

ATTACHMENT "7"

**VECTOR CONTROL**

A RESOLUTION OF THE  
GWINNETT COUNTY BOARD OF HEALTH  
TO ADOPT THE FOLLOWING RULES AND REGULATIONS  
FOR VECTOR CONTROL  
BASED UPON RULES OF THE DEPARTMENT OF HUMAN RESOURCES  
PUBLIC HEALTH, CHAPTER 290-5-58.

**VECTOR CONTROL  
FOR GWINNETT COUNTY HEALTH DEPARTMENT**

**290-5-58-.02 Definitions**  
**290-5-58-.03 General Provisions**  
**290-5-58-.04 Enforcement**

**290-5-53-.02 Definitions.** For the purpose of this Chapter, the following words and phrases shall have the meaning as indicated.

- (a) **BUSINESS BUILDING** means any structure, permanent or temporary, whether public or private, that is adapted for occupancy, for transaction of business, for rendering 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, office buildings, public buildings, stores, theaters, markets, restaurants, grain elevators, abattoirs, warehouses, workshops, factories and all outhouses, sheds, barns and other structures on premises used for business purposes.
- (b) **HEALTH AUTHORITY** means the local county health board.
- (c) **HEALTH OFFICER** means the authorized representative of the local county health board.
- (d) **NUISANCE** means whatever is detrimental to human health or whatever renders or tends to render soil, air, water, or food impure or unwholesome.
- (e) **OWNER** means the actual owner of a building whether an individual, partnership or corporation, who owns or holds title to a building and includes also the agents for the building or other person having custody or managerial control. In the case of business buildings leased or rented with a clause in the contract specifying that the lessee or tenant is responsible for maintenance and repairs, the lessee or tenant will be considered the owner.
- (e) **OCCUPANT** means the individual, partnership, or corporation that uses or occupies any buildings or a part thereof whether the actual owner or tenant. In the case of a vacant building or any portion of a building or premises, the owner, agent, or other person having custody of the building or premises shall have the responsibilities of an occupant of the building or premises.

- (f) PERSON means any person, firm, corporation, municipality, association or society.
- (g) RAT CONTROL means any method as may be approved by the Health Authority to control the rat population.
- (h) RAT HARBORAGE means any condition under which rats may find shelter or protection, and shall include any construction or condition which permits the entrance of rats into any business building.
- (i) RAT-PROOFING means a form of building construction which will prevent the ingress of rats into business buildings through the exterior walls, ground or first floors, basements, roofs, sidewalk gratings, sidewalk openings, foundations and other places that may be reached and entered by rats by climbing, burrowing, or otherwise. The material to be used for rat-proofing shall include cement concrete, brick masonry laid in cement, concrete mortar, sheet metal, and minimum eighteen (18) gauge wire cloth having a mesh not larger than one-half (1/2) inch. All material for rat-proofing shall be of such strength and thickness as to be impervious to rat-gnawing. Windows and other openings for light or ventilation that may be reached or entered by rats shall be covered with wire cloth screen incorporated into a metal frame conforming to the above gauge and dimensions. All exterior doors shall be protected against the gnawing of rats by the use of materials prescribed above. When closed, all exterior doors shall have a maximum clearance between doors, door sills and jambs not exceeding three-eighths (3/8) of an inch

Legal authority-O.C.G.A. Secs 31-2-1.31-2-2. 31-2-4, 31-12-8. History. Original Rule entitled "Definitions" adopted F. June 22, 1995; eff. Aug. 1, 1995, as specified by the agency.

#### **290-5-58-.03 General Provisions.**

1. No person shall create, maintain, support, aid or continue a nuisance. Nuisances include, but are not limited to the following

- (a) Conditions conducive to the breeding of flies or mosquitoes.
- (b) Trash, garbage, refuse, or any foul, decaying, or putrescent material kept or used in such a manner or place as to be or become offensive, objectionable or detrimental to health or well being.
- (c) Except in areas deemed appropriate by the health authority, the keeping of horses, mules, asses, cows, sheep, goats, hogs, dogs, rabbits, guinea pigs, hamsters, chickens, turkeys, geese, ducks, pigeons or similar fowl or animals shall be prohibited. Any housing or enclosures used by such animals or fowl shall be well drained, free from accumulations of animal excrement and objectionable odors, and otherwise clean and sanitary. Animal excrement shall be disposed of in a manner approved by the Health Authority.

2. The owners of all business buildings shall have such buildings rat-proofed, and kept rat-proofed in accordance with this Chapter.

3. All business buildings hereafter erected, enlarged or repaired, shall be rat-proofed and kept rat-proofed in accordance with this Chapter.
4. Whenever conditions inside or under any such business buildings or on any premises provide harborage for rats such that the Health Authority deems it necessary that the harborage be eliminated, the owner shall take steps toward the elimination of the harborage.
5. The occupants in charge of any business building or premises shall at all times comply with the following requirements:
  - (a) Store all garbage in a rat-proof and insect-proof metal container or a type approved by the Health Authority, pending removal of such garbage.
  - (b) Keep such buildings and/or premises free of trash, debris, rubbish, salvage or similar materials which provide nesting places and harborage for rats.
  - (c) Maintain such buildings and/or premises in a rat-free condition by pursuing a program of rat-control approved by the Health Authority.
6. Owners and occupants of any dwelling shall at all times comply with the following requirements:
  - (a) Every owner of a dwelling containing two (2) or more dwelling units shall maintain the shared or public area of the dwelling and premises thereof in a clean and sanitary condition.
  - (b) Every occupant of a dwelling or dwelling unit and those parts that he/she occupies and controls shall be maintained in a condition not conducive to rat infestation.
  - (c) Every occupant of a dwelling or dwelling unit shall store and dispose of all rubbish in a clean, sanitary and safe manner.
  - (d) Every occupant of a dwelling or dwelling unit shall store and dispose of all garbage, refuse, and any other organic waste which might provide food for insects and/or rodents in a clean, sanitary, safe manner. All garbage cans and refuse containers shall be rat-proof; insect-proof; water tight, structurally strong to withstand handling stress, easily filled, emptied and cleaned; shall be provided with tight-fitting covers or similar closures; and shall be maintained at all times in a clean sanitary condition. Plastic bags may be used as garbage and refuse container liners, but shall not be used without the container for on-site storage of garbage or refuse. Other types of containers meeting the requirements of this regulation may be specifically approved by the Health Authority.
  - (e) The total capacity of all provided garbage and/or refuse cans and bulk storage containers shall be sufficient to meet the needs of the occupants of the dwelling.
  - (f) Every owner of a dwelling containing three (3) or more dwelling units shall supply facilities or refuse containers for the sanitary and safe storage and/or disposal of rubbish and garbage. In the case

of a single or two (2) family dwelling it shall be the responsibility of each occupant to furnish such facilities or refuse containers.

(g) Every owner of a dwelling containing a single dwelling unit shall be responsible for the extermination of rats on the premises, and every occupant of a dwelling unit containing more than one (1) dwelling unit shall be responsible for such extermination whenever the dwelling unit is the only one infested. Notwithstanding the foregoing provisions of this subparagraph, whenever infestation is caused by failure of the owner to maintain a dwelling in a rat-proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two (2) or more dwelling units, extermination thereof shall be the responsibility of the owner.

(h) No occupant of a dwelling or dwelling unit shall accumulate rubbish, boxes, lumber, scrap metal, or any other materials in such a manner that may provide a rat harborage in or about any dwelling or dwelling unit. Stored materials shall be stacked neatly at least eighteen (18) inches above the ground.

(I) No owner of a dwelling containing three (3) or more dwelling units shall accumulate or permit the accumulation of rubbish, boxes, lumber, scrap metal, or any other materials in such a manner that may provide a rat harborage in or about the shared or public areas of a dwelling or its premises. Materials stored by the owner shall be stacked neatly at least eighteen (18) inches above the ground.

(j) No owner or occupant of a dwelling or dwelling unit shall store, place, or allow to accumulate any materials which may serve as food for rats in a site accessible to rats.

(k) Every occupant of a dwelling unit shall keep all supplied fixtures and facilities therein in a clean, sanitary and operable condition and shall be responsible for the proper use and operation thereof.

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

**290-5-58-.04 Enforcement.** This regulation, upon adoption by the Gwinnett County Board of Commissioners shall be enforced by the Gwinnett County Board of Health, as a duly adopted Ordinance of Gwinnett County. Any person violating any provision in this Regulation shall be guilty of violating a duly adopted ordinance of Gwinnett County, and upon conviction by a court of competent jurisdiction shall be punished either by a fine not to exceed one thousand dollars (\$1,000.00), or by confinement in the county jail for a total term not to exceed sixty (60) days, or both.

The court shall have the power and authority to place any person found guilty of a violation of this regulation on probation and to suspend or modify any fine or sentence. As a condition of such suspension, the court may require payment of restitution or impose other punishment allowed by law.

A RESOLUTION OF THE GWINNETT COUNTY  
BOARD OF COMMISSIONERS

**VECTOR CONTROL**

WHEREAS, the Department of Human Resources of the State of Georgia has adopted regulations pertaining to the control of nuisances and of rats; and

WHEREAS, the Gwinnett County Board of Health has adopted such regulations as regulations of the Board of Health, being entitled "Vector Control" and being numbered Sections 290-5-58-.02, 290-5-58-.03, and 290-5-58-.04; and

WHEREAS, it is desirable to bring the Code of Ordinances of Gwinnett County into conformance with the regulations of the Board of Health and of the Department of Human Resources so as to provide consistency of measures related to the public health;

NOW THEREFORE, BE IT ORDAINED this 7th day of July, that pursuant to Section 1-3 of the Code of Gwinnett County, Georgia, that the attached ordinance, entitled "Vector Control," is adopted as an ordinance of Gwinnett County, and that the same shall be made a part of the Code of Ordinances of Gwinnett County, and the sections of this ordinance may be renumbered to accomplish this intention.

This Resolution is adopted this the 7th day of July, 1998.

GWINNETT COUNTY, GEORGIA

By: F. Wayne Hill  
F. Wayne Hill, Chairman  
Gwinnett County Board  
of Commissioners

ATTEST:

Brenda Maddox  
Brenda Maddox  
County Clerk (SEAL)

Deputy

Approved as to form:  
Paul H. Monte  
Senior Assistant County Attorney

BOARD OF COMMISSIONERS  
GWINNETT COUNTY  
LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: **A Resolution to enact as an ordinance of Gwinnett County a regulation of the Gwinnett County Board of Health entitled "Vector Control."**

At the regular meeting of the Gwinnett County Board of Commissioners held in the Commission Meeting Room, 75 Langley Drive, Lawrenceville, Georgia.

	Present	Vote
F. Wayne Hill, Chairman	Yes	Aye
Thomas P. Hughes, District 1	Yes	Aye
Patti Muise, District 2	Yes	Aye
Judy Waters, District 3	Yes	Aye
Kevin Kenerly, District 4	Yes	Aye

On motion of Kevin Kenerly, which carried 5-0, the following Resolution was adopted:

**A Resolution to enact as an ordinance of Gwinnett County a regulation of the Gwinnett County Board of Health entitled "Vector Control."**

BE IT RESOLVED this 7th day of July, 1998.

BOARD OF COMMISSIONERS  
GWINNETT COUNTY, GEORGIA

BY: F. Wayne Hill

F. Wayne Hill, Chairman

ATTEST:

Brenda Malby  
Deputy Clerk

Approved:

Robert L. G. Moore  
Assistant County Attorney