

MEMORANDUM

CITY OF PHILADELPHIA

TO : Seymour Kurland, City Solicitor

DATE 7/28/89

FROM : Joseph Paglia, Deputy Records Commissioner *Joseph Paglia*

SUBJECT: PROPOSED REVISIONS TO HEALTH CODE VIOLATIONS

The above proposed revisions, promulgated by the Department of Health, were received in the Department of Records on June 23, 1989, for filing and advertising.

Inasmuch as there were no requests for hearings, these proposed revisions became effective midnight, July 24, 1989.

/ml

cc: Maurice C. Clifford, M.D., Health Commissioner

CITY OF PHILADELPHIA
DEPARTMENT OF PUBLIC HEALTH

REGULATIONS GOVERNING THE CONTROL OF RABIES IN
ANIMALS SUBJECT TO RABIES

THE PHILADELPHIA CODE
TITLE 6 -- HEALTH CODE

Section 6-213. Animals

- (1) The Board may by regulation prescribe such restraints or controls on animals as it shall find necessary to prevent the spread of any disease transmissible from animals to human beings. Such regulations may include and require, but shall not be limited to:
 - (a) the examination and quarantine or isolation of any animal having, exposed to, or reasonably suspected of having such disease;
 - (b) the protection of any animal against such disease;
 - (c) the seizure of any animal found unrestrained or uncontrolled in violation of such regulations;
 - (d) the humane disposal of animals having, or reasonably suspected of having, such disease where necessary for the protection of the public health;
 - (e) the transportation, distribution, delivery and disposal of the bodies of animals which have died or which are reasonably suspected of having died from such disease.
 - (f) restrictions on the importation of animals having, exposed to, or reasonably suspected of having such disease.

Pursuant to Section 5-301(b) of the Home Rule Charter and Section 6-213(1) (a), (b), (c), (d), (e), (f) of the Philadelphia Code, the following regulations are promulgated by the Board of Health.

1. **DEFINITIONS**

In this regulation, the following definitions apply:

- (a) **Owner.** Every person having a right of property in such dog or other animal or has it in his care, and/or every person who permits such dog or other animal to remain on or about any premises occupied by him.
- (b) **Rabies Contact (between animals).** An animal that has consorted with and/or came into physical contact with a known or suspected rabid animal.

2. **VACCINATION AND CERTIFICATION**

Every dog and household cat over 3 months of age must have a current vaccination against rabies, administered by or under the supervision of a licensed veterinarian. Animal owners must have a vaccination certificate and tag for each animal immunized against rabies.

3. **ISOLATION, NOTIFICATION, REPORTING**

- (a) When an animal has been determined to have or is suspected of having rabies or has been bitten by or has come into contact with a known or suspected rabid animal, every person owning and/or having knowledge of, or having possession of such animal shall confine and isolate at once such animal in a secure place.
- (b) Every such person shall notify the Department of Public Health or their agents immediately where such animal is confined. The owner or person having possession of such animal shall surrender the animal to the Department upon request.
- (c) Every person having knowledge of an animal that has died of rabies, or is suspected of having died of rabies, shall notify the Department immediately, by telephone, of the location of the body of such

animal. The body of the animal shall be surrendered to the Department by the owner or person having possession or custody of such animal upon request.

4. DUTIES OF VETERINARIAN - NOTIFICATIONS AND INSTRUCTIONS

Any veterinarian who has knowledge of or who treats a dog or other animal which he has diagnosed as rabid or suspects of having rabies shall immediately notify the Department of Public Health. The owner or person having possession of such animal shall be notified by the veterinarian of the nature and communicability of rabies. The veterinarian shall also inform the owner or person having possession of such animal of the requirements of these regulations relating to confinement and isolation.

5. RABIES CONTACTS

- (a) Every animal known to have been bitten by a rabid animal or having come into physical contact with a rabid animal shall be humanely destroyed as soon as the biting animal has been confirmed as being rabid, except as provided in Section 4(b) and (c).
- (b) Every animal known to have been bitten by a rabid animal or having come into physical contact with a rabid animal may in lieu of the provision in Section 4(a) be confined and isolated for a period of six (6) months in a place where animals are kept under constant veterinary surveillance and observation and where the animal is completely segregated from other animals. The animal may be kept at another location at the discretion of the health authority providing the animal remains segregated from other animals for the length of the observation period. The animal must receive a rabies immunization one (1) month before being released from observation. The expense of such confinement and immunization shall be borne by the owner or the person in possession of such animal.
- (c) Every animal known to have been bitten by a rabid animal or having come into contact with a known rabid

animal and whose owner or the person having possession can show positive proof of current vaccination against rabies [within one (1) year prior to the time of the bite] shall receive a "booster" rabies immunization immediately and be confined and kept isolated at the expense of the owner or person in possession of the animal for a period of [~~thirty (30)~~] ninety (90) days, in a place where animals are kept under constant veterinary surveillance and observation and the animal is completely segregated from other animals [~~, provided animal is revaccinated or receives a "booster" inoculation of rabies vaccine~~]. The animal may be kept at another location at the discretion of the health authority providing the animal remains segregated from other animals for the length of the observation period.

6. QUARANTINE FOLLOWING ANIMAL BITE

When any person is bitten by a dog, or other animal subject to rabies, the owner or person having possession of such a dog or other animal shall permit the examination of the animal by a veterinarian authorized by the Department. Following the preliminary examination, the dog or other animal shall be kept confined and isolated for a period of ten (10) days observation, starting from the day when the bite was inflicted.

During the period of confinement and isolation, the dog or animal shall not be permitted to roam at large and shall be kept under surveillance by the owner or person having possession or custody of such animal. During the period of confinement or isolation any of the following changes must be reported immediately, by telephone, to the Department: any striking change in the health or disposition of the animal; the development of any paralytic symptoms; or the death of the animal from any cause.

In the case of death of the animal during the period of confinement, the body shall not be removed from the premises and must be kept until the arrival of the Department's representative.

7. FAILURE TO QUARANTINE

When the owner or person having possession of a dog or other animal which has inflicted a bite upon a human, fails to keep the animal under surveillance of quarantine, or permits the animal to roam at large, such a dog or other animals shall be seized by the Department or its authorized agent and confined or isolated for a period of ten (10) days or for the number of days remaining in the period of observation, at the owner's expense.

8. TRANSPORTATION OF ANIMAL

Any animal, subject to rabies, which has inflicted a bite on a human shall not be transported outside the city limits without the prior approval of the Department or until such time as the animal is released from quarantine by the Department's veterinarian.

9. CHANGE OF ADDRESS

The owner or person having possession of a dog or other animal that has inflicted a bite upon a human shall notify the Department of any change in the address of such animal within the period of quarantine.

DEPARTMENT OF RECORDS
89 JUN 23 PM 12 52

The following are excerpts from Chapter 10-100 of the Philadelphia Code relating to animals which are presented to provide a comprehensive rabies control regulation.

Section 10-104. Animals Running At Large

- (1) No person shall permit any animal other than a cat to go at large upon any street, public place or private property other than the property of the owner of the animal. All animals using any street, public place or private property of anyone other than the owner of the animal shall be on a leash not exceeding six (6) feet in length including the hand grip but excluding the collar and accompanied by a person able to fully control the animal at all times.

Any animal running at large in violation of this ordinance shall be seized by any animal control officer or police officer and delivered to an appropriate area of confinement approved by the Department of Public Health.

Section 10-106. Wild Animals

- (1) **Wild Animals Prohibited.** No person shall keep a wild animal in any place other than a zoological park, veterinary hospital or clinic, humane society, circus or facility used for educational or scientific purposes, which provides proper cages, fences and other protective devices adequate to prevent such animal from escaping or injuring the public. No license shall be required of persons exempted in this Section.
- (2) **Sales or Exchanges Disallowed.** Subject to the exemptions of this Section, no person, whether or not licensed under this article, shall sell, offer for sale or adoption, exchange with or without charge any wild animals.