

Dog Laws - Part 1 ('Please Re-leash Me')

"If you get to thinkin' you're a person of some influence, try orderin' somebody else's dog around."
– Will Rogers

Tennessee has several laws regarding dogs and their owners. As a lawyer and a dog owner, I sometimes get legal questions involving dogs.

This series of columns covers some of the main dog laws in Tennessee. Since most dogs don't read well, these columns are for dog owners – and their neighbors.

Q. Does the law say my dog has to wear a collar?

Yes. All dogs must wear a collar with a metal tag or other evidence of rabies vaccination at all times. Rabies vaccinations can only be given under a veterinarian's supervision. An official record is made of the annual vaccination.

The law allows two exceptions to this rule. Puppies younger than six months do not have to wear such a collar and tag. Also, the collar and tag may be removed from hunting dogs "while in chase or returning from the chase." The law does not allow hunters to use unvaccinated dogs in the hunt or the chase.

Q. What if I don't make my dog wear a collar. Is that a problem?

Many people don't know that the law says it is a Class C misdemeanor for any person to "own, keep or harbor" any dog which has not been vaccinated as required by law. The same law says that it is a Class C misdemeanor for a person to allow any dog to run at large without wearing a vaccination tag, except for hunting dogs as noted above.

Class C misdemeanors may be punished in Tennessee by 30 days in jail or a \$50 fine or both. So, the answer to this question is yes, an owner might get in trouble if his or her dog has no collar and rabies tag.

Q. So is it legal for an owner to let a dog run at large with a collar and rabies tag?

No. Two statewide laws cover this situation. One law says that any dog found running at large may be seized by a peace officer and placed in a city or county dog pound. "Peace officer" means animal

control officer, police, rabies control officer, sheriff or deputy, or wildlife officer.

The other statewide law says that it is a Class C misdemeanor for owners to allow their dogs to run at large on someone else's property or on a public road or street. Once again, there are exceptions to this law. Dogs are not "running at large" if they are hunting dogs that are on a hunt or chase or if they are guarding or driving livestock.

Q. What happens to a dog that has been taken to the pound?

If the dog is wearing a collar and rabies tag, reasonable efforts must be made to notify the owner. The owner then has five days to come to the pound and recover the dog by paying the pound fee. If the dog has no vaccination tag or other identification, the owner has three days to claim the animal before it is adopted or destroyed.

Next week: Part 2 – Dog bites and the law.

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Note: This column is not intended to take the place of legal advice. All cases are different and need individual attention. Consult with a private attorney of your choice to review the facts and law specific to your case.

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