

# HUTCHINSON COUNTY ANIMAL ORDINANCE

## **SECTION I – AUTHORITY**

(A) This ordinance is adopted pursuant to the Rabies Control of 1908 as codified in Chapter 826 of the Texas Health and Safety Code (Vernon 1992 and Vernon Supp. 1998)

This ordinance will be in effect immediately upon approval.

(B) This ordinance applies to all the unincorporated area of Hutchinson County. The ordinance is not effective within the boundaries of an incorporated municipality, town or village.

## **SECTION II – GENERAL DEFINITIONS**

(A) Custodian: A person or agency which feeds, shelters, harbors, has possession or control of, or has the responsibility to control a dog, including, but not limited to, the dog's owner.

(B) Dog: Any live dog (Canis familiar) including hybrids.

(C) Humanely kill: To cause the death of an animal by a method which rapidly produces unconsciousness and death without visible evidence of pain or distress or by a method which utilizes anesthesia produced by an agent which causes painless loss of consciousness and death following such loss of consciousness.

(D) Owner: Any Person who harbors, shelters, keeps, controls, manages, possesses or has part interest in any dog. It is a rebuttal presumption that the occupant of any premises on which a dog remains for a period of seven (7) days or to which it customarily returns daily for a period of seven (7) days is harboring, sheltering or keeping the dog. If a minor owns a dog, his or her parent or guardian is deemed the custodian of the dog.

## **SECTION III – LOCAL RABIES CONTROL AUTHORITY**

(A) LRCA - Local Rabies Control Authority

(B) LRCA means the Hutchinson County Sheriff, county health officer, animal control officer, peace officer, or other entity that the Hutchinson County Commissioners consider appropriate. Among its other duties, the LRCA shall enforce the provisions of the ordinance by issuing citations.

**SECTION IV – RESTRAINT OF DOGS**

- (A) All dogs must be kept under restraint.
- (B) Any dog that is kept by its custodian on a tract of land that is five acres or larger is considered to be under restraint when the dog is on the particular tract of land where it is kept.
- (C) All dogs are considered to be under restraint when the dog is under control of a person by means of a leash or verbal command: or on the premises of its custodian and is prevented from leaving the premises by means of a lead, rope, chain or by means of a fenced enclosure; or within a fully enclosed vehicle.
- (D) A person commits a Class C misdemeanor offense if he or she fails to restrain a dog over which he or she is the owner or custodian.
- (E) The LRCA is authorized to issue a citation to the owner of a dog when the LRCA believes the dog owner has violated this ordinance or has violated any portion of the Rabies Control Act of 1981. Upon issuance of a citation, the LRCA shall file a criminal complaint.

Cindy Green  
County Judge

Greg E. Meyer  
Commissioner Pct. 1

Daphne King  
Commissioner Pct. 2

Ben Bentley  
Commissioner Pct. 3

Steve  
Commissioner Pct. 4

Jan Barnes  
County Clerk

