



MECKLENBURG COUNTY **BOARD OF HEALTH**
ORDINANCE RULES GOVERNING THE
CONTROL OF RABIES AND OTHER ZOONOSSES

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**MECKLENBURG COUNTY HEALTH-
ORDINANCE BOARD OF HEALTH RULES
GOVERNING THE CONTROL OF RABIES AND
OTHER ZOONOSIS**

Be it ordained by the Mecklenburg County Board of Commissioners (while exercising the power of the Board of Health, which powers it has assumed and conferred upon itself by action taken pursuant to G.S. 153A-77) that the following regulation for the protection of public health and safety are hereby adopted pursuant to authority granted by Chapter 130A-39(a) of the General Statutes of North Carolina, and shall apply throughout Mecklenburg County, North Carolina, including, but not limited to, all cities and towns, whether incorporated or unincorporated.

SECTION 1: PURPOSE

Rabies and other animal-borne infections are recognized as a potential health threat in Mecklenburg County. The following rules are enacted for the purpose of protecting the health of the people of Mecklenburg County through effective control of zoonotic diseases and animal-inflicted injuries. ~~The methods of protecting the public's health will necessitate the sanitary surveillance and safety regulation of all animal holding facilities found in the county as specified under these rules. The standards will also have the direct effect of protecting animal health and well-being so that each species may not constitute a health threat to any of the citizens of Mecklenburg County.~~ These rules and regulations have been directed specifically to, but not limited to, the control and elimination of the diseases with zoonotic potential.

SECTION 2: DEFINITIONS

(a) "Animal" means every vertebrate nonhuman species of animal, wild or domestic, male or female, including, but not limited to dogs, cats, livestock, and other mammals, birds, reptiles, amphibians and fish.

~~(b) "Animal Control Bureau" means an agency in Mecklenburg County responsible for animal control activities in the community.~~

~~(c) "Animal Control Officers" means persons properly appointed by the City of Charlotte or City of Matthews to pick up, restrain, impound, sell or dispose of dogs, cats or other animals.~~

~~(d) "Animal Holding Facility" means any commercial boarding kennel, commercial boarding cattery, commercial dog or cat grooming facility, pet shop, and petting zoo.~~

~~(e) "Animal Handler" means any person touching or caring for animals as indicated within the ordinance.~~

~~"Animal Shelter" means any premises designated by the Animal Control Bureau for the purpose of impounding and caring for such animals.~~

~~(f) "Animal Suspected of Having Rabies" means any unvaccinated animal for which there exists scientific or documentary evidence that the species is capable of transmitting~~

~~rabies, and such animal was bitten by a known rabid animal or has been in prior contact with an endemic rabid population within the past six months as determined by the Health Director, or any animal displaying symptoms indicative of Rabies.~~

"Bite Wound" means any penetration of the skin by an animal's teeth; scratches or abrasions which may have been in contact with animal's saliva or animal licks of mucosal surfaces or open wounds.

Commented [WAN1]: This body of law is a board of health rule and NOT an ordinance. I would remove all occurrences of the word "ordinance" throughout. The most significant reason you want to do this is applicability – a BOH rule applies in all areas of the county (as indicated in the preamble). Another reason is enforceability using 130A remedies.

Commented [PJM2R1]: This is the same preamble language that is in the Board of Health tobacco rule adopted in 2014, so I don't know if additional changes are needed. I have deleted all references to the term "Ordinance" and replaced them with "Rule".

Commented [PJM3]: Almee recommended deleting this as a defined term and just referring to CMPD ACC, which I have done

| ~~(g) "Caged Birds" means domesticated exotic birds of either sex that have been imported~~

~~or domestically raised and kept as pets or breeding pairs. This may include hookbills (parrots, etc.), hardbills (finches, canaries, etc.), and softbills (toucans, mynahs, etc.)~~

~~(b) "Cat" means a domestic feline of either sex.~~

~~(h)(c) "Certified Rabies Vaccinator" means a person appointed and certified to administer rabies vaccine to animals in accordance with NCGS 130A-186.~~

~~(h)(d) "County" means Mecklenburg County, both incorporated and unincorporated territory.~~

~~(i) "County Public Health Veterinarian" means a licensed veterinarian appointed by the Health Director as a consultant and resource for the control of rabies and other zoonoses.~~

~~(m) "Dog" means a domestic canine of either sex.~~

~~(n) "Domesticated Animals" means those species of animals that normally and customarily share human habitats and are normally dependent on humans for food, such as, but not limited to dogs, cats, rodents and birds, and farm animal species such as horses, cows, sheep, pigs, goats, chickens and ducks.~~

~~(o) "Facilities for sanitizing and cleaning" means at least a one-compartment sink with two drain boards and hot and cold water mixing faucet. Soap and clean towels shall be provided for attendants to wash hands after animal handling.~~

~~(p)(n) "Harboring an Animal" means an animal shall be deemed to be harbored if it is fed or sheltered seven days or more unless the animal is being boarded for a fee.~~

~~(q)(o) "Health Director" means the Director of the Mecklenburg County Health Department or his or her authorized agent.~~

~~(r)(p) "Human visitors" means any persons visiting any animal holding facility in Mecklenburg County.~~

~~(s) "Impounded" means any animal which is received into custody by any employee of the Animal Control Bureau.~~

~~(t)(g) "Licensed Veterinarian" means a professional licensed to practice veterinary medicine in North Carolina.~~

~~(u) "Litter" means one or more puppies, kittens, or other newborn animals born from the same animal living to the age of four weeks.~~

~~(v) "Manager" means the administrator of the Animal Control Bureau.~~

~~(w)(r) "Owner" means any person, group of persons, firm, organization, association, society, club, lodge, partnership, syndicate, trustee, estate, corporation, or other legal entity owning, keeping, having charge of, sheltering, feeding, or harboring or taking care of any animal(s).~~

~~(x)(s) "Person" means individual, firm, corporation, association, society or other legal entity.~~

~~(y)(t) "Quarantine" means strict confinement under restraint by leash, closed cage, or paddock, or in any other manner approved by the Health Director on the private premises of the owner or at an approved facility, of all animals specified in the order of the Health Director~~

~~(z)(u) "Rabies" means in humans and animals, hydrophobia, an acute viral disease of the central nervous system usually transmitted to humans through the introduction injection of saliva or other potentially infectious material by an animal bite or scratch, or other exposure to mucous membranes.~~

~~(aa) "Rabies Vaccine" means an animal rabies vaccine licensed by the United States Department of Agriculture and approved for use in this State by the North Carolina Commission for Health Services.~~

~~(bb) "Restraint" means an animal is under restraint if it is secured by means of a chain, leash or other device and under the control of a person competent to control its actions, or confined within a vehicle or within the boundaries of its owner's real property.~~

~~(cc) "Sanitary" means a condition of good order and cleanliness which reduces the probability of transmission of disease.~~

~~(dd) "Sanitize" means to wash clean with soap and water and to destroy all pathogenic organisms with approved sanitizing agents.~~

~~(ee) "Sanitizing temperature" means 180 degrees Fahrenheit water from an on-premises water heater~~

Commented [WAN4]: Consecutive? Lots of feral cat tenders will feed only a few times a week.

Commented [PJM5R4]: I removed the number of days.

Commented [WAN6]: This may be too broad

Commented [PJM7R6]: I deleted

Commented [WAN8]: ? Not sure this is the right word. May want to refer to CDC or NASPHV definition and update this one.

Commented [PJM9R8]: NASPHV uses the term "introduction"; I have rewritten this based on the NASPHV discussion of rabies and rabies exposure in its Compendium

(ff) **"Shall"** means binding and mandatory.

(gg) ~~**"Standards"** means those sanitation and health requirements for all animal holding facilities in Mecklenburg County adopted and published by the Mecklenburg County Health Department.~~

(hh) ~~**"State Public Health Veterinarian"** means a person appointed by the Secretary of the North~~

~~Carolina Department of Human Resources to direct the State Public Health Veterinary Program.~~

(ii) **"Vaccination"** means the administration of an animal rabies vaccine by a licensed veterinarian ~~or certified rabies vaccinator.~~

~~(jj) "Vicious Animal" means an animal which has made an unprovoked attack on a human, or one which habitually attacks other animals, pets or farm stock.~~

(kk) **"Wild Animal"** means a non-domesticated animal species such as, but not limited to: bird, fox, raccoon, skunk, opossum, bat, bobcat, mountain lion, bear, and deer. ~~Also other animals not indigenous to Mecklenburg County such as, but not limited to: non-human primates, lion, tiger, panther, polar bear, seal, otter, and kangaroo. Any offspring of a wild animal cross-bred with any domestic species shall be considered a wild animal.~~

~~(#)(l)~~ **"Zoonosis"** means an infection or infectious disease transmissible under natural conditions from vertebrate animals to humans.

Commented [WAN10]: Are you precluding vaccination by certified rabies vaccinators?

Commented [PJM11R10]: Revised to add in certified rabies vaccinators and also added a definition of the term certified rabies vaccinator

SECTION 3: POWERS OF THE HEALTH DIRECTOR

The Health Director shall be solely and entirely responsible for County programs to monitor and control rabies and other zoonotic diseases and shall have the authority to:

(a) Investigate all reported cases of zoonotic diseases ~~and inspect all animals suspected of transmitting such infections and the premises where such animals are kept;~~

(b) Order quarantines and prevention and containment measures to prevent the spread of zoonotic diseases in the community;

(c) Organize ~~or assist other City or County agencies to organize at least one~~ rabies vaccination clinics within the County ~~annually or as required by State law or more frequently~~ as deemed necessary ~~by the Health Director, being solely and entirely responsible for organizing and carrying out such rabies vaccination clinics without any involvement in any way whatsoever of the City of Charlotte or the Animal Control Bureau;~~

(d) Organize such voluntary zoonotic disease control programs as may be needed to protect the health of county residents;

~~(e) Inspect animal holding facilities and issue permits to animal holding facilities as required by this Ordinance. Each animal holding facility shall be charged a permit fee determined by the Health Director with the approval of the Mecklenburg County Board of Commissioners. Any facility having a permit revoked for non-compliance with this ordinance shall pay a fee for a reissued permit;~~

~~(#)(e)~~ Take other actions as required or allowed to enforce compliance with the provisions of this ~~Ordinance~~ Rule or state law;

~~(#)(f)~~ In the case of all animal bites or animal bite wounds of humans or other suspected exposures to rabies, the Health Director shall have the authority to determine the need for euthanasia ~~tion~~ of an animal for the purpose of having that animal's brain tested for the presence of rabies virus.

Commented [WAN12]: The phrase in 130A is "suspected exposure to rabies" – that provides some flexibility beyond bites.

SECTION 4: ANIMAL HOLDING FACILITY PERMITS

~~(a) No person shall operate an animal holding facility unless a permit to operate such an establishment has been issued by the Mecklenburg County Health Director. Application for a permit shall be made on forms furnished by the Health Director. When an application to operate an animal holding facility has been received by the Mecklenburg County Health Department, a representative from the Health Department will, within a reasonable time, inspect the animal holding facility for compliance with the standards for operating such facilities. If the facility does not comply with the standards, the inspector will point out the deficiencies and give the owner and/or operator reasonable time to correct the deficiencies. When it has been determined that the animal holding facility meets the standards, the Health Director will issue a permit to the operator upon payment of a fee approved by the Board of County Commission. The permit shall be valid for one year, unless the permit is later suspended or revoked by the Director pursuant to the provisions of this Ordinance.~~

Commented [PJM13R12]: Bite Wound is a defined term and means any penetration of the skin by an animal's teeth; scratches or abrasions which may have been in contact with animal's saliva or animal licks of mucosal surfaces or open wounds. However, I also added in the phrase "or other suspected exposures to rabies"

~~(b) Every animal holding facility in the County must obtain a permit from the Health~~

~~Director which certifies compliance with the public health and sanitation standards contained in this Ordinance, including Section 6: Animal Holding Facility Standards.~~

~~(c) Every animal holding facility shall be subject to regular inspections at least annually by an agent of the Health Department. At the conclusion of the inspection a copy of the findings shall be left with the manager/owner of the facility and the original shall be retained by the Health Department as a permanent record.~~

~~(d) A facility that is not in compliance with 50% or more of Section 6: Animal Holding Facility Standards shall have 30 days to correct deficiencies. A facility that is in compliance with less than 50% of the standards shall have its permit revoked immediately. A permit will not be issued to a facility unless it is in compliance with all of the standards. A facility that refuses to comply shall have its permit revoked, and the facility shall be directed to close by the Health Director. In addition, the owner and/or operator may be subject to legal proceedings as outlined in Section 11 of this ordinance.~~

SECTION 5: LICENSING AND RECORDS

~~(a) No person shall operate an animal holding facility in Mecklenburg County without the possession of a valid permit issued by the office of the Health Director.~~

~~(b) The Director may refuse to grant a permit, or may revoke an existing permit to operate an animal holding facility, if such facility has violated any article of the Health Ordinance Rules Governing the Control of Rabies and Other Zoonoses or any provision of these rules and regulations.~~

~~(c) Operators of all animal holding facilities shall maintain records on all animals for a period of one calendar year showing the following:~~

- ~~(1) Origin of animals (including names and addresses of consignors) and date animals were received;~~
- ~~(2) Description of animals including species, age, sex, breed, and color markings;~~
- ~~(3) Disposition of animals including name and address of person to whom animal is sold, traded or adopted; if euthanized, records will show date and type of euthanasia;~~
- ~~(4) Record of veterinary care including treatment and immunization;~~
- ~~(5) For avian species, a record for each animal brought into the facility including the species, age/date of birth, sex (if known), where obtained, date of purchase, days in quarantine, leg band number, name and address of buyer, copy of health guarantee, and acknowledgement of "Instructions for Care/Disease Warning and Risks";~~

~~(d) Operators of boarding kennels shall also maintain records of all animals for one calendar year, showing the following:~~

- ~~(1) Name and address of owner and person responsible for animal;~~
- ~~(2) The date of entry and signature and address of individual to whom animal is released;~~
- ~~(3) Description of animal including breed, sex, age, and color markings;~~
- ~~(4) Record of vaccinations;~~

~~(e) All operators of animal holding facilities will make all records available to the Director or his authorized representative on request.~~

SECTION 64: ANIMAL HOLDING FACILITY STANDARDS RELATED TO THE SALE OF BIRDS

~~(a) General Housing Facilities for Animals~~

- ~~(1) Shall be structurally sound and maintained in good repair to protect the animals from injury; contain the animals and restrict the entrance of other animals and people.~~
- ~~(2) Shall have reliable and adequate electric power, if required, to comply with other provisions of the ordinance and adequate potable water shall be available.~~
- ~~(3) Shall have supplies of food and bedding which shall be stored in facilities which adequately protect such supplies against infestation or contamination by vermin; refrigeration shall be provided for supplies of perishable food.~~

~~(4) Shall have provisions for the removal and disposal of animal and food waste, bedding and debris, in order to assure facility will be maintained in a clean and sanitary manner.~~

~~(5) Shall have facilities such as washroom, basin or sink for maintaining cleanliness among animal caretakers and animal food and water receptacles.~~

~~(6) Shall measure an ambient temperature outside the primary enclosure at a distance not to exceed three feet from any one of the external walls and on a level parallel to the bottom of the primary enclosure at a point approximately half the distance between the top and the bottom of such enclosure.~~

~~(b) Cages and/or fences shall be provided in all facilities to restrain animals from contact with humans. Areas in each facility shall be provided by operators and handlers where humans may examine, pet or visit with the animals under the supervision of the facility operator.~~

~~(c) Indoor facilities shall comply with the following standards:~~

~~(1) Indoor housing facilities for animals shall be sufficiently heated when necessary to protect the animals from cold and provide for their health and comfort. The ambient temperature shall not be allowed to fall below 50 degrees Fahrenheit for animals not acclimated to lower temperatures.~~

~~(2) Indoor housing facilities for animals shall be adequately ventilated to provide for the health and comfort of the animals at all times. Such facilities shall be provided with fresh air either by means of windows, doors, vents or air conditioning and shall be ventilated so as to minimize drafts, odors and moisture condensation.~~

~~Ventilation shall be provided when ambient temperature is 85 degrees Fahrenheit or higher.~~

~~(3) Indoor housing facilities for animals shall have ample light by natural or artificial means or both, be of good quality and well distributed. Such lighting shall provide uniformly distributed illumination of sufficient light intensity to permit routine inspection and cleaning during the entire working period. Primary enclosure shall be placed to protect the animals from excessive illumination.~~

~~(4) Interior building surfaces of indoor facilities shall be constructed and maintained so that they are substantially impervious to moisture, and may be readily sanitized.~~

~~(5) A suitable method shall be provided to rapidly eliminate excess water from indoor housing facilities. If closed drain systems are used, they shall be equipped with traps and installed to prevent odors and backup of sewage.~~

~~(d) Outdoor facilities shall comply with the following standards:~~

~~(1) When sunlight is likely to cause overheating and discomfort, sufficient shade shall be provided to allow all animals kept outdoors to protect themselves from the direct rays of the sun.~~

~~(2) Animals kept outdoors shall be provided with access to shelter to allow them to remain dry and comfortable during inclement weather.~~

~~(3) A suitable method shall be provided to rapidly eliminate excess water.~~

~~(e)(a) _____~~ This section is applicable to birds being sold from retail or wholesale facilities and is designed to reduce the stress of birds, newly acquired and existing stock; therefore lowering the chances of an outbreak of a potentially contagious disease, such as Psittacosis (also known as Chlamydiosis):

~~(1) All baby birds shall be separated from the adults until accepting food on their own; and new birds shall be placed in a cage separate from the existing stock and quarantined for ten (10) days for any signs of illness. Clean water and food containers shall be offered on a continuous basis and within easy reach of the quarantined bird. If any quarantined bird does show signs of illness, it shall be isolated from all other birds for proper treatment or be taken to an avian veterinarian.~~

The purpose of a quarantine is to protect existing stocks of birds on premises from the introduction of disease and to determine whether or not the new additions are

diseased.

(2) Cages shall have adequate room to prevent tails from touching cage floors when on perch and large enough to allow birds to open wings without touching cage sides. Perches shall be wood dowels of adequate size to afford secure, comfortable grip with enough space to allow all birds to sit comfortably on perches at the same time. Cages shall be cleaned daily and fresh paper placed in the bottom. All cages with adult birds shall have grates in the bottom to prevent contact with feces below.

(3) A good quality pelleted diet and/or seed should be offered continuously in an adequate number of containers to minimize competition for food. Fresh vegetables and fruit, if possible, shall be given on a daily basis. Clean water should be offered continuously. All food and water containers should be washed at least daily with hot soapy water to prevent contamination and the chance of spreading disease.

(4) Records on each bird shall include sufficient information to be able to trace a bird's origin in case of a disease outbreak.

(5) If any bird tests positive for Psittacosis or any disease contagious to humans, the testing veterinarian is required to report the results to the North Carolina Department of Health and Human Services, which reports the results to the Mecklenburg County Health Department. The Health Director has the authority to contact the owner of the bird explaining the health risks and quarantine recommendation. Also, the Health Director has the authority to contact the facility where the bird was purchased requesting to see the records of the bird. The Health Director has the authority to contact the facility where the bird originated and may require testing of other birds at the facility to be assured there are no other infected birds. If there are other infected birds, he has the authority to quarantine the facility for up to 45 days and to require treatment with medicated feed of all birds in that facility.

~~(f) Primary enclosures for animals shall be structurally sound and maintained in good repair and in a manner to prevent injury and keep other animals out. Primary enclosures shall be constructed so as to provide sufficient space to allow each animal to turn about freely and to easily stand, sit, or lie in a comfortable, normal position. In all enclosures having a solid floor, a receptacle containing sufficient clean litter shall be provided for excreta. Each primary enclosure shall be provided with a solid resting surface or surfaces adequate to comfortably hold all occupants of the primary enclosures at the same time. Such resting surface or surfaces shall be elevated in a primary enclosure housing two or more animals.~~

~~(g) Animals shall be fed at least once each day except as otherwise might be required to provide adequate veterinary care. The food shall be free from contamination, wholesome, palatable, and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the animal. Animals less than six months of age shall be fed at least twice in each 24 hour period. An eight hour interval between feedings is required if only two feedings are offered in a 24 hour period.~~

~~(h) Food receptacles shall be accessible to all animals and shall be located so as to minimize contamination by excreta. Feeding pans shall be durable and shall be kept clean and sanitized. Disposable food receptacles may be used but must be discarded after each feeding. Self feeders may be used for the feeding of dry food, and they shall be sanitized regularly to prevent molding, deterioration or caking of feed.~~

~~(i) If potable water is not accessible to the animals at all times, potable water shall be offered to such animals at least twice daily for periods of not less than one hour, except as~~

might otherwise be required to provide adequate veterinary care. Watering receptacles shall be kept clean and sanitized.

~~(j) All water supplies shall be provided by city, county or municipal water systems.~~

~~Properly constructed wells may be used when approved by the Health Department.~~

~~(k) Excreta shall be removed from primary enclosures as often as necessary to prevent contamination of the animals contained therein and to reduce disease hazards and odors. When a hosing or flushing method is used for cleaning a primary enclosure commonly known as a cage, any animal confined therein shall be removed from such enclosure during the cleaning process, and adequate measures shall be taken to protect the animals in other such enclosures from being contaminated with water and other wastes.~~

~~(l) Prior to the introduction of animals into empty primary enclosures previously occupied, such enclosures shall be sanitized in a manner provided in (n) of this subsection.~~

~~(m) Primary enclosures for animals shall be sanitized often enough to prevent an accumulation of debris or excreta, or a disease hazard provided, however, that such enclosures shall be sanitized at least once every two weeks in the manner provided in (n) of this subsection.~~

~~(n) Cages, rooms and hard surfaced pens or runs shall be sanitized by:~~

~~(1) washing them with hot water (180 degrees Fahrenheit) and soap or detergent as in a mechanical cage washer; or~~

~~(2) washing all soiled surfaces with a detergent solution, rinse, followed by or in conjunction with a safe and effective disinfectant approved by the Health Director; or~~

~~(3) cleaning all soiled surfaces with live steam.~~

~~(o) Premises (buildings and grounds) shall be kept clean and in good repair in order to protect the animals from injury to facilitate the prescribed husbandry practices set forth in this subpart. Premises shall remain free of accumulations of trash.~~

~~(p) An effective program for the control of insects, ectoparasites, and avian and mammalian pests shall be established and maintained.~~

~~(q) A sufficient number of employees shall be utilized to maintain the prescribed level of husbandry practices set forth in this subpart. Such practices shall be under the supervision of an animal caretaker who has a background in animal husbandry or care.~~

~~Animal handlers shall always be present to aid human visitors in viewing, touching, and petting animals in all pet shops, petting zoos, and other establishments where animals are for sale, or adoption to the public.~~

~~(r) No animal shall be in a window display except during business hours.~~

~~(s) All animals six months of age and younger shall be housed apart from other adult animals except those dependent upon their dams, except when permanently maintained in breeding colonies. Any handling of such young animals by human visitors shall be in the presence of an animal handler in order to protect the safety of the visitor and the animals.~~

~~(t) Any animal suspected of having a communicable disease or diagnosed by a veterinarian as having such a disease shall be quarantined in an area separated from all other animals. Such animal may not be allowed human visitors except when allowed by a veterinarian for animal care or transportation purposes. Any animal displaying a vicious disposition shall be housed away from the visiting public and other animals in an individual secure structure.~~

~~(u) Animals housed in the same primary enclosure shall be maintained in compatible groups, with the following additional restrictions:~~

~~(1) Females in season (estrus) shall not be housed in the same primary enclosure with males, except for breeding purposes.~~

~~(2) Dogs shall not be housed in the same primary enclosure with cats, nor shall dogs or cats be housed in the same primary enclosure with any other species of animals.~~

~~(v) The following veterinary care standards shall be met:~~

~~(1) Programs of disease control and prevention, euthanasia, and adequate veterinary care shall be established and maintained under the supervision and assistance of a licensed veterinarian.~~

~~(2) Each animal shall be observed daily by the animal caretaker in charge, or by someone under his direct supervision. Sick or diseased, injured, lame, or blind animals shall be provided with veterinary care or humanely disposed of unless such action is inconsistent with the research purposes for which such animal was obtained and is being held, provided however, that the provision shall not effect compliance with any state or local law requiring the holding, for a specified period, of animals suspected of being diseased. Obviously sick, diseased, or deformed animals will not be offered for sale or adoption.~~

~~(3) Prior to being offered for sale to the public, puppies and kittens shall have the vaccinations necessary to protect them from communicable diseases. This shall exclude a rabies vaccination, which may be postponed until the puppy or kitten is sold or reaches four months of age.~~

~~(4) All animals shall be freed of internal and external parasites as much as possible by ordinary conventional treatment.~~

SECTION 7: TRANSPORTATION STANDARDS

~~(a) Vehicles used in transporting animals shall be mechanically sound and equipped to provide fresh air to all animals transported without harmful drafts. The animal cargo space shall be so constructed and maintained to prevent engine exhaust fumes from getting to the animals. The interior of the animal cargo space shall be kept clean. It shall be sanitized as deemed necessary.~~

~~(b) Primary enclosures such as compartments or transport cages, cartons, or crates used to transport animals shall be well constructed, well ventilated and designed to protect the health and insure the safety of the animals. Such enclosures shall be constructed or positioned in the vehicle in such a manner that:~~

~~(1) Each animal in the vehicle has sufficient fresh air for normal breathing.~~

~~(2) The openings of such enclosures are easily accessible for emergency removals at all times.~~

~~(3) The animals are adequately protected from the elements. The ambient temperature shall not be allowed to exceed 95 degrees Fahrenheit at any time nor to exceed 85 degrees Fahrenheit for a period of more than four hours. The ambient temperature will not be allowed to fall below 50 degrees Fahrenheit unless animals are acclimated to lower temperatures.~~

~~(c) Animals transported in the same primary enclosure shall be of the same species. Animals less than six months of age shall not be transported in the same primary enclosure with adult animals other than their dams.~~

~~(d) Primary enclosures used to transport animals shall be large enough for each animal to stand erect, turn about freely and lie down in a normal position.~~

~~(e) Animals shall not be placed in primary enclosures over other animals in transit unless each enclosure is so constructed to prevent animal excreta from entering lower enclosure.~~

~~(f) All primary enclosures used to transport animals shall be sanitized between use for shipments.~~

~~(g) It shall be the responsibility of the attendant or driver to inspect animals frequently enough to assure health and comfort and to determine if they need emergency care and to obtain it if needed.~~

SECTION 85: RABIES VACCINATION

- (a) It shall be unlawful for a person to own or harbor a dog, ~~or cat or ferret~~ over the age of four months in the County without a valid rabies vaccination as required by NCGS 130A-185. ~~Animal rabies vaccine shall be administered only by a licensed veterinarian.~~
- (b) The Health Director shall ~~be solely and completely responsible for organizing~~ organize or sponsor at least annually a County-wide rabies vaccination clinic for the purpose of vaccinating dogs and cats. Public notice of the time and place of rabies vaccination clinics shall be ~~published in a newspaper having general circulation within the County~~ provided.
- (c) ~~A licensed veterinarian who administers rabies vaccine to a dog or cat shall complete a three part rabies vaccination certificate. The original rabies vaccination certificate shall be given to the owner of each dog or cat that received rabies vaccine. One copy of the rabies vaccination certificate shall be retained by the licensed veterinarian. The other copy shall be forwarded to the Animal Control Bureau. When producing certificates on computer, there must be three (3) paper copies: one for the animal owner, one for the Animal Control Bureau, and one for the clinic's records.~~
- (d) ~~A licensed veterinarian who administers rabies vaccine to a dog or cat shall issue a rabies vaccination tag to the owner of the animal. The rabies vaccination tag shall show the year issued, the vaccination number on the vaccination certificate, the words "North Carolina" or the initials "N.C." and the words "rabies vaccine". Dogs shall wear rabies vaccination tags at all times on suitable collars or harnesses except during the times such animals are performing at shows, obedience trials, tracking tests, field tests, training schools or similar events sanctioned and supervised by a recognized organization. Wearing of rabies vaccination tags by cats is optional at the discretion of the owner.~~
- (e) ~~It shall be unlawful for a person to remove a rabies vaccination tag from any dog or cat belonging to another person residing within the County unless done so at the direction of the owner thereof.~~
- (f) ~~Persons in Mecklenburg County engaged in the distribution of rabies vaccines may distribute, sell, and offer to sell such vaccine for use in the County only to licensed veterinarians.~~
- (g) ~~A dog or cat brought into this County shall immediately be securely confined and shall be vaccinated against rabies within one week after entry. The animal shall remain confined for two weeks after vaccination. The provisions of this subparagraph shall not apply to a dog or cat brought into this County for exhibition purposes if the animal is confined and not permitted to run at large, or is accompanied by a certificate issued by a veterinarian licensed in this or any other state showing that the animal is apparently free from and has not been exposed to rabies and has received rabies vaccine within the period of immunity conferred by the vaccine.~~

Commented [WAN14]: Do you want to cross reference 130A?

Commented [PJM15R14]: I have added a reference to 130A-185

SECTION 96: RABIES CONTROL

- (a) The following quarantine rules apply:
- (1) An area may be declared under quarantine against rabies by the Health Director when the disease exists to the extent that the lives of persons are endangered. When quarantine is declared, each animal in the area for which the quarantine is declared shall be confined to the premises of the owner or in a veterinary hospital. However, dogs or cats on a leash and under the control of a responsible adult may be permitted to leave the premises of the owner or the veterinary hospital. In addition, the Health Director may make other types of animals subject to the quarantine.
 - (2) When quarantine has been declared and animals subject to the quarantine run uncontrolled in the area, any peace officer, animal warden, or animal control officer

~~shall have the right, after reasonable efforts have been made to apprehend the animals, to destroy the uncontrolled animals and properly dispose of their bodies.~~

~~(3) No animal included in the quarantine may be taken or shipped from the quarantined area during the quarantine period without written permission from the Health Director.~~

~~(b) When the Health Director reasonably suspects that a dog, cat or ferret has been exposed to rabies, the Health Director shall comply with N.C. Gen. Stat. 130A-197 and the most current edition of the Compendium of Animal Rabies Prevention and Control in the post-exposure management of such animals. A dog, cat, or any other animal bitten by a proven rabid animal or animal suspected of having rabies that is not available for laboratory diagnosis shall be destroyed immediately by its owner, a peace officer, animal warden, or animal control officer, or quarantined for~~

~~(c) 180 days, unless:~~

~~(d) the dog or cat had been vaccinated against rabies in accordance with this Ordinance more than three weeks prior to being bitten and is given a booster dose of rabies vaccine within three days of the bite, or;~~

~~(e)(a) the animal (other than a dog or cat) had been vaccinated against rabies in accordance with standards recognized as appropriate by the Health Director~~

~~(f) A person who owns or has possession of an animal which is suspected of having rabies shall immediately notify the Health Director and the Manager of the Animal Control Bureau and shall immediately securely confine the animal. Dogs, cats and ferrets shall be securely confined for a period of no less than ten (10) days. At the discretion of a licensed veterinarian, other animals shall be destroyed or confined for a period of time determined by the Health Director to be appropriate for the particular species of animal.~~

~~(g) No person shall knowingly allow a confined animal to escape. No person shall sell, give away or otherwise dispose of such an animal before the expiration of the appropriate confinement and observation period.~~

~~(h) It shall be the duty of every veterinarian to report to the Health Director and the Manager of the Animal Control Bureau any animal known or suspected by him/her to be rabid.~~

~~(i) An animal diagnosed as having rabies by a licensed veterinarian shall be destroyed and its head sent to the State Laboratory of Public Health. The head of any animal that dies during a required confinement period shall also be immediately sent to the State Laboratory of Public Health for rabies diagnosis.~~

~~(b) All dog, cat, or other animal bite wounds of persons shall be investigated by the Animal Control Bureau Charlotte-Mecklenburg Police Department's Animal Care and Control Bureau and the details of the incident promptly reported to the Health Director for appropriate medical follow-up.~~

~~(j)(c) All incidents of an animal being bitten by a known rabid animal or any animal displaying symptoms indicative of Rabies shall be investigated by the Charlotte-Mecklenburg Police Department's Animal Care and Control Bureau and the details of the incident promptly reported to the Health Director for appropriate follow-up.~~

~~(k) When a person has sustained a bite wound by a dog, cat, or other animal, the person or parent, guardian or person standing in loco parentis of the person bitten, and the person owning the animal or in control or possession of the animal shall notify the Animal Control Bureau immediately and give the name and address of the person bitten and the name and address of the owner of the animal. The owner of such animal shall be notified within 24 hours, if possible, by telephone or in person by a representative of the Health Department regarding planned course of action.~~

~~(l) All dogs and cats that bite a person shall be immediately confined for ten (10) days in a place designated by the Manager of the Animal Control Bureau or the Health Director. If the owner or the person who controls or possesses the dog or cat that has bitten a person refuses to confine the animal as required by this section, the Manager of the Animal Control Bureau or the Health Director may order seizure of the animal and its confinement for ten (10) days at the expense of the owner. The disposition of an animal other than a dog or cat that bites a person shall be at the discretion of the Health Director in consultation with the consulting veterinarian.~~

Commented [PJM16]: This previously also included animals "having been in prior contact with an endemic rabid population within the past six months". Aimee was not sure what that meant. I have deleted that phrase.

~~(m) Any animal other than a dog or cat which bites a person and is of a species capable of transmitting rabies and which is suspected of having rabies shall be euthanized and its head sent to the State Laboratory of Public Health for rabies testing.~~

~~(n) It is the responsibility of the animal confinement facility (i.e., animal hospital or animal shelter) where an animal suspected of rabies exposure died, to send the head to the State Laboratory of Public Health. In instances where the animal died at large, such responsibility rests with the Animal Control Bureau.~~

~~(l) Any physician, laboratory, or hospital authority having knowledge of a case or suspicion of the possibility of human rabies shall immediately report the facts to the Health Director. Any physician, medical or hospital authority initiating post-exposure rabies prophylaxis shall notify the Health Director. A person suspected of being infected with rabies shall be isolated in accordance with the order of the Health Director.~~

~~(m) A physician who attends a person bitten by an animal known to be or suspected of being a potential carrier of rabies shall notify within 24 hours the Health Director and the Manager of the Animal Control Bureau, the name, birthdate, sex, and address of that person, together with such additional information as will be helpful in rabies control.~~

~~(n)(m)~~ The Health Director shall develop and promulgate a policy of pre- and post-exposure rabies prophylaxis of humans. In the absence of this, the latest recommendations of the Centers for Disease Control and Prevention shall apply.

SECTION 107: MISCELLANEOUS

~~(a) The Health Director or the Manager of the Animal Control Bureau may declare an animal to be vicious and a menace to the public's health when the animal has attacked a person causing bodily harm without being teased, molested, provoked, beaten, tortured, or otherwise harmed. When an animal has been declared to be vicious and a menace to the public's health, the Health Director or the Manager of the Animal Control Bureau shall order the animal to be confined within a secure building or enclosure. However, the animal may be permitted to leave its owner's property when accompanied by a responsible adult, restrained on a leash, and securely muzzled. A rope or leather strand will not constitute a leash within the meaning of this section.~~

~~(b)(a)~~ The Board of Commissioners shall establish appropriate fees for rabies vaccination clinics and inspections of animal holding facilities during the annual budget process.

~~(c) The practice of veterinary medicine in County rabies clinics shall be limited to administration of animal rabies vaccine. The County shall not be liable for after effects of any kind in animals receiving rabies vaccination in County rabies clinics.~~

SECTION 118: PENALTIES AND REMEDIES

~~(a) Any person who violates any provision of this Ordinance-Rule shall be guilty of a misdemeanor in accordance with NCGS 14-4-130A-25 and punished by a fine not to exceed five hundred dollars (\$500.00).~~

~~(b) The Director may bring a civil proceeding in the Mecklenburg County Superior Court to enforce the provisions of this Ordinance-Rule in accordance with Article 1 Part 2 of Chapter 130A of the General Statutes of the State of North Carolina.~~

SECTION 129: SEVERABILITY

If any provision or clause of this Ordinance-Rule shall be declared invalid, such declaration shall not invalidate any other provisions or clauses of the OrdinanceRule.

SECTION 1310: PRIOR RULES REPEALED

All ordinances, rules and regulations heretofore adopted by the Mecklenburg County Board of Health regulating rabies and other zoonoses are hereby repealed.

SECTION 1411: EFFECTIVE DATE

These regulations shall be in full force and effective from and after May 18, 1999.

Commented [WAN17]: I suspect you want to make this a board of health rule and make it enforceable pursuant to GS 130A-25

Commented [PJM18R17]: We typically enforce rule violations by pursuing a misdemeanor charge. Per 130A-25, a person who violates a board of health rule is guilty of a misdemeanor. I have substitute 130A-25 for 14-4 as 14-4 deals with the violation of local ordinances. I don't know if the option to impose a fine should be left in or deleted.

Commented [WAN19]: rule

Commented [PJM20R19]: I have made this change throughout

For more information contact Bobby Cobb
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Commented [PJM21]: Is a contact person needed?