

VECTOR CONTROL

SECTION 1. DEFINITIONS.

ACCESSORY STRUCTURE - a detached structure which is not used or not intended to be used for living or sleeping by human occupants and which is located on or partially on any premises.

BREEDING AREA - any condition which provides the necessary environment for the birth or hatching of vectors.

COLLECTION OF WATER - contained in ditches, pools, ponds, streams, excavations, holes, depressions, open cesspools, privy vaults, fountains, cisterns, tanks, shallow wells, barrels, troughs, urns, cans, boxes, bottles, tubs, buckets, roof gutters, tanks of flush closets, reservoirs, vessels, receptacles of any kind or other containers or devices which may hold water.

DILAPIDATED - fallen into partial ruin or decay.

DISPOSAL - the storage, collection, disposal or handling of refuse.

EXTERMINATION - the control and elimination of vectors by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, fogging, larviciding, trapping or by any other recognized and legal vector control elimination methods approved by the local or State authority having such administrative authority.

GARBAGE - all animal and vegetable waste resulting from the handling, preparation, cooking or consumption of foods.

HARBORAGE - any place where vectors can live, nest or seek shelter.

OCCUPANT - any person over 1 year of age, living, sleeping, cooking or eating in, or actually having possession of, a dwelling unit or a rooming unit; except that in dwelling units a guest will not be considered an occupant.

OWNER - any person who alone or jointly or severally with others:

- A. Shall have legal title to any premises, dwelling or dwelling unit, with or without accompanying actual possession thereof; or,
- B. Shall have charge, care or control of any premises, dwelling or dwelling unit, as owner or agent of the owner or as executor, administrator, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this Part and of the rules and regulations adopted pursuant thereto, to the same extent as if he were the owner.

REFUSE - all solid wastes, except body wastes, and shall include garbage, ashes and rubbish.

RUBBISH - glass, metal, paper, plant growth, wood or nonputrescible solid waste.

VECTOR - a rodent, anthropoid or insect capable of transmitting a disease or infection. Vectors shall include, but not be limited to rats, mosquitoes, cockroaches, flies, ticks, etc.

VECTOR PROOFING - a form of construction to prevent the ingress or egress of vectors to or from a given space or building or gaining access to food, water or harborage. This term shall include, but not be limited to, rat proofing, fly proofing, mosquito proofing, etc.

SECTION 2. FORBIDDEN ACTS.

It shall be unlawful:

- A. For any person, firm or corporation to deposit any refuse, offal, porn ace, dead animals, decaying matter, or organic substance of any kind in or upon any private lot, building, structure, accessory structure, premises or in or upon any street, avenue, alley, parkway, ravine, ditch, gutter or into any of the waters of the Commonwealth so that the same shall or may afford food, harborage or breeding areas for rats, flies or other vectors and thereby create a public health threat.
- B. For any person, firm or corporation to deposit or permit to accumulate in or upon any premises, improved or vacant or on any open lot or alley, any lumber, boxes, barrels, bottles, cans, glass, scrap iron, wire, metal articles, pipe, broken stone or cement, broken crockery, broken plaster, or rubbish of any kind so that the same may be kept in approved covered receptacles or placed on open racks that are elevated not less than 18 inches above the ground and evenly piled or stacked, or disposed of as may be approved by the Department of Environmental Protection.
- C. To maintain a junkyard or place for the dumping or wrecking or disassembling of automobiles, trucks, tractors or machinery of any kind, or for the storing or leaving of dilapidated, wrecked or abandoned automobiles, trucks, tractors or machinery of any kind, or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons, which said places may afford harborage or breeding areas for rats or other vectors and thereby create a public health threat.
- D. To store refuse in containers other than plastic bags and containers which shall be made of durable, watertight, rust resistant material having a tight-fitting lid which must be kept on the container when in use. These containers must be

kept clean by thorough rinsing and draining as often as necessary so as not to provide food or breeding areas for flies.

- E. To dump, burn, bury, destroy or otherwise dispose of refuse except at an approved refuse disposal site.
- F. To collect, haul, transport or convey garbage in open, unenclosed nonleakproof vehicles.
- G. To construct, maintain or use a sewage system, privy, urinal, cesspool or other receptacle for human excrement, so that vectors may have access to the excrementitious matter contained therein.
- H. To permit weeds or similar vegetation more than 6 inches high to remain standing in any vacant lot, yard or other place except as may be approved by this Borough.
- I. To have, keep, maintain, cause or permit any collection of standing or flowing water in which mosquitoes breed or are likely to breed, unless such collection of water is treated or maintained so as effectually to prevent such breeding.

SECTION 3. RESPONSIBILITIES OF OWNERS AND OCCUPANTS

Owners and occupants shall have the following responsibilities:

- A. Every owner of a dwelling containing two or more dwelling units shall maintain in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.
- B. Every occupant of a dwelling or dwelling unit shall maintain in a clean and sanitary condition that part or those parts of the dwelling, dwelling unit and premises thereof that he occupies and controls.
- C. Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of insects and/or rodents on the premises; and every occupant of a dwelling unit in a dwelling containing more than one (1) dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested. Notwithstanding the foregoing provisions of this subsection, whenever infestation is caused by failure of the owner to maintain a dwelling in a rodentproof or reasonable insectproof condition, extermination shall be the responsibility of the owner. whenever infestation exists in two (2) or more of the dwelling units in any dwelling or in the shared or public parts of any dwelling containing two or more dwelling units, extermination shall be the responsibility of the owner.

SECTION 4. VECTOR PROOFING

Any dwelling, building, structure, accessory structure, premise or any other place may be required to be vector proofed when found to be providing harborage or breeding areas for rats, flies, mosquitoes, or any other vectors. It shall be unlawful for the owner, occupant, contractor, public utility company, plumber or any other person to remove and fail to restore in like condition the vector proofing from any building, structure or accessory structure, for any purpose.

SECTION 5. VECTOR CONTROL PROGRAMS.

A program planned and specifications for private vector control programs may be required to be submitted to this Borough as deemed necessary by the Vector Control Officer. Said program plan shall be submitted by the owner or agent of the property on or in which said vector control program is or will be conducted. The program plan shall state the type of vectors to be controlled, the name of the company contracted to carry out the program, and any and all work to be conducted in an effort to control said vectors. If, after review of the program plan by the Vector Control Officer, it is found to be inadequate or incomplete, additional information may be required as well as additional control methods.

SECTION 6. INSPECTIONS.

1. From and after the passage of this Part, this Borough and/or a representative of the vector control program is empowered to make inspections of the interior and exterior of all dwellings, buildings, structures and accessory structures, premises, collections of water, or any other places to determine full compliance with this Part and any regulations adopted hereunder, and to determine evidence of vector infestation and the need for vector proofing or additions or repairs to existing vector proofing.
2. Whenever it shall be determined that any dwelling, building, structure, accessory structure, premise, collection of water or any other place is in violation of this Part, a notice shall be issued setting forth the alleged violations and advising the owner, occupant, operator or agent that such violations must be corrected. The time for the correction of said violations must be given as well as the necessary methods to be employed in the correction.
3. Whenever said violations shall fail to be corrected within the time set forth and an extension of this time is not deemed to be necessary this Borough may proceed to abate the said violations in the manner provided by law.

SECTION 7. ADDITIONAL RULES.

The Borough Council of this Borough, by resolution duly adopted, may establish rules and regulations to carry out the provisions of this Part. Such rules and regulations shall become effective upon adoption of the resolution, unless another effective date is specified in the resolution.

SECTION 8. PENALTIES.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction, thereof, be sentenced to pay a fine of not more than \$600.00 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

This is a sample ordinance. We suggest that it be modified, as appropriate, to fit the needs of your borough. We also suggest that all proposed ordinances be reviewed by your solicitor. Although these are samples of ordinances which have been adopted by other municipalities, the Association cannot assume responsibility for ensuring their legality. We are pleased to provide this service free of charge to our members. If we can be of further assistance, please do not hesitate to contact us: **PENNSYLVANIA STATE ASSOCIATION OF BOROUGHES**, 2941 North Front Street, Harrisburg, PA 17110. 717-236-9526.