents; reptiles; or aquatic and amphibian animals as pets or applicants who qualify to register under 10-102 for unaltered certificates.
- (2) Written applications for Registration Certificates shall be made to the WCJC Animal Shelter or its designee. At a minimum, included on the application, shall be the name, address, and telephone number of the applicant, a description of the animal, and Rabies Certificate Number issued by a licensed veterinarian as required by state law. The period of each registration will include the 12 months following January 1 of each calendar year. The annual registration Fee for each dog shall be collected, as well as proof of a current rabies vaccination. Failure to maintain current rabies vaccinations shall render the dog registration invalid until proof is provided.

A list of spay/neuter exceptions are included in Section 10-201, thus allowing an application for the registration of animals who are identified and permitted as unaltered. The cost of an Unaltered Registration Certificate per year per animal shall be provided at the time of registration. If an animal is in custody of the WCJC Animal Shelter, and the Registration Certificate of that animal does not state that it is an Unaltered Registration Certificate, the animal shall be surgically spayed/neutered prior to the return of the animal to the owner, or the animal may be adopted to a new owner pursuant to Washington County/Johnson City Code.

Any person moving into the City of Johnson City owning a dog will have ninety (90) days to apply for a Registration Certificate for each dog, or apply for an Unaltered Registration Certificate for each dog, if applicable. Any person who obtains a new dog shall have ten (10) days to register that animal.

- (3) Each Registration Certificate shall be good for one (1) year.
- (4) At the time of registration, an appropriate Certificate shall be issued under subsection (2) and the WCJC Animal Shelter shall also keep on file a copy of the Certificate, which shall include the serial number of the Registration Certificate and the year in which it was issued.
- (5) If registration of service dogs or police agency dogs can be demonstrated with national organizations in such manner so as to provide for accurate identification of individual animals so registered, then registration will not be required hereunder for those animals so registered. Proof of such registration must be made available upon the request of the WCJC Animal Shelter or any representative thereof.
- (6) The WCJC Animal Shelter shall maintain a record of the identifying numbers of all Certificates issued and shall make this a public record.
- (7) A duplicate Registration Certificate can be obtained for a Fee. Certificates are non-transferable, required to be paid in advance, and non-refundable.
- (8) It shall be unlawful for any person owning, keeping or harboring a dog within the city/county limits to fail to register such dog as required by this section.
- (9) A license will be required of any person who, for compensation or profit, buys, sells, transports (except as common carrier), delivers for transportation, or boards dogs or cats for research purposes, or any person who buys or sells twenty-five (25) or more dogs or cats in any one (1) calendar year for resale within the state or transportation out of the state.¹

- (10) It shall be unlawful for any person to own, possess, or harbor any dog or cat within the city limits unless such dog or cat is inoculated against rabies.²
- (11) The city/county acting by and through the WCJC Animal Shelter, may revoke any Registration Certificate if the person holding the Certificate refuses or fails to comply with this ordinance, or any law governing the protection of animals as contained in the state rabies laws, Tennessee Code Annotated §68-8-101 et seq., at the time of the passage of this ordinance on third and final reading.
- (12) Any person whose Registration Certificate is revoked will, within ten (10) days thereafter:
- (a) Fully comply with the provisions of this ordinance and file proof of such compliance with the WCJC Animal Shelter. No part of the Certificate Fee, however, shall be refunded; or
 - (b) Surrender the animal(s) in noncompliance.
- (13) If the applicant has withheld or has falsified any information, or if the information is incomplete or incorrect, the WCJC Animal Shelter shall refuse to issue a Registration Certificate or, if issued, shall immediately and forthwith revoke the same. Appeals from such refusal to issue or from revocation shall be to the WCJC Animal Control Board. (Ord. #3425, March 1998, as amended by Ord. #3686, June 1999, and Ord. #4155-06, March 2006).

10-103. Restraint.

- (1) Running at large prohibited.³ It shall be unlawful for the owner of any animal, or any person having an animal in his care, custody or possession to suffer or allow it to run at large unattended on or about the streets and highways of Washington County/Johnson City, or on the property of another person without the permission of the owner or occupant of that property, or of the person in possession of that property. Penalties for damages caused by dogs running at large are noted in TCA 44-8-408.
- (2) Duty to keep animal under restraint while off of property. It shall be the duty of the owner of any animal or anyone having an animal in his care, custody or possession to keep said animal under control at all times while the animal is off of the real property limits of the owner, possessor or custodian. For the purposes of this section, an animal is deemed “under control” when it is confined within a vehicle, temporarily parked or in motion, is secured by a leash or other device held by a competent person, or is properly confined within an enclosure with permission of the owner of the property where the enclosure is located. All animals riding in the bed of pickup trucks, open-air trucks/cars, open platform vehicles and/or trailers must be secured in a manner to keep them safe and free from harm with a 3-point crosstie system encompassing sides, front and back. Animals on private property are exempt from this requirement. Keeping animals in cars during extreme weather is not permitted, and owners are required to follow guidelines as established in Section 10-105(2) and per the attached temperature index, which shall be used by Animal Control Officers as guidance for the removal of pets from properties or vehicles. Noncompliance may be subject to a fine by WCJC Animal Control.

¹ License Fee for Dealers: Tennessee Code Annotated, § 44-17-102.

² Rabies control: Tennessee Code Annotated, § 68-8-104

³ Running at large: Tennessee Code Annotated 44-8-408, et seq

- (3) Vicious animals. As determined by the animal control officer, each vicious animal shall be confined by the owner or custodian of the animal within a building or secure enclosure and shall be securely muzzled or restrained or caged whenever off the premises of its owner. (Ord. #3425, March 1998, as amended by Ord. #4155-06, March 2006).
- (4) Restraints while on owner's property. Beginning January 1, 2020, a dog or puppy may be placed on a trolley/pulley system in his/her own yard for a period of time that does not exceed twelve (12) consecutive hours per day. The dog may not be tethered for the twelve (12) hour period to a fixed post unless attended or under observation. The trolley must be at least four (4) feet off the ground and no more than seven (7) feet off the ground, and at least ten (10) feet from support to support. Tethers must have swivel connectors on both ends and allow for freedom of movement. All chains/tethers must be attached to a properly fitting buckle collar or snap collar, or to a harness, (choke or pinch collars are prohibited). Chains/tethers must be less than 10% of the dog's weight. Any tethering system shall not allow the dog or puppy to leave the owner's property. The animal must have appropriate housing per Section 10-105, access to food and water and must be safe from attack by other animals. Only one dog per trolley is allowed.
- Beginning January 1, 2021, no dog may be tethered or chained and left unattended. A dog or puppy may only be tethered or chained to a fixed object if the animal is under the observation of its owner. No puppy under the age of six-months shall be placed on a trolley/pulley system or tethered. Owners also have the option of providing a fence or pen for dogs that allows a minimum of one hundred (100) square feet of space per dog as detailed in Section 10-105 (2).
- (5) Failure to Comply. No Fines for failure to comply shall be assessed until after January 1, 2021. Fines after that date shall be set to be paid for the first occurrence, with the allowance of a 30-day period to comply. The second occurrence shall be a larger fine to be paid within a 30-day compliance period, and the third occurrence shall result in the surrender of the dog to the WCJC Animal Shelter.

10-104. Impoundment and violation notice.

- (1) Unrestrained dogs and nuisance animals will be taken by the animal control officers and impounded in an animal shelter and there confined in a humane manner.
- (2) If the owner of an impounded animal can be identified by a license, Registration Certificate, rabies tag or other means, the animal control officer will immediately upon impoundment notify the owner by telephone or mail or other appropriate, reasonable means. All efforts shall be made to contact owners.
- (3) Upon intake into the Shelter, all dogs and cats shall be vaccinated. The rabies vaccine shall not be given to an animal less than three (3) months of age or to any animal that is surrendered and the history can be traced to determine vaccinations are not necessary. Following a waiting period of three (3) business days, the dog or cat shall be spayed/neutered, unless the dog or cat qualifies for an unaltered certificate as stated in Section 10-201 or has previously been surgically altered. The cost of vaccinations and surgical alterations will be paid by the owner reclaiming the animal before leaving the shelter.

- (4) An owner reclaiming an impounded animal having a current Unaltered Registration Certificate will pay a Fee on the first occurrence, plus a Fee per day for boarding cost for the period of time the animal has been impounded, and the cost of all medical treatment or other expense incurred as deemed necessary by the animal control officer, the director of the WCJC Animal Shelter, or the attending veterinarian. If the same animal must be reclaimed after a second or third time, there will be a Fee each time, in addition to other costs in Section 10-104 (3). After the third occurrence, the animal will be surrendered to the WCJC Animal Shelter to be adopted or potentially euthanized.
- (5) An owner reclaiming an impounded dog having *no current Registration Certificate* will pay a Fee, plus the per day boarding cost for the period of time the animal has been impounded, and the cost of all medical treatment or other expense incurred as deemed necessary by the Animal Control Officer, the director of the WCJC Animal Shelter, or the attending veterinarian, and if the animal is unaltered, the owner will pay the cost of surgical spay/neuter. Likewise, the animal shall be required to be registered prior to being released to the owner. An owner reclaiming an impounded dog having *a current Registration Certificate* shall pay a Fee, and if the animal is unaltered, the owner will pay cost of surgical spay/neuter.
- (6) The Reclamation Fee for impounded dogs and cats will be set by the WCJC Animal Control Board to be paid in addition to the cost of surgical spay/neuter.
- (7) Any animal not reclaimed by its owner within three days will become the property of the WCJC Animal Shelter and will be placed for adoption or humanely euthanized.

10-105. Animal care.¹

- (1) No owner or custodian shall fail to provide his/her animals with adequate and sufficient food and clean water, proper shelter and protection from the weather, and veterinary care when needed to prevent suffering. Owners or custodians shall provide such animals with humane care and treatment.
- (2) All animals must have access to an appropriate shelter while in a fenced-in area or pen. The shelter must be dry and provide protection from inclement weather and the sun. An appropriate shelter includes a roof or dome, flooring that provides protection from the weather, and allows adequate room for the dog to stand, turn around and lie down. Preference is for the shelter to have a minimum of at least three (3) sides. All animals shall be afforded protection from the weather as defined under Extreme Weather in defined in Section 10-101(3). For animals enclosed in a pen or fenced in area, the area for eating and drinking water must be separate from the area used for expelling waste. This subsection is applicable for dogs who are tethered until January 2021, at which time it will be unlawful to leave a dog tethered or chained to a fixed post as defined in Section 10-103(4).
- (3) No person shall beat, cruelly ill-treat, torment, maim, withhold medical treatment for critical injuries or illness, overload, overwork, or otherwise abuse an animal, or cause, instigate, suffer or permit any dogfight, cockfight, bullfight or other combat between animals or between animals and humans.
- (4) No owner of an animal shall abandon the animal.
- (5) No person except a licensed veterinarian shall crop a dog's ears nor dock a dog's tail.

¹Cruelty to animals: Tennessee Code Annotated, § 39-14-202.

- (6) Chickens, ducklings, goslings of any age, or rabbits under two (2) months of age shall not be sold or offered for sale as pets, toys, premiums or novelties if those fowl or rabbits have been colored, dyed, stained or otherwise had their natural color changed.¹
- (7) No person shall expose any known poisonous substance, whether mixed with food or not, so that the same shall be liable to be ingested by an animal; provided that it shall not be unlawful for a person to expose on his/her own property common rat poison.¹ (Ord. #3425, March 1998, as amended by Ord. #4155-06, March 2006).

10-106. Keeping of wild animals.

- (1) No person shall keep or permit to be kept on his premises any wild or vicious animal for display or for exhibition purposes, whether gratuitously or for a Fee. This section shall not be construed to apply to zoological parks, performing animal exhibitions or circuses.
- (2) No person shall keep or permit to be kept any wild animal as a pet. This does not affect keeping wild animals for rehab or other purposes allowed by state permit. (Ord. #3425, March 1998).

10-107. Nuisance animal. It shall be unlawful to keep or harbor any animal which barks, howls, or whines in an excessive, continuous or untimely fashion; creates a nuisance; or adversely affects the health or disturbs the repose of any neighbor, or disturbs the peace and quiet of a neighborhood. Owners of such animals shall receive one (1) warning from the police or animal control to correct the situation, a citation shall be issued if the police or animal control have to respond to repeated complaints. (Ord. #3425, March 1998).

10-108. Performing animal exhibitions.

- (1) No performing animal exhibition or circus shall be permitted in which animals are induced or encourage to perform through the use of chemical, mechanical, electrical or manual devices in a manner which may cause, or is likely to cause, physical injury or suffering.
- (2) All equipment used on a performing animal shall fit properly and be in good working condition. (Ord. #3425, March 1998)

10-109. Animal waste. The owner of every animal will be responsible for the removal of any excreta deposited by his/her animal(s), or animals in his/her custody, on public walks, recreation areas, private property and public parks. (Ord. #3425, March 1998)

10-110. Dead animals. It shall be unlawful for any person to place or throw any dead animal onto the streets, or other public places in Washington County or within the city limits of Johnson City. The bodies of all animals dying of any causes, shall be the responsibility of the owner of said animal, to be disposed of, or buried in an appropriate, licensed disposal facility or outside the city limits as soon as possible. In the alternative, the owner shall contact the appropriate agency to remove the body of said animal which shall be bagged or otherwise appropriately contained. (Ord. #3425, March 1998)

¹Dyed baby fowl and rabbits: Tennessee Code Annotated, § 39-14-204.

10-111. Compliance. No owner, lessee, tenant or subtenant of any property, public or private, located within the city will keep, maintain or cause to be kept any horses, mules, donkeys, cattle, swine, chickens, turkeys, ducks, geese, goats, sheep, hares or similar animals or fowl either domesticated or not domesticated except under conditions set forth in the provisions of this chapter. (Ord. #3425, March 1998)

10-112. Near residence or business. No animals, fowl, swine or poultry described in § 10-111 will be kept within a distance of one thousand (1,000) linear feet of any residence or place of business or industry within the city, without the approval of the WCJC Animal Shelter Director, or his/her designee. The keeping of the animals and fowl on public and private premises will be allowed only when the keeping of such animals and fowl has been determined not to injuriously affect the public health and welfare. (Ord. #3425, March 1998)

10-113. Approval of WCJC Animal Shelter; factors considered. The WCJC Animal Shelter Director, or his/her designee, is authorized to prohibit the keeping of animals and fowl described in § 10-111 within the city when it has been determined that the keeping of such animals and fowl is not in compliance with the provisions included in § 10-112, or when it is the opinion of the WCJC Animal Shelter Director, or his/her designee, that the keeping of such animals and fowl may prove detrimental to the public health by creating or causing situations conducive to the breeding and attracting of flies and other injurious and obnoxious insects, the breeding, feeding and harboring of rats, and which may give rise to offensive smells and odors. Approval for the maintenance of such animals or fowl may be at the discretion of the WCJC Animal Shelter Director, or his/her designee. Owners and keepers of such animals and fowl, when not specifically notified to dispose of them within a reasonable specified time, may construe their failure to receive such notice as evidence of approval and that they may maintain such animals or fowl for as long as their maintenance does not constitute a hazard to the public health and welfare. (Ord. #3425, March 1998)

10-114. Maintenance of stalls, stables, pens, etc.

- (1) No animals or fowl described in § 10-111 will be kept in any place in which manure or liquid discharges from such animals or fowl shall collect or accumulate to any degree of offensiveness. Such manure and liquids shall be removed at once to some proper place of disposal or effectively stored between periods of removal in closed containers, which shall provide for the maximum practical fly, rodent and odor control.
- (2) Stalls, stables, pens, yards and appurtenances in which such animals and fowl are kept shall at all times be maintained in a clean condition, so that no offensive odor shall be allowed to escape therefrom, and no rodents, flies or other insects shall be able to breed therein or become attracted thereto.
- (3) Buildings, pens, yards and appurtenances constructed for the purpose of housing and impounding animals and fowl shall be located with the view of adequate drainage and constructed so as to facilitate routine cleaning. (Ord. #3425, March 1998)

10-115. Removal upon failure to maintain premises. It shall be the duty of the WCJC Animal Shelter Director or designee to issue orders requiring the removal of animals and fowl from the city when the keeping of such animals and fowl is in violation of this chapter and at all times when the keeping of such animals or fowl may constitute a hazard to the public health. Orders may be issued requiring the owners of animals and fowl, or owners, tenants and lessees of properties where such animals and fowl are quartered, to routinely clean stalls, stables, pens, and yards and to maintain such appurtenances in a clean and sanitary condition. Failure to maintain premises in a satisfactory condition at any and all times following the receipt of such orders from the WCJC Animal Shelter or designee shall be considered as justification to cause the removal of such animals or fowl from the city. Every keeper of such animals and fowl shall cause feed to be stored and kept in a rat proof, fly-tight building, box or receptacle. (Ord. #3425, March 1998)

10-116. Pounds, kennels, etc., dangerous or detrimental to human life, etc. No keeper of any pound, kennel, coop, pen, veterinary hospital or other such place where animals or fowl may be kept or impounded, shall allow the same or any animal therein, by reason of want of care, food, ventilation or cleanliness or otherwise, to be or to become dangerous or detrimental to human life, health or welfare. (Ord. #3425, March 1998)

10-117. Right of entry. Upon reasonable suspicion and the attainment of a warrant with proper granted authority, it shall be the duty of the WCJC Animal Shelter Director or designee to enter onto any premises, public or private, at any reasonable hour of the day to make inspections for the purpose of carrying out the provisions of this chapter. (Ord. #3425, March 1998)

10-118. Enforcement. The civil provisions of this chapter will be enforced by those persons or agencies designated by WCJC Animal Shelter Director. It shall be the duty of anyone having the authority of an Animal Control Officer, Humane Officer, or City of Johnson City Police Officer to enforce all the terms and provisions of this chapter. Said officers shall be empowered to issue a citation and summons to the Municipal Court for violations thereof. It shall further be a violation of this chapter to interfere with an animal control officer in the performance of his/her duties. (Ord. #3425, March 1998)

10-119. Penalties. Any person violating any provision of this chapter shall be punished in accordance with the appropriate provisions of the charter and ordinances of Washington County/Johnson City, and the statutes of Tennessee and charged with a Class A misdemeanor subject to a fine not to exceed \$50.00 and any related fees and expenses incurred by the WCJA Animal Shelter. The fee schedule shall be approved by the WCJC Animal Shelter Board of Directors, may be updated from time to time at the Board's discretion, and will be made available at the WCJC facility. Each separate day during which an offense occurs under this chapter shall constitute a separate chargeable offense. (Ord. #3425, March 1998) For any unattended animal running at large, stray animal, or animals brought to the WCJC Animal Shelter, Fees and costs shall be applied as stated in Sections 10-104 (3), (4), (5) and (6). All efforts shall be exhausted in trying to locate the owner of a dog running at large, strays, or animals brought to the WCJC Animal Shelter.

However, in cases where owners cannot be located for a period of three (3) business days, the animal shall become the property of the WCJC Animal Shelter and may be surgically spayed or neutered and put up for adoption or potentially euthanized. If an Unaltered Registration Certificate exists, the Shelter will allow an additional three (3) business days to attempt to locate the owner.

CHAPTER 2

SPAY/NEUTER REGULATIONS FOR DOGS AND CATS

SECTION

10-201. Spaying and neutering requirements.

10-202. Obtaining an Unaltered Registration Certificate.

10-203. Enforcement.

10-201. Spaying and neutering requirements.

Any person owning, keeping, harboring, or having custody of any dog or cat six (6) months of age or older is required to spay or neuter said animal, except:

- (1) Persons who own, keep, harbor, or have custody of registered service dogs, ~~or~~ working police dogs, dogs and cats competing in shows and/or sporting competitions, and professional breeders. Each animal who qualifies for exemption in Section 10-201 (1) is required to have on file an Unaltered Registration Certificate;
- (2) Persons who are nonresidents of the city and reside temporarily herein for a period not to exceed a total of thirty (30) days within a twelve (12) month period;
- (3) Animal shelters housing animals prior to their being adopted, and veterinary hospitals;
- (4) A person who owns, keeps, harbors, or has custody of an animal and who is in possession of a certification signed by a licensed veterinarian stating that the animal is unfit or unable to be spayed or neutered because the procedure would endanger the life of or be detrimental to the health or well-being of the animal. Each animal who qualifies for exemption in Section 10-201 (4) is required to have on file an Unaltered Registration Certificate.
- (5) "Dealer" means any person who, for compensation or profit, buys, sells, transports (except as a common carrier), delivers for transportation, or boards dogs or cats for research purposes, or any person who buys or sells twenty-five (25) or more dogs or cats in any one (1) calendar year for resale within the state or for transportation out of the state; dealers must obtain Unaltered Registration Certificates.

10-202. Obtaining an Unaltered Certificate. The Fee for an Unaltered Registration Certificate shall be collected per year per animal. Applicants for unaltered certificates must apply to the WCJC Animal Shelter. A Certificate shall be issued identifying each animal as an unaltered animal and must be available for inspection at all times. (as added by Ord. #4513-13, Dec. 2013). Unaltered Registration Certifications must be identified on the registration form. If the unaltered certificate is obtained after the initial registration and prior to renewal, it is the pet owner's responsibility to notify the Shelter of the change. Once notified, the WCJC Animal Shelter shall update the registration form.

10-203. Enforcement. Registrations for animals who are identified and permitted as unaltered must be indicated on the registration form for each animal and a current unaltered certificate number shall be listed on the registration form. If the owner obtains an Unaltered Registration Certificate after registration, he/she is responsible for contacting the Shelter, by email or in person, with an attachment showing the Certificate, or a copy of the Certificate, in order to update the registration form in the system. If the registration records do not show that there is an Unaltered Registration Certificate, or if the owner does not have written verification of the purchase of a Certificate, the animal shall be required to be surgically spayed/neutered prior to return of the animal to the owner, or adoption of the animal to a new owner pursuant to Washington County/Johnson City Code 10-104 (Impoundment and violation notice).