

Rabies Control Regulation

Warren County Combined Health District
416 South East Street
Lebanon, Ohio 45036

Purpose, Scope and Authority

A Regulation of the Board of Health of the Warren County Combined Health District providing for the control of rabies through requirements for rabies vaccination of dogs, cats, and ferrets; for reporting of all animals biting people; quarantining animals involved in biting incidents; for the prohibition of harboring members of wild or exotic animal species, for the disposition of vicious animals; prescribing duties, responsibilities and authorities of the Warren County Health Department; providing for the enforcement of the regulation and penalties for the violation of its provisions.

Whereas, the Warren County Board of Health finds it is in the public interest of the residents of Warren County, Ohio to minimize the potential for rabies transmission to humans and to protect the health and welfare of our citizens.

By authority of Section 3709.21 of the Ohio Revised Code, be it therefore resolved that the following regulations are adopted.

Section 1

Definitions

The following definitions shall apply in the interpretation and enforcement of these regulations:

- A. The term "agricultural animal" shall refer to members of any animal species that are recognized as a food source for man, a work animal for man, or provide a source of raw materials for manufacturing by man. These animals are usually herbivores and have been bred to serve man as resources for generations, including, but not limited to Cattle, Sheep, Pigs, American Bison, Llamas, Goats, Horses, etc.
- B. The word "bite" shall mean any puncture, tear, or scrape of the skin inflicted by the teeth or claws of a rabies susceptible animal.
- C. The word "cat" means any member of the domestic feline species which is more than six months of age, but shall not include feral cats such as barn cats or alley cats which run free and are self-maintaining.
- D. The term "contact animal" shall mean any animal which has been in association with a rabid animal in such a manner that the transmission of rabies is likely.
- E. The word "dog" means any member of the domestic canine species which is more than six months of age.
- F. The term "domesticated animal" shall refer to any member of an animal species capable of transmitting rabies, that has not existed in the wild for generations, that has a history of cohabitation with man in a friendly environment for centuries, is dependent upon the race of man to provide for its care, and for which there is an approved, tested U.S.D.A. anti-rabies vaccine available, i.e. domestic dogs, cats, and ferrets.
- G. The term "exotic animal" shall mean a member of any non-domesticated animal species which is not indigenous to the State of Ohio, which is capable of transmitting rabies, and for which there is not a U.S.D.A. approved anti-rabies vaccine specifically tested for effectiveness for that animal species.
- H. The term "feral" shall refer to any animal of a domestic species that has returned to the wild and is self-maintaining without assistance from man.
- I. The term "ferret" shall mean a member of the weasel family and commonly referred to as the domestic black-footed ferret that has been bred and raised in captivity.
- J. The term "Health Commissioner" shall mean the Health Commissioner of the Warren County Combined Health District, Lebanon, Ohio, or his authorized representative.
- K. The term "isolation" shall mean the placing of the suspected rabid animal or a contact animal separate and apart from all other animals or persons so that the accidental transmission of rabies is unlikely.

- L. The terms "owner" or "harborer" means any person who owns or harbors, keeps, possesses, maintains or otherwise controls an animal within the Warren County Combined Health District. This term shall not apply to cats or dogs owned by other persons when the animals are temporarily maintained on the premises of a veterinarian or kennel operator.
- M. The word "person" shall mean any person, firm, corporation, partnership or association.
- N. The term "pocket pet" shall mean small herbivorous animals including, but not limited to hamsters, chinchillas, gerbils, guinea pigs, rabbits, white rats, white mice, etc. which do not normally have the capability of transmitting rabies.
- O. The word "quarantine" shall mean to confine an animal to the premises of the owner or harborer, in a suitable pound or kennel, or on the premises of a veterinarian, where reasonable certainty of continued confinement can be assured.
- P. The term "rabid animal" shall mean any animal exhibiting definite symptoms of rabies in the professional opinion of a veterinarian.
- Q. The term "rabies susceptible animal" shall mean any animal or animal species to or from which rabies may be transmitted.
- R. The word "stray" shall mean any animal whose owner cannot be determined or one which cannot be apprehended and isolated for observation.
- S. The term "suspected rabid animal" shall mean an animal which has bitten or scratched a person and is being held for observation to determine if rabies symptoms develop.
- T. The word "vaccination" means the administration of a USDA approved anti-rabies vaccine that has been specifically tested for effectiveness for that animal species, by a licensed veterinarian.
- U. The word "veterinarian" shall mean a graduate veterinarian and/or one who is duly licensed under the laws of the State of Ohio to diagnose and medically treat animal injuries and diseases.
- V. The term "wild animal" shall mean a member of any non-domestic animal species including feral cats which is indigenous to the State of Ohio, which is capable of transmitting rabies, and for which there is not a U.S.D.A. approved anti-rabies vaccine specifically tested for effectiveness for that animal species.

Section 2

Required Vaccinations of Dogs, Cats or Ferrets

- A. Any person who keeps or harbors dogs or cats within Warren County, Ohio shall have such dogs or cats vaccinated against rabies between the ages of 4-6 months, re-vaccinated within twelve (12) months, and vaccinated every three (3) years thereafter with an

approved vaccine by a veterinarian. Ferrets shall be vaccinated at three (3) months of age and annually thereafter with a USDA approved vaccine by a veterinarian. Records of vaccination must be validated by a veterinarian or his employee. The above requirements shall not apply (1) where a veterinarian states in writing that vaccination is contraindicated for the dog, cat, or ferret or (2) to dogs, cats, or ferrets kept by medical colleges, laboratories, institutions, or organizations engaged in teaching or research concerning the prevention and/or treatment of animal or human diseases.

- B. In lieu of complying with Section 2-A, a person may provide vaccination in a manner that is approved by the Health Commissioner and approved and/or licensed by the U.S. Department of Agriculture.
- C. Each owner or harbinger of a dog, cat or ferret shall keep written evidence of each such vaccination and shall produce such evidence at the request of the Health Commissioner. Upon receipt of a vaccination tag from the vaccinating veterinarian, the owner or harbinger should immediately attach such tag to the collar or harness of the dog, cat or ferret and should ensure that the dog, cat or ferret is wearing the vaccination tag at all times.
- E. Dogs, cats, or ferrets entering the Warren County Combined Health District temporarily for animal shows, exhibition and/or breeding purposes shall not be allowed out of the owner's, keeper's, or handler's direct control, unless properly immunized; and all dogs entering this jurisdiction for field trials or hunting purposes of five days duration or more shall be properly immunized. The owner or harbinger of the dogs, cats, or ferret shall be responsible to have in his possession a certificate of vaccination from the veterinarian who vaccinated the dog, cat or ferret.

Section 3

Certificate of Vaccination and Tags

- A. All veterinarians immunizing or re-immunizing dogs, cats, or ferrets against rabies shall provide the owner or harbinger of the animal a certificate, attesting to the vaccination.
- B. All veterinarians who immunize or re-immunize a dog, cat, or ferret against rabies shall provide the owner or harbinger of the animal a tag which shall have thereon permanently affixed, the year of immunization or re-immunization and the number indicating the record prescribed in Section 3-A of this regulation.
- C. All veterinarians shall provide the Health Commissioner, upon request, verbal or written verification of rabies vaccinations for dogs, cats, or ferrets they have immunized or re-immunized against rabies.

Section 4

Animals Running at Large

- A. Nothing contained in these regulations shall be construed to provide that dogs, cats or ferrets immunized or re-immunized against rabies shall be permitted to run at large in violation of any rabies quarantine law, or any ordinance or resolution of any political subdivision or agency thereof, or this regulation.

Section 5

Animal Bite Reporting

- A. Whenever a person suffers a bite by a dog, cat, ferret or other rabies susceptible animal within the Warren County Combined Health District, a report of all facts relating to the incident shall be made to the Health Commissioner as soon as possible, but not later than, twenty-four (24) hours of the time in which the bite occurred. If the Health Commissioner cannot be notified within these time limitations such report shall be made to the appropriate police agency. The following persons shall have an affirmative duty of reporting to the Health Commissioner all information within their knowledge or in their possession concerning the bite incident:
1. The attending physician to the bite victim;
 2. The bite victim;
 3. The owner or harbinger of the biting animal; and,
 4. Any person, including a veterinarian, having knowledge of the bite incident.
- B. The bite report facts shall include:
1. The name, address, phone number, and age of the person bitten;
 2. The name of the parent(s)/guardian(s) wherein the bitten person resides, if such person is a minor or incompetent;
 3. The specific part of the human body where the bite occurred and the extent of the wound;
 4. The circumstances of the bite occurrence;
 5. The name, address and phone number of the owner or harbinger of the animal;
 6. A description of the animal to include breed, size, color, and name (if known);
 7. The date of the last rabies vaccination; and,

8. The name of the veterinarian who treated the animal.

Section 6

Quarantine Procedure for Suspected Rabid Animals

A. Biting dog, cat or ferret

1. Whenever it is reported to the Health Commissioner that any dog, cat or ferret located within the Health District has bitten a person, such dog, cat or ferret shall be quarantined under an order issued by the Health Commissioner. The Health Commissioner shall have the discretion to determine where such animal may be quarantined, but as a general rule such animal may be quarantined at the residence of the owner or harborer, or at a pound or kennel. In all cases, said quarantine shall be under the supervision of the Health Commissioner and shall be at the expense of the owner or harborer. The quarantine shall continue until the Health Commissioner determines that the dog, cat or ferret is not infected with rabies. The quarantine period hereby required shall not be less than ten (10) days from the date on which the person was bitten. If at any time during the quarantine, the Health Commissioner requires the dog, cat or ferret to be examined for symptoms of rabies, then the examination shall be by a veterinarian. The veterinarian shall report to the Health Commissioner the conclusions reached as a result of the examination. The examination by a veterinarian shall be at the expense of the owner or harborer. No dog, cat or ferret shall be released from the required quarantine unless and until it has been properly vaccinated against rabies and the Health Commissioner has received either written proof of such vaccination from the owner or harborer or verbal verification of such vaccination from the veterinarian. If a dog, cat or ferret involved in a bite to humans is killed prior to being quarantined, the animal must be tested for rabies.
2. No person shall remove a quarantined animal from the Warren County Combined Health District until such quarantine period has been completed. Likewise, no person shall transfer a quarantined animal within the Health District until such quarantine period has been completed except that a person may transfer the animal to the county dog warden or to any other animal control authority recognized, as such, by the Health Commissioner.
3. No person shall kill a quarantined animal until such quarantine period has been completed, except that this prohibition shall not apply to the humane killing of a dog, cat or ferret in order to prevent further injury or death if such animal is diseased or seriously injured.
4. If, for whatever reason, any quarantined animal dies before the expiration of the quarantine period, the owner, harborer or person having control of such animal shall immediately notify the Health Commissioner of the facts relating to the death of the animal and shall hold the body of the animal until the Health Commissioner claims it to

perform tests for rabies. If any quarantined animal dies before the quarantine period expires, then the head of the animal shall be submitted to the Ohio Department of Health Laboratories for rabies examination.

5. If the owner or harbinger is unknown and the animal is considered a stray, the Health Commissioner shall quarantine the animal for ten days and have the animal destroyed or the Health Commissioner may direct that the animal be destroyed immediately, in a humane manner, in which case the head of the animal shall be submitted to the Ohio Department of Health Laboratories for rabies examination.

B. Other Biting Animals

1. Whenever it is reported to the Health Commissioner that any other rabies susceptible animal has bitten a person within the Warren County Combined Health District, the Health Commissioner may direct the immediate killing of said animal by a suitable humane method. The head of said animal shall then be submitted to the Ohio Department of Health Laboratories for rabies examination.

Section 7

Reporting, Examination, and Disposition of Rabid, Suspected Rabid, and Contact Animals

- A. Veterinarians shall promptly report to the Health Commissioner all cases of rabid or suspected rabid animals examined by them. It shall be the duty and responsibility of all owners of animals exhibiting symptoms suggestive of rabies to have the animal examined immediately by a veterinarian.
- B. All contact animals shall be handled in one of the following manners:
 1. Shall be destroyed by some suitable and acceptable humane method.
 2. If the animal is a dog, cat or ferret and if the animal is immunized against rabies, the animal shall be re-immunized and isolated for at least thirty (30) days.
 3. If the animal is a dog, cat or ferret and if the animal has not been immunized against rabies, the animal must be immunized against rabies and isolated for at least ninety (90) days.
 - a. This isolation shall be held in some place authorized by the Health Commissioner, where no person or animal can come in accidental contact with the quarantined animal. A placard shall be posted on the place of isolation, on which shall be printed the words "Rabies Quarantine". All contact animals held in isolation shall be boarded and cared for at the expense of the owner or persons harboring the animal, if known, or the Health Commissioner may order the animal to be humanely killed and disposed of.

Section 8

Prohibition Against Ownership of Members of Wild or Exotic Animal Species Capable of Transmitting Rabies

- A. Except as specifically provided herein, no person shall own, harbor, sell, feed, import or otherwise attempt to exercise any control over any member of a wild or exotic animal species that is capable of transmitting rabies. The following exceptions to the above general prohibition are permitted:
1. Ownership of Pocket Pets or Agricultural Animals;
 2. Wild or Exotic Animal Species held for exhibit by amusement parks; government agencies; publicly supported zoos, circuses, museums, or extensions thereof, which are transitory in nature and do not remain in Warren County, Ohio, for more than seven (7) days per year;
 3. So-called "petting zoos", exhibiting members of non-carnivorous animal species, but only if such petting zoos are registered with the Warren County Combined Health District and pay any registration fee which may be established by the Board of Health; and,
 4. Feral cats which are otherwise defined as wild animals by this regulation.
- B. Members of wild or exotic animal species which were purchased or otherwise obtained prior to the original effective date of this regulation (Jan. 1, 1991) and which were located within Warren County, Ohio, as of that date shall be permitted provided that the following conditions were met:
1. Within thirty (30) days of January 1, 1991 the owner or harborer of such wild or exotic animal registered the animal with the Health District and provided written verification (e.g., bill of sale, state license, etc.) to the Health Commissioner that such animal was purchased or otherwise obtained before the original effective date of this regulation.
 2. The owner or harborer agreed to confine the animal in such a way so as to preclude contact with humans or with any rabies susceptible animals;
 3. The owner or harborer agreed not to sell, trade, lend, give, or to otherwise release the animal to any other person within the Health District;
 4. The owner or harborer agreed not to transport or otherwise remove the animal to another location within Warren County, or the State of Ohio, without the prior approval of the Health Commissioner; and,
 5. The owner or harborer agreed not to breed the animal.
- C. If the owner or harborer of any member of a wild or exotic animal species fails to meet any of the requirements as set forth in Section 8 of this regulation, the Health Commissioner

shall have the authority to seize and/or destroy the animal in the interest of public health.

Section 9

Vicious or Dangerous Animals or Animal Species Capable of Transmitting Rabies

Whenever an animal or animal species, capable of transmitting rabies, is determined to be vicious or dangerous, as the result of its actions or the very nature of the species, such that the animal or animal species constitutes a threat to the health and welfare of the community, the Health Commissioner may issue a special written notice to the owner or harbinger of the animal or animal species ordering the animal to be destroyed or removed from the boundaries of Warren County, Ohio.

Section 10

Release of Rabies Susceptible Animals From Outside Warren County Within Warren County

It shall be considered illegal for any individual or government agency to release any rabies susceptible animal whose origin is from outside the boundaries of Warren County within the boundaries of Warren County, Ohio.

Section 11

Compendium of Rabies Control

The Compendium of Animal Rabies Control, 1998 by the National Association of State Public Health Veterinarians, Inc., and as such publication may from time to time be amended, is hereby adopted and incorporated as a part of the Warren County Board of Health Rabies Control Regulation. The recommendations on rabies vaccines and rabies control delineated in the Compendium shall be observed by the Warren County Board of Health. If any part of the Warren County Board of Health Rabies Control Regulation is found to be in conflict with the Compendium, the Compendium shall control as regards the method for rabies control.

Section 12

Fees

The Board of Health shall establish by resolution any fees deemed necessary to carry out the requirements of this regulation.

Section 13

Penalties

Any person who fails to comply with any requirement of this regulation or any order issued pursuant thereto shall be subject to the penalties set forth in the Ohio Revised Code and any other administrative and/or legal action which may be deemed appropriate by the Warren County Combined Health District. Specifically, any person who violates or shall cause to be violated any of the stipulations and/or the requirements set forth in this regulation, shall be subject to the penalties provided for in Section 3707.99 of the Ohio Revised Code.

- A. Whoever violates Section 3707.48 of the Ohio Revised Code shall be guilty of a minor misdemeanor on a first offense; on each subsequent offense such person is guilty of a misdemeanor of the fourth degree.

Section 14

Administrative Hearing

The Warren County Board of Health shall grant an administrative hearing to any person affected or aggrieved by these regulations. Said hearing shall be scheduled for the next regularly scheduled Board of Health meeting.

Section 15

Variance

The Warren County Board of Health may grant a variance from the requirements of the Warren County Combined Health District Rabies Control Regulation when it will not be contrary to the public interest and where a person shows that because of practical difficulties or other special conditions their strict application will cause unusual and unnecessary hardship. No variance shall be granted, however, that will defeat the spirit and general intent of this regulation or otherwise be contrary to the public interest.

Section 16

Repeal Clause

All rules and regulations of the Board of Health governing the subjects stated in these regulations or in conflict herewith are hereby repealed in that part only.

Section 17

Unconstitutionality Clause

If any section, subsection, sentence, clause, or phrase of these regulations is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portion of this regulation shall not be affected thereby.

Adopted by the Board of Health of the Warren County Combined Health District this 19th day of May, 1998. Effective date June 8th, 1998.

May 19, 1998

Date

Original Signature on File

Donald Christianson, O.D.
President, Warren County Board of Health

May 19, 1998

Date

Original Signature on File

George T. Reed, D.V.M.
Warren County Health Commissioner