

SECTION 2 –DEFINITIONS

When used in this order, the following words and terms shall be interpreted as follows:

- 2.1 ANIMAL CONTROL OFFICER:** Any, person designated by the Comal County Sheriff or his designee who is qualified to enforce the provisions of these regulations.
- 2.2 ANIMAL OWNER:** Any person who owns, keeps, or has custody or control of an animal for a period of ten (10) days or more, including, as indicated by the context of this order, the person in control or having custody of, or feeding or harboring such animal.
- 2.3 BITE:** Any puncturing, tearing, or scratching of the skin caused by an animal's teeth.
- 2.4 CAT:** Felis Catus.
- 2.5 COMAL COUNTY:** Comal County, Texas, a political subdivision of the State of Texas. The terms “Comal County,” “County,” and “Comal County, Texas” are synonymous.
- 2.6 COMMISSIONERS COURT:** Commissioners Court of Comal County, Texas.
- 2.7 CRUEL OR INHUMANE TREATMENT:** Any treatment of an animal which unreasonably deprives the animal of necessary sustenance, including necessary food, clean water and adequate shelter for protection from weather, or any treatment which constitutes torment, torture, overwork, physical abuse, mutilation, lack of proper veterinary care, unreasonable abandonment, cruel confinement or which causes animal to fight with another animal.
- 2.8 DANGEROUS DOG:** A dog is dangerous if it:
- a) makes an unprovoked attack on a person causing bodily injury and the attack occurs in a place other than an enclosure in which the dog is being kept; or
 - b) commits unprovoked acts in a place other than an enclosure in which the dog is being kept and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.
- 2.9 DOG:** Canis Familiaris.
- 2.10 DOG OR COYOTE as applied to Section 11:** Includes a crossbreed between a dog and a coyote.
- 2.11 DOMESTIC ANIMAL:** Means tame, domesticated, of or pertaining to the family or household.
- 2.12 FERAL ANIMAL:** Having escaped from domestication and becomes wild.
- 2.13 HOLIDAY:** Those days designated as official holidays by the Comal County Commissioners' Court.
- 2.14 LIVESTOCK:** Includes exotic livestock as defined by Section 161.001, Agriculture Code.
- 2.15 LOCAL ANIMAL CONTROL AND HEALTH AUTHORITY:** The Comal County Sheriffs Office and/or any division of the Office appointed or created by the Comal County Sheriff or his designee. The terms “Animal Control Office,” “Animal Control,” and “Animal Control Authority” are synonymous.
- 2.16 OWNER:** Any person who owns, keeps, or has custody or control of an animal for a

period of ten (10) days or more, including, as indicated by the context of this order, the person in control or having custody of, or feeding or harboring such animal.

2.17 RESTRAINT as applied to Section 6: An animal shall be deemed to be under restraint if it is:

- a) tied in such a way as to prevent it from leaving the owner's premises and from being within ten (10) feet of any public right of way;
 - b) totally enclosed by a fence constructed in such a way as to prevent it from leaving the owner's premises. The use of a wireless fence which transmits either a high frequency sound or a pulse stimulus shock and that is intended to train the dog to stay on the premises will not be considered a means of restraint; or
 - c) accompanied by a responsible person who is able to control it with a leash.
- Cats shall be exempt from the leash requirements while on the premises of the owner.

2.20 RESTRAINT as applied to Section 8: Means a chain, rope, tether, leash, cable, or other device that attaches a dog to a stationary object or trolley system.

2.21 RUNNING AT LARGE: Not completely confined by a building, wall, or fence of sufficient strength or construction to restrain the animal except when a dog subject to these regulations is under the direct supervision of the owner and is:

3

- a) on a leash;
- b) held in the hands/arms of the owner or within the limits of the owner's private property and is obedient to that owner's verbal commands;
- c) within an automobile or vehicle of its owner and properly restrained; or
- d) participating in a field trial, dog show, or obedience classes.

2.22 SECURE ENCLOSURE: 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 dangerous dog;
- d) clearly marked as containing a dangerous dog; and
- e) conforms to the requirements for enclosures established by the Local Animal Control Authority.

2.23 SERIOUS BODILY INJURY: An injury characterized by severe bite wounds or severe ripping and tearing of muscle that would cause a reasonably prudent person to seek treatment from a medical professional and would require hospitalization without regard to whether the person actually sought medical treatment.

2.24 STRAY: Any animal subject to these regulations that is roaming without physical restraint and whose ownership is not readily ascertainable shall be deemed a stray and a nuisance. Absence of a current rabies tag and/or a tag identifying the owner on any animal subject to these regulations is evidence of its status as a stray.

2.25 UNLAWFUL RESTRAINT: Means to keep a dog outside and unattended under certain circumstances by use of a restraint that unreasonably limits the dog's movements.

2.26 VACCINATED: An animal which has been currently and properly injected with a rabies vaccine, licensed for use in that species by the United States Department of Agriculture and administered by a veterinarian licensed by the State of Texas.

2.27 VETERINARIAN: Any veterinarian who is licensed to practice medicine in one or more of the fifty (50) states. Such license must be active and in good standing with the issuing agency.

2.28 WILD ANIMAL: All species of animals that naturally exist in an unconfined state and are usually not domesticated shall be deemed wild. This definition shall apply whether or not the animal has been confined for any duration in any fashion.