

ORDINANCE NO. 142

AND NOW, on the _____ day of _____, 2009, be and it hereby is ordained by the Union Township Board of Supervisors as follows:

VECTOR CONTROL

1. **INTENT.** To provide for the protection of the public health by controlling or preventing the spread of vector borne diseases and infections by the elimination of unsanitary conditions, elimination of breeding and harborage areas, by extermination of the vectors and by vectorproofing and the maintenance thereof in a sanitary and vectorproofed condition.

2. **DEFINITIONS.** For the purpose of this Section, the following definitions shall apply:

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 premise.

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

COLLECTION OF WATER – considered in this Section, shall be held to be those 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 container 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 wastes resulting from the handling, preparation, cooking or consumption of foods.

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

OCCUPANT – any person, living, sleeping, cooking, or eating in, or actually having possession of, a dwelling unit or a rooming unit, except that in dwelling unit 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 premise, dwelling or dwelling unit, with or without accompanying actual possession thereof.
- (2) Shall have charge, care or control of any premise, dwelling or dwelling unit, as owner or agent of the owner or an 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 Chapter and of the rules and

regulations adopted pursuant hereto, 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 wastes.

VECTORPROOFING – 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, ratproofing, flyproofing and mosquitoproofing.

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.

3. PROHIBITED AREAS.

- A. It shall be unlawful for any person, firm or corporation to deposit any refuse, offal, pomace, 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 same shall or may afford food, harborage or breeding areas for rats, flies or other vectors.
- B. It shall be unlawful for any person, firm or corporation to deposit or permit to accumulate in or upon any premise, 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, unless the same may be kept in approved covered receptacles or placed on open racks that are elevated not less than 12 inches above the ground and evenly piled or stacked, or disposed of as may be approved by the Department of Environmental Protection.

- C. It shall be unlawful to maintain a junkyard unless licensed by the Commonwealth of Pennsylvania, 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 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.
- D. It shall be unlawful to store refuse in containers other than those which shall be made of durable, water-tight, rust-resistant material having a tight-fitting lid which must be kept on the counter 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. It shall not be unlawful to dump, burn, destroy or otherwise dispose of refuse, except at an approved refuse disposal site.

- F. It shall be unlawful to collect, haul, transport or convey garbage in open, unenclosed, nonleakproof vehicles.
- G. It shall be unlawful to construct, maintain, or use a sewage system, privy, urinal, cesspool or otherwise receptacle for human excrement so that vectors may have access to the excrementitious matter contained therein.
- H. It shall be unlawful 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.

4. RESPONSIBILITIES OF OWNERS AND OCCUPANTS.

- 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 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 as single dwelling unit shall be responsible for the extermination of insects and/or rodents on the premises; and every occupant of a dwelling containing more than one 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 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.

5. **VECTORPROOFING.**

- A. Any dwelling, building, structure, accessory structure, premise or any other place may be required to be vectorproofed when found to be providing harborage or breeding areas for rats, flies, mosquitoes or any other vectors.
- B. 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 vectorproofing from any building, structure or accessory structure for any purpose.

6. **PLANS AND SPECIFICATIONS FOR PRIVATE VECTOR CONTROL**

PROGRAMS. A program plan and specifications for private vector control programs may be required to be submitted to the Township as deemed necessary by the authorized Township Official. 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 a n effort to

control said vectors. If, after review of the program plan by the authorized Township Official, it is found to be inadequate or incomplete, additional information may be required as well as additional control methods.

7. **AUTHORITY TO ABATE VECTOR PROBLEMS.**

- A. From and after passage of this Chapter, representatives of the Township are 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 Chapter and to determine evidence of vector infestation and the need for vectorproofing or additions or repairs to existing vectorproofing.
- B. 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 Chapter, 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
- C. 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, the Township may proceed to abate the said violations in the matter provided by the law.

8. The provisions of this Ordinance are severable. If any sentence, clause, or section of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, or sections of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors of Union Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause or section not been included herein.
9. This Ordinance shall be enforceable by the Township official designated to enforce this Ordinance. Violation of this Ordinance may result in a fine of not more than \$1,000.00 per violation and this Ordinance shall be enforceable before a District Judge.

So ordained by the Union Township Board of Supervisors in lawful session.

ATTEST:

By Gay R Longenecker
Secretary

UNION TOWNSHIP BOARD OF
SUPERVISORS

By Larry R. Wolf
By [Signature]