

**CALLLED BOARD MEETING
BOARD OF MAYOR AND ALDERMEN
CITY OF MEDINA, TENNESSEE**

Agenda

February 19, 2026

6:00 PM

- **CALL TO ORDER**
- **SECOND READING OF AN ORDINANCE TO AMEND TITLE 3 OF THE MUNICIPAL CODE OF THE CITY OF MEDINA TO ADOPT ELECTRONIC CITATION REGULATIONS AND FEES**
- **FIRST READING OF AN ORDINANCE OF THE CITY OF MEDINA TO REPEAL TITLE 10 CHAPTER 3 OF THE MEDINA MUNICIPAL CODE RELATING TO ANIMAL CONTROL AND CREATING A NEW TITLE 10 RELATING TO THE SAME**
- **ADJOURNMENT**

ORDINANCE NUMBER _____

AN ORDINANCE OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MEDINA, TENNESSEE TO REPEAL TITLE 10, CHAPTER 3, "VICIOUS DOGS" AND TO CREATE A NEW TITLE 10, CHAPTER 3 OF THE MEDINA MUNICIPAL CODE RELATING TO SAME.

WHEREAS, the Medina Municipal Code contains a Title 10, Animal Control, Chapter 3, "Vicious Dogs," **AND**;

WHEREAS, the City of Medina seeks to revise Title 10, Chapter 3 of its Municipal Code;

WHEREAS, the City of Medina wants to regulate and control vicious dogs in the City as they pose a significant threat to the health, welfare and safety of citizens,

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND ALDERMEN OF THE CITY OF MEDINA, TENNESSEE, THAT:

The prior Title 10, Chapter 3 of the Medina Municipal Code, entitled "Vicious Dogs" is hereby repealed and a new Title 10, Chapter 3 is hereby created as follows:

CHAPTER 3. VICIOUS DOGS

The purposes of this Ordinance are to promote the public health, safety, and general welfare of the citizens of the City of Medina. This Ordinance is enacted pursuant to the general police power pursuant to Tenn. Code Ann. § 6-2-201.

10-301. Definition of terms.

As used in this chapter:

"Competent person" means any person eighteen (18) years of age or older, who is able to comprehend and understand the nature of his or her responsibility, and has sufficient ability, mentally and physically, to handle any particular animal he or she may take charge of, or have in his or her control.

"Keeper" means a person, firm or corporation keeping, possessing, harboring or having the care or custody of a dog.

"Owner" means (a) any person, partnership or corporation, owning an animal; (b) any person in charge of maintaining any animal; or (c) any person who feeds, shelters, or harbors an animal or permits it to remain on such person's property; or (d) if the animal is owned by a person under the age of eighteen (18), that person's parent or guardian.

"Unprovoked attack" means an attack in which an animal without provocation attacks or bites a human being (or another domestic animal) who has been conducting himself or herself peacefully and lawfully and has not teased, threatened, or otherwise provoked the attacking animal.

“Provocation” means any action or activity, whether intentional or unintentional, which would be reasonably expected to cause a normal dog in similar circumstances to react in a manner similar to that shown by the evidence.

“Vicious dog” means any dog, that according to the records of the appropriate authority has:

- (1) Aggressively bitten, attacked, or has otherwise inflicted injury on a human being on public or private property;
- (2) Severely injured or killed a human being. A severe injury would be any physical injury that results in broken bones, multiple punctures, or disfiguring lacerations, requiring sutures or cosmetic surgery;
- (3) Been used primarily, or in part, for the purpose of dog fighting or any other aggressive activity; or
- (4) Aggressively and unprovoked, while off its owners’/keepers’ property, attacked another domestic animal causing serious injury or death.

“City Court” shall be the City of Medina Municipal Court.

10-302. Determination of vicious dog.

- (1) If a law enforcement officer has investigated and determined that there is probable cause to believe that a dog is vicious, a citation shall be issued for the owner and/or keeper to appear in City Court for the purpose of determining whether the dog in question should be designated as vicious. In determining that there is probable cause to believe that a dog is vicious, the determination by the law enforcement officer should be based upon:
 - (a) The written complaint of a person who is willing to testify that the animal has acted in a manner which causes it to fall within the definition of “vicious dog”; or
 - (b) Dog bite reports filed with the Medina Police Department; or
 - (c) Actions of the dog witnessed by any law enforcement officer; or
 - (d) Other substantial evidence admissible in court.
- (2) Except by agreement of the respondent and counsel for the City and with the approval of the Judge, the hearing shall be held not less than five (5) nor more than fifteen (15) days after service of citation upon the owner/keeper of the dog. The citation shall be personally served by a Medina Police officer or via certified mail. If neither of these methods can be accomplished, the dog may be immediately impounded and notice of such given by a posting at the owner’s/keeper’s address.
- (3) The City Court shall designate a dog as vicious if the court finds, upon a preponderance of the evidence, that the dog meets the definition of “vicious dog.”

10-303. Declaring a dog vicious.

The City Court’s determination of whether a dog is vicious is subject to the following provisions:

- (1) No dog may be declared vicious for injury or damage sustained by a person who was committing a willful trespass, or other tort, or was committing or attempting to commit a crime upon the premises owned or occupied by the dog's owner/keeper or in a vehicle owned or occupied by the dog's owner/keeper.
- (2) No dog may be declared vicious for injury or damage sustained by a person who was teasing, tormenting, abusing, or assaulting the dog.
- (3) No dog shall be declared vicious as the result of protecting or defending a human being, any other animal, or itself against an unjustified attack or assault.

10-304. Notice of vicious dog declaration.

Within ten (10) days of the hearing declaring a dog vicious, the owner/keeper of the dog, if absent from the hearing, shall be notified by the City Court in writing of the decision of the court and of any restrictions imposed upon the respondent, either personally through a police officer or by certified mail. If neither of these methods can be accomplished, the dog may be immediately impounded and notice of such given by a posting on the owner's/keeper's address.

10-305. No transfer of ownership of vicious dog.

- (1) It shall be unlawful for any person who has been served with a citation to appear in City Court for the purpose of determining whether such person's dog should be designated as a vicious dog to transfer ownership of such dog until after the City Court has issued a ruling on such citation.
- (2) It shall also be unlawful for any person whose dog has been declared a vicious dog to transfer ownership of such dog to another person without having advised such other person in writing of the declaration and restrictions placed upon such dog and notify the Chief of Police in writing at least fifteen (15) days prior to such transfer of the name, address, and phone number of the proposed new owner or custodian, the proposed new location of the dog, and the name and description of the dog.

10-306. Requirements for keeping a vicious dog.

The owner/keeper of a vicious dog shall be a competent person and shall be subject to the following requirements:

- (1) Confinement. All vicious dogs shall be securely confined indoors or in an enclosed and locked pen or structure upon the premises of the owner/keeper. The pen or structure must have minimum dimensions of five feet (5') by ten feet (10') and must have secure sides and a secure top attached to the sides. If no bottom is secured to the sides, the sides must be embedded into the ground no less than two feet (2'). All pens or structures must be adequately lighted and kept clean and sanitary. The enclosure must also protect the dog from the elements.
- (2) Leash and muzzle. The owner/keeper of a vicious dog shall not allow the dog to go outside its kennel, pen or structure unless the dog is muzzled, restrained by a chain or leash not more than four feet (4') in length, and under the physical control of a person.

The muzzle must not cause injury to the dog or interfere with its vision or respiration, but must prevent the dog from biting any human or animal.

- (3) Signs. The owner/keeper of a vicious dog shall display in a prominent place on the owner's/keeper's premises a clearly visible warning sign indicating that there is a vicious dog on the premises. The sign must be readable from the public highway or thoroughfare. The owner/keeper shall also display a sign with a symbol warning children of the presence of a vicious dog. Similar signs shall be posted on the dog's kennel, pen or structure. All said signs shall be no less than twelve inches (12") by twelve inches (12") in size.
- (4) Insurance. The owner/keeper of a vicious dog must provide proof to the City of Medina City Recorder that the owner/keeper has procured public liability insurance of at least one hundred thousand dollars (\$100,000.00), insuring the owner/keeper for any damage or personal injury which may be caused by his or her vicious dog. In the event said liability insurance is canceled, lapsed, or for any reason becomes non-enforceable, said owner/keeper shall be in violation of the provisions of this chapter and subject to the penalties provided herein. In the event said liability insurance is canceled, lapsed, or for any reason becomes non-enforceable, the owner/keeper shall notify the City Recorder.

10-307. Impoundment and destruction.

The Medina Chief of Police or the City of Medina Municipal Judge may order the impoundment of a dog where:

- (1) The dog has attacked, bitten, or injured a human being or animal; or
- (2) The dog is a vicious dog as defined in § 10-301 and the owner/keeper has failed to comply with the requirements and conditions for keeping a vicious dog as defined in § 10-306.

10-308. Notice of impoundment.

Within ten (10) days of an impoundment, the City of Medina Chief of Police or the City of Medina Court shall notify the dog's owner/keeper in writing (if known) of the impoundment, either by personal service by a Medina Police officer, posting the notice on the owner's/keeper's property, or by certified mail.

10-309. Hearing on impoundment/destruction.

- (1) Request for hearing. The owner/keeper of an impounded dog shall have the right to file within ten (10) days after receiving notice, a written request for a hearing in City Court to contest the impoundment. Said written request is to be provided to the Medina City Recorder.
- (2) Representation. The owner/keeper may be represented by counsel, present oral and written evidence and cross-examine witnesses.
- (3) Decision. The City Court shall issue a decision within ten (10) days after the close of the hearing and shall notify the owner/keeper in writing of the decision.

- (4) Order of destruction or release. After considering all relevant evidence, the City Court may release the dog to its owner/keeper conditional on the owner/keeper complying with the requirements for keeping a vicious dog as set forth in § 10-306, or complying with any other requirements necessary to protect the public health and safety. If the dog has been deemed to be vicious because the dog has attacked a human and caused death or serious bodily injury and the City Court believes that a dog should be destroyed, a referral by the City of Medina Municipal Judge will be made to the District Attorney General pursuant to Tenn. Code Ann. § 44-17-120.
- (5) Consequence of failure of owner/keeper to appear. If the owner/keeper of impounded dog fails to appear at a hearing or fails to request a hearing, the dog shall be offered for adoption or a petition will be filed with the courts of Gibson County for the destruction of the dog.
- (6) Expenses of impoundment. Any person who violates this chapter shall pay all expenses, including shelter, food, handling, veterinary care and testimony necessitated by the enforcement of this chapter.

10-310. Exemption.

This chapter shall not apply to dogs used by a police department or law enforcement agency.

10-311. Change of status.

The owner/keeper of a vicious dog shall notify the City of Medina Police Department within twenty-four (24) hours if the vicious dog is unconfined and on the loose, or has attacked a human being or animal.

10-312. Dog fighting.

No person shall possess, harbor, or maintain care or custody of any dog for the purpose of dog fighting, nor shall any person train, torment, badger, bait, or use any dog for the reason of causing or encouraging the dog to attack human beings or domestic animals.

10-313. Penalties.

Whoever violates any provision of this chapter shall be guilty of a misdemeanor and shall be fined fifty dollars (\$50.00) and each day of violation shall be deemed a separate violation.

10-314. Right of entry by Chief of Police.

It shall be the duty and authority of the Chief of Police or his/her authorized representative to enter onto any premises, public or private, at any reasonable hour of day to make inspection for the purpose of carrying out the provisions of this chapter.