

**Section 3.3 Certificate of Vaccination:**

Upon vaccination, the veterinarian shall execute and furnish to the owner of the dog or cat as evidence thereof a certificate upon a form furnished by the veterinarian. The veterinarian shall retain a duplicate copy, and one copy shall be registered with the county animal control authority. Such certificate shall contain the following information:

- (1) The name, address and telephone number of the owner of the vaccinated dog or cat;
- (2) The date of the vaccination;
- (3) The type of rabies vaccine administered;
- (4) The year and number of rabies tag; and
- (5) The breed, age, color and sex of the vaccinated dog or cat.
- (6) The signature, printed name, address and telephone number of the veterinarian that administered the vaccine.

Forgery of a certificate of vaccination is found to be regulated by Section 32.21 of the Texas Penal Code.

**Section 3.4 Tags:**

Concurrent with the delivery of the certificate of vaccination referred to in Section 3.3 of this order, the owner of a dog shall cause to be attached to the collar or harness of the vaccinated dog a metal tag serially numbered to correspond with the vaccination certificate number and bearing the year of issuance and the name of the issuing veterinarian and his address. The owner shall cause the collar or harness, with the attached metal tag to be worn by the dog whenever the dog is outside of confinement. In the event of loss or destruction of the tag, the owner of the dog shall obtain a duplicate tag and cause it to be attached to the collar or harness of the dog in accordance with the provisions of this Section.

**Section 3.5 Use and Sale of Rabies Vaccine:**

- (a) Rabies vaccine for animals may be administered only by or under the direct supervision of a veterinarian.
- (b) A veterinarian may not administer or directly supervise the administration of rabies vaccine unless the veterinarian is:

- (1) licensed by the State Board of Veterinary Medical Examiners to practice veterinary medicine, or
  - (2) practicing veterinary medicine on an installation of the armed forces or National Guard and authorized by proper federal, state or military authority to administer rabies vaccine to animals at such location.
- (c) A person may not sell or distribute rabies vaccine for animals to any person except a licensed veterinarian or to a person working in a veterinary clinic who accepts the vaccine on behalf of the veterinarian, provided that a veterinarian licensed by the State Board of Veterinarians Medial Examiners is not prohibited from selling or dispensing rabies vaccine to an individual with whom the veterinarian has a veterinarian-client-patient relationship as described by Chapter 801 of the Texas Occupation Code, for the sole purpose of allowing that individual to administer the rabies vaccine to that individual's own stock. No individual who is not a licensed veterinarian or under the immediate supervision of a licensed veterinarian may in any case administer rabies vaccine to livestock of another person.

**Section 3.6 Registration of Dogs and Cats:**

(Reserved for expansion)

**Section 3.7 Restraint of Dogs and Cats and Ferrets:**

- (1) Each dog, cat, ferret and shall be restrained by its owner.
- (2) Each stray dog or cat is hereby declared to be a public nuisance.
- (3) Each unrestrained dog, cat, ferret and shall be detained or impounded by the county rabies control authority or the designee of that official.
- (4) Each stray dog, cat, ferret or shall be impounded by the county rabies control authority in accordance with the impoundment provisions of this order.
- (5) A humane disposition shall be made of each unclaimed impounded dog, cat ferret and upon expiration of the impoundment period.

**Section 3.8 Duty to Report Human Exposure:**

- (a) Any person having knowledge that an animal has bitten or scratched a human being

shall immediately report the incident to the county rabies control authority. Every physician or other medical practitioner who treats a person for such bites shall, within 12 hours, report such treatment to the county rabies control authority, and shall give that officer the name, age, sex, address and precise location of the bitten person (if known), and such other information as the animal control authority may require. Among others, the types of animals that must be reported for biting a human include bats, foxes, coyotes, dogs, wolves, ferrets, skunks, raccoons and all hybrids thereof.

- (b) Bites to humans by rodents, rabbits, guinea pigs, hamsters, gerbils (or other low risk animals), birds, reptiles and other non-mammal forms of animal are excluded from the requirements of this Section.

**Section 3.9 Duty to report animal exposed to rabies:**

- (a) Any person having knowledge of the existence of any animal known to have been, or suspected of being exposed to rabies must immediately report such knowledge to the rabies control authority, giving the name and address of the animal owner and location of the animal, if known, and any other information that may help in locating the animal suspected of having been exposed and its owner, and any other information required by the animal control authority. The county rabies control authority shall investigate each such report. Any animal bitten, scratched or attacked by an animal which is not owned by the same person is deemed to be suspected of being exposed to rabies. Any animal that has fought with an animal not owned by the same owner is deemed to be suspected of being exposed to rabies regardless of which animal was the aggressor.
- (b) The following rules apply to any animal known to have been exposed to rabies or suspected of having been exposed to rabies, to wit:
  - (a) A animal that has a current valid rabies vaccination which has been received more than 30 days prior to such exposure must be revaccinated immediately and quarantined according to the method prescribed by the animal control authority and all applicable rules adopted by the State Board of Health for a period of not less than 90 days.
  - (b) An animal that is known to be exposed to rabies and that does not have a current valid rabies vaccination or that has only a vaccination that was received less than 30 days prior to the exposure shall be destroyed, provided that if the owner of such animal elects, he may, at his expense, in a manner prescribed by the county animal control

authority and in compliance with the applicable rules adopted by the State Board of Health, quarantine the animal for a period of six months.

- (c) An animal that is suspected to have been exposed to rabies and that does not have a current valid rabies vaccination or that has only a vaccination that was received less than 30 days prior to the exposure shall be quarantined, at the owner's expense, in a manner prescribed by the county animal control authority and in compliance with the applicable rules adopted by the State Board of Health, unless the owner elects to have the animal humanly destroyed.
  - (d) Animals required by this Section to be quarantined for 90 days, shall be given vaccinations at three and eight weeks of quarantine. If at the end of the six-month period of quarantine, a licensed veterinarian certified to the animal control authority in writing that the animal is free of symptoms of rabies, the animal shall then be revaccinated against rabies by a licensed veterinarian and the quarantine of the animal shall continue for an additional 30 days. If at the end of the additional 30 day quarantine, a licensed veterinarian certifies to the animal control authority in writing that the animal remains free from all symptoms of rabies, the animal may then be released to the owner.
- (b) Any veterinarian who clinically diagnoses rabies, or any person who suspects rabies in a dog, cat, or other domestic or wild animal, shall immediately report the matter to the animal control authority stating precisely where the animal may be found and any other information concerning the animal required by the animal control authority.
  - (c) A veterinarian who diagnoses rabies or suspects rabies in a dog, cat or other domestic or wild animal in his possession shall quarantine the animal.
  - (d) The owner of an animal that is reported to be rabid or that is reported to have exposed an individual to rabies, or that bites, claws, or scratches a person, or is known or suspected by the owner to have rabies or has been exposed to rabies or is suspected of having been exposed to rabies shall submit the animal for quarantine to the animal control authority.

### **Section 3.10 Procedures for Wild Animals:**

Any wild animal (other than a low risk animal) that has bitten or scratched or clawed a human being shall be caught and killed, if possible, and the brain shall be submitted to a qualified laboratory for rabies examination, unless the State Health Department has adopted a policy of not testing for rabies in the type of animal in question.

### **Section 3.11 Quarantine:**

(a) Any dog, cat, domesticated skunk, ferret or other animal which has bitten, clawed or scratched a human being shall be observed for ten days from the date of the incident. The procedure and place of observation shall be designated by the investigating officer or the animal control authority and shall conform in all respects to all applicable rules adopted by the State Board of Health. If the dog, cat, or ferret is not quarantined on the owner's premises, quarantine shall be by impoundment in the county's animal detention site, or at any veterinary hospital or the owner's choice. Such quarantine shall be at the owner's expense. Stray dogs, cats, domesticated skunks or ferrets or other animals whose owners cannot be located shall be impounded in the designated county detention site.

(b) The owner of any dog, cat, or ferret or other animal that has been reported to have inflicted a bite on a human being shall on demand of any county animal control officer produce such animal for quarantine. Each day that the owner fails or refuses to produce the dog, cat or ferret for quarantine shall constitute a separate violation.

(c) If it is determined by a veterinarian that a quarantined animal shows the clinical signs of the rabies disease, the animal control officer shall cause the animal to be humanely destroyed.

(d) If an animal dies or is destroyed while in quarantine, the animal control authority shall cause the head of the animal to be removed and shall submit it to the State Department of Health laboratory for testing in a manner that complies with the requirements of the State Department of Health.

(e) The owner of an animal that is required to be placed in quarantine may request permission from the county animal control authority for home quarantine if the following criteria can be met:

(1) Secure facilities must be available at the home of the animal's owner, and must be approved by the animal control officer.

(2) The animal was currently vaccinated against rabies at the time of the incident that gave rise to the need for quarantine, and is currently vaccinated against rabies during the period of quarantine.

(3) The owner must not have been in violation of the laws concerning animals and rabies control nor in violation of this order at the time of the incident that gave rise to the need for quarantine.

(4) The person or persons in possession of the animal must keep the animal confined in the manner required by the animal control officer and must permit the

animal to be observed and inspected at any time required by a county animal control officer.

(5) A county animal control officer or a licensed veterinarian must observe the animal at least on the first and last days of the quarantine period. If the animal becomes ill during the observation period, a county animal control officer must be notified by the person having possession of the animal. At the end of the observation period, the release from quarantine must be accomplished in writing, signed by a county animal control officer

(b) In the event the animal becomes ill or dies during home quarantine, the owner shall report that fact to the animal control authority and to any supervising veterinarian immediately and in the event the animal has died, shall allow those authorities to enter and remove the head and brain of said animal for testing for rabies.

(c) The owner of an animal that is quarantined shall pay to the animal control authority the reasonable costs of the quarantine and disposition of the animal, and the cost of testing for rabies and the animal control authority may bring suit to collect those costs. The animal control authority may sell and retain the proceeds or destroy an animal that the owner or his designee does not take possession of on or before the third day following the final day of the quarantine.

(d) A wild animal that bites a human shall be destroyed in a manner that permits its brain to be removed and tested for rabies pursuant to the rules and guidelines of the State Board of Health. It shall be the responsibility of the animal control authority to collect said brain and submit it for testing in accordance with said rules.

### **Section 3.12 Vicious and Dangerous Animals in General:**

No person shall knowingly possess, maintain, or harbor a vicious animal within the unincorporated area of the County. Such animal may be impounded by the county animal control authority. If the animal is running at large and cannot be impounded with safety to the officer or officers attempting to impound the animal, the animal may be destroyed without notice to the owner or person harboring the animal.

### **Section 3.15 Impoundment and destruction:**

(a) It shall be the duty of the county animal control authority and its officers to apprehend, confine and impound all animals found to be in violation of this order. All dogs, cats, ferrets and domesticated skunks running at large may be seized and impounded whether vaccinated or not. All dogs, cats, ferrets and domesticated skunks found to not have current rabies vaccinations may be seized and impounded. A dog, cat, ferret or is deemed to not have a current rabies vaccination unless the

owner can show a valid certificate of vaccination for the animal. The owner of a dog, cat, ferret or shall provide the animal's current certificate of vaccination upon demand of any county animal control officer or peace officer.

- (b) All animals impounded shall be placed and kept in an animal shelter or other impounding facility and confined in a humane manner in a secure enclosure. Any county owned shelter or facility designated to be used for impoundment or quarantine purposes shall be under the supervision, control and management of the county animal control authority. Plentiful food and water shall be provided to each impounded animal at all times.
- (c) Immediately upon impounding an animal, the animal control authority shall make a complete registry of the animal, entering the type, breed, color, sex and age of the animal, the place and time of taking into custody, whether the animal has a rabies vaccination tag, and any owner identifying information discovered. A record shall be maintained for each animal impounded containing the foregoing information and concerning the health of the animal, attempts to notify the owner of its impoundment, notices sent to the owner, vaccinations, and disposition of the animal.
- (d) The county animal control authority shall make a reasonable effort to notify the owner and inform the owner of the conditions whereby custody of the animal may be regained.
- (e) All animals without rabies vaccination tags shall be kept 72 hours; all animals with rabies vaccination tags shall be kept 144 hours. Animals that are not claimed by and released to their owners within the specified holding periods shall become the property of Parker County.
- (f) Any dog, cat, or ferret found running at large and which has had its ownership determined by a county animal control officer and verified to the animal control officer by the owner, may be released to the owner with service of a notice of violation of this order in lieu of impounding the animal, at the discretion of the county animal control officer. If on investigation the animal control officer is satisfied that the animal was running at large without the consent of the owner and presented no substantial risk or annoyance to any person, the officer may treat the delivery of a notice of violation as a warning and is not required to file a criminal charge against the owner, provided that the matter of whether criminal charges for violation of the county animal control regulations should be filed or not is within the discretion of the animal control officer.
- (g) An impounded animal may be redeemed by the owner by satisfying the following requirement:

- (1) Payment of all impoundment fees;
  - (2) Providing a valid certificate showing current rabies vaccination of the animal;
  - (3) In the event no certificate showing the animal has a current rabies vaccination can be shown, obtaining a valid rabies vaccination for the animal at the owner's expense, which vaccination shall be paid for prior to release of the animal.
  - (4) Show proof that any fines and court costs assessed by any court for charges concerning the manner in which the owner has kept the impounded animal have been paid.
- (h) Unclaimed animals and adoption and sterilization: If an impounded animal is not claimed by any owner, the animal control authority may put the animal up for adoption to a responsible person in lieu of destroying the animal. If an animal is permitted to be adopted, all provisions of statutory law and rules, regulations and guidelines of the State Board of Health concerning the adoption of animals shall be adhered to including the provisions for dog and cat sterilization set out in Chapter 828 of the Texas Health and Safety Code and the Texas State Board of Health regulations adopted concerning said procedure. Animals may only be adopted by individuals and not by other forms of legal entities.
  - (i) Unclaimed animals and destruction: If an impounded animal is not claimed by any owner, the animal control authority may cause the animal to be humanely euthanized in the manner prescribed by the rules and regulations of the State Board of Health.
  - (j) Ill or injured animal: If an impounded animal is so ill or injured that in the opinion of a licensed veterinarian it constitutes unnecessary cruelty to keep the animal alive, it shall be humanely euthanized to prevent further suffering.
  - (k) In the event an owner of an impounded animal fails to pay the fees and costs of impounding, keeping, care, destruction of the animal, and rabies testing including reasonable veterinarian expenses incurred in the care of the animal, the animal control authority is authorized to pursue a civil action on behalf of the County against the owner for such fees and costs in a court of appropriate jurisdiction.
  - (l) Schedule of fees for impounded animals:
    - (1) Impound fee..... \$10.00
    - (2) Fee for each day's boarding for impounded animal  
found running at large..... \$ 5.00



- (3) Fee for each day's boarding for quarantined animal... \$10.00
- (4) Adoption fees:
  - Male dog..... \$50.00\*
  - Female dog..... \$45.00\*
  - All cats..... \$45.00\*

(\* includes fee for spaying or neutering and for vaccinations/shots)

In addition the animal control authority may charge the reasonable cost of seizing and transporting the animal and all veterinary expenses incurred by the animal control authority for the animal.

**Chapter 4 DANGEROUS WILD ANIMALS**

**Section 4.1 Prohibition against Keeping Dangerous Wild Animals:**

(a) Pursuant to the authority given this Court under Subchapter A of Chapter 240 of the Texas Local Government Code, the Court finds that the animals defined by this order as "dangerous wild animals" are dangerous and that control of said animals is necessary.

(b) It is an offense to keep, maintain, possess or harbor a dangerous wild animal for any purpose within the area of the county that lies outside of the boundaries of any incorporated municipality except as otherwise specifically permitted by federal or state law, and provided that persons excepted from the requirements of Subchapter E of Chapter 822 of the Texas Health and Safety Code may keep such animals. Each day that a dangerous wild animal is kept, maintained, possessed or harbored in violation of this provision shall constitute a separate offense. It is an exception to this and the following provision that the animal is a species of bat that is harbored in a manner that limits risk of contact with human beings, as by use of bat roosting devices isolated from casual human contact for the purpose of encouraging propagation of bats as insect devouring animals.

(c) A person permitted to keep or possess a dangerous wild animal within the county by this order shall keep the animal securely confined and shall not permit the animal to present a risk to the physical safety of any person nor to the safety of the public.

**Chapter 5 DANGEROUS DOGS:**

**Section 5.1 Statutory Regulations Apply:**

The provisions of Subsection D of Chapter 822 of the Texas Health and Safety Code (which Subchapter provides procedures and offenses concerning dangerous dogs) shall be enforced by the county animal control authority in all parts of the county in which there is not a

municipal animal control authority.

**Section 5.2 Guard animals:**

It shall be unlawful to place or maintain any dog or other animal which has been specifically trained to attack human beings in any area for the protection of person or property, unless the dog is physically confined to a specific secure enclosure, or is restrained and under complete and absolute control. The area of premises in which the animal is confined must be conspicuously posted with warning signs bearing letters not less than two inches high.

**Section 5.3 Tethering:**

(a) Because of significant increase in aggression that occurs when dogs are tethered, it is unlawful to tether or chain a dog as a means of restraint except for temporary periods not to exceed 20 minutes in duration and no more than 5 times a day.

(b) Exception: A dog may be tethered by attaching the end of the tethering chain or rope to a line, heavy wire or cable of at least 40 feet in length and the ends of which are in turn attached to solid anchoring posts or other devices or structures at a height that is sufficient to prevent the line, wire or cable from obstructing the passage of humans and from presenting a hazard to humans and which allows the line, wire or cable to run parallel to the surface of the ground. The tethering must be done in such manner as permits the dog to move freely up and down the parallel line, wire or cable. The tethering chain or rope must be of a length that permits the dog to move freely to a distance of at least 10 feet on either side of the fixed line, wire or cable.

(c) It shall be unlawful to tether a dog, even temporarily, in such proximity to the owner's property line or a public road or path as would permit the dog to reach persons using the public road or path or to reach persons not on the property of the owner or to come within 50 feet of such persons. It is unlawful to use a tethered dog as a guard dog, and to leave a dog tethered in a location to which children has access.

**Section 5.4 Interference with the Lawful Use of Public Right of Ways:**

(a) Any dog that chases vehicles upon a public right of way or interferes in any manner with vehicular or pedestrian traffic upon a public right of way shall be deemed a "dangerous dog" within the meaning of this order. Behavior by a dog that is reasonably calculated to frighten pedestrians and bicyclists or distract operators of vehicles constitutes interference.

(b) It is unlawful for any person having ownership, possession or control of a dog to permit the dog to interfere with vehicular or pedestrian traffic upon a public right of way. Each occurrence of a violation of this provision constitutes a separate offense.

(c) It is not a defense to this offense that the vehicle or pedestrian was in violation of a traffic law or ordinance at the time of the interference by a dog.

**Section 5.5, etc.** (Reserved for expansion)

## **Chapter 6 PENALTIES AND FEES**

### **Section 6.1 Penalties:**

A person who violates any provision of the Animal Control Regulations of Parker County shall be guilty of a misdemeanor and may be punished by a fine not in excess of \$500. Subsequent or repeat offenses shall be subject to the punishment enhancement provisions of state law.

### **Section 6.2 Disposition of Fees:**

All fees collected by the county rabies control authority from enforcement of this order shall be deposited with the County Treasurer and shall be used only to help defray the expense of administering the rabies control provisions of this order.

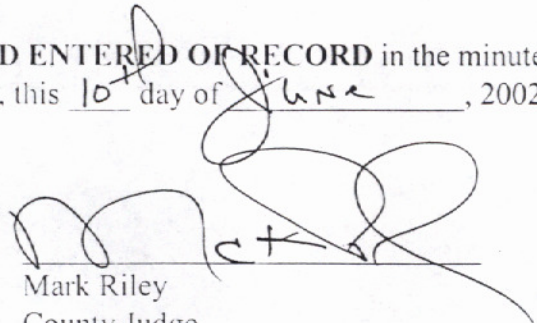
### **Section 6.3 Injunction:**

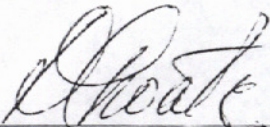
A violation or threatened violation of this order may be enjoined by an action in District Court.

## **Chapter 7 REPEAL OF PRIOR ORDERS AND ORDINANCES:**

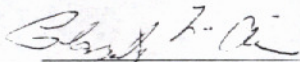
All ordinances or orders previously adopted by this Court concerning animal control, control of rabies and dangerous dogs, dangerous wild animals and dangerous animals are repealed and superseded upon adoption of this order. Specifically the order of this Court entitled "the Parker County Animal Control Ordinance" adopted on February 6, 1998, and Order 01-10 entitled "Prohibiting the Keeping of Wild Animals pursuant to Chapter 240, Local Government Code and Creating a Criminal Penalty" adopted on September 10, 2001 are hereby repealed.

APPROVED, ADOPTED, AND ORDERED AND ENTERED OF RECORD in the minutes of the Commissioners Court of Parker County, Texas, this 10<sup>th</sup> day of June, 2002.

  
Mark Riley  
County Judge

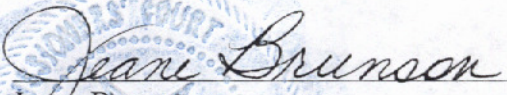
  
Danny Choate      Aye/Nay  
Commissioner, Precinct One

\_\_\_\_\_  
Mack Dobbs      Aye/Nay  
Commissioner, Precinct Two

  
Charles Akin      Aye/Nay  
Commissioner, Precinct Three

\_\_\_\_\_  
Gary Plugge      Aye/Nay  
Commissioner, Precinct Four

ATTEST:

  
Jeanne Brunson  
County Clerk of Parker County, Texas  
by \_\_\_\_\_ ~~\_\_\_\_\_~~

