

## Chapter 337

### VECTOR AND PEST CONTROL

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#### GENERAL REFERENCES

Demolition of buildings — See Ch. 131.

Junkyards and junk dealers — See Ch. 222.

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Solid waste — See Ch. 303.

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#### § 337-1. Short title.

This chapter shall be known as the "Vector and Pest Control Ordinance."

#### § 337-2. Definitions.

For the purpose of this chapter 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 premises.

**BREEDING AREA** — Any condition which provides the necessary environment for the birth or hatching of vectors or pests.

**COLLECTION OF WATER** — Considered in this chapter shall be held to be those contained in ditches, pools, ponds, streams, excavating, 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, or other receptacles, containers or devices of any kind which may hold water.

**DILAPIDATED** — Fallen into partial ruin or decay.

**DISPOSAL** — Includes the storage, collection, disposal, or handling of refuse.

**EXTERMINATION** — The control and elimination of vectors or pests 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 or pest 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 or pests can live, nest, or seek shelter.

**OCCUPANT** — Any person, over one 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 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 thereof to the same extent as if he were the owner.

**PEST** — An animal or other organism which has a harmful effect of humans, their food or their living condition including but not limited to: rats, mice and other rodents; spiders, ticks, mites, cockroaches, lice, fleas, bed bugs, silverfish, termites and other arthropods.

**REFUSE** — All solid wastes, except body wastes, and shall include garbage, ashes, and rubbish.

**RUBBISH** — Includes glass, metal, paper, plant growth, wood, nonputrescible solid wastes or rubber and rubber derivatives.

**VECTOR** — An organism, such as a mosquito, tick or rodent, that carries disease-causing microorganisms from one host to another.

**VECTOR OR PEST PROOFING** — A form of construction to prevent the ingress or egress of vectors or pests 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.

**YARD** — An unoccupied space, other than a court, open to the sky, on the same lot with a building or structure.

### **§ 337-3. Prohibited acts.**

- 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 of Pennsylvania so that same shall or may afford food, harborage, or breeding areas for rats, flies or other vectors or pests.

- B. It shall be unlawful 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, unless 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 in accordance with the Department of Environmental Protection regulations.
- C. It shall be unlawful to maintain a junkyard or a 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 or pests. This excludes junkyards licensed by the Township.
- D. It shall be unlawful to store refuse in containers other than those 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. It shall be unlawful to dump, burn, bury, 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, non-leak proof vehicles.
- G. It shall be unlawful to construct, maintain, or use a sewage system, privy, urinal, cesspool, or other receptacle for human excrement so that vectors or pests may have access to the excrementitious matter contained therein.
- H. It shall be unlawful to permit nuisance and invasive weeds or lawns more than 8 inches high to remain standing in any vacant lot, yard, or other place except as may be approved by the municipality. Agricultural fields are not included.
- I. 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.

#### **§ 337-4. 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 in a clean and sanitary condition that part or those parts of the dwelling, dwelling unit and premises thereof that they occupy and control.
- 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 dwelling unit shall be responsible for such extermination whenever their 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 reasonable insect proof 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.

**§ 337-5. Vector or Pest proofing.**

- A. Any dwelling, building, structure, accessory structure, premises or any other place may be required to be vector or pest proofed when found to be providing harborage or breeding areas for rats, flies, mosquitoes, or any other vectors or pests.
- 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 vector or pest proofing from any building, structure or accessory structure for any purpose.

**§ 337-6. Plans and specifications for private vector or pest control programs.**

A program plan and specifications for private vector or pest control programs may be required to be submitted to the municipality as deemed necessary by the Zoning/Code Enforcement Officer. Said program plan shall be submitted by the owner or agent of the property on or in which said vector or pest control program is or will be conducted. The program plan shall state the type of vectors or pests 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 or pests. If, after review of the program plan by the Zoning/Code Enforcement Officer, it is found to be inadequate or incomplete, additional information may be required as well as additional control methods.

**§ 337-7. Authority to abate vector or pest problems.**

- A. From and after passage of this chapter, the municipality and/or a representative of the vector or pest control program is empowered to make inspections of the exterior of all dwellings, buildings, structure, and accessory structures, premises, collections of water, or any other places to determine full compliance with this chapter, and to determine evidence of vector or pest infestation and the need for vector or pest proofing or additions or repairs to existing vector or pest proofing.

- B. Whenever it shall be determined that any dwelling, building, structure, accessory structure, premises, 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 municipality may proceed to abate the said violations in the manner provided by the law.

**§ 337-8. Violations and penalties.**

Any person who violates or permits the violation of this chapter shall, upon being found guilty in a proceeding commenced by a municipality and held before a Magisterial District Judge, pay a fine not exceeding \$1,000 and cost, attorney and other professional fees. Each day a violation exists can constitute a separate offense punishable by a fine not exceeding \$1,000. In addition to the aforementioned fine, the Magisterial District Judge, upon finding a violator guilty, may prescribe imprisonment not to exceed 90 days.