

THE STATE OF TEXAS  
COUNTY OF DENTON  
RULES PROVIDING FOR  
RABIES CONTROL

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PROCEEDINGS BEFORE THE  
COMMISSIONERS COURT  
OF DENTON COUNTY, TEXAS  
OCTOBER 23, 1990

**COURT ORDER**  
**NUMBER 00003-10-90**

On the 23rd day of October, 1990, in special session, the Commissioners Court of Denton County, Texas considered the following:

**RULES PROVIDING FOR RABIES CONTROL**

WHEREAS, the Commissioner's Court of Denton County, Texas is the opinion that the public health, safety, and welfare require rules providing for a local rabies control program;

IT IS THEREFORE ORDERED AS FOLLOWS:

**AUTHORITY**

These rules are adopted pursuant to the authority granted Denton County by the Rabies Control Act of 1981, Chapter 826 Texas Health and Safety Code, Sections 826.013 and 826.014.

**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 the occurrence in a given geographic area of population of cases of a disease clearly in excess of the expected frequency.
- (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 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, are under the close supervision and control of the hunter, and the hunting is being done with the permission of the owner of the land;
- ~~(1) each dog or cat be restrained in such a manner as to prevent the dog or cat from leaving the owner's property, when not on the owners property dogs and cats must be under the close supervision and control of the owner;~~ *delete*
- (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 be detained or impounded by the local health authority or that officer's designee for a period of ninety-six hours unless previously claimed by the owner;
- (4) that each stray dog or cat be impounded for a period of ninety-six 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;

**CHARGES**

A fee of \$ 25.00 is charged for impoundment and a \$ 6.00 per day charge for the board provided to any impounded dog or stray cat.

**DESIGNATION OF LOCAL HEALTH AUTHORITY**

The Sheriff of Denton County shall be designated to act as the local health authority for the purposes 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 Denton 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;

**ADOPTION OF STATE STANDARDS**

Pursuant to Section 826.013 of the Rabies Control Act of 1981, the Commissioners Court hereby adopts Chapter 826 of the Texas Health and Safety Code, and the standards adopted by the board as the Rules for Rabies Control in Denton County, with the exception of Section 826.031 providing for registration of dogs and cats.

**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 board.

**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 within the unincorporated areas of Denton County and within those municipalities that have contracted with Denton County pursuant to the Rabies Control Act of 1981 and the Interlocal Cooperation Act.

**EFFECTIVE DATE**

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

**ATTEST:**

**MARILYN ROBINSON, County Clerk  
and Ex-Officio Clerk of the  
Commissioners Court of  
Denton County, Texas**

BY *Jeff Edwards, Deputy*

**BY ORDER OF THE COMMISSIONERS COURT**

*Vic Burgess*  
**VIC BURGESS  
DENTON COUNTY JUDGE**

**APPROVED AS TO FORM AND CONTENT:**

*Robert M. Mowbray*  
**DENTON COUNTY CHIEF CIVIL ATTORNEY**