

1 April 16, 2004

2
3 Before the Board of Health of King County, State of Washington

4
5 RULES AND REGULATIONS NO. 04-01

6
7 An amendment for the protection of the public health against the spread of rabies;
8 amending provisions on confinement of infected animals, enforcement, and penalties as
9 set forth in Rules and Regulations No. 30, as amended, and Title 8 of the Code of the
10 King County Board of Health; enacted pursuant to RCW 43.20.050 and 70.05.060
11 including the latest amendments or revisions thereto; and amending the Seattle Health
12 Code as codified in Chapter 9.12 of the Seattle Municipal Code, adopted by the
13 Metropolitan King County Council pursuant to Ordinance 12098, Section 3.
14

15 BE IT ADOPTED BY THE KING COUNTY BOARD OF HEALTH:

16 **SECTION 1.** Those portions of the Seattle Health Code, as codified in Seattle Municipal Code
17 Chapter 9.12, adopted by the Metropolitan King County Council pursuant to Ordinance 12098, Section 3,
18 are hereby repealed.

19 **SECTION 2. NEW CHAPTER.** There is hereby added a new chapter to Title 8 of the Code of
20 the King County Board of Health to read as follows:

21 **CHAPTER 8.02 – GENERAL PROVISIONS**

22 Sections:

23 8.02.010 Purpose and scope

24 8.02.020 Definitions

25 8.02.030 Rabies vaccination required

26 8.02.040 Exemption from title

27
28 **8.02.010 Purpose and scope.** A. Authority is established under RCW Chapter 70.05 for the
29 control and prevention of the spread of dangerous, contagious or infectious disease. This title is enacted as

1 an exercise of the Board of Health powers of King County to protect and preserve the public peace, health,
2 safety and welfare. Its provisions shall be liberally construed for the accomplishment of these purposes.

3 This title governs the protection of human health and safety against the spread of rabies from infected
4 animals.

5 B. It is expressly the purpose of this title to provide for and promote the health, safety and
6 welfare of the general public, and not to create or otherwise establish or designate any particular class or
7 group of persons who will or should be especially protected or benefited by the terms of this title.

8 C. It is the specific intent of this title to place the obligation of complying with its
9 requirements upon owners and other persons entitled to possession of dogs, cats, ferrets and other animals,
10 and/or other persons designated by this title within its scope, and no provision of nor term used in this title
11 is intended to impose any duty whatsoever upon King County or any of its officers or employees, for whom
12 the implementation or enforcement of this title shall be discretionary and not mandatory.

13 D. Nothing contained in this title is intended to be nor shall be construed to create or form the
14 basis for any liability on the part of King County, or its officers, employees or agents, for any injury or
15 damage resulting from the failure of any person subject to this title to comply with this title, or by reason or
16 in consequence of any act or omission in connection with the implementation or enforcement of this title on
17 the part of King County by its officers, employees or agents.

18 **8.02.020 Definitions.** In construing the provisions of this title, except where otherwise plainly
19 declared or clearly apparent from the context, words shall be given their common and ordinary meaning. In
20 addition, the following definitions shall apply:

21 A. "Animal control authority" means the county or municipal animal control agency, acting
22 alone or in concert with other municipalities, having authority for the enforcement of the animal control
23 laws, ordinances or regulations of the state, county or municipality, and the shelter and welfare of animals.

1 B. "Caretaker" means any person authorized by the owner to provide daily management of an
2 animal, including but not limited to maintaining the animal in a controlled or confined manner in
3 accordance with applicable statutes and regulations, and providing the animal with food, water, shelter,
4 sanitary services and health care as required.

5 C. "Cat" means an animal of the genus species *Felis domesticus*.

6 D. "Director" means the director of the Seattle-King County Department of Public Health or
7 the director's authorized representative.

8 E. "Dog" means an animal of the genus species *Canis familiaris* and excludes wolf-dog
9 hybrid animals.

10 F. "Euthanize" means to humanely destroy an animal by a method that involves instantaneous
11 unconsciousness and immediate death or by a method that causes painless loss of consciousness and death
12 during the loss of consciousness.

13 G. "Ferret" means an animal of the genus species *Mustela furo*.

14 H. "Livestock" means farm animals, excluding birds, raised for food or fiber production or
15 kept for recreational purposes, including but not limited to horses, donkeys, mules, cattle, sheep, llamas,
16 alpacas, goats, and pigs.

17 I. "Mammal" means any of a class of warm-blooded vertebrate animals that nourish their
18 young with milk secreted by mammary glands, have skin generally covered with hair, and includes bats.

19 J. "Owner" means any person having legal ownership of an animal.

20 **8.02.030 Rabies vaccination required.** All owners of dogs, cats and ferrets four months of age
21 or older shall have their animals vaccinated against rabies. Regardless of the age of the animal at initial
22 vaccination, a booster vaccination shall be administered one year later and thereafter on a schedule
23 according to the type of vaccine used, as determined by a licensed veterinarian. All owners of livestock

1 having frequent contact with humans other than their owners and caretakers, including but not limited to
2 animals exhibited to the public at petting zoos, fairs, or other locations or events, shall have such livestock
3 evaluated by a licensed veterinarian and vaccinated against rabies if the veterinarian recommends such
4 vaccination. All rabies vaccinations shall be performed by or under the direct supervision of a licensed
5 veterinarian in accordance with the standards contained in the Compendium of Animal Rabies Prevention
6 and Control, as amended, published by the National Association of State Public Health Veterinarians, Inc.

7 **8.02.040 Exemption from title.** The provisions of this title shall not apply to dogs and cats in
8 the custody of a research facility registered or licensed by the United States Department of Agriculture and
9 regulated by 7 United States Code 2131, et seq.

10 **SECTION 3.** Section 8.04.010 of the Code of the King County Board of Health is hereby
11 amended to read as follows:

12 **8.04.010 ~~Quarantine of infected animals.~~ Management of animals that bite humans.**

13 A. Reporting of animal bites. Whenever an animal has bitten a human, the incident shall be
14 reported immediately to the director by any health care provider, medical facility, school, childcare facility
15 or other persons or entities having direct knowledge of the incident. Incidents other than bites shall be
16 immediately reported by the same persons to the director when there is concern about the potential for
17 rabies transmission to a human. Such incidents include, but are not limited to, exposure to a bat or
18 exposure of mucous membranes or an open cut in the skin to the saliva of an animal capable of
19 transmitting rabies if there is reasonable cause to suspect the animal may be infected with rabies.
20 Reasonable cause to suspect rabies infection includes, but is not necessarily limited to, abnormal behavior,
21 neurologic signs, or insufficient knowledge of the history or medical condition of the animal.

22 A. B. Whenever the director of public health has cause to suspect that an animal capable of
23 transmitting rabies is infected with such disease knowledge of or reasonable certainty that a dog, cat or

1 ferret has bitten a human or otherwise exposed mucous membranes or an open cut in the skin to the
2 animal's saliva, he or she shall is authorized to order that the animal be confined for a period of quarantine
3 of not less than ten (10) days, ~~7~~ If the animal is over four (4) months of age and unvaccinated for rabies, the
4 director is authorized to order that the confinement be at the city or county animal control authority in its
5 animal shelter or, upon request and at the expense of the owner, at a veterinary hospital. If the animal is
6 under four (4) months of age or currently vaccinated, at the discretion of the director, confinement may be
7 at the home of the animal's owner or caretaker. The owner or caretaker having possession of the confined
8 animal shall observe the animal daily during the confinement period and report any illness or abnormal
9 behavior immediately to the director, who shall have the authority to order the animal be examined by a
10 licensed veterinarian. If the veterinarian determines signs suggestive of rabies are present, the director may
11 order the owner or caretaker to have the animal euthanized immediately and tested for rabies. If the biting
12 dog, cat or ferret is unwanted or a stray or is severely injured or medically unstable as determined by a
13 licensed veterinarian, the director may order the animal be euthanized immediately and tested for rabies
14 virus.

15 C. ~~and he~~ The director shall is authorized to notify in writing the owner or keeper caretaker of
16 such quarantine order, the animal subject to a confinement order, and such animal shall be quarantined by
17 the county animal control, in its pound, or upon the premises of the owner or licensed veterinarian where
18 conditions of quarantine are strictly kept, at the discretion of the director of public health, unless the animal
19 has been exposed to rabies by contact in which case Section 8.04.040 applies. Delivery of a copy of the
20 quarantine confinement order to an adult some person of suitable age and discretion residing upon the
21 premises where such animal is found shall be deemed notice of the quarantine confinement. Good cause
22 for such order of quarantine shall include, but is not limited to, evidence that such animal has bitten, or that
23 there is reasonable certainty that such animal has bitten, a human being. During the period of quarantine,

1 ~~the officers, agents and employees of~~ The director is authorized to notify the city or county animal control
2 ~~;~~ authority and other police officers ; of the confinement order, and to request their assistance to enforce
3 such order. ~~are authorized to enter any premises for the purpose of apprehending any such animal and~~
4 ~~impounding it, except where kept upon the premises of the owner or licensed veterinarian as provided in~~
5 ~~this subsection.~~

6 B. ~~Whenever any human being has been bitten by a cat or dog and there is no reason to~~
7 ~~suspect that the animal is rabid, at the discretion of the health officer, the animal involved may be restricted~~
8 ~~for ten (10) days for observation in such manner as to prevent contact with other animals or humans except~~
9 ~~for the caretaker.~~

10 D. Other animals. Whenever the director has knowledge of or reasonable certainty that a
11 mammal other than a dog, cat or ferret has bitten a human or otherwise exposed mucous membranes or an
12 open cut in the skin to the animal's saliva, the director is authorized to assess the risk for rabies
13 transmission and may order that the animal be euthanized immediately and tested for rabies virus.

14 E. According to the provisions of this chapter, unless otherwise ordered by the director,
15 confinement shall consist of housing the animal at the facilities of the animal control authority or a licensed
16 veterinarian, or restriction of the animal to the premises of the owner or caretaker of the animal in a secure
17 manner so as to prevent escape and with no direct contact with other animals or humans other than the
18 animal's direct caretaker.

19 F. When an animal is to be euthanized and tested for rabies virus, euthanasia shall be
20 accomplished in such a way as to maintain the integrity of the brain so that the laboratory can recognize the
21 anatomical parts, and the whole animal or animal head kept under refrigeration and not frozen or
22 chemically fixed during storage and shipping.

23 **SECTION 4.** Section 8.04.020 of the Code of the King County Board of Health is hereby

1 amended to read as follows:

2 **8.04.020 ~~Quarantine of area~~ Notice of rabies hazard in all or part of county – Community-**
3 **wide rabies control period.** A. Whenever the director determines that rabies is currently a hazard to
4 the public health in the county, or any part thereof, incorporated or unincorporated, ~~excepting cities of the~~
5 ~~first class, by reason of the fact that a case of rabies has been diagnosed in any canine or feline animal, he~~
6 ~~shall~~ the director is authorized to cause a notice of such hazard to be published in a newspaper of general
7 circulation in the area for three (3) successive days, which determination and notice shall declare the
8 ~~quarantine~~ community-wide rabies control period and area. Good cause for such notice shall include, but is
9 not limited to, a diagnosis of rabies in any dog or cat, or other veterinary or epidemiological evidence of the
10 presence of a rabies hazard. It shall be unlawful, within the rabies control area, for any owner or caretaker
11 of a dog, cat or other animal capable of transmitting rabies to fail to secure or confine such animal by leash
12 or escape-proof container during the community-wide rabies control period.

13 B. The ~~quarantine~~ community-wide rabies control period shall be thirty (30) days after the last
14 publication of notice, ~~and it is a misdemeanor and unlawful for any owner or person entitled to custody of~~
15 ~~such animal to keep or harbor any animal capable of transmitting rabies unless securely confined by leash~~
16 ~~or tight enclosure from which it cannot escape. Any animal capable of transmitting rabies found running at~~
17 ~~large during such period shall be impounded and humanely destroyed by order of the director or his agent~~
18 ~~named in Section 8.04.060. If apprehension and impounding by safe means is not possible, such animal~~
19 ~~may be destroyed summarily by the agent. Any dog or cat shall be confined to their owner's premises~~
20 ~~except when on leash for a period of one (1) month following vaccination, provided vaccination was not~~
21 ~~administered more than six (6) months previously, in which case the dog or cat should be revaccinated or~~
22 ~~restricted.~~ The director may extend any such ~~quarantine~~ period if deemed necessary by ~~like additional~~
23 ~~determinations and~~ publication of one or more additional notices.

1 C. During the community-wide rabies control period, the director is authorized to institute the
2 following measures for the protection of the public health as he or she deems appropriate:

3 1. Issuance of orders requiring owners and caretakers of animals capable of
4 transmitting rabies to restrict such animals to their premises unless securely confined by leashes or escape-
5 proof containers;

6 2. Issuance of orders requiring owners and caretakers of animals three (3) months old
7 or over capable of transmitting rabies to have such animals vaccinated with rabies vaccine by or under the
8 direct supervision of a licensed veterinarian within thirty (30) days after publication of the last notice;

9 3. Issuance of orders to owners and caretakers of dogs, cats and ferrets requiring
10 proof of rabies vaccination by a licensed veterinarian within six previous months; or

11 4. Issuance of orders authorizing the impoundment and euthanizing of any animal
12 capable of transmitting rabies found running at large, unless such animal is redeemed from impounding in
13 accordance with the ordinances or rules enforced by the animal control authority having jurisdiction over
14 the animal.

15 **SECTION 5.** Section 8.04.030 of the Code of the King County Board of Health is hereby
16 amended to read as follows:

17 **8.04.030 Violation of ~~quarantine~~ confinement or vaccination order.** A. It is a
18 ~~misdemeanor and it is unlawful for any owner or person charged with the custody~~ caretaker of any animal
19 ~~subject to a quarantine defined~~ an order of confinement or restriction as set forth in Sections 8.04.010 ~~and~~ ,
20 8.04.020 or 8.04.040 to permit any such animal to come in contact with any other animal or person or to
21 run at large or to be removed from any ~~quarantine premises~~ place of such confinement or restriction
22 without the consent of the director ~~of public health~~ .

23 B. It is unlawful for any owner or caretaker of any animal subject to a vaccination order as set

1 forth in Sections 8.04.020 or 8.04.040 to fail or refuse to procure the vaccination within the period ordered
2 by the director.

3 **SECTION 6.** Section 8.04.040 of the Code of the King County Board of Health is hereby
4 amended to read as follows:

5 **8.04.040 ~~Animals bitten by rabid animals~~ Management of animals exposed to suspected or**
6 **confirmed rabies-infected animals.** Any ~~animal bitten by~~ mammal having direct contact with an animal
7 found to be rabid by appropriate laboratory tests, or having suspected exposure to rabies virus from a wild,
8 carnivorous mammal or bat unavailable for testing, shall be ~~quarantined at a location prescribed by the~~
9 ~~director of public health for four (4) months or destroyed by order of the director of public health.~~ regarded
10 as having been exposed to rabies and shall be subject to the requirements of this section, as applicable. For
11 purposes of this chapter, suspected exposure to rabies shall include probable or suspected contact with
12 saliva of a wild, carnivorous mammal or bat through a bite wound, open cut in skin, or onto mucous
13 membranes.

14 **A. Unvaccinated dogs, cats, and ferrets.** The director is authorized to order that any
15 unvaccinated dog, cat, or ferret exposed to a suspected or known rabid animal be euthanized immediately
16 or placed in strict isolation, at the option of the owner of the animal. If isolation is chosen, the owner of the
17 exposed animal shall have the animal placed in strict isolation with no direct animal or human contact, at a
18 location and under conditions approved by the director, for not less than one hundred eighty (180) days
19 from the date of rabies exposure as determined by the director, and vaccinated with rabies vaccine thirty
20 (30) days before the end of the isolation period. At the end of the isolation period, the owner of the animal
21 shall have the animal evaluated by a licensed veterinarian for signs of rabies, and shall submit to the
22 director a written report prepared by such veterinarian as to the animal's health status. Any person
23 observing signs suggestive of rabies during or at the end of the isolation period shall report or have a

1 licensed veterinarian report such signs immediately to the director, who shall have authority to order that
2 such animal be euthanized and tested for rabies virus.

3 B. Vaccinated dogs, cats, and ferrets. The director is authorized to order the owner or
4 caretaker of any currently vaccinated dog, cat or ferret exposed to a suspected or known rabid animal to
5 have the dog, cat or ferret revaccinated immediately with rabies vaccine, and kept securely confined for
6 forty-five (45) days for observation. Any person observing signs suggestive of rabies during or at the end
7 of the confinement period shall report or have a licensed veterinarian report such signs immediately to the
8 director, who shall have authority to order that such animal be euthanized and tested for rabies virus. The
9 director is authorized to determine the management of dogs, cats and ferrets with expired rabies
10 vaccinations on a case-by-case basis.

11 C. Livestock. The director is authorized to order the owner or caretaker of any unvaccinated
12 livestock that has been exposed to a suspected or known rabid animal to have such livestock immediately
13 slaughtered or kept under close confinement and observation for not less than one hundred eighty (180)
14 days from the date of rabies exposure as determined by the director, at the option of the owner of the
15 livestock. The owner or caretaker of livestock that has been exposed to a suspected or known rabid animal
16 and currently vaccinated with a vaccine approved by the United States Department of Agriculture for that
17 species shall have such livestock revaccinated against rabies immediately and kept under close observation
18 for not less than forty-five (45) days.

19 D. Other animals. The director is authorized to order that mammals other than dogs, cats,
20 ferrets, and livestock exposed to a suspected or known rabid animal be euthanized immediately, except that
21 the director is authorized to determine, on a case-by-case basis, the management of such animals
22 maintained in research facilities registered or licensed by the United States Department of Agriculture, or in
23 accredited zoological parks.

1 **SECTION 7.** Section 8.04.050 of the Code of the King County Board of Health is hereby
2 repealed.

3 **SECTION 8.** Section 8.04.060 of the Code of the King County Board of Health is hereby
4 amended to read as follows:

5 **8.04.060 Authority of animal control Enforcement.** ~~For the purpose of enforcing the~~
6 ~~provisions of this chapter, the county animal control shall be empowered to act as agents of the director of~~
7 ~~public health.~~ Subject to the provisions of section 8.04.070 of this title, the director shall have the authority
8 to enforce the provisions of this title in accordance with Chapter 1.08 of this code. The director is also
9 authorized to adopt rules consistent with the provisions of this title, and to notify and request the assistance
10 of the appropriate animal control authority for the purpose of enforcing and carrying out its provisions.

11 **SECTION 9.** Section 8.04.080 of the Code of the King County Board of Health is hereby
12 repealed.

13
14 Adopted this _____ day of _____, 2004.

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17 KING COUNTY BOARD OF HEALTH
18 KING COUNTY, WASHINGTON

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22 _____
23 Chair

24 ATTEST:

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26
27 Director of Health

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29 BOH – Amendments to CKCBOH Title 8
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