

**SUTTON COUNTY, TEXAS
AN ORDER REGULATING ANIMALS AT LARGE
IN THE UNINCORPORATED AREAS OF SUTTON COUNTY, TEXAS**

WHEREAS

The Commissioners Court of Sutton County, Texas, is authorized under the Texas Constitution, Texas Agriculture Code, Texas Health and Safety Code, and Texas Local Government Code to protect the public health, safety, and welfare; and

WHEREAS, animals running at large on public roadways create a substantial risk of injury, death, and property damage; and

WHEREAS, Sutton County contains major transportation corridors including Interstate Highway 10 and U.S. Highway 277 where loose animals pose significant hazards; and

WHEREAS, Sutton County remains an **open-range (fence-out) county under Texas law**, and the Commissioners Court does not intend to establish a stock law or fence-in requirement through this Order;

NOW THEREFORE,

BE IT ORDERED BY THE COMMISSIONERS COURT OF SUTTON COUNTY, TEXAS:

SECTION 1: TITLE

This Order shall be known as the:

Sutton County Animals at Large Ordinance

SECTION 2: AUTHORITY

This Order is adopted pursuant to:

- Texas Agriculture Code, Title 6
 - Texas Agriculture Code Chapters 142 and 143
 - Texas Health and Safety Code Chapters 821 and 826
 - Texas Local Government Code
 - Texas Transportation Code
 - Texas Constitution, Article V, Section 18
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SECTION 3: APPLICABILITY

This Order applies only to the unincorporated areas of Sutton County, Texas.

This Order does not apply within incorporated municipalities unless authorized by agreement.

Nothing in this Order shall be interpreted to change the open-range status of Sutton County.

This Order does not regulate livestock running at large except as otherwise provided by Texas Agriculture Code §143.102 relating to livestock on highway rights-of-way.

SECTION 4: DEFINITIONS

For purposes of this Order:

Animal

Means any domestic animal including but not limited to:

- Dogs
- Cats
- Horses
- Cattle
- Sheep
- Goats
- Swine
- Poultry
- Exotic livestock

Note: Inclusion of livestock in this definition provides authority for emergency response and estray handling but does not create a restraint (fence-in) requirement for livestock.

At Large

Means any animal not under the physical control of its owner and not confined within:

- A fence
 - Enclosure
 - Building
 - Vehicle
 - Leash
 - Other secure containment
-

Owner

Means any person who owns, possesses, keeps, controls, or has custody of an animal.

SECTION 5: RESTRAINT OF DOGS AND CATS

Pursuant to **Texas Health and Safety Code Chapter 826**, a person commits an offense if the person fails or refuses to restrain a **dog or cat** owned by that person and allows the animal to run at large in the unincorporated areas of Sutton County.

Dogs and cats running at large may be:

- detained
- captured
- impounded

by the Sutton County Sheriff's Office or other authorized authority.

Stray dogs and cats may be declared a **public nuisance** and handled in accordance with Texas Health and Safety Code Chapter 826.

This section applies **only to dogs and cats** and does not apply to livestock governed by the Texas Agriculture Code.

SECTION 6: LIVESTOCK ON ROADWAYS AND HIGHWAYS

Pursuant to Texas Agriculture Code § 143.102, a person who owns or has responsibility for the control of a horse, mule, donkey, cow, bull, steer, hog, sheep, or goat commits an offense only if the person knowingly permits the animal to traverse or roam unattended on the right-of-way of a highway.

For purposes of this Order and state law, "highway" means a U.S. highway or State highway (such as I-10 or US-277). This section does not apply to numbered farm-to-market roads or county roads in Sutton County, which remain subject to open-range (fence-out) principles.

Sutton County Sheriff's Office may take reasonable action to protect public safety, including:

- attempting owner notification
- securing livestock
- removing livestock from roadway hazards when possible
- coordinating veterinary assistance when necessary
- taking actions consistent with Texas law

Livestock that cannot be immediately returned to their owner may be handled in accordance with **Texas Agriculture Code Chapter 142 (Estray Animals)**.

Nothing in this Order shall be interpreted to:

- require livestock owners to maintain fencing
- prohibit livestock from roaming in open range areas
- create a fence-in county
- establish a stock law

SECTION 7: IMPOUNDMENT AUTHORITY

The Sutton County Sheriff's Office is authorized to:

- capture animals posing a public safety risk
- detain dogs and cats running at large
- secure livestock creating roadway hazards
- **transport animals to:**
 - veterinary facilities
 - animal shelters
 - county holding facilities

Deputies may take reasonable action necessary to protect public safety and animal welfare.

Livestock impounded as estray shall be handled according to **Texas Agriculture Code Chapter 142**.

Actions taken under this section shall be performed in accordance with the Sutton County Sheriff's Office Animal Control and Animal Welfare Policy Manual.

SECTION 8: OWNER RESPONSIBILITY

Owners of animals that create a public safety hazard may be responsible for:

- damage caused by the animal
- costs associated with:
 - capture
 - transportation
 - veterinary care
 - impoundment
 - humane disposal when necessary

Nothing in this section limits civil liability under Texas law.

SECTION 9: HUMANE DESTRUCTION AUTHORIZED

The Sutton County Sheriff's Office may humanely destroy animals when reasonably necessary to:

- protect public safety
- prevent animal suffering
- remove roadway hazards
- address dangerous animal situations

Such actions must be performed in good faith and consistent with department policy and Texas law.

SECTION 10: PENALTY

A person who violates **Section 5 of this Order** commits a **Class C misdemeanor** punishable by a fine not to exceed:

\$500 per violation

Each animal constitutes a separate violation.

Each day constitutes a separate violation.

SECTION 11: CIVIL LIABILITY

Nothing in this Order limits the civil liability of an animal owner for damages caused by animals.

SECTION 12: EXCEPTIONS

This Order does not apply to:

- animals actively used in lawful ranching operations during herding
 - animals used in lawful hunting activities
 - livestock temporarily outside enclosure during agricultural operations
 - wildlife
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SECTION 13: ENFORCEMENT AUTHORITY

This Order shall be enforced by:

- Sutton County Sheriff's Office
- Any peace officer authorized by Texas law

Peace officers enforcing this Order may issue warnings or citations for violations of this Order as authorized by Texas law.

SECTION 14: SEVERABILITY

If any provision of this Order is held invalid, the remainder shall remain in effect.

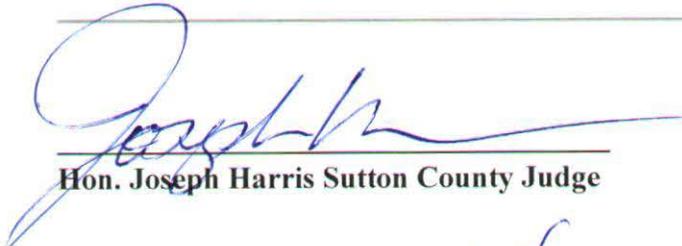
SECTION 15: EFFECTIVE DATE

This Order shall take effect immediately upon adoption by the Commissioners Court of Sutton County, Texas.

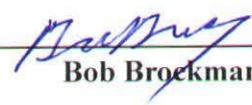
ADOPTION AND SIGNATURES

PASSED, APPROVED, AND ADOPTED by the Commissioners Court of Sutton County, Texas, at a Regular Meeting held on this the 23rd day of March, 2026.

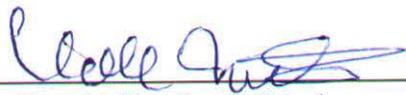
THE COMMISSIONERS COURT OF SUTTON COUNTY, TEXAS


Hon. Joseph Harris Sutton County Judge

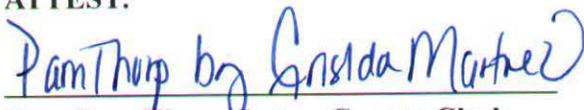

Lee Bloodworth, Pct. 1


Bob Brockman, Pct. 2


David Blesing, Pct. 3


Harold Martinez, Pct. 4

ATTEST:


Hon. Pam Thorp Sutton County Clerk