

ORIGINAL

CHAPTER 52. REGULATIONS OF BURNET COUNTY, TEXAS
GOVERNING ANIMAL CONTROL

52.001 AUTHORITY.

These Regulations of Burnet County, Texas, Governing Animal Control ("Rules") are adopted by the commissioners Court of Burnet County, Texas. Authority of Burnet County to adopt and enforce these rules is included in TEXAS HEALTH AND SAFETY CODE, Chapter 822, "Regulation of Animals," and TEXAS HEALTH AND SAFETY CODE, Chapter 826, "Rabies", and other applicable statutes ("Animal Control Laws" or "AC Laws").

52.002 GENERAL PROVISIONS.

A. Animal Control Authority/Rabies Control Authority.

1. **Animal Control Authority.** Burnet County hereby designates the Burnet County Sheriff or his/her designee, as the Animal Control Authority, as approved by the Commissioners Court, and/or the Burnet County Sheriff, as applicable. The Commissioners Court hereby designates those members of the above departments/offices called upon by authorized personnel to enforce these Rules as designated representatives of the ACA. The ACA shall be represented by the Burnet County Attorney's Office in enforcement proceedings in any Burnet Court of Jurisdiction under Section 52.009 ("Dangerous Wild Animals") of these Rules.
2. **Rabies Control Authority.** Under these Rules, the Burnet County Rabies control officer.

B. Area of Jurisdiction. Except for Section 52.010, "Rabies Control," these Rules shall govern the unincorporated areas of Burnet County. Section 52.010 shall govern the unincorporated areas of Burnet County

C. Enforcement.

1. The ACA (including the authorized representatives of the ACA) will enter property and seize animals as authorized under these Rules pursuant to applicable law.
2. **Complaints**
 - a. **Dangerous Dogs.** All complaints, applications or other statements filed with the ACA of any violation of these Rules related to Dangerous Dogs shall be in the form of a sworn affidavit which carries with it the penalties associated with filing a false sworn complaint.
 - b. **Other.** In cases of violations of other sections of these Rules, the ACA, or ACA representative, must either witness the violation or receive the complaint supported by a sworn statement before a citation will be issued or an animal seized. The ACA may, however, consult with the Owner or take other reasonable action concerning other complaints without having a sworn statement or having witnessed the violation.

D. State Rules. State requirements set forth in Chapter 822 and Chapter 826 shall apply unless specifically addressed and/or changed by these Rules.

52.003 DEFINITIONS

- A. "Animal Control Authority" means the Burnet County Sheriff's Office and as assisted by Burnet County Constables and/or others as approved by the Commissioners Court.
- B. "Animal Control Laws" and/or "AC Laws" means TEXAS HEALTH AND SAFETY CODE, Chapter 822, "Regulation of Animals," and TEXAS HEALTH AND SAFETY CODE, Chapter 826, "Rabies," and other applicable federal, state and local statutes, laws rules and/or ordinances.
- C. "Chapter 822" means Chapter 822 of the TEXAS HEALTH AND SAFETY CODE.
- D. "Chapter 826" means Chapter 826 of the TEXAS HEALTH AND SAFETY CODE.
- E. "Commissioners Court" means the Burnet County Commissioners Court.
- F. "Dangerous Dog" means a dog that makes an attack or commits an act or acts:
 - 1. on a person without provocation in a place other than an enclosure in which the dog was being kept that was reasonably certain to prevent the dog from leaving the enclosure on its own that either causes bodily injury to a person or causes a person to reasonably believe that the dog will attack and cause bodily injury to that person;

OR

- 2. on livestock, a domestic animal or fowl without provocation in a place other than an enclosure in which the dog was being kept that was reasonably certain to prevent the dog from leaving the enclosure on its own that either causes injury to that livestock, domestic animal or fowl, or causes a person to reasonably believe that the dog will attack and cause injury to that livestock, domestic animal or fowl.

For purposes of these Rules, "provocation" shall mean overt act(s) by a person, which would reasonably be expected to irritate, harass or aggravate a dog (such as teasing, taunting, etc.), but does not include any act by a person reasonably seen by that person as necessary to intervene to protect another person or livestock, domestic animal or fowl.

- G. "Dog" means a domesticated animal that is a member of the canine family.
- H. "Dangerous Wild Animal" means an animal of a species defined as a "dangerous wild animal" in subchapter E, Section 822.101, TEXAS HEALTH AND SAFETY CODE. Those animals are, at the time of approval of these Rules: lion, tiger, ocelot cougar, leopard, cheetah, jaguar, bobcat, lynx, serval, caracal, hyena, bear, coyote, jackal, baboon, chimpanzee, orangutan, gorilla, wolf or any hybrid of an animal listed herein.
- I. "Owner" means a person who owns or has custody or control of a dog and/or cat (or other animal referenced in these Rules), and includes, as indicated by the context of these Rules, the person in control or having custody of, or feeding or harboring such animal.
- J. "Rabies Control Authority" Means the Animal Control Authority as defined by Sections 52.002A.1, and 52.003.A.
- K. "Restraint" has the meaning assigned by Sections 52.005A.1 and 52.005.A.6.

- L. "Rules" means the Regulations of Burnet County, Texas, Governing Animal Control.
- M. "Secure Enclosure" means a fenced area or structure that is:
1. locked;
 2. capable of preventing the entry of the general public, including children;
 3. capable of preventing the escape or release of the dog;
 4. clearly marked as containing a dangerous dog, only when that designation has been made pursuant to these Rules; and
 5. constructed in conformance with other requirements for enclosure as may be established by the ACA pursuant to these Rules.
 6. enclosure to be at minimum of 1 sq ft/lb with a minimum of 50 sq ft.
- N. "Serious bodily Injury" means an injury characterized by severe bite wound(s), scratch(s) or severe ripping and tearing of muscle that would cause a reasonably prudent person to seek treatment from a medical professional and would require hospitalization without regard to whether the person actually sought medical treatment.
- O. "Sheriff" means the Sheriff of Burnet County, or his/her designee.
- P. "Control" means the ability of a person in charge of a dog to exercise immediate authority over the dog at any given time.

52.004 REGISTRATION

Burnet County does not require dogs and cats to be registered, except as required in 52.006 B: however, it is strongly recommended that all dog and cat owners place an animal identification tag on their pet which includes pertinent identification information (such as the address and phone number of the owner), either on a separate tag or imprinted on the back of the rabies tag (if possible). This will allow quicker return of strays to their owners and may avoid unnecessary impound of pets.

52.005 CONTROL

- A. Control of Dogs. Pursuant to Section 826.014 of Chapter 826 of the Texas Health and Safety Code, Burnet County hereby requires that:
1. It is the responsibility of each Owner to effectively control his/her dog, which means the dog must either be kept securely on the Owner's property so that the dog remains on the Owner's property or, if not on the Owner's property, the person in charge of the dog will maintain reasonable control over the dog at all times. The ACA may require an Owner to increase the effectiveness of the control if the type of control used by the owner is shown not to be effective, as determined by the ACA.
 2. Each stray or uncontrolled dog may be declared a public nuisance.
 3. Each stray or uncontrolled dog, at the time the dog is stray or uncontrolled, may be seized and impounded by the local ACA or that officer's designee for the time period as follows;
 - a. where a dog is seized only because it was uncontrolled, it may be impounded 3 days or until the owner retrieves the dog after paying all required fees and/or fines. Any dog not retrieved within 3 days will be subject to approved Burnet County facility policies regarding placement of

animals. A reasonable effort will be made to notify the Owner of the seizure when information is available regarding the dog's Owner.

- b. where a dog is seized and determined, pursuant to these Rules by the ACA, to be a Dangerous Dog, it may be impounded up to 30 days, or until all requirements of Section 52.006 are met or the ACA determines that the dog can be released.
- c. No dog seized and impounded under any section of these Rules will be released to the Owner until the Owner:
 - (i) presents proof of registration pursuant to these Rules per Section 52.006 B (1) (a) if applicable.
 - (ii) presents proof of current rabies vaccination;
 - (iii) pays all applicable fees and/or fines; and
 - (iv) meets any other applicable requirements of these rules or AC laws.
4. If, by the time the ACA arrives, the dog has returned to the Owner's property, the ACA may issue a citation to the Owner under Section 52.005.C if the complaint is supported by a sworn statement. Upon issuance of a citation (any citation issued but not filed under Section 52.002.C.2 counts toward this total number) for failure to control under this Section 52.005 (where such citations are upheld), the ACA may seize and impound the dog.
5. Upon expiration of the time period set forth in Section 52.005.A.3, if the dog remains unclaimed, and cannot be placed in a suitable home pursuant to approved Burnet County facility procedures for placement of dogs, a humane disposition shall be made of the dog pursuant to these Rules and AC Laws.
6. Control of a dog must be accomplished by a humane method that is not a danger to the dog, that does not allow the dog to move off the property, and that allows the dog necessary access to food, water, and shelter. The owner may not control a dog with a chain or tether attached to a tree, stake, or other stationary object for eight or more hours in a 24 hour period, unless the chain or tether is at least 10 feet in length with swivels at both ends, attached to a pulley or trolley-mounted cable no more than 7 feet above ground level, and trolley-mounted cable is at least 25 feet in length.
7. Any person may report an uncontrolled dog to the Burnet County Sheriff's Office.

A. Fees.

1. **Rate.** The Owner shall pay a fee per day in the amount as set forth in Attachment A to these Rules for the impound and boarding of a dog impounded under ANY provision of these Rules. Boarding costs shall include the reasonable cost of any necessary medical care (as determined by a licensed veterinarian) provided to the dog while the dog is in the possession of the ACA. Impound under these Rules will be at the animal shelter facility as designated by the Burnet County Commissioners' Court.
2. **Payment.** Such fee must be paid before the dog is released to the Owner.
3. **Use.** All such fees collected on Attachment A under this Section 52.005 shall be deposited with the Burnet County Treasurer, and shall be used only to defray the cost

of administering the portions of these Rules related to authority under Chapter 826, including those costs related to enforcement.

- B. Criminal Penalty. If a person fails or refuses to restrain a dog under this Section 52.005 that is required to be restrained under this Section 52.005, that person commits an offense which is a Class C misdemeanor.

52.006 DANGEROUS DOG. Under Section 822.047 of Chapter 822, Burnet County hereby adopts the following rules regarding Dangerous Dogs:

- A. Determination That a Dog is a Dangerous Dog. A dog may be determined to be a Dangerous Dog under the following procedures:
1. Incident Report. Any person may report by sworn statement an incident described in Section 52.003.F ("Incident") to the ACA. Such statement shall include a description of all elements of the act required under Section 52.003.F, including whether the incident related to actions against a person or actions against livestock, a domestic animal or fowl. Reports of such Incident (s) received by Sheriff's officers or other law enforcement officials or county representatives shall be forwarded to the ACA.
 2. Investigation. The ACA, through field officer representative(s) designated by Burnet County Sheriff will investigate any Incident Report received under Section 52.006.A.1 by taking sworn statements concerning the Incident from witnesses and gathering any other pertinent information related to the Incident. ACA has the authority to declare the dog as dangerous, Owner then has 15 days to contest ACA decision and appeal to the Burnet County Justice of the Peace Court.
 3. Notice. Written notice will be given to the person filing the Incident Report (when that person provides sufficient contact information), the Owner of the dog (when the Owner is known and sufficient contact information is available), and other interested parties known to the ACA of the time and date of the hearing to review the Incident information.
 4. Hearing. A hearing will be held before any Burnet County Justice of the Peace (with such person always being a person separate from the officers investigating the Incident) to hear testimony from witnesses and review all information gathered related to the incident.
 5. Findings. Upon completion of the hearing, the Burnet County Justice of the Peace shall make a determination based upon a preponderance of the evidence as to whether or not the dog meets the requirements to be determined a "Dangerous Dog" and shall issue such determination either at the end of the hearing or within a reasonable time after the hearing. The determination shall be made in writing and shall include the finding that the dog is a Dangerous Dog (with a description of the action which was the basis of the complaint specifying whether the action was against a person or another animal), shall order compliance with the requirements of these Rules regarding Dangerous Dogs (including a copy of those requirements), and shall advise the Owner of the possible results of failure to comply with those requirements.
 6. Notification of Findings. If the determination is not made at the hearing, the JP Court will notify the ACA, who will promptly notify the Owner and those requesting such notification at the hearing and providing necessary contact information) of the finding by telephone or email, with written notification to follow (as allowed by

available contact information). Written notification will include the elements of the determination described in subsection 5 above and will also be provided as follow-up to any determination made at the hearing. If the dog is determined to be a Dangerous Dog by Burnet County Justice of The Peace or ACA; the owner

- a. has 15 days in which to appeal the decision to a court of competent jurisdiction;

and/or, if there is no appeal

- b. has 30 days (measured from the date the Owner received notice under 52.006.A.5, or the date a final decision is reached under an appeal, whichever applies) to comply with the requirements of Section 52.006.B. and to provide proof of such compliance to the ACA; or
- c. if an appeal is filed, during that appeal, the Owner must either comply with the requirements of this section 52.006 for a Dangerous Dog or post sufficient bond, as determined by the Court, or allow the ACA to continue to impound the dog and pay all fees and costs related to such impoundment on a weekly basis.
- d. Shall deliver the dog to the ACA for disposition.

B. Requirements for Dangerous Dog Owners Retaining the Dog.

1. Requirements. The Owner of a Dangerous Dog must either deliver the dog to the ACA for disposition or, no later than the 30th day after learning that the person is the Owner of a Dangerous Dog (and on an annual basis for as long as the Owner retains possession of the Dangerous Dog) comply with the following and submit to the ACA proof of such compliance where required:
 - a. register the dog (and continue registration with current proof of the following on an annual basis) with the ACA as follows:
 - (i) provide proof of compliance with the insurance requirements in Section 52.006.B1c.;
 - (ii) provide proof of current rabies vaccination;
 - (iii) provide proof satisfactory to the ACA of a Secure Enclosure in which the dog is and will be kept when not on a leash under the Owner's direct control (or direct control of a person designated or allowed by the Owner). Such proof may include pictures, statements, or other evidence, including an on-site visit by the ACA, as determined by the ACA. The Secure Enclosure shall be clearly marked as containing a Dangerous Dog;
 - (iv) pay an annual fee in the amount as set forth in Attachment A to these Rules.
 - (v) Attach the registration tag provided by the ACA to the dog's collar;
 - (vi) within 14 days of moving the dog, provide the ACA notice of the new address with the prior registration tag, pay a fee in the amount as set forth in Attachment A to these Rules.

- b. immediately ensure that the dog is restrained at all times on a leash in the immediate control of a person or in a Secure Enclosure. Failure to restrain the dog as required will subject the dog to immediate seizure and impound by the ACA.
- c. obtain liability insurance coverage and show proof to ACA or show financial responsibility in the following amounts to cover damages resulting from an attack by the dog on any person, livestock, domestic animal or fowl, and provide proof of such to the ACA on an annual basis:

(i) for acts against a person (52.003.F.1.)	\$100,000.00
(ii) for acts against livestock, a domestic animal Or fowl (52.003.F.2)	\$ 10,000.00
- d. comply with all other requirements of the ACA contained in the Notification of Findings in which a Dangerous Dog determination has been made or imposed by the ACA pursuant to these Rules. Any additional requirements will be reasonably related to the proper enforcement of the applicable provisions of these Rules and provided to the Owner in writing by the ACA.
- e. notify the ACA in writing if the dog dies or if the ownership of the dog is transferred to another person within 7 days of such death or transfer of ownership. If ownership is transferred, the written notice shall contain the new Owner's name, address and telephone number. The original Owner must notify the new Owner of the Dangerous Dog status of the dog prior to transferring ownership. The new owner then becomes responsible for meeting all applicable requirements of these rules.
- f. require the dog to be implanted with an AVID microchip by a veterinarian with the cost for such identification being born by the owner.

2. The status of "Dangerous Dog" remains with the dog regardless of ownership, and the requirements of these Rules apply equally to the Owner in possession of the dog when the determination was made and any future Owner.

C. Failure to Comply.

1. Application.

- a. **Act Against a Person.** Any person may make application by sworn statement to the appropriate court to determine that an Owner knowingly has possession of a Dangerous Dog under Section 52.003.F.1 and has failed to comply with Section 52.006.B. A person will be considered to "knowingly have possession of a Dangerous Dog" if that person "learns" that the person has a Dangerous Dog as described under 52.006(B)(2).
- b. **Act Against An Animal.** Any person may make application by sworn statement to the ACA to determine that an Owner knowingly has possession of a Dangerous Dog under Section 52.003.F.2 and has failed to comply with Section 52.006.B. A person will be considered to "knowingly have possession of a Dangerous Dog" if that person "learns" that the person has a Dangerous Dog as described under 52.006(B)(2).

2. Hearing

- a. **Act Against a Person.** On receipt of such application under 52.006.C.1.a, the court shall set a hearing date that is within 10 days of receiving the application, and give written notice of such hearing date to the Owner, the applicant and any other known interested parties.
- b. **Act Against an Animal.** On receipt of such application under 52.006.C.1.b, the Court shall set a hearing date that is within 10 days of receiving the application, and give written notice of such hearing date to the Owner, the applicant and any other known interested parties.

3. **Decision.**

- a. **Act Against a Person.** If the court determines that the Owner has failed to comply with the requirements of these Rules regarding a Dangerous Dog where the act was against a person, the court shall order the ACA to seize the dog and shall issue a warrant authorizing the seizure. The Owner may appeal the decision of the court to the appropriate court. Nothing in this subsection prevents the ACA from seizing the dog at any time under this or any other applicable portion of these rules.
- b. **Act Against an Animal.** If the ACA determines that the Owner has failed to comply with the requirements of these Rules regarding a Dangerous Dog where that act was against an animal, the ACA shall seize the dog. The Owner may appeal the decision of the ACA to the appropriate court. Nothing in this subsection prevents the ACA from seizing the dog at any time under this or any other applicable portion of these Rules.

4. **Impound.** Upon such court order or decision by the ACA under Subsection 3 above, the ACA shall seize and impound the dog.

5. **Compliance**

- a. **Appeal.** No further action shall be taken regarding the dog (other than the ACA continuing to impound the dog) if the Owner files an appeal under 52.006.C.3. until a final decision is issued under such appeal. If the decision of the appeals court is that the dog is not a Dangerous Dog or that the Owner has not failed to comply, the dog shall be immediately released to the Owner. If the appeals court agrees that the dog is a Dangerous Dog and that the Owner has failed to comply with applicable requirements of these Rules, (or if no appeal is filed) subsections "b" and "c" below will apply, with the time periods being measured from the date of such decision of the appeals court rather than the date the dog is seized.
- b. **Release.** The court shall order the dog released to the Owner if the Owner:
 - (i) before the 11th day after the dog was surrendered or seized, shows proof of compliance with the applicable requirements; and
 - (ii) pays any cost (including necessary medical costs, as determined by a licensed veterinarian), fee or fines assessed by Burnet County related to the seizure, acceptance, and impoundment.
- c. **Destruction.**

- (i) If the Owner does not fulfill the requirements of Section 52.006.C.5.b (i) and (ii) within the 11 day time period, in the event the attack or acts were directed toward a person, the court shall order the ACA to humanely destroy the dog.
- (ii) If the Owner does not fulfill the requirements of Section 52.006.C.5.b (i) and (ii) within the 11 day time period, in the event the attack or acts were directed toward livestock, a domestic animal or fowl, the court may make its own determination as to the action to be taken or submit the matter to the ACA for consideration by hearing as set forth in subsection 52.006 D.2. below. The Owner shall pay all costs related to the seizure, acceptance, impoundment and/or destruction of the dog (including necessary medical costs, as determined by a licensed veterinarian).
- (iii) If the Owner of the dog is not found by the 15th day after the dog was seized, and the dog is a Dangerous Dog, the court shall order the dog humanely destroyed.
- (iv) Destruction of a dog under this sub chapter must be in accordance of section 822.041 Texas Health and Safety Code.

D. Attack by a Dangerous Dog. Subject to the following, Section 822.044 of Chapter 822 Texas Health and Safety Code shall apply to any attack by a Dangerous Dog after such determination has been made:

- 1. After a dog has been determined to be a Dangerous Dog, notification of an attack by a Dangerous Dog on any person, livestock, or domestic animal or fowl shall be given to the Burnet County Sheriff's Office immediately of the attack or as soon as such attack is known by any person to have occurred.
- 2. Attack on an Animal. The offense classifications of the statute (as set forth in Section 52.006.E. herein) shall only apply to attacks against a person. If the attack is against livestock, domestic animals or fowl, the attack shall be registered with the ACA. After one such registered attack (an attack made after the dog has been determined to be a Dangerous Dog), the dog shall be surrendered to the ACA. The ACA shall schedule a hearing to be held pursuant to 52.006.C with prior notice of such hearing to the Owner. Unless good cause shall be shown at the hearing as to why the dog should not be destroyed, the ACA shall humanely destroy the dog. If the ACA finds reason not to destroy the dog, and a second attack occurs, then the ACA shall humanely destroy the dog.

E. Violation.

- 1. Attack by a Dangerous Dog Against a Person.
 - a. A person commits an offense if the person is the Owner of a Dangerous Dog and the dog makes an unprovoked attack on another person outside the dog's enclosure and causes bodily injury to the other person.
 - b. An offense under this section is a Class C misdemeanor, unless the attack causes Serious Bodily Injury or death, in which event the offense is a Class A misdemeanor or any other applicable statute as described and defined by the Texas Penal Code.

- c. If a person is found guilty of an offense under this section, the court may order the dangerous dog destroyed by a person authorized under the Animal Control Laws to perform such a procedure.
 - d. In addition to criminal prosecution, a person who commits an offense under this section is liable for a civil penalty not to exceed \$10,000.00. An attorney having jurisdiction in the county where the offense occurred may file suit in a court of competent jurisdiction to collect the penalty. The county shall retain penalties collected under this subsection.
2. Any person who keeps a Dangerous Dog which was classified as such because of an attack or act upon a person and does not comply with all requirements of these Rules commits an offense which is a Class C misdemeanor, unless it is shown at trial that the defendant has previously been convicted of an offense under this Subsection 52.006, in which case the offense is a Class B misdemeanor. Defenses to prosecution under this Section 52.006 are as set forth in Section 822.046 of Chapter 822. This Section 52.006.E applies only to a dog determined to be a Dangerous Dog as a result of an attack or acts against a person, and does not apply where the attack or acts were against livestock, a domestic animal or fowl.

52.007 DOGS CAUSING DEATH OR SERIOUS BODILY INJURY TO A PERSON

- A. Burnet County adopts the provisions of 822.001 – 822.005 Texas Health and Safety Code regarding dogs causing death of or serious bodily injury to a person.

52.008 DOGS AND COYOTES THAT ARE A DANGER TO ANIMALS

- A. Burnet County adopts the provisions of 822.012-822.013 Texas Health and Safety Code regarding dogs and coyotes that are a danger to animals.

52.009 DANGEROUS WILD ANIMALS

- A. Authority. Authority of Burnet County to adopt this Section 52.009 include TEXAS HEALTH AND SAFETY CODE, Section 822.101 et seq., and TEXAS LOCAL GOVERNMENT CODE, Section 240.002 a), under which the Burnet County Commissioner's Court shall prohibit the ownership, possession, confinement, or care of certain animal(s) in the County.
- B. Definitions. As to this Section 52.009, these words have the following meaning.
 - 1. "Dangerous Wild Animal" means an animal of a species as a "dangerous wild animal" in subchapter E, Section 822.101, Texas Health and Safety Code. Those animals are, at the time of approval of these Rules: lion, tiger, ocelot, cougar, leopard, cheetah, jaguar, bobcat, lynx, serval, caracal, hyena, bear, coyote, jackal, baboon, chimpanzee, orangutan, gorilla, wolf, or any hybrid of an animal listed herein.
- C. Offense.
 - 1. Misdemeanor. A person commits an offense if the person fails to comply with any portion of this Order, such offense to be prosecuted under state law. An offense under this Order is a Class C Misdemeanor. Each animal with respect to which there is a violation and each day that a violation continues is a separate offense

2. Penalties. Any person keeping a Dangerous Wild Animal in violation of this Order or the provisions of HEALTH AND SAFETY CODE, Section 822.101 through 822.116 is subject to the penalty provision provided in those applicable sections of the HEALTH AND SAFETY CODE.
3. Injunction. The County Attorney may file an action in a district court to enjoin a violation or threatened violation of an order adopted under this Order pursuant to Section 240, LOCAL GOVERNMENT CODE.

52.010 RABIES CONTROL. Burnet county hereby adopts the non-conflicting provisions of Chapter 826 Texas Health and Safety Code related to rabies control not specifically addressed herein, to be implemented as set follows:

- A. Rabies Control Authority. Burnet County hereby designates the Burnet County Rabies control officer as the Rabies Control Authority.
- B. Vaccination.
 4. Regular Vaccination. Except as otherwise provided by state 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 state rule.
 5. Certificate. A veterinarian who vaccinates a dog or cat against rabies shall issue to the animal's Owner a certificate in a form that meets minimum state standards. Proof of vaccination is required upon request of the ACA of Burnet County or any Law Enforcement Authority in Burnet County.
 6. Penalty. A person commits an offense if the person fails or refuses to have each dog or cat owned by the person vaccinated pursuant to these Rules. Such offense is a Class C Misdemeanor, or a Class B Misdemeanor if the person has previously been convicted of this offense.
- C. Reports of Rabies. A person who knows of a bite or scratch to a person that could reasonably be seen as capable of transmitting rabies or a person who suspects an animal is rabid shall report such to the Burnet County Sheriff's Office. The report must include the name and address of any victim and of the animal's Owner, if any; and any other helpful information.
- D. Investigation. The ACA shall investigate any report made under 52.010.C.
- E. Quarantine and Release or Disposition of Quarantined Animals. Quarantine, release and/or disposition of animals held because of possible rabies will be carried out pursuant to Sections 826.042 through Section 826.055 of Chapter 826.

52.011. EFFECTIVE DATE. These Rules shall be effective March 27, 2006.

PASSED AND APPROVED THIS 27th **DAY OF** March, 2006



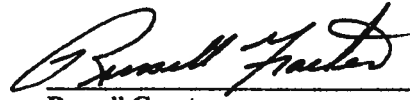
 Dave Kithil
 Burnet County Judge

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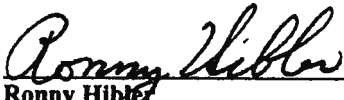
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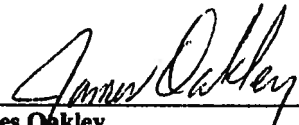
Bill Neve
Burnet Commissioner Pct. 1



Russell Greater
Burnet Commissioner Pct. 2



Ronny Hibler
Burnet Commissioner Pct. 3



James Oakley
Burnet Commissioner Pct. 4

ATTACHMENT A

SCHEDULE OF FEES

Registration of Dangerous Dog	\$50.00
Change of Address or owner of Dangerous Dog	\$25.00
Dangerous Dog Euthanasia Fee	\$25.00
Replacement Tag	\$ 25.00
Impound Fee	Per 826.043 Texas Health and Safety Code

CHAPTER 52. ADDENDUM TO REGULATIONS OF BURNET COUNTY,
TEXAS
GOVERNING ANIMAL CONTROL

52.003 DEFINITIONS (Additional definitions)

- Q. "Animal" is any warm-blooded animal.
- R. "Livestock" includes exotic livestock as defined by Section 161.001, Agriculture Code.
- S. "Public nuisance" any animal that runs-at-large and unreasonably annoys, or endangers the life of other animals or persons, or interferes with the rights of the public, other than their owners, to the enjoyment of life and property.
- T. "Running-at-large" any animal not under restraint of a person capable of controlling the animal off the premises of the owner.

52.005 CONTROL

(Add to paragraph 2.) An animal is deemed to be a public nuisance that commits any of the following acts either singularly or in company with other animals.

- a. Repeatedly running-at-large.
- b. Damages the property of anyone other than its owner.
- c. Molests or intimidates pedestrians or passerby.
- d. Chases vehicles or bicycles.
- e. Attacks other domestic animals.
- f. Excessively and repeatedly makes disturbing noises including, but not limited to; continuous and repeated howling, barking, whining or other utterances causing unreasonable annoyance, disturbance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or housed.

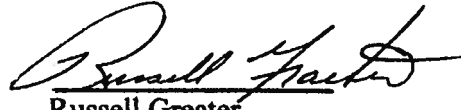
EFFECTIVE DATE. This Addendum shall be effective JUNE 12, 2006.

PASSED AND APPROVED THIS 12 DAY OF JUNE, 2006.

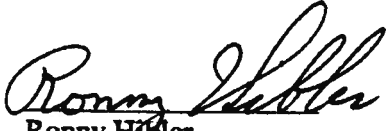

Dave Kithil
Burnet County Judge



Bill Neve
Burnet Commissioner Pct. 1



Russell Greater
Burnet Commissioner Pct. 2



Ronny Hiller
Burnet Commissioner Pct. 3



James Oakley
Burnet Commissioner Pct. 4