

# BUTLER COUNTY COMBINED GENERAL HEALTH DISTRICT RABIES CONTROL REGULATION

A REGULATION OF THE BOARD OF HEALTH OF THE BUTLER COUNTY COMBINED GENERAL 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 WILD OR EXOTIC ANIMALS; FOR THE DISPOSITION OF VICIOUS ANIMALS; PRESCRIBING DUTIES, RESPONSIBILITIES AND AUTHORITIES OF THE BUTLER COUNTY HEALTH DEPARTMENT; PROVIDING FOR THE ENFORCEMENT OF THE REGULATION AND PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

WHEREAS, THE BUTLER COUNTY BOARD OF HEALTH FINDS IT IS IN THE PUBLIC INTEREST OF THE RESIDENTS OF BUTLER COUNTY, OHIO, TO MINIMIZE THE POTENTIAL FOR RABIES TRANSMISSION TO HUMANS AND BY AUTHORITY OF SECTION 3709.21 OF THE OHIO REVISED CODE,

BE IT THEREFORE RESOLVED THAT THE FOLLOWING REGULATIONS ARE ADOPTED AS FOLLOWS:

## Section I. DEFINITIONS

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

- A. The term "Health Commissioner" shall mean the Health Commissioner of the Butler County Combined General Health District, Hamilton, Ohio, or his/her authorized representative.
- B. 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.
- C. The term "rabid animal" shall mean any animal exhibiting definite symptoms of rabies in the professional opinion of a veterinarian.
- D. The term "rabies susceptible animal" shall mean any animal to or from which rabies may be transmitted.
- E. 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.
- F. 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.

- G. The word "bite" shall mean any puncture, tear, or scrape of the skin inflicted by the teeth or claws of a rabies susceptible animal.
- H. The word "cat" means any member of the domestic feline species which is more than six months of age, but shall not include non-domesticated cats such as barn cats or alley cats which run free and are self-maintaining.
- I. The word "dog" means any member of the domestic canine species which is more than six months of age.
- J. The word "stray" shall mean any animal whose owner cannot be determined or one which cannot be apprehended and isolated for observation.
- K. The word "quarantine" shall mean to confine an animal to the premises of the owner or harbinger, in a suitable pound or kennel, or on the premises of a veterinarian.
- L. 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.
- M. The term "exotic animal" shall mean any non-domesticated animal, which is not indigenous to the State of Ohio and which is capable of transmitting rabies.
- N. The term "wild animal" shall mean any non-domestic animal including non-domesticated cats which is indigenous to the State of Ohio and which is capable of transmitting rabies.
- O. The term "pocket pet" shall mean small animals such as hamsters, gerbils, guinea pigs, rabbits, white rats, white mice, etc. which do not normally have the capability of transmitting rabies.
- P. The word "person" shall mean any person, firm, corporation, partnership or association.
- Q. The terms "owner" or "harborer" means any person who owns or harbors, keeps, possesses, maintains or otherwise controls an animal within the Butler County Combined General Health District. This term shall not apply to cats, dogs or ferrets owned by other persons when the animals are temporarily maintained on the premises of a veterinarian or kennel operator.
- R. The word "vaccination" means the administration of a USDA approved anti-rabies vaccine by a licensed veterinarian.
- S. The term "ferret" shall mean a member of the weasel family and commonly referred to as a ferret that has been bred and raised in captivity.

## **Section 2. REQUIRED VACCINATIONS OF DOGS, CATS & FERRETS**

- A. Any person who keeps or harbors dogs or cats within Butler County, Ohio, over three (3) months of age shall have such dogs or cats vaccinated against rabies, revaccinated 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, or (2) to animals 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. Any method, other than that described in section 2-A, that is approved by the Health Commissioner and approved and/or licensed by the U.S. Department of Agriculture, may be used.
- C. Dogs and cats must be immunized before reaching the age of six (6) months.
- D. 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 shall immediately attach such tag to the collar of the dog or retain the tag for their records.
- E. Dogs, cats or ferrets entering the Butler County Combined General 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 ferrets shall be responsible to have in his/her 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. DOGS RUNNING AT LARGE**

Nothing in these regulations shall be interpreted to mean that dogs, cats or ferrets immunized or re-immunized against rabies shall be allowed to run at large in violation of any rabies quarantine law, ordinance, or 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 Butler County Combined General 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 after the bite occurred. If the Health Commissioner cannot be notified within these time limitations, such report shall be made to the appropriate police or sheriff 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

B. The bite report facts shall include:

1. The name, address, phone number and age of the person bitten;
2. The name of the head of household wherein the bitten person resides;
3. The location of the bite wound 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, sex, 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 affected with rabies. The quarantine period hereby required shall not be less than (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.
2. No person shall remove a quarantined dog, cat or ferret from the Butler County Combined General Health District until such quarantine period has been completed. Likewise, no person shall transfer a quarantined dog, cat or ferret within the Health District until such quarantine period has been completed except that a person may transfer the dog, cat or ferret 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 dog, cat or ferret 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 if such animal is diseased or seriously injured.
4. If, for whatever reason, any quarantined dog, cat or ferret 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 dog, cat or ferret dies before the quarantine period expires, then the head of the dog, cat

or ferret 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 (10) days and have the animal destroyed or the Health Commissioner may direct that the dog, cat or ferret be destroyed immediately, in a humane manner, in which case the head of the dog, cat or ferret 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 Butler County Combined General 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 human method.
2. If the animal is a dog, cat or ferret and if the animal is immunized against rabies, the dog, cat or ferret 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 dog, cat or ferret 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 dog, cat or ferret. 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 WILD OR EXOTIC ANIMALS**

A. Except as specifically provided herein, no person shall own, harbor, sell, feed, import or otherwise attempt to exercise any control over a wild or exotic animal. The following exceptions to the above general prohibition are permitted:

1. Ownership of Pocket Pets;
2. Wild or Exotic Animals held for exhibit by amusement parks, government agencies, publicly supported zoos, circuses, museums, or extensions thereof;
3. Wild or Exotic Animals held for use by research institutions, laboratories or hospitals; and,
4. Non-domesticated (feral) cats which are otherwise defined as wild animals by this regulation.

B. If the owner or harbinger of a wild or exotic animal 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.

**Section 9. VICIOUS ANIMALS**

Whenever the Health Commissioner considers any animal capable of transmitting rabies to be vicious or otherwise constituting a danger to the community, the Health Commissioner may issue special written notice to the owner or harbinger of such animal ordering such animal to be confined, muzzled, quarantined or destroyed.

**Section 10. RELEASE OF RABIES SUSCEPTIBLE ANIMALS FROM OUTSIDE BUTLER COUNTY WITHIN BUTLER 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 Butler County within the boundaries of Butler County, Ohio.

**Section 11. FEES**

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

**Section 12. 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 Butler County Combined General 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 fined not more than one hundred dollars or imprisoned not more than ninety days, or both. No person shall be imprisoned under division of this section for the first offense, and the prosecution shall always be as and for the first offense unless the affidavit upon which the prosecution is instituted contains the allegation that the offense is a second or repeated offense.

**Section 13. 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 14. 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 these regulations shall not be affected thereby.



Adopted by the Board of Health of the Butler County Combined General Health District this  
15th day of September, 1998. Effective date \_\_\_\_\_.

September 15, 1998  
Date

Alan J. Burley  
Alan J. Burley, D.D.S.  
President, Butler County Board of Health

September 15, 1998  
Date

Robert J. Lerer  
Robert J. Lerer, M.D.  
Butler County Health Commissioner