

# VIRGINIA ACTS OF ASSEMBLY -- 2003 SESSION

## CHAPTER 479

*An Act to amend and reenact § 3.1-796.98 of the Code of Virginia, relating to the confinement of animals exposed to rabies.*

[H 1598]

Approved March 16, 2003

**Be it enacted by the General Assembly of Virginia:**

**1. That § 3.1-796.98 of the Code of Virginia is amended and reenacted as follows:**

§ 3.1-796.98. Rabid animals.

When there is sufficient reason to believe that a rabid animal is at large, the governing body of any county, city or town shall have the power to pass an emergency ordinance ~~which~~ *that* shall become effective immediately upon passage, requiring owners of all dogs and cats therein to keep the same confined on their premises unless leashed under restraint of the owner in such a manner that persons or animals will not be subject to the danger of being bitten by the rabid animal. Any such emergency ordinance enacted pursuant to the provisions of this section shall be operative for a period not to exceed ~~thirty~~ 30 days unless renewed by the governing body of such county, city or town. The governing body of any county, city or town shall also have the power and authority to pass ordinances restricting the running at large in their respective jurisdiction of dogs and cats which have not been inoculated or vaccinated against rabies and to provide penalties for the violation thereof.

Dogs or cats showing active signs of rabies or suspected of having rabies shall be confined under competent observation for such a time as may be necessary to determine a diagnosis. If confinement is impossible or impracticable, such dog or cat shall be euthanized by one of the methods approved by the State Veterinarian as provided in § 3.1-796.96.

Every person having knowledge of the existence of an animal apparently afflicted with rabies shall report immediately to the local health department the existence of such animal, the place where seen, the owner's name, if known, and the symptoms suggesting rabies.

Any dog or cat, for which no proof of current rabies vaccination is available, and which is exposed to rabies through a bite, or through saliva or central nervous system tissue, in a fresh open wound or mucous membrane, by an animal believed to be afflicted with rabies, shall be confined in a pound, kennel or enclosure approved by the health department for a period not to exceed six months at the expense of the owner; however, if this is not feasible, the dog or cat shall be euthanized by one of the methods approved by the State Veterinarian as provided in § 3.1-796.96. A rabies vaccination shall be administered prior to release. Inactivated rabies vaccine may be administered at the beginning of confinement. Any dog or cat so bitten, or exposed to rabies through saliva or central nervous system tissue, in a fresh open wound or mucous membrane with proof of a valid rabies vaccination, shall be revaccinated immediately following the bite and shall be confined to the premises of the owner, or other site as may be approved by the local health department, for a period of ~~ninety~~ 45 days.

At the discretion of the director of a local health department, any animal ~~which~~ *that* has bitten a person shall be confined under competent observation for ~~ten~~ 10 days, unless the animal develops active symptoms of rabies or expires before that time. A seriously injured or sick animal may be humanely euthanized as provided in § 3.1-796.96, and its head sent to the Division of Consolidated Laboratory Services of the Department of General Services, or the local health department, for evaluation.

When any potentially rabid animal, other than a dog or cat, exposes or may have exposed a person to rabies through a bite, or through saliva or central nervous system tissue, in a fresh open wound or mucous membrane, that animal shall be confined at the discretion of a local health director in a manner approved by the health department or humanely euthanized as provided in § 3.1-796.96 and its head sent to the Division of Consolidated Laboratory Services of the Department of General Services or the local health department for evaluation.

When any animal, other than a dog or cat, is exposed to rabies through a bite, or through saliva or central nervous system tissue, in a fresh open wound or mucous membrane, by an animal believed to be afflicted with rabies, that newly exposed animal shall be confined at the discretion of a local health director in a manner approved by the health department or humanely euthanized as provided in § 3.1-796.96.