

# Ordinance No. 629

AN ORDINANCE to amend the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940 and made effective August 5, 1940, by adding a new chapter thereto numbered Chapter XXIV-A which relates to rodent control and which provides for the protection of the public health and protection against economic loss by, controlling or preventing the spread of rat-borne diseases and infections, the elimination of insanitary conditions associated with such diseases, the extermination of rats, rat-proofing of rat infested buildings and premises and maintenance thereof in a ratproof condition, the elimination of rat harborages and feeding places; and which further provides for the enforcement of this chapter and penalties for violations.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA:

1. That the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940 and made effective August 5, 1940, be and the same hereby is amended by adding a new chapter thereto following Chapter XXIV, to read as follows:

## CHAPTER XXIV-A

### RODENT CONTROL

**Sec. 1.** Words, phrases and terms defined.

For the purposes of this chapter, certain words, phrases and terms used herein are defined as follows:

(a) Words used in the present tense include the future, and words in the singular include the plural, unless the contrary is plainly manifested, and the male personal pronoun may be applied to any person as hereinafter defined.

(b) 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.

(c) The word "rat" or any term including the word "rat" as used herein shall be construed to include mice.

(d) The term "building" shall mean 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, rooming houses, tenement houses, office buildings, public buildings, stores, theaters, markets, restaurants, grain elevators, abattoirs, warehouses, workshops, factories, and all other houses, outhouses, sheds, barns and other structures on premises used for business or dwelling purposes, whether the same be occupied or not.

(e) The term "ratproofing" as used herein 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 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 impervious to rat gnawing.

(f) The term "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 a building of any kind.

(g) The term "rat eradication" means 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, clubbing, etc., so that the buildings and rat harborages are completely freed of rats and there is no evidence of rat infestation remaining.

(h) The term "Health Officer" as used herein means the Health Officer of the City of Alexandria, Virginia, and any of his duly authorized representatives.

(i) The term "owner" as used herein shall mean 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.

(j) The term "occupant" as used herein shall mean 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.

#### **Sec. 2. General provision.**

All buildings in the City of Alexandria shall be ratproofed, freed of rats, and maintained in a ratproof and rat-free condition, and rat harborages and conditions favoring the harborage of rats shall be eliminated.

#### **Sec. 3. Inspections.**

From and after the passage of this chapter the Health Officer 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.

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.

#### **Sec. 4. Ratproofing.**

Upon receipt of written notice from the Health Officer 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 the time specified in said notice, which in no event shall be less than fifteen (15) days, or within the time to which a written extension may have been granted by the Health Officer, then the owner shall be deemed guilty of an offense under the provisions of this chapter, and subject to the penalties herein prescribed.

#### **Sec. 5. Maintenance in a ratproof condition.**

The owners of all ratproof buildings are required to maintain the premises in a ratproof condition and to repair all breaks or leaks that may occur in the rat proofing without a specific notice from the Health Officer.

**Sec. 6. Rat eradication.**

Whenever the Health Officer notifies in writing the occupant of any building or premises that there is evidence of rat infestation of the building, said 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 Health Officer advises that there is no evidence of rat infestation. Unless said measures are taken within five (5) days after receipt of the notice, it shall be construed as a violation of the provisions of this chapter and subject to the penalties herein prescribed.

**Sec. 7. Rat harborage.**

Whenever conditions in, under, or outside any building provide harborage for rats, the Health Officer is empowered to notify in writing the owner and/or occupant to remove, abate, suspend, alter, or otherwise correct such rat harborage within the time specified in said notice, which in no event shall be less than fifteen (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 construed as a violation of the provisions of this chapter and subject to the penalties herein provided.

**Sec. 8. Ratproofing, maintenance and replacement.**

It shall be unlawful for the owner, occupant, contractor, public utility company, plumber, any repairman, or any other 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.

**Sec. 9 Construction, repair and remodeling.**

It shall be unlawful for any person to construct, repair or remodel any building, 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, repair, remodeling or installation as affect the ratproof condition of any building or other structure.

**Sec. 10. Storage of Food and feed.**

All food and feed within the City for feeding chickens, cows, pigs, horses, birds, and other animals and fowl shall be stored in rat-free and ratproof containers, compartments, or rooms unless stored in a ratproof building.

**Sec. 11. 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.

**Sec. 12. Storage and dumping of vegetable or animal waste.**

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 covered metal containers approved by the Health Officer. It is further declared unlawful for any person to dump on any premises, land or place, any dead animals, waste vegetable or animal matter of any kind, except on official City disposal sites or other authorized places.

**Sec. 13. Garbage and trash.**

It shall be unlawful for any person to place, leave, dump, or permit to accumulate any garbage, rubbish or trash in any building or on any premises, improved or vacant, or on any open lot or alley in the City so that the same shall or may afford food or harborage for rats.

**Sec. 14. Piling of lumber, boxes, bricks and other materials.**

It shall be unlawful for any person to accumulate, or to permit the accumulation of any lumber, boxes, barrels, bottles, cans, bricks, stones, containers or similar materials that may be permitted to remain on any premises, improved or vacant, or on any open lot or alley in the City, unless the same shall be evenly piled or stacked on open racks that are elevated a reasonable height above the ground, but in no case less than six (6) inches.

**Sec. 15. Wharves, docks and ships.**

All public and private docks and wharves in the City wherever located, shall be so protected as to prevent rats from gaining entrance to such docks or wharves at either high or low tide from vessels anchored or moored alongside of such docks or wharves. Ratguards shall be immediately placed on all lines used to secure any vessel alongside any dock or wharf.

**Sec. 16. Demolition, moving or removing 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 Health Officer 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 same in a rat-free condition. If the proposed demolition or removal of a building, or part thereof, is not commenced within sixty (60) days after the issuance of the aforesaid certificate by the Health Officer, the same shall be deemed null and void, and before proceeding with the said demolition or removal a new certificate shall be obtained.

**Sec. 17. Abatement in emergency.**

Whenever the Health Officer 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. 18. Rules and regulations.**

The Health Officer is empowered to adopt rules and regu-

lations to aid in the construction and enforcement of this chapter which are not inconsistent with the terms and provisions hereof.

**Sec. 19. Penalties.**

Any person who violates any provision or requirement of this chapter or violates or fails to comply with any notice, rule or regulation thereunder shall be punished by a fine of not less than \$10.00 nor more than \$300.00, or by imprisonment in jail for a period not to exceed three (3) months, or by both such fine and imprisonment. Each day that any violation is allowed to continue shall constitute a separate and distinct offense.

**Sec. 20. Savings clause.**

If any section, subsection, sentence, clause, phrase, part or provision of this chapter shall be declared unconstitutional, void, or invalid for any reason, the validity of the remaining portions of this chapter shall not be affected thereby but shall continue in full force and effect.

2. That this ordinance shall be published in the Alexandria Gazette and it shall become effective the date of its passage. The clerk shall note in the minutes the time of such publication and passage.

**Franklin P. Backus**  
Mayor

Adopted February 14, 1950.  
Published February 8, 1950.