

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By: Samuels

**Amending Title 4, Chapter 66 of the Minneapolis Code of Ordinances
relating to Animals and Fowl: Rabies Control.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 66.40 of the above-entitled ordinance be amended to read as follows:

66.40. Impoundment of rabies suspects. (a) Any dog, cat or ferret not vaccinated in accordance with sections 66.10, 66.20 and 66.25 which has bitten any person and caused an abrasion or puncture of the skin of such person shall be seized and impounded under the supervision of a licensed veterinarian or at the city animal care and control center for a period of not less than ten (10) days. If, after a complete examination by a veterinarian, the dog, cat or ferret has no clinical signs of rabies, it may be released to the owner upon the condition that the owner has the animal vaccinated and licensed as required by this Code. In the case of a stray, the animal shall be disposed of in accordance with applicable laws. It shall be unlawful for any owner or person having custody or control of any dog, cat or ferret, not vaccinated in accordance with sections 66.10, 66.20 and 66.25, which has bitten any person, to refuse to release such dog, cat, or ferret and make it immediately available to the ~~commissioner of health or the commissioner's agent~~ manager of Animal Care and Control or the manager's designee for the purpose of quarantine.

(b) Any dog, cat, or ferret vaccinated in accordance with sections 66.10, 66.20, or 66.25 which has bitten any person shall be confined by the owner or other responsible person in such manner as the commissioner of health, manager of Animal Care and Control or the manager's designee may direct and for a period of not less than ten (10) days. The commissioner of health or the ~~commissioner's~~ manager of Animal Care and Control or an authorized representative shall conduct a midterm and terminal examination of the animal. If no signs of rabies are observed ~~by the commissioner~~, the domestic animal may be released from confinement. It shall be unlawful for any owner or person in custody or control of any vaccinated dog, cat, or ferret that has bitten any person to refuse or fail to quarantine such dog, cat, or ferret as required by this subsection. The ~~commissioner of health or the commissioner's agent~~ manager of Animal Care and Control or the manager's designee shall seize any dog, cat, or ferret not quarantined in accordance with the subsection.

(c) Any other animal which has bitten any person and caused an abrasion or puncture of the skin of such person shall be seized and impounded under the supervision of a licensed veterinarian or at the city animal care and control center for a period of not less than ten (10) days. If, after a complete examination by a veterinarian, the animal has no clinical sign of rabies, the animal may, with the approval of the commissioner of health or the manager of Animal Care and Control or a designee, be released to the owner. In the case of an unclaimed animal, it shall be disposed of in accordance with applicable laws. It shall be unlawful for any owner or person in custody or control of any animal which has bitten any person to refuse to release such animal and make it immediately available to the ~~commissioner of health or the commissioner's agent~~ manager of Animal Care and Control or the manager's designee for the purpose of quarantine.

(d) Any rabies suspect impounded or confined under this section which is found to be sick or diseased shall be reported immediately in writing to the commissioner of health and the manager of Animal Care and Control by the attending veterinarian or operator of the quarantine facility. The ~~commissioner of health~~ manager of Animal Care and Control or the manager's designee shall then take possession of such animal for the purpose of determining if it is suffering from rabies.

(e) The commissioner of health ~~or the commissioner's agent~~ or the manager of Animal Care and Control or the manager's designee may, for good cause, order the immediate testing for rabies of an animal that is owned by an individual that has bitten one or more individuals. The owner of the animal that is to be tested is entitled to a hearing as set forth in section 64.120(b) of this title. The time periods set forth in section 64.120(b) do not apply to requests for immediate testing of an owned animal. A hearing must be requested by the owner of the animal within twenty-four (24) hours of notification of the owner of the intent to test the animal for rabies. If a hearing is not requested by the owner within twenty-four (24) hours of notification of intent to test for rabies the ~~commissioner~~ manager of Animal Care and Control shall make appropriate order to test the animal for rabies. If a hearing is requested, the owner must be available to attend the hearing and the hearing completed within twenty-four (24) hours of the time that the hearing was requested or the hearing will be deemed to have been waived. The owner shall immediately make the animal available to the animal control officer for rabies testing. In determining whether good cause exists to order rabies testing of an owned animal the commissioner or the manager of Animal Care and Control may consider:

- (1) The physical location of the bite on the body of the victim.
- (2) The medical condition of the victim.
- (3) The medical necessity of immediate testing of the animal for rabies.
- (4) The age and health of the victim.

- (5) The vaccination records of the animal for which testing is sought.
- (6) Potential harm to the victim of the bite by delays in the testing procedure.
- (7) Potential harm to the victim of the bite by engaging in the course of post exposure rabies shots.
- (8) The request of qualified medical personnel.
- (9) Any other factors bearing on the necessity for immediate testing of the suspect animal.

(f) Nothing in this section shall be read so as to conflict with the requirements of section ~~64.120~~ 64.110 as it pertains to destruction of dangerous animals.

Section 2. That Section 66.50 of the above-entitled ordinance be amended to read as follows:

66.50. Handling of dogs, cats, or ferrets bitten by rabid animals. For the purposes of this section, any bat, skunk, civet cat, raccoon or fox that bites a dog or cat shall be deemed to be a rabid animal. In the case of dogs, cats, or ferrets which have been bitten by a rabid animal, the following rules shall apply:

(a) In the case of a bitten (exposed) dog, cat, or ferret which has not been vaccinated in accordance with section 66.10 or 66.20 and which has been bitten by a rabid animal, said bitten (exposed) animal shall be immediately destroyed. If the owner is unwilling to destroy the bitten (exposed) animal, said animal ~~shall~~ may be placed in ~~strict isolation in a kennel under veterinarian supervision for a minimum of six (6) months. Before release of the dog, cat, or ferret to its owner, it shall be vaccinated against rabies one (1) month prior to its release~~ under quarantine if quarantine is advisable after review by the Minnesota Board of Animal Health. The place and manner of quarantine shall be by order of the manager of Animal Care and Control or the commissioner of health.

(b) In the case of a bitten (exposed) animal which has been vaccinated in accordance with the provisions of section 66.10, 66.20, or 65.20(b), the animal shall be:

- (1) Immediately revaccinated and confined for a period of forty (40) days following vaccination, or
- (2) It shall be confined in strict isolation in a kennel for six (6) months under the supervision of a veterinarian. Before release of the dog, cat, or ferret to its owner, it shall be vaccinated for rabies one (1) month prior to its release, or
- (3) It shall be destroyed if the owner does not comply with paragraph (1) or (2) of subsection (b).