

ORDINANCE NO. 693

PART I

VECTOR CONTROL

**§101. 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 one (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:

1. Shall have legal title to any premises, dwelling or dwelling unit, with or without accompanying actual possession thereof; or
2. Shall have charge, care or control of any premises, dwelling or dwelling unit, as owner, agent of the owner, executor, administrator, trustee or guardian of the estate of the owner, or a lien holder in possession. Any such person thus representing the actual owner shall be bound to comply with the provisions of the 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, arthropod, insect or live organism capable of transmitting 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

1. 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.
2. 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.
3. 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 rodent proof or reasonably insect proof 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 (2) or more dwelling units, extermination shall be the responsibility of the owner.

#### **§104. 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.

#### **§105. VECTOR CONTROL PROBLEMS.**

A program planned and specifications for private vector control programs may be required to be submitted to the 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.

#### **§106. 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 and to lien the property for the costs of the same.

#### **§107. ADDITIONAL RULES.**

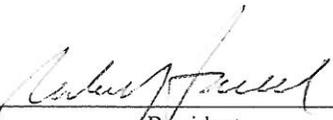
The Council of this Borough, by resolution duly adopted, may establish rules and regulations to carry out the provisions of this Part. Such rules and regulations shall become effective upon adoption of the resolution, unless another effective date is specified in the resolution.

**§108. 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 six hundred dollars (\$600) plus costs and in default of payment of said fine and costs, to a term of imprisonment not to exceed thirty (30) days. Each day that a violation of this Part continues shall constitute a separate offense.

**ORDAINED AND ENACTED** this 10<sup>th</sup> day of May, 2005 by the Council of the Borough of Churchill, in lawful session duly assembled.

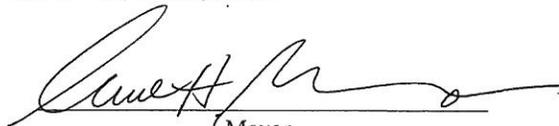
THE BOROUGH OF CHURCHILL

By   
President

ATTEST:

  
Secretary

**EXAMINED AND APPROVED** this 10<sup>th</sup> day of May, 2005.

  
Mayor