

## **CHAPTER 21 RAT CONTROL**

§ 21-1. Definitions.

§ 21-2. Buildings to be rat proof and free of rats.

§ 21-3. Inspections; notice of evidence of rat infestation, rat harborage or inadequate ratproofing.

§ 21-4. Compliance with notice to ratproof.

§ 21-5. Compliance with notice as to rat eradication.

§ 21-6. Compliance with notice as to rat harborage - Occupied premises.

§ 21-7. Same - Unoccupied premises.

§ 21-8. Ratproofing when building is constructed, repaired or remodeled.

§ 21-9. Same - Handling of food; denial of permit.

§ 21-10. Storage of food and feed.

§ 21-11. Containers for garbage or refuse; dumping.

§ 21-12. Accumulation of garbage, rubbish or trash.

§ 21-13. Piles of lumber, bricks, or similar materials.

§ 21-14. Emergency abatement of rat infestation.

§ 21-15. Effect of non-compliance with chapter.

### **Sec. 21-1. Definitions.**

Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms shall, for the purpose of this chapter; have the meanings stated in this section:

"Building" shall mean any structure, whether public or private, that is adopted for residential occupancy or for transaction of business, for rendering of professional service, for amusement, for the display, sale or storage of goods, wares, or merchandise, or for the performance of work or labor, including hotels, apartment buildings, tenement houses, rooming houses, office buildings, public buildings, stores, theaters, market, restaurants, grain elevators, abattoirs, warehouses, workshops, factories, and all outhouses, sheds, barns and other structures or premises used for any of the above purposes.

"Health Officer" means the Deputy State and County Health Officer for Talbot County or his duly authorized representative.

"Occupant" shall mean the individual, partnership or corporation that uses or occupies any building or part or fraction thereof, whether the actual owner or tenant. In case of vacant buildings or vacant portions thereof, the owner, agent or custodian shall have the responsibility as occupant.

"Owner" shall mean the actual owner, agent or custodian of the building, whether individual, partnership or corporation. The lessee shall be construed as the "owner" when building agreements hold the lessee responsible for maintenance and repairs.

(Ordinance 57 effective 12/17/1962)

"Rat" or any term including the word "rat" shall include mice. (Ordinance 519 aka E-34 effective 5/7/1967)

"Rat eradication" means the elimination or extermination of rats within buildings by any or all of the accepted measures, such as: poisoning, fumigation, trapping and clubbing.

"Rat harborage" shall mean any condition which provides shelter or protection for rats, thus favoring their multiplication and continued existence in, under, or outside of any structure.

"Ratproofing" applies to a form of construction to prevent the ingress of rats into buildings from the exterior, or from one building to another. It consists essentially of treatment with material impervious to rat gnawing, all actual or potential openings in exterior walls, ground or first floors, basements, roofs and foundations, that may be reached by rats from the ground by climbing or burrowing.

(Ordinance 57 effective 12/17/1962)

**Sec. 21-2. Buildings to be ratproof and free of rats.**

All buildings in the town shall be ratproofed, freed of rats, and maintained in a ratproof and rat-free condition to the satisfaction of the health officer.

The owners of all ratproofed buildings are required to maintain the premises in a ratproof condition and to repair all breaks or leaks that may occur in the ratproofing without a specific order from the health officer.

It shall be unlawful for the occupant, owner, contractor, public utility company, plumber, or any person to remove and fail to restore in like condition the ratproofing from any building for any purpose or to make any new openings that are not closed or sealed against the entrance of rats.

(Ordinance 57 effective 12/17/1962)

**Sec. 21-3. Inspections; notice of evidence of rat infestation, rat harborage or inadequate ratproofing.**

The health officer is empowered to make unannounced inspection of the interior and exterior of buildings, and to make periodic inspection of all ratproofed buildings to determine evidence of rat infestation and the existence of new breaks or leaks in their ratproofing, and when any evidence is found indicating the presence of rats or opening through which rats may again enter any buildings the health officer shall serve the owners or occupants with notice and/or order to abate the conditions found.

The health officer is further empowered to make additional inspections from time to time to determine whether the conditions stated in any notice are being or have been remedied, and whether rat control measures are being continuously maintained in a satisfactory manner.

(Ordinance 57 effective 12/17/1962)

**Sec. 21-4. Compliance with notice to ratproof.**

Upon receipt of written notice and/or order from the health officer the owner of any building specified therein shall take immediate measures for ratproofing the building. Unless said work and improvements have been completed by the owner in the time specified in the written notice, which in no event shall be less than fifteen (15) days, or written the time to which a written extension may have been granted by the health officer, then the owner shall be punished as provided in this Code. (Ordinance 57 effective 12/17/1962)

**Sec. 21-5. Compliance with notice as to rat eradication.**

Whenever the health officer notifies the occupant or occupants of a building in writing that there is evidence of rat infestation of the building, said occupant or occupants shall immediately institute rat-eradication measures and shall continuously maintain such measures in a satisfactory manner until the premises are declared by the health officer to be free of rat infestation. Unless said measures are undertaken within five (5) days after receipt of notice, the occupant shall be punished as provided in this Code. (Ordinance 57 effective 12/17/1962)

**Sec. 21-6. Compliance with notice as to rat harborage - Occupied premises.**

Whenever conditions inside or under occupied buildings provide extensive harborage for rats, the health officer is empowered, after due notification, to close such buildings until such time as the conditions are abated by ratproofing and harborage removal including, if necessary, the installation of suitable concrete floors in basements or replacement of wooden first or ground floors with concrete or other major repairs necessary to facilitate rat eradication. (Ordinance 57 effective 12/17/1962)

**Sec. 21-7. Same - Unoccupied premises.**

Whenever conditions inside or under occupied buildings provide extensive harborage for rats, the health officer is empowered to require compliance with the provisions of section 21-4 of this chapter and, in the event that said conditions are not corrected in a period of sixty (60) days, or within the time to which a written extension may have been granted by the health officer, the health officer is empowered to institute condemnation and destruction proceedings. (Ordinance 57 effective 12/17/1962)

**Sec. 21-8. Ratproofing when building is constructed, repaired or remodeled.**

It shall be unlawful for any person, firm or corporation hereafter to construct, repair or remodel any building, dwelling, stable, or market, or other structure whatsoever, unless such construction, repair, remodeling, or installation shall render the building or other structure ratproof. The provisions of this section apply only to such construction, repairs, remodeling or installation as affect the ratproof condition of any building or other structure. (Ordinance 57 effective 12/17/1962)

**Sec. 21-9. Same - Handling of food; denial of permit.**

It shall be unlawful for any person, firm or corporation to occupy any new or existing buildings wherein foodstuffs are to be stored, kept, handled, sold, held or offered for sale without complying with section 21-8 of this chapter; and unless the provisions of this section are complied with no town license or permit to conduct or carry on such business will be issued. (Ordinance 57 effective 12/17/1962)

**Sec. 21-10. Storage of food and feed.**

All food and feed within the town for feeding chickens, cows, pigs, horses and other animals shall be stored in rat-free and ratproof containers, compartments or rooms unless stored in a ratproof building. (Ordinance 57 effective 12/17/1962)

**Sec. 21-11. Containers for garbage or refuse; dumping.**

Within the corporate limits of the town all garbage or refuse consisting of waste animal or vegetable matter upon which rats may feed, and all small dead animals, shall be placed and stored until collected in covered metal containers of a type prescribed by the health officer. It is further declared unlawful for any person, firm or corporation to dump or place on any premises, land or waterway, any dead animals, or any waste vegetable or animal matter of any kind. (Ordinance 57 effective 12/17/1962)

**Sec. 21-12. Accumulation of garbage, rubbish or trash.**

It shall be unlawful for any person to leave, place or dump, or permit to accumulate any garbage, rubbish, or trash in any building or on any premise, improved or vacant, or on any open lot or alley in the town so that the same shall or may afford food or harborage for rats. (Ordinance 57 effective 12/17/1962)

**Sec. 21-13. Piles of lumber, boxes, or similar materials.**

It shall be unlawful for any person to permit to accumulate on any premises, improved or vacant, or on any open lot or alley in the town any lumber, boxes, barrels, bottles, cans, containers or similar materials that may be permitted to remain thereon unless same shall be placed on open racks that are elevated not less than eighteen (18) inches above the ground, and evenly piled or stacked. (Ordinance 57 effective 12/17/1962)

**Sec. 21-14. Emergency abatement of rat infestation.**

Whenever the health officer shall find that a public health emergency exists because of the investigation of a building, structure, dump or any premises by rats which is likely to cause plague, typhus fever, rat-bite fever or other disease to be spread to residents of the town, he may summarily abate such condition of infestation by rats without prior notice to owners or occupants. (Ordinance 519 aka E-34 effective 5/7/1967)

**Sec. 21-15. Effect of non-compliance with chapter.**

Upon failure of the owner or occupant of a building to comply with notice given by the health officer the town shall have the authority to take whatever measures are deemed necessary by the health officer to remedy the condition found to exist, and the cost and expense thereof shall be and constitute a lien upon the real property upon which said work is done, which the lien shall be collectable in the same manner as ad valorem taxes levied against the property. (Ordinance 57 effective 12/17/1962)