

TOWN OF WHEELOCK
ANIMAL BITE ORDINANCE

The Selectmen of the Town of Wheelock hereby ordain:

AN ORDINANCE FOR RESPONDING WHEN HUMANS ARE BITTEN BY ANIMALS IN WHEELOCK TOWN.

I. Justification:

To prevent rabies in humans. Rabies is transmitted through the saliva of a rabid animal, usually by biting. Rabies preventive measures must be started as soon as rabies is detected in the biting animal. Once the symptoms of rabies occur, the disease is uniformly fatal. Detection of rabies in animals is only possible after death by tests on brain tissue. These procedures will help determine if an animal was rabid at the time the bite occurred.

II. Purpose:

- A. To improve safety of and reduce anxiety to animal bite victim.
- B. To standardize response to animal bites.
- C. To heighten awareness of the seriousness of animal bites.

III. Reporting:

All animal bites must be reported immediately to the Wheelock Town Clerk and/or the Wheelock Town Health Officer.

IV. Procedures to be followed after reporting an animal bite:

A. TEN DAY QUARANTINE

The owner or custodian of any animal shall be liable for all veterinary custodial or treatment (including destruction) charges. No animal shall be released to its owner or custodian until such charges are paid. Upon the termination of the quarantine period if the owner or custodian fails to pay said charges to the veterinary facility within 48 hours of termination, the Town of Wheelock is authorized to pay said charges and recover same through the Town Attorney according to procedures of State Law.

1. A TEN DAY QUARANTINE in a *licensed veterinary facility* in the following instances:

- a. Any dog bite to the face or throat of the victim.
- b. Any cat bite.
- c. Any animal bite where quarantine on the owner's or custodian's premises cannot be provided to the satisfaction of the Wheelock Town Health Officer.

2. A TEN DAY QUARANTINE on *owner's or custodian's property* with the following guidelines being met:

- d. Animal shall not leave the property during the quarantine period.

- e. Animal shall be inside a building with controlled human access, either hitched by a chain or caged.
 - f. A warning sign shall be posted on the owner's or custodian's premises, said sign to be a sign adopted by the Wheelock Town Board of Selectmen and shall be conspicuously posted in a place designated by the Wheelock Town Health Officer or The Wheelock Town Constable.
 - g. The animal may be taken outdoors on a leash for urination or defecation purposes only.
 - h. Any change in disposition or manner of the animal shall be immediately reported by the owner or custodian to the Wheelock Town Health Officer or Wheelock Town Clerk.
 - B. Immediate destruction of the animal and transportation of the head to the Public Health Laboratory of the Vermont Department of Health for rabies testing. *The animal's brain must not be damaged.*
 - i. This course of action will be used for all animal bites except dog or cat bites and other animal, such as pets, where in the opinion of the Wheelock Town Health Officer immediate destruction is not warranted.
 - ii. This option may be used for all animals if the animal has no owner or custodian, is injured or sick, or if quarantine is deemed not practical for any reason deemed reasonable by the Wheelock Town Health Officer.

V. Precautions:

- A. No animal which has bitten a person shall be destroyed without first obtaining the approval of the Wheelock Town Health Officer or veterinarian, unless it is deemed necessary to prevent further immediate injury or harm. *In no case* should the animal be put to death by destruction of the brain.
- B. Animals in quarantine *shall not be vaccinated for rabies.*
- C. Rabies vaccination shall not guarantee an animal is not rabid nor relieve any owner or custodian of an animal from complying with this ordinance.

VI. Fine:

Any person violating this ordinance, whether owner or custodian of an animal, shall be liable for a fine not exceeding \$100.00 per day. The Town Attorney is specifically authorized to bring any appropriate legal action on behalf of the Town including injunctive relief, to insure compliance with this ordinance.

VII. Appeals:

When any decision called for under this ordinance is disputed, the Wheelock Town Health Officer's opinion shall prevail, subject to review by the Wheelock Town Board of Health. Any appeal shall be in writing, lodged with the Wheelock Town Clerk and reviewed by the Wheelock Town Board of Selectmen and the Wheelock Town

Health Officer acting as the Board of Health, at the next regularly scheduled Selectmen's meeting.

- VIII. Nothing in this ordinance shall prevent the Wheelock Town Health Officer or the Wheelock Town Board of Health from taking appropriate immediate action to prevent further injury or danger, according to powers given by the Vermont Statutes.

This Ordinance shall become effective this 8th day of July, 1993.

WHEELOCK TOWN BOARD OF SELECTMEN

Fred Bishop, Chairman

Preston Smith

John Wolf

In accordance with the provisions of 24 VSA Section 4442, the Selectboard of the Town of Wheelock adopted the ordinance titled Wheelock Animal Bite Ordinance by completing the following:

- 1) introduced the ordinance titled Wheelock Animal Bite Ordinance at a regularly scheduled meeting of said Board on July 9, 2018,
- 2) by a majority vote of said Selectboard at a meeting held on August 13, 2018, passed and enacted the ordinance titled Wheelock Animal Bite Ordinance subject to the provisions of 24 VSA Section 4442,
- 3) entered a copy of said ordinance in the minutes of the municipality,
- 4) posted notice in at least five public places,
- 5) published notice in the Caledonian-Record on July 16, 2018 with all required information and an explanation of the citizens' right to petition pursuant to 24 VSA 1973 for a vote on the ordinance.

Unless a petition is filed in accordance with 24 VSA Section 1973, this ordinance shall become effective sixty (60) days after the date of its adoption.

Adopted this 13th day of August, 2018.

Attest:

SELECTBOARD OF THE TOWN OF WHEELOCK



Carol Rossi, Town Clerk




