

months my elapse since the most recent vaccination if an annual vaccine was administered or not more the thirty-six months may elapse if a three year vaccine was administered.

2.3 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 adopted.
- b. An offense under this section is a Class C misdemeanor.
- c. If on the trial of an offense under this section the court finds that the person has been previously convicted of an offense under this section, the offense is a Class B misdemeanor.

SECTION 3. RESTRAINT OF DOGS AND CATS. SUBCHAPTER D. SECTION 826.033.

3.1 RESTRAINT OF DOGS AND CATS; CRIMINAL PENALTY

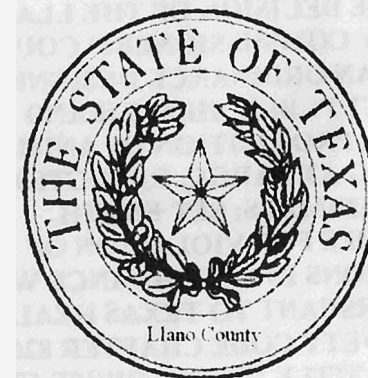
- a. The Llano County Commissioners' Court does hereby adopt under TEXAS HEALTH AND SAFETY CODE Section 826.014 to require that any animal as defined under 1.8 above is to be considered to be a public nuisance. The Sheriff's Department or local peace officer may receive a complaint from any responsible person concerning such animal in violation of 1.8 above. The complainant must file a written sworn statement and complaint attesting to the facts.

b. A complainant shall appear before the Justice of the Peace to complete a sworn statement and complaint for a public nuisance. The statement must include the following information as applicable:

1. Name, address, telephone number and date of birth of complainant.
 2. Date, time and location of the incident.
 3. Description of the animal.
 4. Name, address and telephone number of the animals owner if known.
 5. Pictures, videos, or other evidence.
 6. Other facts or circumstances of the incident required as defined under 1.7 and 1.8 herein.
- c. A copy of the sworn statement and complaint will be forwarded to the Sheriff's Department or local peace officer for investigation. The Sheriff's Department or local peace officer may file a Class C misdemeanor charge.

SECTION 4. SEVERABILITY CLAUSE

- 4.1 If any provision of this ordinance shall be held invalid or unconstitutional, it is hereby provided that all other parts of the ordinance which are not held invalid or unconstitutional shall remain in full force and effect.



Llano County
Texas

Animal Control
Ordinance

Passed
April 9, 2001

Updated
June 8, 2009

IT IS THE DECISION OF THE LLANO COUNTY COMMISSIONERS' COURT TO ENACT AN ORDINANCE DESIGNED TO PROTECT PUBLIC HEALTH AND SAFETY; PROHIBITION OF ANIMALS RUNNING AT LARGE; REDUCTION OF STRAY ANIMALS; SET FORTH PENALTIES FOR VIOLATION OF PROVISIONS IN ACCORDANCE WITH AND PURSUANT TO TEXAS HEALTH AND SAFETY CODE CHAPTER 826, RABIES, TITLE 10 OTHERWISE CITED AS THE RABIES CONTROL ACT OF 1981.

Therefore, be it ordered by the Commissioners' Court of Llano County, Texas, that the following provisions set forth in this document be adopted on the effective date of this ordinance.

SECTION 1. DEFINITIONS

- 1.1 **ANIMAL** – A warm-blooded animal.
- 1.2 **ANIMAL-AT-LARGE** – An animal not under the restraint of a person capable of controlling the animal off the premises of the owner.
- 1.3 **BOARD** – Texas Board of Health.
- 1.4 **CAT** - Any live Felis catus.
- 1.5 **CURRENTLY VACCINATED** – An animal inoculated against rabies with an approved vaccine and satisfying the following criteria:
 - a. The animal must be vaccinated at four months of age and at least thirty days have elapsed since the initial vaccination.

b. Not more than twelve months have elapsed since the most recent vaccination if an annual vaccine was administered or not more than thirty-six months have elapsed if a triennial vaccine was administered.

1.6 **DOG** – Any live Canis Familiars.

1.7 **OWNER/CUSTODIAN** – Any person who feeds, shelters, harbors, or has possession or control, or has the responsibility to control an animal.

1.8 **PUBLIC NUISANCE** – Any animal or animals that unreasonably annoy humans, endanger the life or health of other animals or persons, or substantially interfere with the rights of citizens, other than their owners, to the enjoyment of life or property. The term public nuisance animal shall mean and include, but is not limited to, any animal that:

- a. Repeatedly is at large or stray.
- b. Damages the property of anyone other than its owner and not on the owners property.
- c. Repeatedly molests or intimidates pedestrians or passerby and is at large.
- d. Repeatedly chases vehicles or bicycles.
- e. Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.
- f. Excessively and repeatedly make unprovoked disturbing noises including but not limited to, continuous and repeated howling, barking, whining or other utterances causing unreasonable annoyance, disturbance or

discomfort to the neighbors or others in close proximity to the premises where the animal is kept or harbored.

1.9 **REPEATEDLY** – Said, done, or occurring again and again. More than once.

1.10 **STRAY** – Means roaming with no physical restraint beyond the premises of an animal's owner or keeper.

SECTION 2. TEXAS HEALTH AND SAFETY CODE. RABIES CONTROL ACT OF 1981. SUBCHAPTER C. RABIES VACCINATIONS.

2.1 COUNTIES MAY ADOPT ORDINANCES AND RULES, 826.014

The Commissioners' Court of Llano County hereby adopts these ordinances that establish a local rabies control program in the county and set local standards that are compatible with and equal to or more stringent than the program established by TEXAS HEALTH AND SAFETY CODE Chapter 826 and the rules adopted by the TEXAS BOARD OF HEALTH. Further, the Commissioners' Court of Llano County hereby adopts TEXAS HEALTH AND SAFETY CODE Chapter 826 Subchapter C, E, and F as the rabies reporting, quarantine and impoundment ordinances for Llano County, Texas.

2.2 VACCINATION OF DOGS AND CAT REQUIRED

a. The owner of a dog or cat shall have the animal vaccinated against rabies by the time the animal is (4) months of age and at regular intervals thereafter. Not more than twelve