

ORDINANCE NO. 3931

AN ORDINANCE to amend and reordain Section 11-6-1 (DEFINITIONS), Section 11-6-3 (INSPECTIONS; NOTICE OF EVIDENCE OF RAT INFESTATION, RAT HARBORAGE OR INADEQUATE RATPROOFING), Section 11-6-4 (COMPLIANCE WITH NOTICE TO RATPROOF), Section 11-6-5 (COMPLIANCE WITH NOTICE AS TO RAT ERADICATION), Section 11-6-6 (COMPLIANCE WITH NOTICE AS TO RAT HARBORAGE), Section 11-6-8 (STORAGE OF FOOD AND FEED), Section 11-6-9 (FEEDING OF BIRDS OR POULTRY), Section 11-6-10 (CONTAINERS FOR GARBAGE, ETC.; USE OF DUMPS), Section 11-6-14 (PROCEDURE AS TO DEMOLITION, MOVING OR REMOVING OF BUILDING), Section 11-6-15 (EMERGENCY ABATEMENT OF RAT INFESTATION), Section 11-6-16 (RULES AND REGULATIONS), and Section 11-6-17 (ENFORCEMENT OF CHAPTER), of Chapter 6 (RAT CONTROL), Title 11 (HEALTH, ENVIRONMENTAL AND SANITARY REGULATIONS) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 11-6-1, Section 11-6-3, Section 11-6-4, Section 11-6-5, Section 11-6-6, Section 11-6-8, Section 11-6-9, Section 11-6-10, Section 11-6-14, Section 11-6-15, Section 11-6-16 and Section 11-6-17 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby are, amended and reordained to read as follows:

Sec. 11-6-1 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 indicated in this section:

(1) Building. Any structure or dwelling, whether public or private, which is devoted to or designed for occupancy of any kind, or for the transaction of business of any nature, for the 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, roominghouses, office buildings, public buildings, stores, theaters, markets, restaurants, warehouses, workshops, factories and all other houses, sheds, and other structures on premises used for business or dwelling purposes, whether they are occupied or not.

(2) Occupant. The person using or occupying any building or part thereof, whether owner or tenant. In the case of vacant buildings or vacant portions thereof, the owner, agent or custodian shall have the responsibility as occupant.

(3) Owner. The person who is the actual owner, agent or custodian of the building and also the lessee thereof when, under the terms of a lease the lessee is responsible for maintenance and repair.

(4) Person. The word "person" shall include one or more natural persons, associations, partnerships, corporations, syndicates, societies, clubs, lodges, trustees, fiduciaries or any group of the foregoing operating or doing business as a single organization.

(5) Rat. The word "rat" or any term including the word "rat" shall include mice.

(6) Rat eradication. The elimination or extermination of rats within and without buildings and from rat harborages of any kind by any or all of the accepted measures, such as baiting, fumigation, trapping, etc., so that the buildings and rat harborages are completely freed of rats and there is no evidence of rat infestation remaining.

(7) Rat harborages. Any condition which provides shelter or protection for rats, thus favoring their multiplication and continued existence in, under or outside of a building of any kind.

(8) Ratproofing. A form of construction preventing the ingress of rats into buildings from the exterior or from one building to another. It consists essentially of treating or closing all actual or potential openings in the exterior walls, ground or first floors, basements, roofs and foundations, that may be reached by rats from the ground by climbing or by burrowing, with material or equipment which is impervious to rat gnawing.

(9) Code official. The person designated to enforce chapter 34 of the Uniform Statewide Building Code which is incorporated into the city code by section 8-1-2.

Sec. 11-6-3 Inspections; notice of evidence of rat infestation, rat harborage or inadequate ratproofing.

(a) The code official is empowered to make inspections of the interior and exterior of buildings and other areas in order to ascertain whether there is evidence of rat infestation, rat harborage or inadequate ratproofing. When such conditions are found to exist, notice thereof shall be given as hereinafter provided.

(b) The code official 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.

Sec. 11-6-4 Compliance with notice to ratproof.

Upon receipt of written notice from the code official to the effect that there appears to be inadequate ratproofing or no ratproofing, the owner of any building specified therein shall take immediate steps to ratproof the building. Unless the work and improvements necessary to ratproof the building shall be completed by the owner in time specified in the notice, which in no event shall be less than 15 days, or within the time to which a written extension may have been granted by the code official then the owner shall be punished as provided in section 1-1-7 of this code.

Sec. 11-6-5 Compliance with notice as to rat eradication.

Whenever the code official notifies in writing the occupant of any building or premises that there is evidence of rat infestation of the building, the occupant shall immediately institute rat eradication measures and shall continuously maintain such measures in a satisfactory manner until the building or premises is rat-free or the code official advises that there is no evidence of rat

infestation. Unless such measures are taken within five days after receipt of the notice, the occupant shall be punished as provided in section 1-1-7 of this code.

Sec. 11-6-6 Compliance with notice as to rat harborage.

Whenever conditions in, under or outside any building provide harborage for rats, the code official is empowered to notify in writing the owner or occupant to remove, abate, suspend, alter or otherwise correct such rat harborage within the time specified in the notice, which in no event shall be less than 15 days, or within the time to which a written extension may have been granted. Failure to comply with this notice within the time specified shall be punished as provided in section 1-1-7 of this code.

Sec. 11-6-8 Storage of food and feed.

All food and feed within the city for feeding dogs, cats, birds and other animals shall be stored in rat-free and ratproof containers, compartments or rooms unless stored in a ratproof building.

Sec. 11-6-9 Feeding of birds.

When feeding birds the feed shall be placed on raised platforms or in some other manner so that it will not be accessible to rats. The feed shall not be spread upon the ground or any place or in any manner that would allow it to be accessible to rats. Bird feeders shall be elevated at least 18 inches above the ground and shall be inaccessible to rats.

Sec. 11-6-10 Containers for garbage, etc.; use of dumps.

Within the city, 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 approved waste containers as provided in title 5, Chapter 1 of this code. No person shall dump on any premises, land or place, public or private, any dead animals, waste vegetable or animal matter of any kind, except on official city disposal sites or other places authorized by the code official.

Sec. 11-6-14 Procedure as to demolition, moving or removing of buildings.

When any person desires to demolish, move or remove, in whole or in part, any building, he shall first obtain a certificate from the code official, stating that rat eradication measures have been taken and that the premises are free of rats before a permit to demolish, move, or remove the building will be issued by the building inspector. Upon completion of the demolition or removal of the building, it shall be the duty of the owner to eliminate all rat harborages from the premises and to maintain the premises in a rat-free condition. If the proposed demolition or removal of a building, or part thereof, is not commenced within 60 days after the issuance of the certificate by the code official, the certificate shall be deemed null and void, and before proceeding with the demolition or removal a new certificate shall be obtained.

Sec. 11-6-15 Emergency abatement of rat infestation.

Whenever the code official shall find that a public health emergency exists because of the infestation 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 city, he may summarily abate such condition of infestation by rats without prior notice to owners or occupants.

Sec. 11-6-16 Rules and regulations.

The code official is empowered to adopt rules and regulations to aid in the construction and enforcement of this chapter which are not inconsistent with the terms and provisions hereof. It shall be unlawful for any person to fail to comply with such rules and regulations.

Sec. 11-6-17 Enforcement of chapter.

(a) The code official of the city or his authorized representative shall be responsible for the enforcement of the provisions of this chapter.

(b) The city manager may, upon the request of the code official, allocate such resources and personnel of the city as he may deem necessary to assist the code official in the enforcement of any provisions of this chapter as the city manager shall specifically designate.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

KERRY J. DONLEY
Mayor

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