

SUBSTITUTE ORDINANCE NO. 75-89

By: Mr. Masser

An Ordinance to amend Chapter 618 of the Codified Ordinances by amending Section 618.11 on rabies control.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY,
OHIO:

Section 1. That Section 618.11 of the Codified Ordinances is hereby amended as follows:

618.11 RABIES CONTROL; ANIMAL BITES; REPORTS AND EXAMINATIONS.

(a) Definitions. The following definitions shall apply in the interpretation and enforcement of this section.

- (1) Health Commissioner. "Health Commissioner" means the Health Commissioner of the City or his authorized representative.
- (2) Veterinarian. "Veterinarian" means a veterinarian duly licensed by the State, or a veterinarian licensed by any other state having laws regulating the practice of veterinary medicine, or a veterinarian duly authorized by the United States government to perform certain duties of a veterinarian.
- (3) Immunization. "Immunization" means the administration of a biological product approved and/or licensed by the United States Department of Agriculture and/or the Ohio State Department of Agriculture and deemed adequate, by the veterinarian administering the biological product, to protect the animal so treated against rabies.
- (4) OWNER. "OWNER" SHALL HAVE THE MEANING SET FORTH IN SECTION 618.16(a) (3).

(b) Immunization. ~~Any person who keeps or harbors~~ EVERY OWNER OF a dog or cat within the City shall have KEEP such dog or cat immunized against rabies AS REQUIRED BY STATE LAW. ~~and each twelve (12) months thereafter shall have such dog or cat re-immunized.~~ Any method, other than that of re-immunization described above, approved by the Health Commissioner and approved and/or licensed by the United States Department of Agriculture and/or the State of Ohio Department of Agriculture, may be used. Dogs or cats need not be immunized before reaching the age of three months. Dogs or cats entering this jurisdiction temporarily for dog or cat shows or exhibition and/or breeding purposes shall not be allowed out of the owner's, keeper's or handler's control, unless properly immunized, and all dogs or cats entering this jurisdiction for field trials or hunting purposes, or any other purpose, shall be properly immunized, and immunized dogs and cats shall be accompanied by an immunization certificate accomplished by the veterinarian that has immunized the dog or cat.

(c) Records. All veterinarians immunizing or re-immunizing dogs or cats against rabies shall keep a record of such immunization or re-immunization and shall, without delay, give to the owner ~~or keeper~~ of the dog or cat immunized or re-immunized a certificate of immunization which shall include a number identifying the individual record, a complete description of the dog or cat, the place where the dog or cat is kept or harbored, the name of the owner, ~~keeper or harborer~~ of the dog or cat and his or her address, the date and type of immunization or

re-immunization and such other pertinent information as is needed, and the signature and address of the veterinarian. The veterinarian shall also, without delay, forward the information, required on the certificate described in this section, to the ~~Humane Society of Columbus, Ohio~~ FRANKLIN COUNTY ANIMAL CONTROL.

(d) Certificates. The certificates described in subsection (c) hereof shall be purchased from the Columbus, Ohio, Department of Health.

(e) Tags. All veterinarians who immunize or re-immunize a dog or cat against rabies shall provide a tag approved by the Health Commissioner, which shall have thereon permanently affixed the year of immunization or re-immunization and the number indicating the record prescribed in subsection (c) hereby. EVERY OWNER OF A DOG OR CAT WITHIN THE CITY ~~Such tag~~ shall be securely fastened ~~FASTEN~~ SUCH TAG to the collar or harness worn by the dog or cat. Failure to wear such tag shall be prima-facie evidence of the lack of immunization of the dog or cat.

(f) Dogs or Cats Running at Large. Nothing in this section shall be interpreted to mean that dogs or cats immunized or re-immunized shall be allowed to run at large in violation of any rabies quarantine, law, ordinance or regulation.

(g) Administration and Enforcement. THE HEALTH COMMISSIONER SHALL BE ASSISTED BY THE POLICE DEPARTMENT AND THE ANIMAL CONTROL OFFICER IN ADMINISTERING AND ENFORCING THIS SECTION. The Board of Health may appoint and authorize a ONE OR MORE OTHER ~~agencyIES~~ ~~for the purpose of~~ TO ASSIST IN administering and enforcing this section.

(h) Report of Bite or Injury by Dog or Other Animal. Whenever a person is bitten ~~or~~ injured by a dog, cat or other animal, THE OWNER OF SUCH DOG, CAT OR OTHER ANIMAL SHALL ~~a prompt~~ report ~~of~~ such bite ~~or~~ injury ~~shall be made~~ to the Health Commissioner BY NOTIFYING THE POLICE DEPARTMENT WITHIN TWENTY-FOUR (24) HOURS OF THE INCIDENT OR HIS OBTAINING KNOWLEDGE THEREOF. ~~of the Bexley Health District.~~ Such A report shall ALSO be made by the physician called to treat such bite or injury, or if such injured person is received at a hospital or dispensary for treatment, ~~the~~ A report ~~herein required~~ shall ALSO be made by the superintendent or person in charge of such hospital or dispensary. Where a physician is not consulted or the person is not taken to a hospital or dispensary, ~~the~~ A report shall ALSO be made by the person bitten ~~or~~ injured, or if a minor, then by his parent or by any other person who has knowledge of the facts.

(i) ISOLATION OF ANIMAL AND EXAMINATION Report by Veterinarian. Upon receipt of any such notice of bite or injury it shall be the duty of the Health Commissioner to notify the owner or harborer of WHENEVER A PERSON IS BITTEN BY A DOG, CAT OR OTHER ANIMAL, THE OWNER OF such dog, cat or other animal, ~~who~~ shall, WITHIN TWENTY-FOUR (24) HOURS OF THE INCIDENT OR HIS OBTAINING KNOWLEDGE THEREOF, take such dog, cat or other animal ~~IT~~ to a ~~recognized~~ veterinarian LICENSED BY THE STATE OF OHIO WHOSE OFFICE IS WITHIN FRANKLIN COUNTY OR THE FRANKLIN COUNTY ANIMAL SHELTER for examination AND SHALL REPORT THE NAME, ADDRESS AND TELEPHONE NUMBER OF SUCH VETERINARIAN OR THAT THE ANIMAL IS IN THE FRANKLIN COUNTY ANIMAL SHELTER TO THE HEALTH COMMISSIONER BY NOTIFYING THE POLICE DEPARTMENT. Any veterinarian who makes an examination of a dog, cat or other animal that has bitten ~~or~~ injured a person shall promptly report the result of his examination to the Health Commissioner. Such dog, cat or other animal inflicting such bite ~~or~~ injury shall be confined in the FRANKLIN County ANIMAL SHELTER ~~dog pound~~ or in a hospital of a ~~recognized~~ veterinarian LICENSED BY THE STATE OF OHIO WHOSE OFFICE IS WITHIN FRANKLIN COUNTY OR, WITH THE APPROVAL OF THE

HEALTH COMMISSIONER, WITHIN THE RESIDENCE OF THE OWNER until it is determined that the animal is not afflicted with rabies. Such isolation period hereby required shall not be less than ten (10) days from the date the person was bitten ~~or injured~~, provided, however, that if such biting ~~or injury~~, or such examination, is during the period of an epidemic of rabies and a quarantine has been declared within the City, such period of isolation shall not be less than twenty-one (21) days from the date the person was bitten ~~or injured~~. If the owner ~~or~~ harborer of such dog, cat or other animal cannot be found, or fails or refuses to make the necessary arrangements with such a veterinarian for the examination and isolation of such dog, cat or other animal, then the Health Commissioner shall, IN ADDITION TO ANY CRIMINAL PENALTIES WHICH MAY BE IMPOSED AGAINST THE OWNER UNDER THIS SECTION, cause such DOG, CAT OR OTHER ANIMAL TO BE SEIZED AND IMPOUNDED FOR ISOLATION AND examination to be made and to have such dog confined in the County dog pound as hereinabove provided. THE OWNER SHALL BE RESPONSIBLE FOR ALL COSTS INCURRED IN CONNECTION WITH THE IMPOUNDING AND EXAMINATION REQUIRED BY THIS SUBSECTION, AND THE ANIMAL SHALL NOT BE RELEASED UNTIL SUCH COSTS ARE PAID. ANY ANIMAL WHICH IS SEIZED OR IMPOUNDED BUT NOT REDEEMED MAY BE DISPOSED OF AS PROVIDED BY OHIO R.C. 955.16.

(j) Penalty. ANY OWNER OF A DOG, CAT OR OTHER ANIMAL WHO VIOLATES OR FAILS TO COMPLY WITH SUBSECTION (H) OR (I) IS GUILTY OF A MISDEMEANOR OF THE FIRST DEGREE, AND ANY OTHER PERSON WHO VIOLATES OR FAILS TO COMPLY WITH SUCH SUBSECTIONS IS GUILTY OF A MINOR MISDEMEANOR. Whoever violates or fails to comply with any ~~of~~ the OTHER provisions of this section is guilty of a minor misdemeanor. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues. Punishment shall be as provided in Section 698.02.

Section 2. That Section 618.11 as presently in effect is hereby repealed.

Section 3. That this Ordinance shall be in force from and after the earliest date allowed by law.

Passed: May 8, 1990



President of Council

Attest: J.W. Johnson

Clerk of Council

Approved: May 18, 1989



David H. Madison, Mayor

May 8, 1990-Substituted & Adopted