

STATE OF TEXAS \*  
COUNTY OF NUECES \*

ORDER

WHEREAS, there exists in Nueces County a need for regulations to control domesticated animals, the Commissioners Court of Nueces County is of the opinion that there is a need to adopt county regulations in order to meet this need, and

WHEREAS, in order to prevent the introduction and spread of rabies after public notice of hearing on this ordinance, it is hereby declared that the County of Nueces is in danger of rabies epizootic in the animal population by virtue of its proximity to other counties having a rabies epidemic; and it further appearing to the Commissioners Court that the existence of such epizootic would be a menace to the health and safety of the people in the area of the County of Nueces.

WHEREAS, Article 826.033 of the Texas Health and Safety Code, V.A.C.S. authorizes the Commissioners Court of Nueces County to adopt such regulations,

THEREFORE, upon motion by Commissioner BORCHARD, seconded by Commissioner BEWLANG A, it is ORDERED that the following animal control regulations are hereby adopted:

**NUECES COUNTY ANIMAL CONTROL**

**ANIMAL REGULATIONS**

**Sec. 1.1. Penalties**

It shall be unlawful for any person to knowingly or with criminal negligence, violate any provision of this Order. Such violation shall be punishable as a Class C misdemeanor under the laws of the State of Texas.

If any violation is continuing, each day a violation continues shall be deemed a separate offense.

Any peace officer or animal control officer may issue a citation to any person who violates this regulation. Any peace officer or animal control officer may, in his discretion, issue a warning of violation to any person who violates these regulations.

**Sec. 1.2. Definitions**

As used in this chapter, the following words shall have the meanings herein ascribed to them:

**Animal**: Any living vertebrate creature, domestic or wild, other than a Homo sapien.

**Animal Control Officer**: The animal control supervisor or his/her authorized agents or employees of the animal control section.

**At Large or Running at Large**: Any animal within the county is without physical restraint and is beyond the property of an animal's owner or keeper.

**Cat**: A domesticated member of the Felidae (feline) family, other than a lion, tiger, bobcat, jaguar, panther, leopard or cougar.

**County Animal Shelter**: A place operated by or for the county, whether county facilities or by contract, for the detention of dogs and other animals as prescribed by law.

**County Health Officer**: The Director of the City-County Health Department is designated as the County Health Officer for the purposes of this order.

**Dangerous Animal**: Any animal that bites or scratches or attacks any other animal or any human being within the county without provocation.

Dog: A domesticated member of the Canidae (canine) family, other than a wolf, jackal, fox, dingo or coyote.

Impound: To take into custody or to place in the County Animal Shelter.

Licensed veterinarian: A veterinarian licensed by the Texas Board of Veterinarian Examiners.

Owner: Any person owning, keeping or harboring one or more animals. An animal is harbored if it is fed or sheltered.

Physical Restraint: An animal will be deemed under restraint in the following circumstances: (a) if the animal is within the property limits of its owners; or (b) is secured by leash of at least five (5) feet and not more than ten (10) feet in length, of sufficient strength to control the dog, and under the effective control of its owner or keeper while the animal is outside its owners property or in a public place.

Provocation: Any purposeful act that causes an animal to bite, scratch, or attack in protection of self, owner or owner property.

Public Nuisance: Any animal which:

- (1) Is a vicious dog within the meaning of the Texas Penal Code, Chapter 42, Section 42.12(1);
- (2) Is at large beyond the property of its owner or keeper;
- (3) Damages private or public property;
- (4) Barks and whines, howls or makes other annoying noises in an excessive, continuous or unreasonable fashion, or at unreasonable hours; or
- (5) Is dangerous as defined in the regulations.

Sanitary: Any condition of good order and cleanliness which precludes the possibility of disease transmission.

Stray: Any animal for which an owner has not been identified or does not have a tag affixed to its collar indicating current rabies inoculation.

Veterinary Hospital: Any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis and treatment of disease and injuries to animals.

Vicious Dog: Any dog as defined under Texas Penal Code Chapter 42, Section 42.12(a), and thereunder as said statute may be amended.

The words "animal", "dog", and "cat" shall include both the male and female gender.

**Sec. 1.3. Animal Control Section and Supervisor**

(A) The animal control section shall be a unit of Nueces County and shall be in the charge of a person having an Advance certification from the Texas Department of Health and designated by the county as the Animal Control Supervisor.

(B) The Animal Control Supervisor shall supervise the operation of the County Animal Shelter.

(C) In addition to the duties specifically prescribed in this chapter, it shall be the responsibility of the Animal Control Supervisor to implement animal control programs and enforce county and state laws regarding animals.

**Sec. 1.4. Interference with Animal Control Officer**

It shall be unlawful for any person to interfere with an animal control officer while engaged in the performance of his/her duties.

**Sec. 1.5. Compliance With Chapter Not Relief From Compliance With Other Regulations**

The keeping of any animal in accordance with the provisions of this chapter shall not be construed to authorize the keeping of the same in violation of the zoning ordinance or any other regulations of the county.

**ARTICLE II.**

**ANIMAL AND RABIES CONTROL**

**Sec. 1.6. Restraint and Nuisance Violations**

It shall be unlawful for an owner to fail to keep such owner's animals under restraint as follows:

(A) Except for cats, all animals shall be kept under restraint as defined in this chapter.

(B) It is a violation of this chapter for any person to allow an animal under his/her control to be a public nuisance as defined in these regulations. An owner violates this provision if his/her animal is a public nuisance, regardless of any "fault" of the owner.

**Sec. 1.7. Pursuit of Animals.**

For the purpose of discharging the duties imposed by the provisions of these regulations, or other applicable laws, and to enforce the same, any authorized representative or employees may

enter upon any unfenced lot, tract or parcel of land for the purpose of seizing any animal that is subject to impoundment pursuant to the provisions of this chapter or other applicable laws. Nothing herein shall be construed as a grant of authority to enter buildings, or other enclosures, without the permission of the occupant or owner thereof unless a warrant for seizure or impoundment of an animal has been obtained.

**Sec. 1.8. Impoundment**

(A) Grounds for Impoundment: Animals may be impounded by the Animal Control in any of the following circumstances:

1. Any dog not kept under restraint as required by this chapter.
2. Any dog or cat not having affixed to its collar a valid rabies tag.
3. Any dog or cat for which a valid rabies tag has not been issued.
4. Any animal which constitutes a public nuisance.
5. Any animal that an animal control officer reasonably suspects as having any infectious or contagious disease, other than rabies, and being in the custody of a keeper who fails or refuses to make arrangements satisfactory to the animal control supervisor looking to the proper treatment of such dog or other animal.
6. Every animal that has rabies or symptoms thereof, or that an animal control officer reasonably suspects has rabies, or has bitten, scratched, or otherwise attacked another animal or other persons within the County.
7. Any animal not kept by the owner in conformity with this chapter or state law.
8. Any animal upon written request from the owner thereof and to which the Animal Control Supervisor, or his designee, agrees that such animal be humanely euthanized for the protection of the health and welfare of the public.

(B) Length of Impoundment: Except for dogs impounded as subject or probable subject of a proceeding under Chapter 42, Section 42.12 of the Texas Penal Code, or other administrative procedures, impounded animals not claimed shall be kept for not less than three (3) days from date impounded. In calculating the length of this time period, the first day after impoundment shall be considered day one (1).

(C) Notification of Owner: If by a rabies tag, or other means, the owner of an impounded animal can be identified, the animal control officer shall, within two business days, attempt to notify the owner by telephone or by United States mail to the last known address advising that if the animal involved is not redeemed within five (5) days, disposition will be made in accordance with this chapter.

(D) Redemption: Impounded animals, other than those impounded as dangerous animals, vicious dog, and for observation of rabies, shall be subject to immediate redemption. Such animals may be redeemed by anyone entitled to possession thereof, while the same are in the county shelter after paying the appropriate fees as follows:

1. Impoundment Fees:

a. First Impoundment	\$10.00
Rabies Vaccination	\$ 8.00
Board Fees/Day	\$ 5.00
Board Fees/Day (dog bite cases)	\$ 6.00
b. Second and Subsequent impoundment within 12 months	\$20.00

2. Boarding Charge: A boarding charge determined and set annually by the Commissioners Court, but not to exceed the reasonable cost of boarding, feeding and caring for such animal for the period of impoundment.

3. Rabies Vaccination Charge: All charges for rabies vaccination if required.

In case animal impoundment sought to be redeemed is suffering from any disease or ailment, it shall not be released until the Animal Control Supervisor shall be satisfied that arrangements for its proper treatment are assured.

Animals put under observation as described in Section 1.10 shall become subject to redemption when found to be free from rabies.

(E) Disposition of Animals: Except as provided in subsection (C), (H), impounded animals not redeemed by their owner within three (3) days following impoundment shall become the property of the County and shall be placed for adoption in a suitable home or any nonprofit association organized for the protection and welfare of animals, sold pursuant to the rules, guidelines, or procedures established by the Commissioners Court of Nueces County, or humanely euthanized.

(F) Adoption of Unclaimed Animals: A person may adopt an animal after the expiration of the redemption period provided in subsection (E) and after paying the fees and making the required deposit equal to those which would be required for redemption set forth in subsection (D).

(G) Rabies Vaccination Required for Release: No impounded dog or cat is released unless the person whom the dog or cat is released holds a valid rabies tag.

(H) Euthanasia: The Animal Control Supervisor, or his designee, may direct the immediate euthanization of any animal determined to be seriously injured or diseased pursuant to the rules, guidelines, or procedures established by the Animal Control Supervisor. Impounded animals not redeemed or adopted as provided for in this section shall be humanely euthanized at the county shelter under the direction of an animal control officer. The carcasses shall be disposed of as directed by the director of public health.

(I) Records: The animal control supervisor shall cause to be maintained a record describing each identifiable animal impounded within the preceding two (2) years. In the case of each identifiable animal, it shall be noted how that impounded animal was disposed of, giving the names and addresses of persons to whom such animal was delivered and the deposits or fees and charges received from such person.

(J) Notice of Violation: In addition to, or in lieu of, impounding an animal, an animal control officer or any sheriff or constable may issue to the owner of such animal a notice of violation or a warning to the violator allowing the violator 24 hours to comply with those regulations.

#### Sec. 1.9. Rabies Vaccination

(A) It shall be unlawful for any person to own, keep, harbor or have custody or control of a dog or cat over four (4) months of age within the county, unless such dog or cat has been immunized against rabies by injection of anti-rabies vaccine by a licensed veterinarian.

(B) Every owner of a dog or cat immunized against rabies as required herein shall produce a rabies vaccination certificate from the veterinarian administering the vaccine.

(C) A veterinarian who vaccinates a dog or cat as required herein shall furnish the owner thereof with a metal tag corresponding to the number placed on the certificate, and with lettering showing immunization and the date thereof. This tag shall be attached to the collar of the dog or cat for which it is issued, and shall be worn at all times in a conspicuous place on the collar.

#### Sec. 1.10. Animal Biting and/or Exhibiting Symptoms of Rabies

(A) Impoundment: Every animal that has rabies or symptoms thereof, or every animal that a person could reasonably suspect as having rabies, or that bites, scratches or otherwise attacks another animal or a person within the county shall be impounded

at once and held for observation and quarantine at the county shelter or other place designated by the county health officer for such period of time as the county health officer may deem necessary provided, however, such period of time shall not be fewer than ten (10) days nor more than fourteen (14) days.

(B) No animal that has rabies shall be allowed at any time on the streets or public ways of the county. No animal that has been suspected of having rabies shall be allowed at any time in public places, except as expressly provided herein until said animal has been released from observation by the county health officer.

(C) Owners Responsibility: The owner of any animal that is reported to have rabies or symptoms thereof, or to have been exposed to rabies, or to have bitten, scratched or otherwise attacked any person within the county, or that the owner knows or suspects to be rabid, shall submit such animal for quarantine to the animal control supervisor, or any constable or sheriffs officer. In the event the owner of such animal refuses to surrender such animal on demand, such action shall constitute a Class C misdemeanor.

(D) Reporting of Incidents: Any person having knowledge of any animal exhibiting symptoms of or exposed to rabies, or that has bitten or otherwise attacked any human being or animal, shall report the incident to the animal control section no later than ten (10) days from the date of the incident. The report shall include the name and address of any victim and of the owner of the animal, if known, and any other information relating to the incident or animal.

(E) Investigation of Cases: The county health officer shall investigate and record all cases of rabies and suspected rabies.

(F) Disposition of Bodies of Quarantine Animals: The body of any animal that has died of rabies or that dies or is destroyed while in quarantine shall not be disposed of except as directed by the county health officer.

(G) Owner to Pay Costs: The owner of an animal in quarantine under this section shall pay to the animal control supervisor the reasonable cost of quarantine and disposition of an animal, including charges for shipment of the animals head or brain, if required, to the nearest Texas Department of Health laboratory for testing. The owner shall pay to the animal control supervisor a fee of ten dollars (\$10.00) for preparation of each animal head for shipping to the state department laboratory for rabies testing.

#### Sec. 1.11. Loan of Small Animal Traps

Animal traps will be loaned by the animal control division for a charge of one dollar (\$1.00) for small animal trap and two dollars (\$2.00) for a large animal trap per day. There will be a



required deposit of ten dollars (\$10.00) for a small animal trap and fifty dollars (\$50.00) for a large animal trap prior to the loan of these traps. The traps will be loaned out Monday through Friday only, except for holidays.

Sec. 1.12. Repealer

The Commissioners Court Order of August 28, 1979, regulating animals in Nueces County is hereby repealed.

DULY ADOPTED on this the 15 day of MAY, 1991.

COUNTY OF NUECES

By [Signature]  
ROBERT N. BARNES,  
COUNTY JUDGE

[Signature]

[Signature]

[Signature]

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ATTEST:

[Signature]

ERNEST M. BRIONES, COUNTY CLERK AND  
EX-OFFICIO CLERK OF THE COMMISSIONERS'  
COURT OF NUECES COUNTY, TEXAS

**FILED**

MAY 15 1991

ERNEST M. BRIONES  
County Clerk, Nueces County, Texas  
By [Signature] Deputy  
RAQUEL MADRIGAL

# County of Nueces

**FRANK SCHWING**  
Commissioner  
Precinct 1

**DAVID NOYOLA**  
Commissioner  
Precinct 2



**OSCAR ORTIZ**  
Commissioner  
Precinct 3

**JOE MCCOMB**  
Commissioner  
Precinct 4

**RICHARD M. BORCHARD**

County Judge

Nueces County Courthouse, Room 303

901 Leopard Street

Corpus Christi, Texas 78401-3697

## ANIMAL CONTROL ORDER NUECES COUNTY COMMISSIONERS COURT

WHEREAS, there exists in Nueces County a need for regulations to control the keeping of wild animals, the Commissioners Court of Nueces County is of the opinion that there is a need to adopt a county regulation to meet this need, and

WHEREAS, Section 240.002 of the Texas Local Government Code authorizes the Commissioners Court of Nueces County to adopt such regulation.

WHEREAS, upon motion by Commissioner Ortiz, seconded by Commissioner Schwing, it is ORDERED that the following animal control regulation is hereby adopted:

### Section 1.1 DEFINITIONS:

Person: an individual, partnership, corporation, trust, estate, joint stock company, foundation, or association of individuals.

Wild animal or dangerous wild animal: a nondomestic animal that the commissioners court determines is dangerous and is in need of control in this county, specifically including (but not limited to) the following animals or any hybrid of such an animal:

Lions, tigers, ocelots, cougars, leopards, cheetahs, jaguars, bobcats, lynx, servals, caracals, hyenas, bears, coyotes, jackals, baboons, chimpanzees, orangutans, and gorillas.

### Section 1.2 KEEPING OF WILD ANIMALS PROHIBITED

A. It is prohibited for any person to keep a wild animal in the county.

1. A violation of this order is an offense.
2. An offense under this section is a Class C misdemeanor.

### Section 1.3 EXCEPTIONS

This Order does not apply to:

- (1) a county, municipality, or agency of the state or an agency of the United States or an agent or official of a county, municipality, or agency acting in an official capacity;
- (2) a research facility, as that term is defined by Section 2 (e), Animal Welfare Act (7 U.S.C. Section 2132), and its subsequent amendments, that is licensed by the secretary of agriculture of the United States under that Act;

- (3) an organization that is an accredited member of the American Zoo and Aquarium Association;
- (4) an injured, infirm, orphaned, or abandoned dangerous wild animal while being transported for care or treatment;
- (5) an injured, infirm, orphaned, or abandoned dangerous wild animal while being rehabilitated, treated, or cared for by a licensed veterinarian, an incorporated humane society or animal shelter, or a person who holds a rehabilitation permit issued under Subchapter C, Chapter 43, Parks and Wildlife Code;
- (6) a dangerous wild animal owned by and in the custody and control of a transient circus company that is not based in this state if:
  - (A) the animal is used as an integral part of the circus performances; and
  - (B) the animal is kept within this state only during the time the circus is performing in this state or for a period not to exceed 30 days while the circus is performing outside the United States;
- (7) a dangerous wild animal while in the temporary custody or control of a television or motion picture production company during the filming of a television or motion picture production in this state;
- (8) a dangerous wild animal owned by and in the possession, custody, or control of a college or university solely as a mascot for the college or university;
- (9) a dangerous wild animal while being transported in interstate commerce through the state in compliance with the Animal Welfare Act (7 U.S.C. Section 2131 et seq.) and its subsequent amendments and the regulations adopted under the Act;
- (10) a nonhuman primate owned by and in the control and custody of a person whose only business is supplying nonhuman primates directly and exclusively to biomedical research facilities and who holds a Class "A" or Class "B" dealer's license issued by the secretary of agriculture of the United States under the Animal Welfare Act (7 U.S.C. Section 2131 et seq.) and its subsequent amendments; and
- (11) a dangerous wild animal that is:
  - (A) owned by or in the possession, control, or custody of a person who is a participant in a species survival plan of the American Zoo and Aquarium Association for that species; and
  - (B) an integral part of that species survival plan.

DULY ADOPTED BY VOTE OF THE COMMISSIONERS COURT OF NUECES COUNTY, TEXAS ON THE 21st DAY OF NOVEMBER 2001.

*R. Borchard*  
 RICHARD M. BORCHARD  
 Nueces County Judge

*Frank Schwing*  
 FRANK SCHWING  
 Commissioner, Precinct 1

*David Noyola*  
 DAVID NOYOLA  
 Commissioner, Precinct 2

*Oscar Ortiz*  
 OSCAR ORTIZ  
 Commissioners, Precinct 3

*Joe McComb*  
 JOE MCCOMB  
 Commissioners, Precinct 4

ATTEST:  
*Ernest Briones*  
 ERNEST BRIONES, County Clerk



**FILED**

NOV 21 2001  
 ERNEST M. BRIONES  
 County Clerk, Nueces County, Texas  
 By *Roger M. [Signature]* DEPUTY



FRANK SCHWING  
Commissioner  
Precinct 1

BETTY JEAN  
LONGORIA  
Commissioner  
Precinct 2



TERRY SHAMSIE  
County Judge  
Nueces County Courthouse, Room 303  
901 Leopard Street  
Corpus Christi, Texas 78401-3697

OSCAR ORTIZ  
Commissioner  
Precinct 3

H.C. "CHUCK"  
CAZALAS  
Commissioner  
Precinct 4

**COMMISSIONERS COURT RESOLUTION AND ORDER  
AMENDING THE ANIMAL CONTROL ORDER ADOPTED BY THE COMMISSIONERS COURT IN 1991  
TO PROVIDE FOR RABIES VACCINATION ON AN ANNUAL BASIS**

**WHEREAS**, the Commissioners Court of Nueces County, Texas, strives to protect the public health of the citizens of Nueces County, Texas; and,

**WHEREAS**, the Commissioners Court is aware that rabies continues to be a serious community problem; and,

**WHEREAS**, Chapter 826 of the Texas Health and Safety Code ("Code") authorizes the Commissioners Court to adopt orders or rules that establish a local rabies control program in the county; and,

**WHEREAS**, on February 27, 2003, the Texas Board of Health ("Board") approved amendments to Texas Administrative Code Ch. 169, Rabies Control and Eradication. The rabies vaccination schedule will still require that dogs and cats be vaccinated against rabies by 4 months of age and be given a booster one year after the initial vaccination. However, every domestic dog or cat must be revaccinated against rabies at a minimum of at least once every three years; and,

**WHEREAS**, Section 826.014 of the Code allows counties to establish local standards that are more stringent than the rules adopted by the Board.

**NOW, THEREFORE, BE IT RESOLVED THAT THE COMMISSIONERS COURT OF NUECES COUNTY, TEXAS**, amend Section 1.9 (A) of the current Nueces County Animal Control Order effective immediately. It is therefore ordered that it shall be unlawful for any person to own, keep, harbor or have custody or control of a dog or cat over four (4) months of age within the County, unless such dog or cat has been immunized against rabies by injection of anti-rabies vaccine by a licensed veterinarian on an annual basis.

DULY ADOPTED BY VOTE OF THE COMMISSIONERS COURT OF NUECES COUNTY, TEXAS ON THE 23rd DAY OF APRIL 2003.

*Terry Shamsie*  
TERRY SHAMSIE

NUECES COUNTY JUDGE

*Frank Schwing*  
FRANK SCHWING  
Commissioner, Precinct 1

*Oscar Ortiz*  
OSCAR ORTIZ  
Commissioner, Precinct 3

*Betty Jean Longoria*  
BETTY JEAN LONGORIA  
Commissioner, Precinct 2  
*Chuck Cazalas*  
H.C. "CHUCK" CAZALAS  
Commissioner, Precinct 4

ATTEST:

*Ernest Briones*  
ERNEST BRIONES



**COMMISSIONERS COURT ORDER**  
**AMENDING THE ANIMAL CONTROL ORDER ADOPTED BY**  
**COMMISSIONERS COURT IN 1991**

**WHEREAS**, the Commissioners Court of Nueces County, Texas, strives to protect the public health of the citizens of Nueces County, Texas;

**WHEREAS**, Chapter 826 of the Texas Health and Safety Code (“Code”) authorizes the Commissioners Court to adopt orders or rules that establish a local rabies control program in the county;

**WHEREAS**, the Nueces County Commissioners Court adopted a local rabies control program on May 15, 1991, including a subsequent amendment of April 23, 2003;

**WHEREAS**, section 826.041 and 826.042 of the Texas Health and Safety Code provides only for the reporting and quarantine of animals that bite, scratch, or expose another person to rabies; and

**WHEREAS**; the Nueces County Commissioners Court wishes to amend its local rabies control program order to exclude reporting and quarantine of animals that otherwise attack another animal.

**NOW THEREFORE, BE IT ORDERED** by the Nueces County Commissioners Court that sections 1.8(A)(6), 1.10(A), and 1.10(D) of the 1991 Commissioners Court Order are amended effective immediately to remove reference to reporting or quarantine of animals that otherwise attack another animal. All other provisions of the 1991 Commissioners Court Order and approved amendments shall remain the same. Sections 1.8 and 1.10 shall now read in relevant part as follows:

- Section 1.8 Impoundment:

(A)(6) Every animal that has rabies or symptoms thereof, or that an animal control officer reasonably suspects has rabies, or has bitten, scratched, or otherwise attacked other persons within the County.

- Section 1.10 Animal Biting and/or Exhibiting Symptoms of Rabies

(A) Impoundment: Every animal that has rabies or symptoms thereof, or every animal that a person could reasonably suspect as having rabies, or that bites, scratches or otherwise attacked a person within the county shall be impounded at once...

(D) Reporting of Incidents: Any person having knowledge of any animal exhibiting symptoms of or exposed to rabies, or that has bitten or otherwise attacked any human being, shall report the incident to the animal control section...

DULY ADOPTED BY VOTE OF THE COMMISSIONERS COURT OF NUECES COUNTY, TEXAS ON THE 23<sup>rd</sup> DAY OF January 2019.

**COMMISSIONERS COURT ORDER**  
**AMENDING THE ANIMAL CONTROL ORDER ADOPTED BY**  
**COMMISSIONERS COURT IN 1991**

**WHEREAS**, the Commissioners Court of Nueces County, Texas, strives to protect the public health of the citizens of Nueces County, Texas;

**WHEREAS**, Chapter 826 of the Texas Health and Safety Code ("Code") authorizes the Commissioners Court to adopt orders or rules that establish a local rabies control program in the county;

**WHEREAS**, the Nueces County Commissioners Court adopted a local rabies control program on May 15, 1991;

**WHEREAS**, the Nueces County Commissioners Court wishes to amend its local rabies control program in an effort to further the health and safety of the people of Nueces County and the general welfare of animals kept in Nueces County.

**NOW, THEREFORE, BE IT ORDERED** by the Nueces County Commissioners Court that the following amendments modifying the 1991 Commissioners Court Order are effective immediately. All other provisions of the 1991 Commissioners Court Order and approved amendments shall remain in effect.

Section 1.2.     **Definitions**

Attack: to set upon with violent force

Collar: a band of leather, nylon, rope, or similar material, excluding chain if utilized for training purposes, that is commonly used on an animal to aid in control of movement of the animal, by the animal's owner, and to which a leash or lead can be attached.

Stable: any place that provides:

- (1) Any horse, pony, donkey, or mule for hire.
- (2) Boarding or grazing for any horse, pony, donkey or mule.
- (3) Riding instruction on any horse, pony, donkey or mule.

Pursuit: the continuous act of chasing or attempting to overtake a fleeing animal.



**Section 1.3 Animal Control Section and Supervisor**

(D) The animal control manager is designated as the local rabies control authority to enforce the provisions of the Rabies Control Act of 1981 (V.T.C.A., Health and Safety Code § 826.017)

**Section 1.8 Impoundment**

(D) Redemption: Impounded animals, other than those impounded as dangerous animals, vicious dogs, or for observation of rabies, shall be subject to immediate redemption. Such animals may be redeemed by anyone entitled to possession thereof, while the same are in the County shelter after paying the appropriate fees as follows:

1. Impoundment Fees:

a. First Impoundment	\$50.00
Rabies Vaccination	\$20.00
Board Fees/Day	\$5.00
Board Fees/Day (dog bite cases)	\$10.00
b. Second and Subsequent impoundment within 12 months	\$100.00

**Section 1.13 Waiver or reduction of fees.**

The Nueces County animal control manager is authorized to reduce or waive adoption or impoundment fees when necessary to advance the goals of Nueces County animal control.

**Section 1.14 Pertaining to kennels and stables.**

(A) Each kennel or stable must specify the maximum number of animals that may be kept at the kennel or stable.

(B) Owners and operators of stables or kennels, except kennels owned and operated by veterinarians, where animals are boarded or grazed for a fee must maintain a registry identifying all animals boarded or grazed, the name, address, and telephone number of the owners of each animal including an alternative emergency telephone number, and a statement by the owner of each animal boarded or grazed either assuming total responsibility for the care and feeding of the animal or transferring all responsibility for the care and feeding of the animal to the stable or kennel owner or operator.

(C) The stable or kennel owner must also provide an emergency telephone number where the stable or kennel owner, operator, and any caretaker of the stable or kennel can be reached if the owner, operator, or caretaker do not reside on the premises.

DULY ADOPTED BY VOTE OF THE COMMISSIONERS COURT OF NUECES COUNTY, TEXAS

ON THE 12<sup>th</sup> DAY OF February



Barbara Canales  
Nueces County Judge



Carolyn Vaughn  
Commissioner, Precinct 1



Joe Gonzalez  
Commissioner, Precinct 2



John Marez  
Commissioner, Precinct 3



Brent Chesney  
Commissioner, Precinct 4

Attest:



Kara Sands, County Clerk



# County of Nueces

3.A.21

**ROBERT HERNANDEZ**  
Commissioner  
Precinct 1



**JOHN MAREZ**  
Commissioner  
Precinct 3

**JOE A. GONZALEZ**  
Commissioner  
Precinct 2

**BRENT CHESNEY**  
Commissioner  
Precinct 4

**BARBARA CANALES**  
County Judge  
Nueces County Courthouse, Room 303  
901 Leopard Street  
Corpus Christi, Texas 78401-3697

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## ORDER BY NUECES COUNTY COMMISSIONERS COURT

### AMENDING THE 1991 ANIMAL CONTROL ORDER AND ESTABLISHING ANIMAL SERVICES ADVISORY BOARD

**WHEREAS**, the Commissioners Court of Nueces County, Texas, strives to protect the public health of the citizens of Nueces County, Texas;

**WHEREAS**, Chapter 826 of the Texas Health and Safety Code ("Code") authorizes the Commissioners Court to adopt orders or rules that establish a local rabies control program in the county and such program was adopted on May 15, 1991;

**WHEREAS**, Chapter 823 of the Texas Health and Safety Code requires that the governing body of a county in which an animal shelter is located shall appoint an advisory committee, and that Nueces County has created such a committee in 1988;

**WHEREAS**, the scope and mission of Nueces County Animal Services has changed from its creation in 1983 from one focused on the control and impoundment of animals to one focused on the humane treatment and adoption/rescue of animals, as well as the health and safety of the public;

**WHEREAS**, on November 17, 2021, the Commissioners Court memorialized the renaming of the Animal Services Department to reflect the change in the mission and organization of Nueces County Animal Services;

**WHEREAS**, the Nueces County Commissioners Court wishes to amend the 1991 Commissioners Court Order to reflect the changing scope of operations of Animal Services and expand the role of the Animal Shelter Advisory Committee;

**NOW THEREFORE, BE IT ORDERED** by the Nueces County Commissioners Court that the following amendments modifying the 1991 Commissioners Court Order are effective immediately. All other provisions of the 1991 Commissioners Court Order and approved amendments shall remain in full force. All uses of "Animal Control Section" are to be construed as referring to "Animal Services." All uses of "Animal Control Supervisor" are to be construed as referring to the "Animal Services Supervisor."

### SECTION 1.3 COMPLIANCE WITH ORDER NOT RELIEF FROM COMPLIANCE WITH OTHER REGULATIONS

The keeping of any animal in accordance with the provisions of this order shall not be construed to

authorize the keeping of the same in violation of the zoning ordinance or any other regulations of the county.

#### **SECTION 1.4 PURPOSE OF NUECES COUNTY ANIMAL SERVICES**

The purpose of Nueces County Animal Services is to protect the health and safety of the citizens of Nueces County through enforcing county and state animal welfare laws, and promoting the humane treatment of animals through the implementation of best practices standards in shelter management as a guideline for policies regarding:

- Investigating & Preventing animal cruelty and animal bites
- Shelter operation & maintenance standards
- Reduction of intake through community education & engagement
- Reducing euthanasia
- Increasing live release through rescue and adoptions
- Any other animal services related issue

#### **SECTION 1.5 ANIMAL SERVICES DEPARTMENT AND SUPERVISOR**

(A) The Nueces County Animal Services shall be a unit of Nueces County and shall be in the charge of a person designated by the county as the Animal Services Supervisor.

(B) The Animal Services Supervisor shall supervise all aspects of the operation of the County Animal Shelter. The Animal Services Supervisor shall create goals regarding the Animal Shelter's live release rate and efficiency of operations, develop and implement standard operating procedures for all parts of shelter operations, including an adoption/rescue program, and ensure that humane standards of care are met for all animals.

(C) In addition to the duties specifically prescribed in this Order, it shall be the responsibility of the Animal Services Supervisor to enforce county and state laws regarding animals and to implement the purpose of Animal Services.

(D) All provisions of this Order shall be enforced by the Animal Services Supervisor in the exercise of his or her discretion. The Supervisor shall have final approval for decisions of the Animal Services Officers in the enforcement of this Order.

(E) The Animal Services Supervisor is designated as the local rabies control authority to enforce the provisions of the Rabies Control Act of 1981, Texas Health & Safety Code § 826.017.

#### **SECTION 1.6 ANIMAL SERVICES OFFICERS**

(A) Animal Services Officers are those officers specifically hired to enforce this Order. The Animal Service Officer shall be trained and certified in accordance with Chapter 829 of the Texas Health and Safety Code when hired or shall become certified within 12



months of hiring.

(B) At the direction of the Commissioners Court or the Animal Services Supervisor, Nueces County Animal Services may conduct patrols. However, in general Nueces County Animal Services is primarily complaint driven in the enforcement of this Order.

(C) **Duties of Animal Services Officer.** An Animal Services Officer shall be responsible for carrying out the provisions of the State laws and regulations pertaining to control and eradication of rabies, as well as other duties including, the investigation of animal bites and violations of this Order, the issuance of citations for violations of this Order, the education of the public regarding responsible pet care and ownership, and any other duties as required at the discretion of the Supervisor, including assisting in the coordination and promotion of the adoptions/rescues program.

(D) It shall be unlawful for any person to intentionally or knowingly, by act or omission, interfere with, hinder, or molest any Animal Services Officer, in the performance of any duty delegated in this Order.

#### **SECTION 1.7 ANIMAL SHELTER ADVISORY BOARD**

**(A) Policy and Establishment.**

The Nueces County Commissioners Court shall appoint an advisory board to assist with making recommendations with regard to animal control policy to the Commissioners Court and to assist in ensuring that the Nueces County Animal Shelter is in compliance with all applicable statutory requirements. The board shall be called the "Nueces County Animal Services Advisory Board" and shall serve as an advisory body to the Commissioners Court and to Animal Services. The Animal Services Advisory Board will serve as Nueces County's advisory committee for purposes of complying with Texas Health & Safety Code Section 823.005. The board shall advise the court and the department by reviewing and recommending necessary changes in operations, budget priorities, and compliance with all applicable laws, rules, regulations, and orders; this includes, but is not limited to review of operating rules, policies, and procedures for Animal Services.

**(B) Duties.** The advisory board is tasked with:

- (1) advising the Commissioners Court and Animal Services on matters related to the Nueces County Animal Control Orders, the policies and procedures of Animal Services, and compliance with applicable laws and regulations;
- (2) serving as a public forum for discussion of animal control needs and services which will allow maximum possible citizen input on Nueces County's animal service needs;
- (3) developing recommendations to meet community needs and to improve Nueces County's animal services, operations, and facilities;

(4) submitting biannual reports to the Commissioners Court, concerning the operation of the of the animal shelter and animal services program, together with its recommendations and/or advice concerning the same.

**(C) Composition and Appointment**

(1) The Animal Services Advisory Board shall be composed of a minimum of seven (7) and maximum of eleven (11) members. Pursuant to Texas Health and Safety Code, Section 823.005(b), the Committee must be composed of at least: one (1) licensed veterinarian, one (1) county or municipal official, one (1) person whose duties include the daily operation of an animal shelter, and one (1) representative from an animal welfare organization.

(2) Terms. The term of a board member shall last two (2) years.

**(D) Bylaws**


The Board shall establish and operate according to bylaws.

**(E) Board Meetings**

(1) It is hereby ordered that all meetings called or conducted by the Animal Services Advisory Board shall comply with the Texas Open Meetings Act, as amended.

(2) The advisory board shall meet at least three times a year or more often as needed.

**DULY adopted by vote of the Commissioners Court of Nueces County, Texas on the 15th day of December 2021.**

  
**ROBERT HERNANDEZ**  
Commissioner, Precinct 1

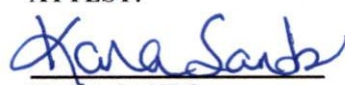
  
**BARBARA CANALES**  
NUECES COUNTY JUDGE

  
**JOE A. GONZALEZ**  
Commissioner, Precinct 2

  
**JOHN MAREZ**  
Commissioner, Precinct 3



  
**BRENT CHESNEY**  
Commissioner, Precinct 4

ATTEST:  
  
**KARA SANDS**  
County Clerk



# County of Nueces

2.I

**ROBERT HERNANDEZ**  
Commissioner  
Precinct 1



**JOHN MAREZ**  
Commissioner  
Precinct 3

**JOE A. GONZALEZ**  
Commissioner  
Precinct 2

**BRENT CHESNEY**  
Commissioner  
Precinct 4

**BARBARA CANALES**  
County Judge  
Nueces County Courthouse, Room 303  
901 Leopard Street  
Corpus Christi, Texas 78401-3697

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## ORDER BY NUECES COUNTY COMMISSIONERS COURT

### THIRD AMENDMENT TO THE 1991 ANIMAL CONTROL ORDER AND ESTABLISHING ANIMAL SERVICES ADVISORY BOARD

WHEREAS, the Commissioners Court of Nueces County, Texas, strives to protect the public health of the citizens of Nueces County, Texas;

WHEREAS, Chapter 826 of the Texas Health and Safety Code (“Code”) authorizes the Commissioners Court to adopt orders or rules that establish a local rabies control program in the county and such program was adopted on May 15, 1991;

WHEREAS, on December 15, 2021, the Commissioners Court amended the 1991 Commissioners Court Order to reflect the changing scope of operations of Animal Services;

WHEREAS, on March 16, 2022, the Commissioners Court amended the 1991 Commissioners Court Order (the “Second Amendment”) by renumbering certain sections and correcting a typographical error;

WHEREAS, the Nueces County Commissioners Court wishes to amend the 1991 Commissioners Court Order once again by renumbering certain incorporated amendments;

**NOW THEREFORE, BE IT ORDERED** by the Nueces County Commissioners Court that the following amendments modifying the 1991 Commissioners Court Order are renumbered as follows:

The sections renumbered in the “Second Amendment” **shall** first revert back to “Section 1.6 Animal Services Officers” and to “Section 1.7 Animal Shelter Advisory Board” respectively, and those sections **shall** now be renumbered as follows:

**SECTION 1.6 ANIMAL SERVICES OFFICERS** now reads **SECTION 1.51 ANIMAL SERVICES OFFICERS**

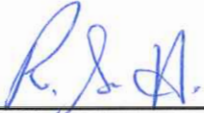
**SECTION 1.7 ANIMAL SHLETER ADVISORY BOARD** now reads **SECTION 1.52 ANIMAL SHELTER ADVISORY BOARD**

All other provisions of the 1991 Commissioners Court Order and approved amendments shall remain in full force.

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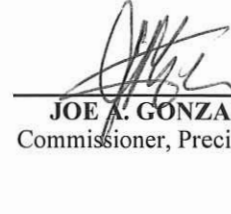
DULY adopted by vote of the Commissioners Court of Nueces County, Texas on the 30<sup>th</sup> day of March 2022.



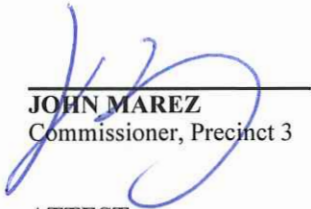
**ROBERT HERNANDEZ**  
Commissioner, Precinct 1



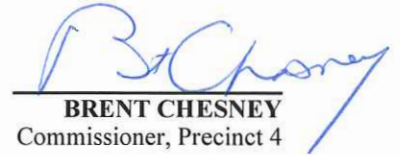
**BARBARA CANALES**  
NUECES COUNTY JUDGE



**JOE A. GONZALEZ**  
Commissioner, Precinct 2



**JOHN MAREZ**  
Commissioner, Precinct 3



**BRENT CHESNEY**  
Commissioner, Precinct 4

ATTEST:

**KARA SANDS**  
County Clerk

3.A.16.

# County of Nueces



**ROBERT HERNANDEZ**  
Commissioner  
Precinct 1

**JOE A. GONZALEZ**  
Commissioner  
Precinct 2

**JOHN MAREZ**  
Commissioner  
Precinct 3

**BRENT CHESNEY**  
Commissioner  
Precinct 4

**CONNIE SCOTT**

County Judge  
Nueces County Courthouse, Room 303  
901 Leopard Street  
Corpus Christi, Texas 78401-3697

## ORDER BY NUECES COUNTY COMMISSIONERS COURT

### AMENDING THE 1991 ANIMAL CONTROL ORDER AND ESTABLISHING ANIMAL SERVICES ADVISORY BOARD

**WHEREAS**, the Commissioners Court of Nueces County, Texas, strives to protect the public health of the citizens of Nueces County, Texas;

**WHEREAS**, Chapter 826 of the Texas Health and Safety Code (“Code”) authorizes the Commissioners Court to adopt orders or rules that establish a local rabies control program in the county and such program was adopted on May 15, 1991;

**WHEREAS**, Chapter 823 of the Texas Health and Safety Code requires that the governing body of a county in which an animal shelter is located shall appoint an advisory committee, and that Nueces County has created such a committee in 1988;

**WHEREAS**, on December 15, 2021, the Commissioners Court amended the 1991 Commissioners Court Order to reflect the changing scope of operations of Animal Services and expand the role of the Animal Shelter Advisory Committee;

**WHEREAS**, on March 16, 2022, and March 30, 2022, the Commissioners Court amended the 1991 Commissioners Court Order by renumbering certain incorporated amendments;

**WHEREAS**, the Nueces County Commissioners Court wishes to amend the 1991 Commissioners Court Order to update the composition and structure of the Animal Shelter Advisory Board;

**NOW THEREFORE, BE IT ORDERED** by the Nueces County Commissioners Court that sections 1.52(C) Composition and Appointment, section 1.52(D) Bylaws, and 1.52(E) Board Meetings are amended effective immediately. All other provisions of the 1991 Commissioners Court Order and approved amendments shall remain in full force. Sections 1.52 shall now read in relevant part as follows:

- **SECTION 1.52 ANIMAL SHELTER ADVISORY BOARD**

**(C) Composition and Appointment**

(1) The Animal Services Advisory Board shall be composed of a minimum of seven (7) and maximum of eleven (11) members and a chairperson for a maximum of twelve (12) members.



The Chairperson will be appointed by the Commissioners Court and will be a non-voting member of the board. Pursuant to Texas Health and Safety Code, Section 823.005(b), the Committee must be composed of at least: one (1) licensed veterinarian, one (1) county or municipal official, one (1) person whose duties include the daily operation of an animal shelter, and one (1) representative from an animal welfare organization.

(2) Terms. The term of a board member shall last two (2) years.

**(D) Bylaws**

(1) The Animal Service Advisory Board is governed by this order and its amendments and has no statutory obligation to create or maintain a separate set of Bylaws. The Board shall not create or maintain bylaws.

**(E) Board Meetings**

(1) The Animal Services Advisory Board is not required to comply with the Texas Open Meetings Act, as amended.

(2) The advisory board shall meet three times a year.


(3) A quorum of the advisory board is a minimum of six (6) voting members.

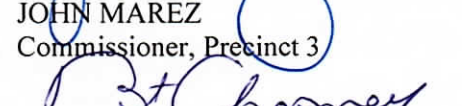
(4) Membership is limited to Nueces County residents only.

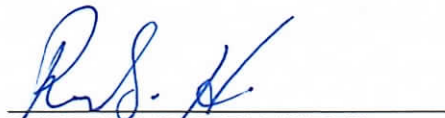
**DULY adopted by vote of the Commissioners Court of Nueces County, Texas on the 15<sup>th</sup> day of November 2023.**

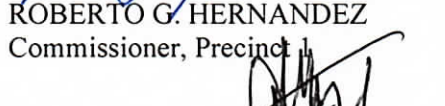
  
\_\_\_\_\_  
CONNIE SCOTT  
Nueces County Judge




  
\_\_\_\_\_  
JOHN MAREZ  
Commissioner, Precinct 3

  
\_\_\_\_\_  
BRENT CHESNEY  
Commissioner, Precinct 4

  
\_\_\_\_\_  
ROBERTO G. HERNANDEZ  
Commissioner, Precinct 1

  
\_\_\_\_\_  
JOE A. GONZALEZ  
Commissioner, Precinct 2

Attest:   
\_\_\_\_\_  
Kara Sands, Nueces County Clerk