REGULATION #177

Providing for the prevention and control of rabies with requirements for compulsory rabies vaccination of dogs within the Wayne County Combined General Health District

Therefore, be it resolved by the Board of Health of the Wayne County Combined General Health District, State of Ohio, that:

Section 1  DEFINITIONS

1.1 "Bitten" shall mean has been seized with the teeth or jaws so that the skin of the person or animal seized has been wounded or pierced, including scratches and abrasions.
1.2 "Board of Health" means the Board of Health of the Wayne County Combined General Health District appointed pursuant to Section 3709.02 of the Ohio Revised Code.
1.3 "Compendium" means the most recent Compendium of Animal Rabies Control published by the National Association of State Public Health Veterinarians, Incorporated.
1.4 "Contact" shall mean any susceptible animal that has been in association with a rabid animal, or has been bitten by or exposed to a suspected rabid animal.
1.5 "Currently vaccinated against rabies" means that the period of time that has elapsed since the most recent administration of a rabies vaccine does not exceed the recommended interval for administration of a booster vaccination set forth in the current edition of the Compendium.
1.6 "Dog," the term "dog," shall apply to any domestic animal (Canis Familiaris), male or female, sexed or neutered.
1.7 "Exposure" shall mean contact of saliva with any mucous membrane or with a break or abrasion of the skin.
1.8 "Feral" means any animal of a domestic species that has returned to the wild and is self-maintaining without human assistance.
1.9 "Health Commissioner" shall mean the Health Commissioner of the Wayne County Combined General Health District appointed by the Board of Health pursuant to Section 3709.11 of the Ohio Revised Code or his/her representative.
1.10 "Isolation" shall mean the placing or keeping of a contact separate and apart from all other susceptible animals or persons so that transmission of rabies is impossible.
1.11 "Own," the term "own," unless otherwise specified, shall be deemed to mean keep, harbor or have control, charge or custody of a dog. This term shall not apply to dogs owned by others which are temporarily maintained on the premises of a veterinarian or kennel operator for a period of fewer than 60 days.
1.12 "Owner" as used in this regulation shall mean any person who owns, keeps, harbors or has charge or control of, or permits any dog or cat to habitually be or remain on, or be lodged or fed within such person's house, yard or premises. This term shall not apply to veterinarians or kennel operators temporarily maintaining on their premises dogs or cats owned by others for a period of fewer than 60 days.
1.13 "Person" shall mean an individual, business trust, estate trust, partnership, corporation, association, organization, two or more individuals having a joint or common interest or any legal commercial entity.
1.14 "Quarantine" means to confine an animal to the premises of the owner or on the premises of a shelter or veterinarian, where certainty of continued confinement and observation can be assured. The Health Commissioner reserves the right to determine the degree of confinement necessary based on information obtained from the investigation of a suspected rabid animal or bite incident.
1.15 "Rabid Animal" shall mean any animal which has been confirmed as having rabies by a laboratory acceptable to the Health Commissioner.
1.16 "Stray" means any animal whose owner cannot be determined or one which cannot be apprehended and quarantined.
1.17 "Susceptible Animal" shall mean any animal or animal species to which or from which rabies can be transmitted.
1.18 "Suspected Rabid Animal" shall mean a susceptible animal showing observable clinical signs compatible with rabies or any susceptible animal which has bitten or scratched a person and is being held for quarantine to determine if rabies symptoms develop.
1.19 "Vaccination Against Rabies" shall mean the inoculation of a dog with a rabies vaccine licensed for the species by the the United States Department of Agriculture and recommended in the current Compendium of animal rabies vaccines prepared by the National Association of State Public Health Veterinarians, Inc. Such vaccination must be performed by a veterinarian or registered veterinary technician under the direct supervision of a licensed veterinarian in a manner consistent with the label of said vaccine.
1.20 "Veterinarian" shall mean a veterinarian duly licensed under the laws of any state and engaged in practice in that state.
1.21 "Wild Animal" means a member of any non-domestic animal species including feral cats which are indigenous to the State of Ohio, which is capable of transmitting rabies, and for which there is not a USDA approved anti-rabies vaccine specifically tested for effectiveness for that animal.
Section 2 RABIES VACCINATION REQUIRED

2.1 After January 1, 1989 in the Wayne County Combined General Health District, every dog six months of age or older shall be vaccinated against rabies. Every unvaccinated dog six months of age or older which is newly acquired or newly residing in the Wayne County Combined General Health District shall be vaccinated against rabies within thirty days after purchase or arrival.

2.2 The interval between revaccination shall be based on the type of vaccine used, the nature of rabies in the community and the recommendations of the current Compendium.

2.3 All vaccines shall be administered by a licensed veterinarian or registered veterinary technician under the direct supervision of a licensed veterinarian, and the costs thereof borne by the owner of the dog.

2.4 Any dog determined and certified by a licensed veterinarian to have a condition which is contraindicated for rabies vaccination shall be exempt from these requirements. Such certification must be in writing and presented to the Wayne County Health Department.

Section 3 DUTIES OF VETERINARIANS

3.1 Each veterinarian, when vaccinating any dog, shall complete a certificate of rabies vaccination for each animal vaccinated. The certificate shall include the following:
   a. Owner’s name, address and phone number
   b. Description of dog (breed, weight, color, sex, age, name)
   c. Date of vaccination and effectiveness expiration date of the vaccine
   d. Rabies vaccination tag number
   e. Name/type of rabies vaccine administered and its expiration date
   f. Manufacturer’s serial number of vaccine
   g. Veterinarian name, address and phone number

3.2 Distribution of copies of the certificate shall be as follows: one copy shall be given to the owner and one copy retained by the issuing veterinarian. The veterinarian and the owner shall retain their copies for the interval between vaccinations specified in Section 2. A durable metal or plastic tag, serially numbered, shall be supplied to the owner to see that the tag is securely attached to the collar or harness of the dog. Whenever the dog is out of doors, whether on or off the owner’s premises, the collar or harness with the vaccination tag must be worn.

3.3 All veterinarians and dog owners shall provide the Health Commissioner, upon request, verbal and/or written verification of rabies vaccination for dogs that have been properly immunized or re-immunized against rabies.

3.4 Nothing in this Regulation shall be interpreted to mean that dogs vaccinated or revaccinated against rabies shall be allowed to run at large in violation of any rabies quarantine, any ordinance by any political subdivision or agency thereof, or this Regulation.

Section 4 TRANSIENT DOGS

4.1 The provisions of this Regulation with respect to vaccination against rabies shall apply to: any dog remaining within the Wayne County General Health District for more than thirty days; any dog brought into the Wayne County General Health District for field trial show purposes and hunting dogs. All dogs which are not vaccinated against rabies shall be kept under the strict supervision and control of the owner.

4.2 Dogs owned, kept or harbored by a person temporarily remaining within Wayne County for fewer than 30 days may be exempt from Section 2; however, the dog not vaccinated against rabies shall not be allowed out of the owner’s control at any time unless properly vaccinated.

Section 5 DOG WARDEN

5.1 The Health Commissioner is authorized to enter into an agreement with the Wayne County Dog Warden and/or Wayne County Commissioners for assistance in enforcing any requirements of this Regulation.

5.2 The Wayne County Dog Warden or his/her authorized representative(s) may impound any dog found off the owner’s premises without a valid rabies vaccination tag affixed to the dog’s collar or harness or failing to comply with a quarantine order by the Health Commissioner.

5.3 No person harboring or sheltering dogs shall permit the donation or sale/transfer of ownership from a dog pound or animal shelter until the dog has been properly vaccinated for rabies.

5.4 The dog warden or his/her authorized representative(s) shall be authorized to inspect dogs for rabies tags, request written verification of current rabies vaccination and on behalf of the board, notify any person of a violation of this regulation pursuant to ORC 3709.99.
Section 6  HANDLING OF SUSPECTED RABID OR EXPOSED ANIMALS

6.1 Any animal which is bitten or exposed to a rabid or suspected rabid animal shall be managed as a rabid animal in accordance with the recommendations contained in the Compendium and shall be managed in accordance with Ohio Administrative Code Sections 3701-3-29 and 3701-3-30.

6.2 The Health Commissioner may order the bitten or exposed animal be destroyed and tested for rabies at the owner’s expense if the owner does not comply with Section 6.1.

Section 7  BITING MAMMAL TO BE CONFINED; VETERINARIAN TO REPORT

7.1 When a dog, cat or ferret or any other mammal bites a person, the bite incident shall be managed in accordance with the recommendations contained in the Compendium and shall be managed in accordance with the Ohio Administrative Code Section 3701-3-29.

7.2 The Health Commissioner may order the bitten or exposed animal be destroyed and tested for rabies at the owner’s expense if the owner does not comply with Section 7.1.

Section 8  REPORT OF SUSPECTED RABID ANIMAL

8.1 Any person who owns an animal exhibiting symptoms suggestive of rabies shall have the animal examined immediately by a veterinarian and manage the animal as stated in the Ohio Administrative Code Section 3701-3-30.

Section 9  KILLING, REMOVAL AND TRANSFER OF QUARANTINED ANIMALS IS PROHIBITED

9.1 No person shall kill a quarantined dog, cat or domestic animal until such quarantine period has been completed, except that this prohibition shall not apply to the humane killing of a dog, cat or domestic animal in order to prevent further injury, or death, if such animal is diseased or seriously injured and the Health Commissioner is notified prior to the sacrifice of the animal. The head of any animal sacrificed in this manner shall be submitted to an approved laboratory for rabies examination.

9.2 The owner and any other person(s) or agencies having control over and kills a quarantined dog, cat or domesticated animal without prior consent of the Health Commissioner is in violation of this Regulation and shall be responsible for all costs incurred in the submittal of the head to an approved laboratory. The cost shall include humane euthanization, removal of head, disposal of body, shipping of specimen and laboratory expense involved with the rabies examination/testing.

9.3 No person shall remove a quarantined animal from Wayne County prior to its release from quarantine without the permission of the Health Commissioner.

9.4 No person shall transfer ownership or the keeping or harboring of a quarantined animal or change the quarantine location without the permission of the Health Commissioner.

Section 10  EXEMPTION

10.1 The Health commissioner may grant a limited exemption from the requirements of this 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 or unnecessary hardship. No exemption shall be granted, however, that will defeat the spirit and general intent of this Regulation or be in any way otherwise contrary to the public interest.

Section 11  FEES

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

Section 12  REPEAL

12.1 Existing sections or paragraphs of other regulations of the Board of Health of the Wayne County Combined General
Health District which are in conflict or inconsistent with this Regulation are hereby repealed.

Section 13       PENALTY

13.1 Any person who violates any provision of this Regulation shall be in violation of the Ohio Revised Code Sections 3709.21 and/or 3709.22 and/or 3707.48 and shall be subject to the penalties provided by the Ohio Revised Code Sections 3709.99 and/or 3707.99.

Section 14       EFFECT OF PARTIAL INVALIDITY

14.1 Should any provision or part thereof, of this Regulation be found unconstitutional, void or invalid, the same shall not effect the legality and effect of the other provisions or parts thereof of this Regulation.

Section 15       EFFECTIVE DATE

15.1 This Regulation shall be effective on and after the first day of October, 2013.

Adopted by the Board of Health of the Wayne County Combined General Health District this 12th day of September, 2013.