

**Frequently Asked Questions of the Proposed Changes to Columbus City Health Code (CCHC)
Sections 221.05 and 221.06 = Standards for Animals & Standards for Carriage Horses**

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WHO IS AFFECTED BY THE PROPOSED CHANGES?

Animal partners, stakeholders and persons who have vested interests in the animal community as a whole, as well as those who interact with any animal that:

1. Requires a permit or is prohibited.
2. Creates a nuisance, insanitation and/or danger to persons, animals or property.

WHY ARE CHANGES BEING PROPOSED TO THE CURRENT ANIMAL REGULATIONS?

The office of the Public Health Veterinarian has handled more than 10,000 animal complaints in the last seven years. In applying the current health code legislation to these complaints, some situations have arisen highlighting a need to improve public health and public safety regulations regarding animals.

HOW WILL THESE CHANGES TAKE PLACE?

Public comments and suggestions are being accepted by Columbus Public Health until March 31, 2010 concerning the proposed legislation. Comments and suggestions will be reviewed by the Department for changes to the proposed legislation to ensure that the regulations are fair and balanced.

WHEN AND WHERE WILL THESE CHANGES BE ENACTED?

At a regularly scheduled Board of Health meeting to be held at Columbus Public Health.

WHAT CHANGES HAVE BEEN RECOMMENDED TO CCHC Sections 221.05 and 221.06?

- ✓ **Statements of proposed changes are shown in black.**
- ✓ **Explanations are shown in blue.**

1. Adds definitions in association with the proposed new content.
 - a. Definitions establish practical classifications of persons possessing animals-requiring-permits into:
 - i. those who conduct animal activities with likely public contact,
 - ii. those who conduct animal activities with unlikely public contact,
 - iii. those who conduct animal activities with no approved public contact,
 - iv. those who are required to register with the Health Department, and
 - v. those who are exempt from the regulations.
2. Categorizes animals within the Animal Kingdom starting with classifications of domestic and non-domestic.
 - a. A simple system of classifying animals is used to determine what animals require additional public safety and/or public health regulations:
 - i. Domestic vs. non-domestic

- Exempt, requiring a permit or prohibited
- 3. Gives the Department the discretion to change the designation of a specific animal, or the classification of a group of animals, without having to change the legislation resulting from such things as changing demographics, animal ownership, emerging infectious diseases, current or previous incidents, and dangerous or vicious scenarios.
 - a. The proposed legislation reserves the right of the Department to make a final designation on any animal or type of animal.
- 4. Reclassifies “wild, exotic, dangerous, feral, or pocket pet” animals as previously defined in CCHC 241 into exempt, requiring a permit or prohibited.
 - a. Reasons:
 - i. Conflict with the existence and issuance of certain Ohio Department of Natural Resources, Division of Wildlife, animal permits.
 - ii. Conflict with the existence and issuance of certain USDA, Animal and Plant Health Inspection Services (APHIS), Animal Welfare (previously Animal Care) Program animal permits.
 - iii. Conflict with the transportation and/or importation of prohibited animals through or into the Columbus Board of Health jurisdiction.
 - iv. Disagreement in defining “pocket pets” as a legally definable classification of animals.
 - EXAMPLE: Some animals, such as hedgehogs, mink, and rabbits which may be without proof of domestication yet commonly sold at pet shops as “pocket pets” might be classified as “wild animals” and/or “exotic animals”.
 - v. Difficulty in establishing or differentiating “feral” vs. “stray ” in a legal sense as well as bringing this understanding to the public.
 - vi. The general and accepted use of rabies vaccinations in an off-label species (i.e. raccoons) is not uncommon in certain veterinary, wildlife rehabilitator and/or state defined activities.
 - vii. Nuisance, dangerous and vicious animals are regulated under CCHC Chapter 243.
- 5. Eliminates the loophole that exists in controlling a wild animal bred with a domestic animal hybrid.
 - a. EXAMPLE: The testing to prove or disprove an animal is a wolf-dog hybrid is not a commonly accepted or well-established procedure. Although self-professed “experts” exist in defining wolf-dog hybrids, currently, if a person states their animal to be a German Shepherd and/or Husky and/or Malamute mix dog, in most cases the City must accept such premise. This leaves legal control of such wolf-dog hybrids primarily to situations where a person states their animal to be a wolf-dog hybrid on legal documents such as dog registration papers or veterinary records. In concert with “expert” analysis, the proposed legislation would require the owner of a “wolf-dog hybrid” animal to obtain a permit.
- 6. Allows local veterinarians working in good faith with their clients to perform commonly accepted vaccinations, procedures and surgeries on regulated animals.
 - a. Veterinarians simply register with the Health Department when their practice includes animals requiring a permit or prohibited animals. The registration releases the veterinarian from the obligation of knowing whether an owner has a permit before performing veterinary services that would otherwise be in violation of City regulations. There is no fee for registration.
- 7. Further defines animal permit criteria and establishes the authority to charge a fee for a permit.
 - a. Animal permits shall be issued according to the following classifications: Animal Dealer/Store, Animal Exhibitor/Show, Miscellaneous, Personal, Wildlife Educator, and Wildlife Sanctuary. The proposed fees consist of an initial and annual permit fee.
 - b. Requirements shall consider public safety, public health, animal confinement, animal cruelty, animal welfare, owner-keeper-harbinger knowledge, owner-keeper-harbinger experience, and liability insurance coverage. Such requirements shall include, but not be limited to:
 - i. Permit application, documentation and fee requirements.

- ii. Animal identification requirements.
 - iii. Neutering or breeding requirements.
 - iv. Caging and cleaning requirements.
 - v. Standards of care and veterinary treatment requirements.
 - vi. Insurance, signs and notification requirements.
 - vii. Public contact restrictions and safety measure requirements.
 - viii. The survey results of the surrounding occupants of the place of keeping such animals.
8. Aligns Federal, State, and City of Columbus animal permits by resolving potential conflict with other agencies, such as the Ohio Department of Natural Resources Division of Wildlife and the USDA Animal and Plant Health Inspection Services Animal Welfare Program, which issue permits for animals that may require a permit from the City or may be prohibited within the City.
 - a. A protocol is established to ensure that any possessor acquiring a permit from either of these agencies for an animal that requires a permit or is prohibited in our jurisdiction has first received a permit or variance from the Health Department and is legally within our jurisdiction under the proposed regulations.
 9. Requires designated persons that work with animals-requiring-a-permit or prohibited-animals to register with the Department.
 - a. Eliminates conflict of commercial entities possessing certain prohibited animals or animals requiring a permit through a registration process that does not interfere with existing healthy and safe animal commerce. EXAMPLES: Pet stores selling animals requiring permits, such as alligators, or circuses bringing prohibited animals, such as lions, into our community.
 10. Updates public health regulations relating to animals and their habitats.
 - a. Requires all residents owning animals to keep their premises in a sanitary condition and keep their animals properly confined.
 - b. Eliminates the standard of the Refuse Department picking up deceased but privately owned animals. The Refuse Department does not have the resources for such activities.
 - c. Updates a protocol for limiting the number of animals kept on a property when the owner is cited three times for insanitation.
 11. Eliminates Paragraph 221.02 (r) and moves the legislative intent into 221.05.
 - a. The feeding of domestic and/or non-domestic animals should not by itself be illegal, but when it directly or indirectly results in a nuisance, insanitation and/or dangerous situation involving persons, animals or property, the regulation offers relief to persons impacted by such feeding.
 12. Resolves existing conflict concerning the transportation and/or importation of prohibited animals through or into the Columbus Board of Health jurisdiction.
 13. Gives the Department the flexibility to make a declaration of nuisance, dangerous or vicious regardless of an animal's classification.
 - a. CCHC 221.05 is aligned with CCHC Chapter 243 (Nuisance, Dangerous and Vicious Animals) such that the Department may declare an animal to be a nuisance, dangerous or vicious animal in order to establish proper control and confinement, or have the animal removed from the jurisdiction.
 14. Moves carriage horse regulations currently in 221.05 into 221.06.