Release No. 0048.ORDINANCE NO. 11345AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE, CHAPTER 18, ARTICLE VII, SECTION 18-123(h); CHAPTER 21, ARTICLE I, SECTIONS 21-1 THROUGH 21-25; CHAPTER 21, ARTICLE II, SECTIONS 21-26, 21-28, 21-30; CHAPTER 21, ARTICLE III, SECTIONS 21-36 AND 21-40; CHAPTER 21, ARTICLE VII, SECTIONS 21-101 AND 21-123; CHAPTER 24, ARTICLE X, 04Office of Communications (202) 720-4623

**BSE Update – Wednesday, January 28, 2004**

Depopulation Activities

On Tuesday, Jan. 27, 2004, 15 animals of interest were euthanized and sampled from the Moxee, WA, facility. In addition to this facility, USDA has previously conducted selective DIV. 3, SECTIONS 24-341(c) AND 24-345(c); CHAPTER 31, ARTICLE I, SECTION 31-2(b); AND CHAPTER 32, ARTICLE VIII, SECTION 32-174, RELATIVE TO NEIGHBORHOOD SERVICES.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_WHEREAS, T.C.A. §§13-21-101 through 13-21-208, power is conferred on municipalities to exercise their police powers to repair, close odepr demolish certain unfit, dilapidated, defective, unsafe or unsanitary dangerous structures in the manner therein provided; andWHEREAS, The City Council of the City of Chattanooga finds that there exists in Chattanooga structures which are unfit for human occupation or use due to dilapidation, defects increasing the hazards of fire, accident or othopulation activities at these facilities:

Sunnyside, WA (bull er calamities, lack of ventilation, light or sanitary facilities, and due to other conditions rendering such structures unsafe or unsanitary, or dangerous or detrimental to the health, safety or morals, or otherwise inimical to the welfare of the residents of Chattanooga;NOW, THEREFORE,BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, calf premises) -TENNESSEE, as follows:SECTION 1. That Chattanooga City Code, Part II, Chapter 18, Article VII, Section 18-123(h) is amended by deleting “Better Housing Commission” and replacing in lieu thereof “Public Officer of the Department of Neighborhood Services”.SECTION 2.That Chattanooga City Code Part II, Chapter 21, Article I, Sections 21-1 through 21- a total of 449 animals depopulated

Mabton, WA (index premises) - a total of 131 animals depopulated

Mattawa, WA - a total of 39 animals depopulated

Connell, WA - a total of 15 animals depopulated

Boardman, OR - a total of 20 animals depopulated

Quincy, WA – a total of 18 animals depopulated

Tenino, WA – a to25 be and is hereby amended by deleting the same in its entirety and inserting in lieu thereof the following:Sec. 21-1.Scope.The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitutes minimum requirements and standards for premises, structures, equipment, and facilitietal of 4 animals depopulated

Samples taken from the 15 animals depopulated in Connell, WA have tested negative. All 170 samples from s for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.This code shall be conthe index herd and the Mattawa herd have completed testing; results were negative for BSE. The final test results for the samples taken at strued to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety requirBoardman, OR; Quincy, WA; Tenino, WA; and Moxee, WA are not yet available.

Investigation Actied herein.Sec. 21-2.Effect of provisions on other ordinances, power of city.Nothing in this Article shall be construed to impair or limit in any way the power of the City to define and declare nuisances and to their removal or abatement by summary procedures or otherwise. The measures and procedures provided in this Article do not supersede and thvities

At this time, 28 of the 81 animals that came from Canada have been located:

1 of the 81 is the BSE-positive cow and was located in the Index herd in Mabton, Washington.

9 of the 81 were located in the Index herd in Mabton, Washington.

3 were located at a facility in Tenino, Washington.

6 were located at a facility in Connell, Washington.

1 was le Article does not repeal any other measures or procedures which are provided by this Code for the elimination, repair or correction of the conditions referred to in this Article, but the measures and procedure herein provided for shall be in addition to all other powers and authority of the City or inspector.Sec. 21-3.General.Any requirement not socated at a facility in Quincy, Washington.

3 were located at a facility in Mattawa, Washington.

1 was located at a facility in Moxee, Washington.

3 are located at a facility in Burley, Idaho.

1 is located at a facility in Othello, Washington.

Guidelines on bovine spongiform encephalopathy (BSE) issued by thpecifically covered by this Code, found necessary for the safety, health and general welfare of the occupants of any dwelling and of the public, shall be determined by the Code Official subject to a hearing before the public officer.Sec. 21-4.Definitions.For the purpose of this Article, the following words and phrases shall have the meanings respece World Organization for Animal Health (OIE), the international animal heath statively ascribed to them by this section.Accessory Structure means all structures including detached garages, storage buildings, fences and walls and other similar type structures.Alter or Alteration means change or modification in construction or occupancy.Approved shall mean approved by the building official.Basement shall mean a portion of a builndard setting organization, state that animalsding located partly underground but having less than one-half (1/2) or more of its clear floor-to-ceiling height below the average grade of the adjoining ground.Building shall mean any structure or part thereof not a dwelling as defined in this Section.Building Code shall mean the building code officially adopted by the legislative body of this jur born on a premises within one year (before or after) of a BSE-affected animal can be considered of significant interest to the country reporting the BSE detection. As such, USDA is focusing on 25 of the 81 animals also born into the birth herd of the indeisdiction, or such other code as may be officially designated by the legislative body of the jurisdiction for the regulation of construction, alteration, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures.Building Official shall mean the officer, or other person, charged with the administration and enfx animal. Based on normaorcement of Municipal Building Codes or his duly authorized representative.Cellar shall mean a portion of a building located partly or wholly underground, having one-half (1/2) or more of its clear floor-to-ceiling height below the average grade of the adjoining ground.Code Official shall mean the officer, or other person, charged with the administl culling practices of local dairies, USDA’s Animal and Plant Health Inspecration and enforcement of this code or any duly appointed representative.Condemn shall mean to adjudge unfit for use or occupancy.Dwelling shall mean any building or structure, or part thereof, used and occupied for human habitation or intended to be so used, and including any accessory structure, outhouse and appurtenances belonging thereto or usually enjtion Service estimated that the Agency would be able to locate approximately 11 of these animals. APHIS has definitively located 14 of these animals.

Trade Issues

Specific trade information can be found at http://www.aphis.usda.gov/lpa/issues/bse/bse\_trade\_ban\_status.html.

Other Issues

Additional information on BSE can be obtained by visiting the USDA website at http://www.usda.gov. Past BSE updates can also be found at http://www.aphis.usda.gov.

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