

Rabies Control Regulation: Resolution 2023-06

Purpose, Scope and Authority

A Regulation of the Board of Health of the Logan County 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 Logan County Health District personnel; providing for the enforcement of the regulation and penalties for the violation of its provisions.

Whereas, rabies is a serious public health concern and is almost always fatal once symptoms appear, but it also is 100 percent preventable as human exposures can be successfully remedied if medical attention is sought immediately following exposure; and

Whereas, costs associated with rabies detection, prevention and control exceed \$500 million annually in the United States and according to the Centers for Disease Control, about 90 percent of reported rabies cases in the U.S. are in wild animals, but vaccines are available to protect people, pets and livestock; and

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

NOW, THEREFORE, by authority of Section 3709.21 of the Ohio Revised Code, be it resolved that the following regulations are adopted and any conflicting prior regulations repealed.

Section 1: Definitions

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

- A. "Agricultural animal" means any animal species generally recognized due to use as a food source or in the production of food, including, but not limited to cattle, sheep, goats, rabbits, poultry, swine, horses, alpacas, llamas and any other animal included by the Ohio Director of Agriculture by rules promulgated under the Ohio Revised Code.
- B. "Bite" means any puncture, tear, or scrape of the skin inflicted by the teeth or claws of a rabies-susceptible animal.
- C. "Cat" means any domestic feline species which is more than six months of age and is actually domesticated as a pet, or otherwise sheltered, cared for, fed or tended to by any human (such as "alley cats" or "barn cats"), but does not include feral cats which are not cared for by any human with the exception of trap-neuter-release programs designed to control such populations.
- D. "Dog" means any domestic canine species which is more than six months of age.
- E. "Domesticated animal" as used in this regulation means any member of an animal species capable of transmitting rabies, that has a history of cohabitation with humans, is dependent upon any human to provide for its care, and for which the United States Department of Agriculture and/or the Centers for Disease Control has approved a rabies vaccine, i.e. domestic dogs, cats, and ferrets.
- F. "Feral" means any animal of a domestic species that has returned to the wild and is self-maintaining without assistance from humans as to food or shelter.
- G. "Ferret" means a member of the weasel family commonly referred to as the domestic black-footed ferret that has been bred and raised in captivity.
- H. "Health Commissioner" means the Health Commissioner of the Logan County Health District, and, where applicable, the Health Commissioner's designee.
- I. "Isolation" means the act of separating a suspected rabid animal or contact animal away from all other animals or persons under observation so that the accidental transmission of rabies is reduced or unlikely.
- J. "Owner" is used interchangeably with the terms "harborer" and "keeper" to mean any person who handles, harbors, keeps, maintains, owns, possesses, or otherwise controls an animal within Logan County, but does not apply in the case of animals owned by other persons when the animals are temporarily maintained or kept on the premises of a veterinarian or kennel operator.
- K. "Person" means any person, firm, corporation, partnership or association.
- L. "Place of public accommodation" is defined by Section 4112.01 of the Ohio Revised Code, namely, any place of which the accommodations, advantages, facilities, or privileges are available to the public.
- M. "Pocket pet" means small mammals including, but not limited to hamsters, chinchillas, gerbils, guinea pigs, hedgehogs, mice, rabbits, rats, sugar gliders, etc. which are not normally capable of transmitting rabies (but may harbor other zoonotic diseases).

- N. "Public facility" means any building or facility, indoor or outdoor, constructed or operated by any political subdivision with areas accessible to the public, including, but not limited to, fairgrounds, government buildings, parks and recreation centers, etc.
- O. "Quarantine" means to confine an animal to the premises of the owner or harbinger, or in a suitable impound or kennel, or on the premises of a veterinarian, where reasonable certainty of continued confinement and observation can be assured.
- P. "Rabid animal" means any live animal exhibiting symptoms of rabies in the professional opinion of the Health Commissioner or a veterinarian; or infected with rabies based on results of any approved serum/spinal fluid test; or any deceased animal with rabies infection confirmed by lab test or necropsy.
- Q. "Rabies-susceptible animal" means any animal species to or from which rabies may be transmitted. Most mammals are susceptible. Birds, snakes and fish are not susceptible.
- R. "Stray" means any domestic animal whose owner cannot be determined or one which cannot be apprehended and isolated for observation. Strays are not necessarily feral.
- S. "Suspected contact animal" means any rabies-susceptible animal which has been in proximity or contact with a suspected rabid animal in such a manner that the transmission of rabies was possible.
- T. "Suspected rabid animal" means any animal which has bitten or scratched a person or rabies-susceptible animal and is being held for observation to determine if rabies symptoms develop.
- U. "USDA" means the United States Department of Agriculture.
- V. "Vaccination" means administration of a USDA approved anti-rabies vaccine that has been specifically tested for effectiveness for that particular animal species, by a licensed veterinarian.
- W. "Veterinarian" means a person licensed under Chapter 4741 of the Ohio Revised Code to diagnose and medically treat animal injuries and diseases and administer vaccinations.
- X. "Wild animal" means any non-domesticated animal species not indigenous to the State of Ohio, which may include animals capable of transmitting rabies, including those for which there is no USDA-approved anti-rabies vaccine specifically tested for effectiveness for that species. Wild animals which are rabies-susceptible include bats, coyotes, foxes, groundhogs, raccoons and skunks. Chipmunks, rabbits, opossums and squirrels rarely serve as vectors for the virus but are less likely to be infected or transmit rabies. Any wild animal that exhibits aggressive behavior should be reported promptly to local law enforcement and should not be approached or handled by the public.

Section 2: Required Vaccinations of Dogs, Cats and Ferrets

- A. In order to take a dog, cat or ferret to a place of public accommodation or public facility, every owner of a dog or cat within Logan County, Ohio shall vaccinate against rabies between the ages of 4-6 months, re-vaccinate within twelve (12) months, and vaccinate at least every three (3) years thereafter with a USDA approved vaccine; every owner of a ferret shall vaccinate at three (3) months of age and annually thereafter with a USDA

approved vaccine. Records of vaccination may be validated by a veterinarian except when a veterinarian states in writing that vaccination is contraindicated for the dog, cat, or ferret. This requirement does not apply 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, to the extent such organizations exist or operate in Logan County, Ohio.

- B. Any owner of a dog, cat or ferret may vaccinate their own animal(s) in a manner that is approved by and/or licensed by the USDA without a veterinarian, but shall maintain written records and produce such records at the request of the Health Commissioner.
- C. Upon receipt of a vaccination tag from the veterinarian or the supplier of the vaccine for self-administration, the tag should be securely fastened to the collar or harness of the animal. If the animal is not secured on the property of the owner, keeper or harborer, the owner, keeper or harborer shall ensure the tag is affixed securely on the animal's collar or harness and that the animal is wearing the collar or harness where the tag is visible to any person responsible for security screening for admission to premises open to the public, including businesses and government facilities. An agent or employee of a place of public accommodation or public facility may request to see a valid rabies vaccination tag as a condition of entry for the animal to the premises.
- D. Any owner of a dog, cat, or ferret entering Logan County temporarily for animal shows, exhibition and/or breeding purposes shall not allow the animal out of their direct control and shall carry a certificate of vaccination from the veterinarian who vaccinated the dog, cat or ferret in its home jurisdiction. All dogs entering Logan County for field trials or hunting events of more than 48 hours duration shall be vaccinated as if they are resident animals. Owners, keepers or harborers of such dogs shall be exempt from the tag-wearing requirements prescribed in Section 2-C of this regulation, but shall provide vaccination proof upon request of event organizers or the Health Commissioner.

Section 3: Certificate of Vaccination and Tags

- A. All veterinarians providing rabies vaccinations to dogs, cats, or ferrets shall provide a written certificate, attesting to the vaccination, to the owner, keeper or harborer.
- B. All veterinarians who vaccinate against rabies shall provide the owner, keeper or harborer of the animal a tag which should conform in shape and color to the recommendation of the Compendium of Animal Rabies Vaccines issued by the National Association of Public Health Veterinarians, which shall include the year of administration and the number indicating the record prescribed in Section 3-A of this regulation.
- C. All veterinarians shall provide the Health Commissioner, upon request, written verification of rabies vaccinations for dogs, cats, or ferrets that they have administered with no additional requirement for the owner, keeper or harborer's consent to the release of such records.
- D. Any veterinarian participating in a vaccination clinic sponsored by the Logan County Health District shall maintain a vaccination record for at least three years from the date of administration pursuant to Ohio Admin. Code Rule 4741-1-22.

Section 4: Animals at Large; Release of Animals

- A. Nothing in these regulations shall be construed to permit dogs, cats or ferrets vaccinated against rabies to roam or run at large in violation of any ordinance or resolution of any political subdivision, any rabies quarantine law, or any state law.
- B. No person or government agency may release any rabies-susceptible animal originating outside the boundaries of Logan County within the boundaries of Logan County, Ohio except in connection with any program for propagation of native endangered species with any notice to the Ohio Department of Natural Resources copied to the Health District.

Section 5: Animal Bite Reporting

- A. Any bite of a person by a dog, cat, ferret or other rabies susceptible animal within Logan County, triggers a reporting duty to the Health District. As soon as possible, but no later than twenty-four (24) hours after the bite occurred, any mandatory reporter shall cause at least one report of all facts relating to the incident.
- B. The following persons have an affirmative duty to report to the Health District all information within their knowledge or in their possession concerning any animal bite incident:
 - 1. The attending physician to the person bitten;
 - 2. The person bitten;
 - 3. The owner, keeper or harbinger of the biting animal (if known); and,
 - 4. Any person having direct knowledge of the bite incident, including but not limited to law enforcement officers, and emergency first responders (to the extent protected health information may be redacted from an EMS run report pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule, but the EMS organization may also release unredacted information with the patient's consent, or to a public health authority such as the Health District without the patient's consent to prevent or lessen a serious/imminent threat to the health or safety of the public) See 45 CFR §§ 164.501 and 164.512(b)(1)(i); veterinarians and others.
- C. The bite report shall include:
 - 1. Name, address, phone number, and age of the person bitten, and if the person bitten is a minor or incompetent, name and contact info of parent(s) or guardian(s).
 - 2. Specific part(s) of the body which were bitten and the extent of the wound;
 - 3. Circumstances of the bite occurrence such as date, time, location, etc.
 - 4. Name, address and phone number of the owner, keeper or harbinger of the animal if known or if applicable;
 - 5. Description of the animal (including breed/color and name (if known)) and the animal's current location for quarantine purposes or last known whereabouts;
 - 6. The name of any veterinarian known to have treated the animal and date of last rabies vaccination (if known).

Section 6: Quarantine Procedure for Suspected Rabid Animals

- A. This section reflects the responsibility for duties imposed by law after a dog bites a person pursuant to R.C. 955.261, to impose duties for the owner, keeper or harbinger of any domestic dog, cat or ferret, except for a "police dog" as defined in R.C. 2921.321:
1. Whenever any dog, cat or ferret located within Logan County has bitten a person, the Health Commissioner shall issue a quarantine order for that dog, cat or ferret. The Health Commissioner has discretion to determine where such animal may be quarantined, including the residence of the owner, keeper or harbinger, a veterinary office, or at a pound or kennel. In all cases, quarantine shall be supervised by the Health District and shall be at the expense of the animal's owner, keeper or harbinger, including any expenses of veterinary examination and vaccination.
 2. Quarantine shall continue until the Health Commissioner determines that the dog, cat or ferret is not infected with rabies, no less than ten (10) days from the date on which the person was bitten. If the Health Commissioner requires the dog, cat or ferret to be examined for symptoms of rabies by a veterinarian, the veterinarian shall report to the Health District the conclusions reached as a result of examination. No dog, cat or ferret shall be released from quarantine unless and until it has been vaccinated against rabies unless the Health District has received written proof of prior vaccination as prescribed in Section 2 of this regulation from a veterinarian; if the vaccine was not administered by a veterinarian, the owner shall consent to and pay for vaccine by a veterinarian. If a dog, cat or ferret involved in a bite to humans is killed prior to being quarantined or during a quarantine period, the animal must be tested for rabies at the owner's expense.
 3. No person shall remove a quarantined animal from Logan County until the quarantine period has been completed. Likewise, no person shall transfer possession of a quarantined animal within the jurisdiction of the Logan County Health District until the quarantine period has been completed, except that a person may surrender a dog to the Logan County Dog Warden due to inability to pay for the expenses of quarantine, including a veterinarian or vaccination.
 4. 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.
 5. If, for any reason, a quarantined animal dies before the expiration of the quarantine period, the owner or person having control of such animal shall immediately notify the Health District of the facts relating to the death of the animal and shall hold the body of the animal until Health District personnel, or a veterinarian or other qualified person operating at the behest of the Health District claims the animal to perform tests for rabies or transport it for such testing. If any quarantined animal dies before the quarantine period expires, then the Health District shall submit the head or full carcass of the animal to the Ohio Department of Health laboratory for rabies examination/necropsy.
 6. If the animal is a stray, the Health District shall quarantine the animal for ten days and

then have the animal destroyed, or the Health Commissioner may direct that the animal be destroyed immediately, in a humane manner which does not damage the head or brain tissue, then submit the head or carcass of the animal to the Ohio Department of Health Laboratories for rabies examination/necropsy.

B. Other Animals - Domesticated

1. If a person is bitten by an agricultural animal or pet other than a dog, cat, or ferret, and the bite is reported to the Health District, the Health Commissioner has discretion to impose 10 days of rabies quarantine on a case-by-case basis consistent with the isolation, observation and veterinary guidelines set forth in Section 6-A of this regulation, without a vaccination requirement.
2. If a pet, particularly a pocket pet, has only ever been kept indoors and has had no known contact with a rabies-susceptible animal for at least one year prior to biting a person, the Health Commissioner may, upon receiving a bite report, order up to 10 days of quarantine for rabies and order the animal to undergo nonlethal veterinary examination and testing for other zoonotic diseases at the owner's expense.
3. In the event an agricultural animal displays symptoms consistent with rabies, the Health Commissioner may order a quarantine or immediate killing of an animal by a suitable humane method which does not damage the head or brain tissue. If killed, the head/carcass shall be submitted to the Ohio Department of Health or the Ohio Department of Agriculture laboratories for rabies examination, and the owner may opt for additional zoonotic disease testing at the owner's expense. Consistent with R.C. 941.04, in performing official duties under this section, the Health Commissioner may call on such law enforcement personnel and other government officials as are necessary to provide assistance, including the Ohio Director of Agriculture or an employee of the USDA Animal and Plant Health Inspection Service.

C. Other Animals - Wild

1. Whenever any rabies susceptible wild animal, including a feral cat, has bitten a person within the Logan County Combined Health District, the Health Commissioner may direct the immediate killing of said animal by a suitable humane method which does not damage the head or brain tissue. The head of said animal shall then be submitted to the Ohio Department of Health Laboratories for rabies examination. The Health Commissioner may also notify the Ohio Department of Natural Resources.

Section 7: Reporting, Examination, and Disposition of Rabid, Suspected Rabid, and Suspected Contact Animals

- A. Any owner, keeper or harbinger of any animal exhibiting symptoms suggestive of rabies (aggressive behavior, excessive salivation in the form of frothing or drooling, lack of coordination, spasms, tremors or paralysis) shall immediately contact a veterinarian for examination and isolate the animal in a location where no person or animal can come in accidental contact with the animal.
- B. Veterinarians shall promptly report to the Health District all cases of rabid or suspected rabid animals examined by them, regardless of whether the animal has bitten a person.
- C. All suspected contact animals shall be handled in one of the following manners:

1. If the animal is a dog, cat or ferret and if the animal is vaccinated against rabies, the animal shall be re-vaccinated and quarantined for at least thirty (30) days at the owner's expense.
2. If the animal is a dog, cat or ferret but has not been vaccinated, the animal may, at the owner's option, be euthanized or vaccinated against rabies and quarantined for at least forty-five (45) days in a location 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."
3. If the animal is not a dog, cat or ferret but is an agricultural animal or pet, at the owner's option, the animal may be euthanized or quarantined for at least thirty (30) days in a location 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."
4. All domestic suspected contact animals held in quarantine shall be cared for at the expense of the owner, keeper or harbinger, if known.
5. If the owner, keeper or harbinger of the suspected contact animal is unknown, the Health Commissioner may order the animal to be euthanized at county expense.
6. If the suspected contact animal is a wild animal, the Health Commissioner may order immediate humane destruction of the animal or may contact a Category II wildlife rehabilitator licensed by the Ohio Department of Natural Resources pursuant to OAC 1501:31-25-03 to take custody and control over the animal.

Section 8: Prohibition Against Ownership of Rabies Susceptible Wild Animals

- A. No person in Logan County shall feed, possess, sell or otherwise attempt to exercise control over any rabies susceptible wild animal subject to the following exceptions:
 1. Ownership of pocket-pets or agricultural animals which have wild counterparts including animals on fenced private reserves (e.g. antelope, bison, deer, etc.)
 2. Trap-neuter-release operations to control populations of feral cats;
 3. Wild animals held for exhibit by government agencies; publicly supported zoos, circuses, museums, or extensions thereof, which are transitory in nature and do not remain in Logan County, Ohio, for more than seven consecutive days.
 4. "Petting zoos" of any duration exhibiting non-carnivorous wild animal species, if the operator is licensed to possess such animals pursuant to OAC 1501:31-1-02.
 5. Owners of wild animal species within Logan County, Ohio, which were obtained prior to the effective date of this regulation if the owner or harbinger agrees to confine any animal in such a way so as to preclude contact with humans and any rabies susceptible animals; and the owner or harbinger agrees to comply with R.C. 1531.02 and all applicable sections of the Ohio Administrative Code.
- B. If the owner or harbinger of any wild animal fails to meet any of the requirements as set forth in Section 8 of this regulation or fails to comply with R.C. 1531.02 or applicable sections of the Ohio Administrative Code for wild animal ownership, the Health

Commissioner may order seizure or destruction of a wild animal in the interest of public health and shall notify the Ohio Department of Natural Resources and/or the Ohio Department of Agriculture of the destruction if applicable.

- C. If a wild animal is a “dangerous wild animal” as defined by R.C. 935.01, the owner, keeper or harbinger shall comply with all provisions of Chapter 935 of the Revised Code; including inspections and quarantine under R.C. 935.19 or R.C. 935.20. If any act or omission of the owner, keeper or harbinger of a dangerous wild animal constitutes a threat to the health and safety of Logan County, the Health Commissioner may order the animal’s destruction or removal from the boundaries of Logan County, Ohio.

Section 9: Compendium of Rabies Control

The Compendium of Animal Rabies Prevention and Control, 2016 by the National Association of State Public Health Veterinarians, as such publication may from time to time be amended hereafter, is adopted and incorporated as a part of this regulation. The recommendations of the Compendium shall be observed by the Logan County Health District. If any part of this regulation is found to be in conflict with the Compendium, the language of the Compendium shall control unless it is held to be unconstitutional, void or invalid by a court of competent jurisdiction.

Section 10: Penalties

Any person who fails to comply with any requirement of this regulation or any order issued pursuant to this regulation shall be subject to the penalties set forth in the Ohio Revised Code for prosecution pursuant to R.C. 3707.48, and any other administrative and/or legal action which may be deemed appropriate by the Logan County Board of Health. Specifically, any person who is convicted of a violation may be subject to penalties provided for in R.C. 3707.99 for a minor misdemeanor on a first offense and a misdemeanor of the fourth degree on each subsequent offense.

Section 11: Hearings for Variances; Appeals

- A. With the exception of violations prosecuted as misdemeanors or injunctions sought which are handled by courts of competent jurisdiction and therefore provide due process, the Logan County Board of Health shall grant an administrative hearing to any person with appropriate standing who provides notice of a request for hearing with respect to the application of this regulation in writing at least 20 days in advance of the next regularly scheduled Board of Health meeting and pays the applicable fee for publication and certified mail notice to neighboring property owners, if applicable. The hearing shall be recorded and a transcript made of the proceedings.
- B. The Logan County Board of Health may only grant a variance from the requirements of this regulation if the person establishes that such variance will not be contrary to the public interest. The burden of proof is on the applicant. Any appeal from the Board of Health’s denial of a variance must be made in conformance with R.C. Chapter 2506.

Section 12: Fees

The Board of Health shall establish any fees deemed necessary to carry out the requirements of this regulation by resolution, with review of the fee schedule annually.