

THE STATE OF TEXAS
COUNTY OF KAUFMAN
RULES PROVIDING
RABIES CONTROL

PROCEEDINGS BEFORE THE
COMMISSIONERS COURT
OF KAUFMAN COUNTY, TEXAS

COURT ORDER

On the 23 day of June, 2009 in regular session, the Commissioners Court of Kaufman County, Texas considered the following:

RULES PROVIDING FOR RABIES CONTROL

WHEREAS, the Commissioners Court of Kaufman County, Texas is of the opinion that the public health, safety and welfare requires rules providing for a local rabies control program.

IT IS THEREFORE ORDERED AS FOLLOWS;

AUTHORITY

These rules are adopted pursuant to the authority granted Kaufman County by the Rabies Control Act of 1981 Chapter 826 Texas Health and Safety Code, Sections 826.013, 826.14 and the Texas Administrative Code Chapter 169, Subchapter A, Rule 169.29.

DEFINITIONS

IN THESE RULES:

- (1) "Animal" means a warm blooded animal.
- (2) "Board" means the Texas Board of Health.
- (3) "Cat" means Felis Catus.
- (4) "Commissioner" means the Commissioner of Health
- (5) "Department" means the Texas Department of Health.
- (6) "Dog" means Canis Familiaris.
- (7) "Epizootic" means a veterinarian licensed to practice veterinary medicine in one or more of the 50 states.
- (8) "Licensed Veterinarian" means a veterinarian licensed to practice veterinary medicine in one or more of the 50 states.
- (9) "Quarantine" means strict confinement of an animal specified in an order of the board or its designee.
- (10) "Rabies" means an acute viral disease of man and/or animal affecting the central nervous system and usually transmitted by an animal bite.
- (11) "Stray" means roaming with no physical restraint beyond the premises of an animal's owner or keeper.

RESTRAINT OF DOGS AND CATS

IT IS ORDERED THAT:

- (1) Each dog or cat be restrained in such a manner as to prevent the dog or cat from leaving the owner's property or on a leash not more than six feet in length while off the owner's property. Dogs are not required to be on a leash while being used in connection with hunting, or under close supervision and control of the hunter, and the hunting is being done with the permission of the owner of the land;
- (2) Each stray dog or cat is hereby declared a public nuisance;
- (3) Each dog or cat that is not restrained as required in (1) above will be detained or impounded by the local health authority or that officer's designee for a period of ninety-six (96) hours unless previously claimed by the owner;
- (4) That each dog or cat is impounded for a period of ninety-six (96) hours unless previously claimed by the owner;
- (5) That each dog or cat quarantined for a violation of the State Rabies Control Act of 1981 be quarantined as required by the State Act;
- (6) That a humane disposition be made of each unclaimed stray dog or cat upon the expiration of the required impoundment period;
- (7) No dog or cat shall be released to the owner without proof of rabies vaccination.
- (8) Any dog or cat that is the suspect in a biting attack will be impounded and the owner must show proof of current vaccination certificate to the Sheriff's Office within 72 hours of the detention of the dog or cat:

CHARGES

A fee of \$25.00 is charged for impoundment and a \$100.00 per day charge for board provided to any impounded stray dog or cat.

DESIGNATION OF LOCAL HEALTH AUTHORITY

The Sheriff of Kaufman County shall be designed to act as the local health authority for the purpose of these rules. The duties of the local health authority shall include but are not limited to the enforcement of:

- (1) The provisions of the Rabies Control Act of 1981 (Chapter 826 Texas Health and Safety Code) and the rules of the board which comprise the minimum standards for rabies control, with the exception of Section 826.031 providing for registration of dogs and cats;
- (2) The rules for Animal Control of Kaufman County and;
- (3) The rules adopted by the board under the area quarantine provisions of Section 826.045 of the Rabies Control Act of 1981.

- (4) The rules of the Texas Administrative Code Chapter 169 Subchapter A, Rule 169.29.

ADOPTION OF STATE STANDARDS

- (a) Except as otherwise provided by board rule, the owner of a dog or cat shall have the animal vaccinated against rabies by the time the animal is four months of age and at regular intervals thereafter as prescribed by board rule.
- (b) A veterinarian who vaccinates a dog or cat against rabies shall issue to the animal's owner a vaccination certificate in a form that meets the minimum standards approved by the Texas Administrative Board, Rule 169.29.
- (c) The attending veterinarian has discretion as to when the subsequent vaccination will be scheduled as long as the vaccination due date does not exceed the recommended interval for booster vaccination as established by the manufacturer or vaccination requirements instituted by local ordinance.

VACCINATION OF DOGS AND CATS REQUIRED

- (a) Except as otherwise provided by board rule, the owner of a dog or cat shall have the animal vaccinated against rabies by the time the animal is four months of age and at regular intervals thereafter as prescribed by board rule.
- (b) A veterinarian who vaccinates a dog or cat against rabies shall issue to the animal's owner a vaccination certificate in a form that meets the minimum standards approved by the Texas Administrative Board, Rule 169.29.
- (c) The attending veterinarian has discretion as to when the subsequent vaccination will be scheduled as long as the vaccination due date does not exceed the recommended interval for booster vaccination as established by the manufacturer or vaccination requirements instituted by local ordinance.

OFFENSES

Restraint: Criminal Penalty

- (a) A person commits an offense if:
 - (1) The person fails or refuses to restrain a dog or cat owned by the person; and
 - (2) The animal is required to be restrained under these rules.
- (b) An offense under this section is a Class C Misdemeanor.

Vaccination; Criminal Penalty

- (a) A person commits an offense if the person fails or refuses to have each dog or cat owned by the person vaccinated against rabies and the animal is required to be vaccinated under these rules;
- (b) An offense under this section is a Class C Misdemeanor.

JURISDICTION

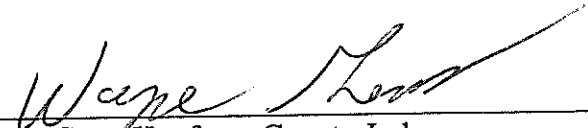
These rules apply with the unincorporated areas of Kaufman County and within those municipalities that have contracted with Kaufman County pursuant to the Rabies Control Act of 1981 and Interlocal Cooperation Act.

EFFECTIVE DATE

These rules are effective as of the date of this adoption.

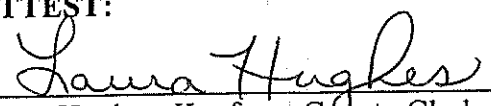
Adopted this 23RD day of June, 2009.

BY ORDER OF COMMISSIONERS' COURT



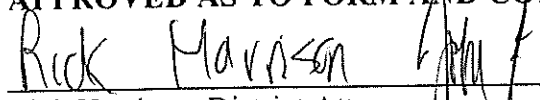
Wayne Gent, Kaufman County Judge

ATTEST:



Laura Hughes, Kaufman County Clerk

APPROVED AS TO FORM AND CONTENT:



Rick Harrison, District Attorney