

Resolution No. 2012-01

RiverStone Board of Health, Acting on Behalf of the Yellowstone City-County Health Department dba RiverStone Health, Resolution to Adopt Regulations and Incorporate the “Compendium of Animal Rabies Prevention and Control”

WHEREAS, subsection (1) of Montana Code Annotated § 7-11-1102 in conjunction with § 50-2-116(2)(c)(i) provides that the Yellowstone City County Health Department, d.b.a RiverStone Health, acting through the RiverStone Board of Health, (the “Board of Health”), , may adopt regulations in order to protect the health and safety of the people and animals of Yellowstone County and control and prevent the spread of communicable diseases; and

WHEREAS, it has come to the attention of the Board of Health that a review of current rabies Resolution No. ____, pertaining to rabies prevention and vaccination, required review and updating to conform to current accepted scientific standards; and

WHEREAS, the Board of Health finds it necessary to enact a resolution updating and standardizing and requiring rabies vaccines in dogs and cats in order to prevent the spread of rabies, an extremely infectious disease; and

WHEREAS, the Board of Health has found that the vaccine recommendations set forth in the National Association of State Public Health Veterinarians, Inc., “Compendium of Animal Rabies Prevention and Control” as it applies to dogs and cats helps prevent the spread of rabies;

NOW THEREFORE BE IT RESOLVED:

1. That the Board of Health, adopts the recommended vaccination standards set forth in the most recent version of the National Association of State Public Health Veterinarians, Inc., “Compendium of Animal Rabies Prevention and Control” as it applies to the vaccination for rabies of dogs and cats (the “Standards”). The Standards hereby adopted by the Board are attached.

2. The Standards are mandatory standards in Yellowstone County, Montana with regard to the mandatory rabies immunization of dogs and cats.

3. That the following definitions shall apply in the interpretation and enforcement of this resolution:

- a. "Animal" means any dog or cat of either sex.
- b. "Animal shelter" means a recognized facility where animals are kept and boarded while waiting for adoption or rehoming.
- c. "Authorized representatives" means officials of the State of Montana, local health officers, and local animal control officers.
- d. "Bite" means any abrasion, scratch, puncture, laceration, bruise, tear, or piercing of the skin inflicted by the teeth of an animal.
- e. "Exposed" means the contamination of a mucous membrane, scratch, abrasion, or open wound of a human by the saliva or other potentially infectious material of an animal that is known to have, or is suspected of having rabies.
- f. "Local board of health" means Yellowstone City-County Health Department dba RiverStone Health and the RiverStone Board of Health.
- g. "Local health officer" means a county, city, city-county, or district health officer appointed by a local board of health. With regard to the exercise of the duties and authorities of a local health officer, the term may include an authorized representative of the local health officer.
- h. "Person" means an individual, state agency, corporation, association, nonprofit corporation, joint-stock company, firm, trust, partnership; two or more persons having a joint or common interest; medical treatment facility, medical provider or physician; or some other legal entity.
- i. "Quarantine" means the physical separation, isolation and confinement of an animal, individual, or group of animals or individuals who are or may have been exposed to rabies.

ARM 37.114.570.

j. "Rabies Immunization" means the inoculation of an animal with an anti-rabies vaccine administered by a licensed veterinarian or an employee of a licensed veterinarian under the supervision of the employing veterinarian (MCA 37-18-104) in compliance with the standards set forth in the most recent version of the National Association of State Public Health Veterinarians, Inc., "Compendium of Animal Rabies Prevention and Control."

k. "Screening" means diagnostic or investigative analysis or medical procedures that determine the presence or absence of or exposure to a condition of public health importance.

l. "Testing" has the same meaning as "Screening".

m. "Vaccinate" has the same meaning as "Rabies Immunization".

n. "Vaccine" means an anti-rabies vaccine in compliance with the standards set forth in the most recent version of the National Association of State Public Health Veterinarians, Inc., "Compendium of Animal Rabies Prevention and Control."

4. That every person keeping, harboring or maintaining any dog or cat over three (3) months of age shall, at the owner's and/or keeper's expense, cause the dog or cat to be vaccinated for rabies in accordance with the standards set forth in the most recent version of the National Association of State Public Health Veterinarians, Inc., "Compendium of Animal Rabies Prevention and Control." Animals kept in an animal shelter are exempt from this part until adopted or rehomed.

5. That it shall be required that record of this rabies immunization be filed in a recognized veterinarian hospital where such records may be reviewed by a local health officer or authorized representative.

6. That every dog or cat kept, harbored, or maintained in Yellowstone County, Montana shall display on its collar a durable tag indicating a current rabies vaccination and the valid year(s) of the vaccination.

7. That it shall be the duty of every law enforcement officer patrolling any area of Yellowstone County and all healthcare providers serving the citizens of Yellowstone County to ensure that the local animal control or local health officer is notified when animal bite victims are treated or when animal bite incidents are reported. There shall be no reporting required under this section unless the animal involved is reasonably identified as being exposed to rabies.

8. That it shall be the duty of every law enforcement officer patrolling any area of Yellowstone County and all healthcare providers serving the citizens of Yellowstone County to insure that the local health officer is notified of a bite or when mucous membrane, a scratch, an abrasion, or an open wound of a human is contaminated by the saliva or other potentially infectious material of an animal exhibiting symptoms or suspected of exposure of rabies. ARM 32.3.1201

9. That any dog or cat that bites or otherwise potentially exposes a person to rabies shall be handled in accordance to the Administrative Rules of Montana § 37.114.571.

10. That upon the positive diagnosis of rabies infection in any animal in any area of Yellowstone County, the state veterinarian may call for a quarantine order on all dogs and cats in Yellowstone County. ARM 32.3.106, ARM 32.3.1202

11. That upon such a quarantine order, all persons keeping, maintaining, or harboring a dog or cat shall confine said animal and prevent said animal from running at large.

12. That pursuant to Montana Code Annotated Title 50, Part 2, a local health officer or authorized representative is authorized to make such reasonable inspections as are necessary to determine compliance with this resolution.

13. That every owner or occupant of a property shall give a local health officer or authorized representative free access to the property at reasonable times for the purpose of making such inspections as are necessary to determine compliance with this resolution.

14. Any person who fails to comply with this resolution shall be guilty of a misdemeanor and subject to punishment as set forth in Montana Code Annotated § 50-2-124.

15. That upon this resolution being passed and becoming effective, the RiverStone Board of Health repeals the Yellowstone City-County Board of Health Rules and Regulations adopted March 20, 1975 and effective July 1, 1975.

16. That in any case where a provision or provisions of this resolution is found to be in conflict with any provision(s) of any zoning, building, fire, safety or health regulation, the provision(s) with which this resolution is in conflict shall control.

17. That in any case where a provision or provisions of this resolution is found to be in conflict with any provision(s) of a Yellowstone County Ordinance, City of Billings Ordinance, and/or City of Laurel Ordinance, the respective provision(s) of the Yellowstone County Ordinance, City of Billings Ordinance, and/or City of Laurel Ordinance shall control.

18. That in any case where a provision or provisions of this resolution is found to be in conflict with any provision(s) of the Montana Code Annotated or Administrative Rules of Montana, the provision(s) of the Montana Code Annotated and Administrative Rules of Montana shall prevail.

THIS RESOLUTION IS EXECUTED this 27 day of September, 2012.

THIS RESOLUTION BECOMES EFFECTIVE this 27 day of September, 2012.

RIVERSTONE BOARD OF HEALTH

Michael Dennis
Chairman