Williamson County, Texas Regulations for the Control
Of Rabies & Animal Control

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Part I. IN GENERAL

Section 1. Authority

These regulations are adopted by the Commissioners Court of Williamson County, Texas, acting in its capacity as the governing body of Williamson County, Texas. Authority of Williamson County to adopt these regulations is "The Rabies Control Act of 1981," Article 4477-6a, TEX. REV. CIV. STAT. ANN.

Section 2. Designation of Williamson County Sheriff's Department

(a) The Williamson County Commissioners Court designates the Williamson County Sheriff's Office the local Health Authority for the purposes of this Act. The duties of the Williamson County Sheriff's Office shall include but are not limited to:

(1) The enforcement of the "Rabies Control Act of 1981" and the rules of the board which comprise the minimum standards for rabies control.
(2) The enforcement of the "Regulations of Williamson County, Texas, for the Control of Rabies," as set out herein.
(3) The enforcement of the rules adopted by the board under area quarantined provisions of section 3.09 of "The Rabies Control Act of 1981."
(4) Working with all Williamson County Law Enforcement Personnel and the Williamson County Humane Society in the enforcement of rules and regulations enumerated in (1), (2), and (3) immediately above.

(b) Williamson County Law Enforcement Personnel shall assist the Williamson County Health Authority in enforcing these regulations as needed. However, nothing herein shall require the Williamson County Law Enforcement personnel or the Humane Society to pick up animals.

Section 3. Area Covered by Regulations

These regulations apply in the unincorporated territory of Williamson County, Texas, and in incorporated areas that have not made provisions for rabies control pursuant to Article 4477-6a, TEX. REV. CIV. STAT. ANN.

Section 4. Definitions

As used in these regulations, the following words and phrases have the following meanings, unless context clearly demonstrates otherwise:

(1) "Animal" means a warm-blooded animal.
(2) "Animal Control Officer" means a person working for the Williamson County Sheriff's Office with specific duties specified under these regulations.
(3) "Board" means the Texas Board of Health.
(4) "Cat" means felis catus.
(5) "Commissioners Court" means the Commissioners Court of Williamson County, Texas.
(6) "County" means the areas of Williamson County covered by these regulations.
(7) "Dangerous Dog" as defined by the Health and Safety Code, Subchapter D. Dangerous Dogs, Section 822.041. Definitions means that:

(A) Makes an unprovoked attack on a person that causes bodily injury and occurs 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; or
(B) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonable 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 the person.
(C) Makes an attack or commits an act or acts 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 the 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.

(8) "Potentially dangerous dog" means any dog that when unprovoked inflicts bites or attacks a human being or another animal either on public or private property but an animal control officer can clearly ascertain that the dog's propensity to attack or endanger human life is minimal and can corroborate these findings with written statements of witnesses.

(9) "Dog" means a domesticated animal that is a member of the canine family.
(10) "Secure Enclosure" means a fenced area or structure that is:
a. Locked;
b. Capable of preventing the entry of the general public, including children;
c. Capable of preventing the escape or release of a dog;
d. Clearly marked as containing a dangerous dog; and
e. In conformance with the requirements for enclosures established by the local animal control authority.

(11) "Owner" means a person who owns or has custody or control of the dog.
(12) "Designee" means any officer, office or organization designated by Section 2 of these regulations to enforce or assist in enforcing these regulations.
(13) "Humane Society" means the Williamson County Humane Society.
(14) "Health Authority" means the Williamson County Sheriff's Office.
(15) "Impoundment" means confinement of any animal at facilities approved by the Board or the Health Authority for the confinement of animals or at a kennel or facility maintained by a licensed veterinarian.
(16) "Pack of Dogs" means three (3) or more dogs that run together at large in the County.
(17) "Person" means an individual, corporation, government or governmental subdivision, or agency, business trust, estate, trust, partnership association, or any other legal entity.
(18) "Quarantine" means strict confinement at a facility approved by the Board, Health Authority or Commissioners Court.
(19) "Rabies" means an acute viral disease of man and animal affecting the central nervous system and usually transmitted by an animal bite.
(20) "Regulations" means the Regulations of Williamson County, Texas for the Control of Rabies.
(21) "Stray" means any animal running free with no physical restraint on or off the premises of the owner or keeper. This definition shall not apply to trained dogs used in law enforcement, hunting, or herding under direct supervision of an owner or keeper.
(22) "Law Enforcement Personnel" means the Law Enforcement Personnel of Williamson County, Texas including the Sheriff, Constables, and their Deputies.
(23) "Williamson County" means Williamson County, Texas.
(24) "Unincorporated territory" means the territory outside the corporate limits of an incorporated city or town.
(25) "Veterinarian" means a veterinarian licensed to practice veterinary medicine in Texas.

Section 5. **Reports of Exposure to Rabies and of Rabid Animals**

(a) The Sheriff's Department Dispatcher shall be the person to call to report an animal bite or scratch, or knowledge of an animal, which is suspected of being rabid. The report shall include the name and address of any victim and of the owner of the animal, if known, and any other data which may aid in locating the victim or the animal.
(b) Law Enforcement Personnel shall investigate all reports filed under this section. A copy of their report shall be given to the Animal Control Officer and to the Humane Society if requested.
(c) The owner of an animal that is reported to have bitten or scratched a person shall abide by quarantine as specified in Section 6. Any owner of such animal commits an offense if he or she fails to submit the animal for quarantine as required by Section 6 of these regulations or fails to comply with the mode of quarantine. An offense under this section is a Class C misdemeanor.

Section 6. **Procedure When Animals Have Bitten or Injured Persons**

(a) If any person shall present an affidavit that any animal has bitten or scratched any person within the County, it shall be the duty of the Animal Control Officer within twenty-four (24) hours, if reasonably possible, to impound such animal at facilities currently used or designated by the County Commissioners for the impoundment of animals, or at the request of the animal's owner or keeper, and with the consent of a veterinarian, at a kennel or a facility maintained by a licensed veterinarian. Any impoundment at such facility shall be at the expense of the owner or keeper of such animal.

(b) If any person shall present an affidavit that any animal has bitten or scratched any person within the County and it reasonably appears to the Animal Control Officer or their designee that (i) the bite or scratch occurred while the animal was physically restrained from leaving the premises of the owner or handler or (ii) that the bite or scratch occurred due to wrongful entry onto property not owned by the victim, or (iii) the bite or scratch was in any way intentionally provoked by the victim, then the costs of impoundment shall be born by the person bitten or scratched. Williamson County or its designee may require adequate deposit from the bite victim to cover the cost of impoundment.

(c) The owner of any animal confined pursuant to these regulations in the facilities used by Williamson County for the impoundment of animals and approved by the Board, shall be liable to Williamson County in the amount of the impoundment fees and all other fees incurred in feeding, care and vaccination of the animal, and licensing fees if applicable. No animal so confined pursuant to this section shall be released to any person until the owner has paid all fees. If the owner refuses to pay the above fees, the animal shall be treated by the impoundment facilities as an animal without an owner. If no owner can be identified, then the County shall be responsible for all fees.

(d) The Animal Control Officer or their designee may use any reasonable means to accomplish the impoundment of any animal, which has bitten or scratched a person within the County, which is subject of an affidavit described above, and which the owner has failed to impound.

(e) A person commits an offense if he or she knowingly gives or causes to be given, during the observation period, any anti-rabies treatment or other treatment to the animal impounded for observation which may modify the course of rabies or interfere with clinical or laboratory diagnosis of rabies. An offense under this subsection is a Class C misdemeanor.

(f) A person owning or keeping an animal which has bitten or scratched a person, and which is the subject of an affidavit described above, commits an offense if he or she fails or refuses to comply with the provisions of this section, or if he or she interferes with or attempts to interfere with the impoundment provided for herein. An offense under this subsection is a Class C. misdemeanor.

(g) Action under this ordinance is an "official proceeding" for purposes of Chapter 37, Texas Penal Code. A person who intentionally submits a false affidavit may be subject to the felony charge of aggravated perjury under that Chapter.

Section 7. Procedure When Animal is Bitten by a Rabid Animal

Williamson County will follow practices as defined by the Health and Safety Code, Section 169.3.

Section 8. Dogs Running in a Pack

Any pack of dogs in the County, which in the opinion of the Animal Control Officer or their designee poses a threat of harm to persons, property, or to other animals, may be impounded or destroyed. The Animal Control Officer or their designee may use whatever reasonable force is necessary to impound dogs running in a pack. Disposition of a dog impounded under this section shall be controlled by subsection 6© of these regulations.

Section 9. Stray Animals

(a) All stray dogs and cats are declared a public nuisance and as such may be detained or impounded by the Animal Control Officer or their designee in a facility approved by the Commissioners Court.
(b) Each stray animal so impounded will be held for a minimum of three (3) days not counting the day of impoundment or legal holidays. Disposition of an animal impounded under this section shall be controlled by subsection 6 (c) of these regulations.
(c) Nothing in this ordinance shall require that the Animal Control Officer, the Williamson County Law Enforcement personnel, or the Humane Society pick up strays unless adequate funding for personnel, equipment and impoundment is provided by the Commissioners Court.
(d) Any owner who intentionally, knowingly, recklessly or with criminal negligence allows a dog to become a stray shall be guilty of a Class C misdemeanor.

Section 10. Interference with Enforcement Prohibited

A person who interferes with, hinders, or molests the Animal Control Officer or their designee in the performance of their duties under these regulations commits an offense. An offense under this section is a Class C misdemeanor.

Section 11. Rabies Vaccination

(a) No person shall own, keep, or harbor within the County any dog or cat over the age of four (4) months unless such dog or cat has a current rabies vaccination. The dog or cat shall be revaccinated before the expiration of the first and each subsequent current vaccination period as provided by state law.
(b) Every person that moves into Williamson County who owns, keeps or harbors a dog or cat over the age of four (4) months shall have thirty (30) days to comply with these regulations.
(c) Vaccination shall not be required for any dog or cat when both of the following documents are filed with the Health Authority or Animal Control Officer:

(1) A certificate from a veterinarian that such dog or cat should not be inoculated with rabies vaccine and the valid medical reasons therefore; and
(2) An affidavit from the owner that such dog or cat is kept so that it cannot come into contact with other animals or constitute a threat to public health and the method of such keeping.

(d) Any owner who fails to perform the requirements of this section shall be guilty of a Class C misdemeanor.

Section 12. County Sponsored Vaccination Clinics

If deemed necessary, the Williamson County Health Authority, Animal Control Officer or Humane Society, subject to budget approval, is authorized to arrange for County sponsored rabies vaccination clinics.

Section 13. Licensing of Dogs and Cats

(a) All dogs and cats within Williamson County over the age of four (4) months shall be licensed by the County except those within municipalities requiring licensing, shall be excluded, if so licensed.
(b) License fees for dogs and cats shall be set by the Commissioners Court from time to time and shall be collected by Williamson County or its designee to help defray the expense of the administration of the provisions of this ordinance.
(c) Any owner who fails to perform the requirements of this section shall be guilty of a Class C misdemeanor.

Section 14. Vaccination Tag and Collar for Dogs

(d) Upon vaccination and licensing there shall be delivered to the owner of the dog a metallic tag stamped with the vaccination certificate number and the year in which issued.
(e) It is an offense for the owner for failure to have the dog wear the vaccination tag and license at all times when said animal is present in a public place. It shall be an offense for any person to remove said tag from the collar or harness without owner's consent. An offense under this subsection is a Class C misdemeanor.
(f) Dogs competing at or in training for approved dog club shows, or dogs participating with their owners or handlers in group obedience training classes, shall not be required to wear the collar, harness, or leash during such training or class periods.

Section 15. Self Protection During Enforcement of Regulations

Nothing in these regulations shall be construed so as to limit the right of Williamson County or its designees to protect themselves from personal injury in the enforcement of these regulations, or to restrain the rights of others to use lawful and reasonable force for the protection of persons or property.

Section 16. Dangerous or Mischievous Animals.

(a) Dangerous tendencies defined. The following can be deemed animals with dangerous tendencies:

1. Any animal that inflicts severe injury or death to a person, or bites a person on public or private property (not the animal's respective property) without provocation.
2. Any animal that has killed a domestic animal without provocation while off the owner's property;
3. Any unrestrained animal which chases or approaches a person upon the streets, sidewalks or any public or private property in a menacing fashion or
apparent attitude of attack such that the person reasonably believes that the animal will cause physical injury to that person;
4. All animals under the definition of the term "wild and exotic animals" in this chapter.

(b) Mischievous tendencies defined. If any animal overturns a garbage container, or removes any garbage from any such container, or otherwise destroys or damages any property, then such animal shall be conclusively presumed to be a mischievous animal and an animal of mischievous propensities and tendencies.

(c) Declaration of dangerous animal.

1. An animal can be automatically declared to be a dangerous animal under subsections of this section if the owner is convicted under section 20.

2. The approved rabies control officer of Williamson County (also referred to as regulatory officer) may find and declare an animal to be a dangerous animal if the official has cause to believe that an animal is a dangerous animal under subsections of this section.

(d) Notification to owner of designation of dangerous animal. The regulatory officer, or courts will notify the owner of the animal of its designation as a dangerous animal and of the requirements for the owners of a dangerous animal as set out in subsections of this section or if convicted in section 20.

(e) Appeals. If the animal is declared to be dangerous, potentially dangerous, or mischievous under this section, the notice shall inform the owner of the animal that a determination hearing may be requested by the owner to contest the declaration. The request for a hearing must be in writing and must be received by the Sheriff's Office within ten (10) days of the date of the dangerous animal declaration. Failure to appeal the declaration of dangerous, potentially dangerous, or mischievous animal within the ten (10) day period shall result in a final decision of declaration by the regulatory officer.

(f) Defenses to declaration of dangerous animal. It is a defense to the determination of an animal as dangerous and to the prosecution of the owner of an animal previously declared to be dangerous if:

1. The person was teasing, tormenting, abusing, or assaulting the animal or was observed or reported to have teased, tormented, abused, or assaulted the animal;

2. The person was committing or attempting to commit a crime;

3. The domestic animal killed was at the time teasing, tormenting, abusing, or assaulting the animal.

4. The animal was protecting or defending a person within the immediate vicinity of the animal from an unjustified attack or assault;

5. The animal was injured and responding to pain; or

6. The animal was protecting her puppies, itself, or its kennel mates.

(g) Registration, sale or relocation of dangerous animals.

1. The owner of animal declared to be dangerous under this section shall, within ten (10) days of the date of the dangerous animal declaration, register the animal with the Williamson County Animal Control.

2. The owner shall notify the regulatory officer as soon as possible, but under any circumstances within 24 hours upon notification or learning, of a dangerous animal that is loose, stolen, or unconfined; has attacked another animal or a person; or has died.

3. The regulatory officer may at the officer's discretion allow or disallow the relocation, giving or selling of a dangerous animal. A request for approval to give, sell, or relocate a dangerous animal shall be in writing.

4. If the owner of a dangerous animal obtains approval to relocate, sell, or give away a dangerous animal, the owner shall provide the regulatory officer with the name, address, and telephone number of the new owner and location of the new or improved enclosure. The new owner must sign a sworn statement that he will comply with all the requirements of owners of dangerous animals if the new owner resides within Williamson County. The new owner must comply with the requirements of keeping an animal with the designation of dangerous animal within thirty (30) days.

(h) Requirements for owner of dangerous animals. An owner of an animal declared to be a dangerous animal under this section must comply with the following within

thirty (30) days of such final determination. Compliance with these requirements will be determined by the regulatory officer.

1. The animal must be registered with the Williamson County Animal Control Office in accordance with this section.

2. The dangerous animal must be kept in a proper enclosure. The fence or structure/pen must form a secure enclosure with sides suitable to prevent entry of young children, and must be locked and secured at all times to ensure that a dog cannot climb, dig, jump, or otherwise escape of its own volition. The structure/pen shall provide protection from the elements for the animal.

3. The owner must present to the Williamson County animal control a certificate of public liability insurance in the amount of $100,000.00 to cover any damages caused or which may be caused by the dangerous animal. The insurance shall be for a 12-month period and shall not be cancelled unless the animal is no longer kept by the owner.

4. The dangerous animal, when taken outside the enclosure must be securely muzzled in a manner that will not cause injury to the dangerous animal or interfere with its vision or respiration but shall prevent it from biting any person or animal. The dangerous animal must be restrained by a substantial chain or cable leash having a minimum tensile strength of 1,000 pounds and not to exceed six (6) feet in length. The dangerous animal shall be restricted from any public park.

5. A sign, having reflective letters and backing with letters measuring at least 1.5 inches in width and 1.5 inches in height and reading "Beware of Dangerous Dog" shall be posted in a conspicuous place at all entrances to the premises on or within which such dog is kept.

6. The owner and dog must attend and complete a training class and/or behavior modification course approved by Williamson County Animal Control that is designed to teach the owner how to deal with, correct, manage, and/or alter a behavioral problem.

7. The dangerous animal must be spayed or neutered within ten (10) days of written notification by the regulatory officer of the declaration of dangerous dog.

If the owner of an animal declared to be dangerous under this section is unable or unwilling to comply with the dangerous ownership requirements listed in this subsection, the animal shall be euthanized by an animal shelter, the animal control agency, a licensed veterinarian, or the regulatory authority. An animal declared to be dangerous under this section shall not be offered

for adoption or sale and shall not be moved from the registered enclosure without written permission from the regulatory officer.

(i) Dangerous or potentially dangerous animals at large. Any dangerous or potentially dangerous animal found at large after the owner of the animal has previous knowledge or notification by the regulatory officer that such animal is dangerous, or has potentially dangerous propensities, may be killed by any law enforcement officer without the officer having to catch or impound such animal or notifying the owner.

(j) License revocation. The regulatory officer may, after providing opportunity for a hearing, revoke a license for any animal, whose owner has been notified that the animal has been conclusively determined to be dangerous or potentially dangerous, if:

1. The animal is not confined or is found running at large;

2. The animal is a dangerous animal and is not muzzled as required in this section;

3. The animal (while not properly restrained on the owner's property) bites, or attempts to bite any person, or chases or otherwise threatens a person.

4. The animal attacks or attempts to attack any other animal when in violation of this chapter;

5. The owner has been convicted of any violation of a federal, state, or local law, ordinance, or rule pertaining to the animal;

6. The owner does not have insurance coverage for the dangerous animal in an amount of at least $100,000.00 for liability of the owner for damages resulting from the animal. An owner has thirty (30) days from the date on which he received notification of the declaration of dangerous animal to obtain the required insurance coverage. The insurance coverage shall not be allowed to expire or lapse;

7. The owner does not register the dangerous animal as required in subsection (g) of this section;

8. The owner does not build, obtain, or provide an enclosure for the dangerous animal that has been approved by the regulatory authority and/or the dangerous animal is not being secured within that enclosure. The owner shall have thirty (30) days from the date on which the owner knows his animal has engaged in dangerous conduct to obtain the approved enclosure; or,

9. The owner does not have the animal sterilized.

(k) Muzzling. Any dog tied or staked on public property shall be securely muzzled by the owner in a manner that will not cause injury to the animal or interfere with its vision or respiration but shall prevent it from biting any person or animal. Further, the owner of any animal which has been conclusively presumed to be dangerous shall muzzle such animal when:

1. The animal is not confined in a secure enclosure or is off the premises of the owner;

2. The animal is on the premises of a business when such business is open or accessible to the public;

3. The animal is on the outside premises of private property and not confined in such a manner as to preclude contact with casual visitors such as a mail person or delivery person, meter reader, children, etc.;

4. The animal is on the outside of premises of private property where appropriate and adequate warning signs are visible and capable of being read from the public street or highway have not been posted; or,

5. The animal is on a leash, on or off the owner's property and not confined as required in subsection (h) (2) of this section.

(l) Exemptions. The provision of this section shall not apply to any law enforcement agency where a dog is being used for law enforcement.

Section 17. **<u>Potentially Dangerous Dogs.</u>**

(a) The regulatory officer, can designate a dog as a "potentially dangerous dog" if the regulatory officer finds, upon a preponderance of the evidence, that the dog:

1. Has attempted to attack or has attacked a person or domestic animal without provocation off of the owner's property within the prior 18-month period;

2. Has within the prior 18-month period, while off the property of its owner, engaged in any unprovoked behavior that reasonably required a person to take defensive action to prevent bodily injury;

3. Has, when unprovoked while off the property of its owner, bitten a person or a domestic animal causing a minor injury, defined as a wound not requiring sutures or surgery; or,

4. Has previously been declared a potentially dangerous dog but has not been kept in compliance with any restrictions place by the regulatory officer upon the owner of such dog.

(b) No dog may be declared potentially dangerous or dangerous as a result of injury or damage if, at the time the injury or damage, the victim of the injury or damage:

i. Was committing a willful trespass or other tort upon premises occupied by the owner or keeper of the dog,

ii. Was teasing, tormenting, abusing, or assaulting the dog, or

iii. Was committing or attempting to commit a crime. No dog may be declared potentially dangerous or dangerous if the dog was protecting or defending a person within the immediate vicinity of the dog from an unjustified attack. No dog may be declared potentially dangerous or dangerous if an injury or damage was sustained by a domestic animal which, at the time of the injury or damage, was teasing, tormenting, abusing, or assaulting the dog. No dog may be declared potentially dangerous or dangerous if injury or damage to a domestic animals was sustained while the dog was working as a hunting dog, herding dog, or predator control dog on the property of, or under the control of, its owner or keeper, and the damage or injury was appropriate to the work of the dog, or if the other animal attacked was also at large.

(c) Upon designating a dog as a dangerous dog or a potentially dangerous dog, the regulatory officer can impose the restrictions on the owner of such dog as set forth in this Section and may impose such additional restrictions on the owner as are appropriate under the circumstances of the case. If an animal is declared a potentially dangerous dog all the same restrictions of a dangerous dog apply, with the exception of the insurance required and sterilization can be waived at the discretion of the regulatory officer. The regulatory officer shall notify the owner of the potentially dangerous dog of the restrictions in writing.

(d) Any Animal Control officer may impound any potentially dangerous dog or dangerous dog if the officer has reasonable cause to believe that any of the mandatory restrictions upon such dog are not being followed, or if the failure to follow such restrictions would likely result in a threat to public safety. The owner or custodian of a potentially dangerous dog or dangerous dog shall surrender such a dog to any Animal Control officer or law enforcement officer upon demand. In the event such a dog is impounded, the Animal Control Officer shall serve a citation upon the owner of such dog for violation of the provisions in this ordinance.

(e) If a dog has been impounded pursuant to previous subsections, the Animal Control Supervisor may permit the dog to be confined at the owner's expense in a veterinary facility pending a hearing pursuant to this chapter, provided that such confinement will ensure the public safety.

(f) No dog that has been designated as a dangerous dog or potentially dangerous dog may be released by the Animal Shelter or a veterinarian until the owner has paid all costs and other fees that are normally charged to an owner prior to redemption of the animal. If the owner fails to pay such fees, and costs and take possession of the dog within ten (10) days of the owner's receipt of notice of the designation of the dog as a dangerous dog or potentially dangerous dog, the dog shall be deemed to have been abandoned and may be disposed of by the Animal Control. Euthanasia or surrender of such dog to the Animal Control Officer or shelter does not free the owner of responsibility for all cost incurred up to and including the date of euthanasia or surrender. Abandonment charges may be filed against an owner not reclaiming or authorizing euthanasia of a dangerous or potentially dangerous animal.

Section 18. Removal of Designation of Potentially Dangerous Dog.

If there are no additional instances of the behavior described in the previous section within 18 months of the date of designation as a potentially dangerous dog, the dog shall automatically be removed from the list of potentially dangerous dogs. The dog may be, but is not required to be, removed from the list of potentially dangerous dogs prior to the expiration of the 18-month period if the owner or keeper of the dog demonstrates to Animal Control that changes in circumstances or measures taken by the owner or keeper, such as training of the dog, confinement, etc., have mitigated the risk to the public safety. In such event, the owner may petition Animal Control to remove such designation in writing.

The owner and dog must attend and successfully complete an American Kennel Club canine good citizenship course, or an equivalent course approved by the regulatory officer, and test within three (3) months.

Section 19. Change of Ownership, Custody or Location of Dog; Death of Dog.

The owner or custodian of a dangerous dog or potentially dangerous dog who moves or sells the dog, or otherwise transfer the ownership, custody or location of the dog, shall at least fifteen (15) days prior to the actual transfer or removal of the dog, notify Animal Control in writing of the name, address, and telephone number of the proposed new owner or custodian, the proposed new location of the dog, and the name, and description of the dog.

The owner or custodian shall, in addition to the above, notify any new owner or custodian of a dangerous dog or potentially dangerous dog in writing regarding the details of the dog's record and the terms and conditions for confinement and control of the dog. The transferring owner or custodian shall also provide Animal Control with a copy of the notification to the new owner or custodian of his or her receipt of the original notification and acceptance of the terms and conditions. Animal Control may impose different or additional restrictions or conditions upon the new owner or custodian.

If a dangerous dog or potentially dangerous dog should die, the owner or custodian shall notify Animal Control no later than twenty-four (24) hours thereafter and, upon request, shall produce the animal for verification or evidence of the dog's death that is satisfactory.

If a dangerous or potentially dangerous dog escapes, the owner or custodian shall immediately notify the Animal Control Department and make every reasonable effort to recapture the escaped dog to prevent injury and/or death to humans or domestic animals.

The annual license fee for a potentially dangerous dog shall be fifty dollars ($50.00) each; provided, that a surcharge of an additional twenty-five dollars ($25.00) is not required if a dog is not spayed or neutered. The annual license fee for a dangerous dog shall be one hundred fifty dollars ($150.00) each. The licenses for potentially dangerous dogs and dangerous dogs must be renewed each year. The license fees set forth in this subsection apply to all potentially dangerous dogs and dangerous dogs regardless of ownership.

Section 20. **Penalty.**

(a) Whenever in this chapter an act is prohibited or is made or declared to be unlawful, or whenever in this chapter the doing of an act is required or the failure to do any act is declared to be unlawful, the violation of any such provision of this chapter shall be punished by a fine of not less than the minimum and not more than the maximum allowed by the law. Each violation and everyday a violation occurs shall constitute a separate offense.

(b) The owner of an animal which inflicts severe injury or death to a person, or bites a person on public or private property, or which kills a domestic animal without provocation while off the owner's property, shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine of not less than the minimum but not more than the maximum allowed by law.

(c) It shall be a violation of this chapter for a dangerous animal to kill or wound, or assist in killing or wounding, any domestic animal belonging to or in the possession of any person. It shall also be a violation for a dangerous animal to attack, assault, bite, or otherwise injure any person, or assist in attacking, assaulting, biting, or otherwise injuring any person, while out of or within the enclosure of the owner, whether or not such dangerous animal was on a leash and securely muzzled, or whether or not the dangerous animal escaped without fault of the owner. The regulatory authority is empowered to confiscate and destroy such dangerous animal in an expeditious and humane manner. In addition, the owner shall be subject to a fine of not less than the minimum but not more than the maximum allowed by law.

Section 21. **Severability**

In case of any one or more of these sections, provisions, clauses, or words of these regulations or the application of such sections, provisions, clauses, or words to any situation or circumstance shall for any reason be held to be invalid or unconstitutional, such invalidity or

unconstitutionality shall not effect any other sections, provisions, clauses, or words of these regulations or the applications of such sections, provisions, clauses, or words to any other situations or circumstance, and it is intended that these regulations shall be severable and shall be construed and applied as if any such invalid or unconstitutional section, provision, clause, or word had not been included herein.

Section 22. Effective Date

These regulations shall become effective as of June 14, 2005 when approved by the Williamson County Commissioners Court.