

ORDINANCE NO. 1663

**AN ORDINANCE ADDING PROVISIONS TO MANCHESTER MUNICIPAL CODE
REGARDING MINIMUM STANDARDS FOR ENCLOSURES FOR DOGS**

WHEREAS Manchester Municipal Code provides no minimum standards for enclosures for dogs; and

WHEREAS, as the population of the City of Manchester increases, dogs are being kept in increasingly small areas and in less than humane conditions; and

WHEREAS the Board of Mayor and Aldermen believes it in the best interest of the City of Manchester that certain regulation be enacted to ensure the humane treatment of dogs.

BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that there be added a new Section 10-207, as follows:

“10-207 ENCLOSURES FOR DOGS

- A) For purposes of this section, ‘outdoor pen enclosure’ means an enclosure (excluding fenced-in yards) used as the primary living area or an area used regularly for a dog or dogs to eat, sleep, drink and eliminate. The configuration of the enclosure must be such that the dog can easily move about.**
- B) Outdoor pen enclosures shall meet the following requirements:**
 - 1. Minimum size – Outdoor pen enclosures shall meet the square footage requirements set forth in Table 1 provided below based upon the number and size of dogs in the enclosure, provided that puppies less than three months in age shall not be counted for purposes of determining the minimum size of the enclosure.**
 - 2. The required amount of unoccupied space does not include that required for adequate shelter from the weather but shall include adequate shade for all dogs in enclosure.**
 - 3. The pen or secure enclosure shall be constructed with chain link or similar fencing material or other material which contains the dog or dogs without unreasonable risk of the dog being trapped in or injured by the enclosure.**
 - 4. The floors of pens shall be constructed of such material or otherwise arranged so that there is no accumulation of standing water.**
 - 5. All pens shall be kept clean and sanitary and shall not be kept in a manner that creates a nuisance for the neighbors or neighborhood; nor filthy or dirty confinement conditions, including but not limited to exposure to excessive animal waste, garbage, dirty water, noxious odors, dangerous object that could injure or kill the dog upon contact or other circumstances that could cause harm to the dog’s health.**
 - 6. The pen shall be of sufficient height as to prevent the dog from escaping and, if a top is used, it must be at least twelve inches above the head of the tallest dog.**

Table 1

MINIMUM SIZE FOR OUTDOOR PEN ENCLOSURES

Minimum square footage of unoccupied area (excluding doghouse) based on largest dog:

No. of Dogs*	Up to 25 Lbs.	25 - 50 Lbs.	Over 50 Lbs.	Over 100 Lbs.
1	20	50	80	100
2	50	80	100	150
3	80	100	150	200
4	100	150	200	250

*** An additional 50 square feet is required for each dog above four.**

- C) Each animal kept in an enclosure in violation of this section is a separate violation.**
- D) Each day any such animal enclosure is kept in violation of this section is a separate violation.**
- E) Each violation of this section may be punished by a fine up to Fifty Dollars (\$50). After a third violation; the Court may Order the animal(s) seized and impounded in accordance with other provisions of this Code and State law.”**

BE IT FURTHER ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that this ordinance shall take effect on and after its publication and passage, the public welfare of the City of Manchester, Tennessee requiring it.

PASSED FIRST READING: _____ August 2 _____, 2022

PASSED SECOND AND FINAL READING: _____ September 6 _____, 2022

Marilyn Howard, Mayor

Bridget Anderson, Finance Director