

Board of Health

March 30, 2006

5:00 p.m.

Members Present: Duane Gregory, Ken Janson, Matt Damon

Members Absent: Jerry Anathen, Mark Majeski (excused absences)

Health Agent: Jane Evans (excused absence)
Attendance not required

Health Inspector: Brian Carlson

The meeting was called to order at 5:00 p.m.

AGENDA

Discuss the first confirmed positive rabies cases in town and to take any action relevant to the protection of public health and safety.

Health Inspector Brian Carlson prepared a press release for the Banner and there was an article in today's paper. Two confirmed cases of rabies were found in dead raccoons. Three were sent for testing in February and the positive results came in on Friday, March 24, 2006. That day, the police chief and animal control officer had requested an emergency meeting, but a quorum could not be gathered. Inspector Carlson recommended that the Board suspend the current dog regulations of Provincetown's General By-laws. After questioning town counsel on procedure, the Board would need to enact a regulation in order to accomplish this. In addition, Inspector Carlson recommended the purchase and installation of signage at the public beaches and at present off leash areas to help with public awareness. In review of the budgets for the Health Department and the Board of Health, Inspector Carlson found funds up to \$2000 for this purpose. Brian also recommends public education on rabies and how to protect humans and animals. This could be done through a piggy back mailing and/or public service announcements. He also feels the board should in the future, have detailed recommendations on changes and alterations to the present Dog Regulations to the BOS.

Board member Ken Jansen agreed with Inspector Carlson.

Board member Matt Damon also agreed with Inspector Carlson. He wondered about the permanence of a new regulation. The question was answered by Duane Gregory, stating that the Board could come back at anytime and revisit and/or change any decision made at this meeting.

PUBLIC COMMENTS AND DISCUSSION

Alicia Metcalfe (vet tech Eastham Veterinary Hospital) urged the Board to remember that rabies is everywhere and not to over react. We have been unusually fortunate not to have it on the Cape. Ms Metcalfe also noted the importance of "off Leash time" for a dogs mental and physical well being. Ms Metcalfe was curious of where restrictions would end, i.e. will we be forced to keep horses and cats indoors all the time; will humans not be allowed to enter public wooded areas? Ms Metcalfe was against imposing any further leash restrictions.

Val Carano of Provincetown Dept of Public Health and Services reminded us of the upcoming influx of tourist many of whom will be bringing dogs, and felt that it is imperative for the board to take SOME action in the interest of public health.

Brian Carlson once again stated the value and importance of public education.

Dr. Richard Ferry of the Animal Welfare Committee and former member of the Board of Health stated that everyone wants to control rabies. Dr Ferry offered the suggestion that since rabies are primarily carried in nocturnal animals that perhaps the current leash restrictions could be changed to only allow off leash times in the morning hours and eliminate the evening hours of 6 to 9 pm. Dr. Ferry told us that the Animal Welfare Committee is currently working on a pamphlet to be mailed to all pet friendly quest houses and that perhaps information could be included regarding rabies.. Dr. Ferry stated that even if the Board of Health should decide to create a regulation that would prohibit dogs to be off leash, he would not comply.

Tom Budrow asked if his dogs were safe even though they have been vaccinated.. His question was answered by Brian Carlson as a no; no pet is completely safe, as no vaccine is 100%. If bitten, animals must be treated as if they were infected..

Dr. Ferry wondered why the Wildlife Vaccination program was taking place on May 1st as we begin our busy season. Brian explained the program was from the State and not in Provincetown's control.

Public Comments and discussion was closed by Chair Duane Gregory so the Board could discuss the issue and formulate a motion.

Ken Jansen stated that he would rather err on the side of caution, and noted that even in the densely populated area of the west end where he lives, he sees lots of wildlife.

Motion: Under the current circumstances of positive testing for Rabies in wildlife in Provincetown, acting under M.G.L.c. 111, s. 31, in an action to protect the public health, The Board of Health promulgates the following regulation:

Part 13, Section 1 of the Provincetown Board of Health Local Regulations
Dog restraint in the Town of Provincetown

Any dog within the town boundaries must be restrained and may not be at large.

A restrained dog: a dog kept on a leash, cord, chain or other restraint or a dog kept within the dog owner's property, or leased premises, or another owner's property with consent of that owner or occupant of same.

Any owner whose dog is at large or not restrained is in violation of this regulation.

A non-criminal disposition penalty will be assessed in the amount of \$10 (ten dollars) to the owner for the first offense; \$15(fifteen dollars) for the second offense; \$25(twenty-five dollars) for the third offense; \$50 (fifty dollars) for the fourth offense; and \$75 (seventy-five dollars) for the fifth and subsequent offenses. Each violation of this regulation shall be deemed to be a separate offense.

Motion by Matt Damon, Seconded by Ken Janson. Vote 3-0-0.

Duane commented how very torn she was making this decision, but realizes that politics or personal feelings about the issue must be put aside and the Board's duty is to protect the public health. All board members were in agreement that this was a difficult decision and are hopeful that the vaccines will eradicate the problem.

Motion: Give permission to Tufts University to conduct oral rabies Wildlife Vaccination in Provincetown and authorize the Health Inspector to handle any necessary requirements of the program.

Motion by Duane Gregory, Seconded by Ken Janson. Vote 3-0-0

Meeting adjourned at 6:30 p.m.

Approved by _____ on _____, 2006

Duane Gregory, Chair