



STATE OF TEXAS §

COUNTY OF COMAL §

**RESOLUTION #2009-01
SUPPORTING LEGISLATION REGARDING REGULATION OF BARKING DOGS**

WHEREAS, Section 343.011 of the Health and Safety Code prohibits certain public nuisances in the unincorporated area of a county;

WHEREAS, Dog barking has become an increasing problem in the unincorporated areas that are rapidly growing with neighborhoods becoming progressively more urban;

WHEREAS, Counties have no authority to enact an order to regulate persistent and disruptive dog barking in the unincorporated areas; and

WHEREAS, Proposed legislation would amend the Health and Safety Code by giving counties at a local option the authority to declare dog barking a public nuisance in neighborhoods in the unincorporated areas of counties and by setting discretionary guidelines for counties adopting such orders regulating dog barking as a public nuisance; and

WHEREAS, the Comal County Commissioners Court supports legislation regarding regulation of dog barking as a public nuisance in neighborhoods in the unincorporated areas of counties.

NOW THEREFORE BE IT RESOLVED THAT the Commissioners Court of Comal County, Texas does hereby request that Senator Jeff Wentworth and Representative Doug Miller of the Texas Legislature introduce a bill in the upcoming legislative session amending Section 343.011 of the Health and Safety Code to add the regulation of dog barking as a public nuisance in neighborhoods in the unincorporated areas of counties.

Danny Scheel, County Judge

Donna Eccleston
Commissioner, Pct. #1

Jay Millikin
Commissioner, Pct. #2

Gregory Parker
Commissioner, Pct. #3

Jan Kennady
Commissioner, Pct. #4

ATTEST: _____
Hon. Joy Streater, County Clerk