

Chapter 22 RODENT AND VERMIN CONTROL*

*Cross reference(s)--Buildings and building regulations, Ch. 6.

Sec. 22-1. Definitions.

For the purpose of this chapter the following definitions shall apply:

Building shall mean any structure, whether public or private, whether vacant or occupied that is adapted to or used: For dwelling occupancy; for the transaction of business; for the rendering of professional services, amusement; the display, or sale or storage of goods, wares, merchandise, articles or equipment; for the performance of work or labor; for office buildings, public buildings, stores, theaters, markets, restaurants, warehouses, grain processing factories, abattoirs, worships, garages; or structures where domestic or other animals or fowl are kept; for sheds, barns, outbuildings, or other structures or premises used as accessory to any such use.

Occupant shall mean the person that has the use of or occupancy of any building, or a portion thereof, whether the actual owner or tenant. In the case of vacant buildings or any vacant portion of a building, the owner, agent or other person having the custody of the building shall have the responsibility of an occupant of a building.

Openings shall mean and refer to any openings in the foundation, sidewalls, ground or first floor, basements, and roofs including chimneys, eaves, grills, windows, vents, vent pipes, ventilators, sidewalk grates, elevators and space around any pipe, wire, or other installations connected with buildings through which rodents may enter.

Owner shall mean the actual owner of the buildings, whether individual, partnership or corporation, or the agent of the building, or other person having custody of the buildings or to whom the rent is paid.

Rodent eradication means the elimination or extermination of rodents within buildings by any or all of accepted measures such as

poisoning, fumigation or trapping so that the buildings are completely freed of rodents and there is no evidence of rodent infestation.

Rodent harborage shall mean any condition which provides shelter or protection for rodents, thus favoring their multiplying and continued existence.

Rodent-proof or rodent-proofing applies to a form of construction which will prevent the ingress or egress of rats to or from a given space or building, or gaining access to food, water, or harborage. It consists of the closing and keeping closed, by the use of material impervious to rodents, every opening in foundations, basements, cellars, exterior and interior walls, ground or first floors, roofs, sidewalk gratings, sidewalk openings and other places that may be reached and entered by rodents by climbing, burrowing or gnawing.

Vermin shall include noxious little animals or insects such as larvae, flies, bed-bugs, roaches, fleas, lice and mites.
(Code 1968, § 313.1; Ord. No. 186-68, 5-20-68)

Cross reference(s)--Definitions and rules of construction generally, § 1-2.

Sec. 22-2. Health authority to make rules and regulations.

The health authority is hereby empowered to promulgate and enforce all reasonable rules and regulations for carrying out the purpose and intent of this chapter.
(Code 1968, § 313.2)

Sec. 22-3. Premises to be kept free from rodent harborage.

(a) The owner of a two (2) or more family residential building and the owner or occupant of a single family residential building shall maintain the building and the lot on which the building is located free from any accumulation of any putrid substance, garbage, rubbish, old lumber, debris or rubble, except in watertight covered containers.

(b) The owner of any vacant lot and the owner or occupant of a commercial building shall maintain the vacant lot and the building and lot on which it is located free from any accumulation of any putrid substance, garbage, rubbish, old lumber, debris or rubble, except in watertight covered containers.
(Code 1968, § 313.3)

Sec. 22-4. Construction, alteration or repair.

It shall be unlawful to erect, repair, alter or extend any building or structure unless such construction, repair or alteration shall render the building or structure rodent-proof in accordance with the definitions contained herein; provided that only such construction, repair or alteration as affects the rat proof condition of any building or structure shall be considered as subject to the provisions of this chapter.

(Code 1968, § 313.4)

Sec. 22-5. All buildings and vacant property to be kept free of rodents.

Every building which existed on April 16, 1956, and every alteration, addition or extension thereto shall be rodent-proofed and maintained in such condition, and all vacant or unimproved property shall be kept free from rodent harborage at all times.

(Code 1968, § 313.5)

Sec. 22-6. Demolition prohibited until provision made for eradication.

It shall be unlawful to demolish any building or structure unless provision is made for rodent and vermin eradication. No permit for the demolition of a building or structure shall be issued by the building authority until and unless provisions for rodent and vermin eradication have been carried out under supervision of a pest control operator registered with the health authority.

(Code 1968, § 313.6)

Sec. 22-7. Licenses involving food to be withheld if chapter violated.

No license shall be issued for the storing, processing, preparing, manufacturing, selling or offering for sale of any food, food stuff, or food products until the health authority certifies that the building or structure where such operation is to be constructed is of rodent-proof construction or has been rendered rodent-proof.

(Code 1968, § 313.7)

Sec. 22-8. Inspections.

The health authority is empowered to make such inspections of the interior an exterior of any building or structure as, in his opinion, may be necessary to determine full compliance with the provisions of this chapter.
(Code 1968, § 313.8)

Sec. 22-9. Notice of violation.

When any building, structure or premises is deemed by the health authority to constitute either a potential or an actual harborage for rodents or vermin, the health authority shall issue a notice in writing to the owner or occupant setting forth the conditions of such building, structure or premises and a reasonable time limit to correct the conditions found. Such notice may require the use of necessary measures for rodent eradication, rodent harborage removal, rodent-proofing, or vermin eradication deemed essential by the health authority. Notices may be served by an employee of the health authority, by the police department or by United States mail addressed to the person to be notified.
(Code 1968, § 313.9)

Sec. 22-10. Health authority may order premises vacated.

If the health authority shall find any building, structure or premises so heavily infested with vermin or rodents as to result in an actual or potential hazard to the health of the occupants or to the public health, he shall have the authority to declare the premises unfit for any occupancy or use until vermin or rodents have been eradicated or while vermin or rodents are being eradicated.
(Code 1968, § 313.10)

Sec. 22-11. Proofing not to be disturbed; exception.

It shall be unlawful for the occupant, owner, contractor, public utility employee, plumber, or any other person to remove, damage or destroy any part of the building or its appurtenances intended to protect such premises against ingress of rodents, or in any other way create a condition by which ingress for rodents is made possible; provided that this section shall not apply where the interference with the rodent-proofing is made necessary in connection with lawful construction or repair and the rodent proofing is promptly restored.
(Code 1968, § 313.11)

Sec. 22-12. Refuse not to be deposited without permit.

No person shall throw, place, deposit or permit any person under his control or employ to throw, place or deposit any putrid substance, human or animal excretion, dead animal, night soil, filth of any kind, garbage, rubbish, refuse piles, old lumber, or any unwholesome material in or upon any vacant lot, alley, lane, sidewalk or street, beach, harbor, pond or stream, or upon any private lot or public ground within the city without the consent of the health authority.

(Code 1968, § 313.12)

Sec. 22-13. Watertight containers required.

Sufficient watertight covered metal containers shall be used to receive for storage until collected all accumulation of garbage, putrescible waste, rubbish or other waste. Plastic or rubber composition containers may be substituted for metal containers within a building which is vermin-free. Such containers, whether metal, plastic or rubber composition, need not be covered when stored in a vermin proofed room or enclosure.

(Code 1968, § 313.13)

Sec. 22-14. Separate containers required.

Separate containers shall be provided for garbage and other putrescible waste, and separate containers shall be provided for ashes, rubbish, paper and nonputrescible waste.

(Code 1968, § 313.14)

Sec. 22-15. Feeding of animals.

No person shall place food in the open for the feeding of any domesticated fowl, birds or animals except in such containers that will prevent the scattering of such food upon the ground. After such feeding, such food shall not be allowed to remain where it is accessible to rodents.

(Code 1968, § 313.15)

Cross reference(s)--Animals generally, Ch. 5.

Sec. 22-16. Storage of feed for animals.

All food and feed for feeding chickens, cows, horses and other animals shall be kept and stored in rodent free and rodent-proof containers, compartments or rooms unless kept in a completely

rodent-proofed building.
(Code 1968, § 313.16)

Cross reference(s)--Animals generally, Ch. 5.

Sec. 22-17. Registration of pest control operators.

(a) All persons intending to engage in the business of pest control in the city shall register with the health authority before so engaging and thereafter annually, on or before June first, stating the name, business affiliation, address and telephone number of the operator as well as the pest control operations that the registrant is equipped to undertake, together with such other information that the health authority may require. Such registration will also include a signed agreement by the responsible person in charge of the pest control operation to comply with all rules and regulations established by the health authority for the safety of the public.

(b) Failure on the part of a pest control operator to give evidence of satisfactory performance of control operations on two (2) successive occasions shall be cause for revocation of registration.
(Code 1968, §§ 313.17, 313.18)

Sec. 22-18. Unregistered operators not to be employed.

The owner or occupant of any building or structure shall not permit any person to enter upon any building or structure for the purpose of disinfestation or extermination of vermin or rodents until such person presents a currently valid certificate of registration issued by the health authority.
(Code 1968, § 313.19)

Sec. 22-19. Permits required to use dangerous substances.

No person shall employ for disinfestation or for extermination of rodents or vermin from any building, vessel or enclosed space, any highly toxic chemical; any poisonous or dangerous gas; any substance emitting poisonous gas, fumes or vapor; cyanide in any form; or sodium fluoroacetate, commonly known as "1080," without first holding a special permit for each such use issued by the health authority subject to such conditions as the health authority may require. When such permits are issued both the police and fire departments shall be notified immediately by the health authority.
(Code 1968, § 313.20)

Sec. 22-20. Violations.

Whoever violates any provisions of this chapter or any regulation of the health authority made in pursuance thereof or any order of the health authority, or obstructs or interferes with the execution of such order or regulations, shall be guilty of an offense.

(Code 1968, § 313.21)

Sec. 22-21. Appeals.

Any person who feels aggrieved by an order of the health authority may file an appeal in the office of the city clerk within the two (2) days (excluding Saturdays, Sundays and holidays) following the day of receipt of such order, and the city council may by a two-thirds vote reverse the decision of the health authority, and permit exceptions to or variations from the specific terms of this chapter in such cases where the enforcement of the provisions of this chapter may result in undue hardship, subject always to the rule that the city council shall give due consideration to the purposes of this chapter in promoting public health, safety and welfare.

(Code 1968, § 313.22)