AN ORDINANCE AMENDING SECTION 505.09 OF ITS GENERAL OFFENSES CODE RELATING TO ANIMALS AND FOWL.

The City of Morgantown hereby ordains that Section 505.09 of its General Offenses Code is amended as follows (new matter underlined, deleted matter struck through):

505.09 RABIES CONTROL.

(a) *Vaccination Required.* Whoever owns, keeps, obtains or possesses ~~harbors~~ a dog or cat within the City shall have the dog or cat properly vaccinated against rabies with a vaccine capable of producing immunity for three years, boostered one year after initial vaccination and every third year thereafter ~~, once every two years have such dog or cat properly vaccinated or immunized against rabies~~ as provided by West Virginia Code 19-20A-1 to 19-20A-8, as amended, or hereafter amended. Dogs and cats need not be vaccinated before the age of three months, but must be vaccinated by the age of six months. Dogs and cats over six months of age entering the City must have been vaccinated for rabies as set forth in this section prior to entry. ~~; provided, however, that dogs need not be vaccinated before the age of five months and cats before the age of three months; and provided, further, that dogs or cats entering the City temporarily cannot be kept and maintained within the City for a period of more than thirty days unless properly vaccinated~~.

(b) *Record of Vaccination.* Whoever vaccinates or revaccinates a dog or cat against rabies shall keep a record of such vaccination or revaccination, and shall dispose of such record as provided in West Virginia Code 19-20A-3, as amended or hereafter amended.

(c) *Vaccination Tag.* Any dog vaccinated or revaccinated as required by this article shall have a tag indicating the year of vaccination and the number of the record of such vaccination on such tag, which tag shall be securely fastened to the collar worn by the dog.

(d) *Violations of Subsections (a),(b) or(c).* No person who owns, keeps or harbors a dog or cat within the City shall fail to have such dog or cat vaccinated or revaccinated against rabies; fail or refuse to keep the required report of such vaccination; fail or refuse to provide the required tag; or obstruct or interfere in any way with the enforcement of any provisions of subsection (a), (b), or (c).

(e) *Dogs, Cats, etc.: Rabies Observation.* Any person who owns or harbors any dog, cat or other domesticated animal, whether licensed or unlicensed, which bites any person, shall forthwith confine and quarantine the animal for a period of ten days for rabies observation. If any unvaccinated domesticated animal is bitten by a rabid animal, the owner shall confine the bitten animal for a period of six months. The animal shall be vaccinated or revaccinated after five months. If such animal is not so confined and quarantined, as required herein, the municipal Animal Control Officer may cause such animal to be placed in the custody and care of a licensed veterinarian for such purpose at the owner's expense. The penalty for any violation of this subsection shall be a fine of fifty dollars ($50.00) and/or incarceration for a period of not less than two nor more than three days.

This Ordinance shall become effective upon date of adoption.

FIRST READING:

ADOPTED:

FILED:

RECORDED:

_____
MAYOR

_____
CITY CLERK