

**CHAPTER 1737**  
**Rat Control**

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**CROSS REFERENCES**  
Ratproofing - see OAC 4101:2-8-08

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**1737.01 DEFINITIONS.**

For the purposes of this chapter, the following definitions shall apply:

- (a) "Business building" means any structure, whether public or private, that is adapted for occupancy, 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, markets, restaurants, grain elevators, abattoirs, warehouses, workshops, factories and all outhouses, sheds, barns and other structures on premises used for business purposes.
- (b) "Ratproofing", as used herein, applies to a form of construction to prevent the ingress of rats into business buildings from the exterior or from one business building or establishment to another. It consists essentially of treating with material, impervious to rat gnawing, all actual or potential openings in exterior walls, ground or first floors, basements, roof and foundations, that may be reached by rats from the ground by climbing or by burrowing.
- (c) "Rat harborage" means any condition which provides shelter or protection for rats, thus favoring their multiplication and continued existence in, under or outside of any structure.
- (d) "Rat eradication" means the elimination or extermination of rats within buildings by any or all of the accepted measures, such as: poisoning,

- fumigation, trapping, clubbing, etc.
- (e) "Commissioner", as used herein, means the Commissioner of Public Health or any duly authorized representative thereof.
  - (f) "Owner" means the actual owner, agent or custodian of the business building, whether an individual, partnership or corporation. The lessee shall be construed as the owner for the purpose of this chapter when business building agreements hold the lessee responsible for maintenance and repairs.
  - (g) "Occupant", as used herein, means the individual, partnership or corporation that uses or occupies any business building or part thereof, whether the actual owner or tenant. In the case of vacant business buildings or vacant portions thereof, the owner, agent or custodian shall have the responsibility as occupant.  
(Ord. 5243. Passed 10-29-51.)

#### **1737.02 BUSINESS BUILDINGS TO BE RAT-FREE.**

All business buildings shall be ratproofed, freed of rats or maintained in a rat-free condition in accordance with the following sections and with any and all regulations of the Commissioner issued pursuant to the following sections.  
(Ord. 5323. Passed 5-12-52.)

#### **1737.03 NOTICE TO OWNERS OF BUILDINGS.**

Whenever conditions inside or under any business buildings provide harborage for rats, or whenever there is evidence of rat infestation of any business building, the Commissioner shall give written notice to the owner of such business building requiring the owner to take immediate measures for ratproofing the building or to take immediate measures for rat eradication in such building or to take both such immediate measures, and to fix the time for compliance with such written notice. (Ord. 5323. Passed 5-12-52.)

#### **1737.04 NOTICE TO OCCUPANTS OF BUILDINGS.**

Whenever conditions inside or under any business buildings provide harborage for rats, or whenever there is evidence of rat infestation of any business building, the Commissioner shall give written notice to the occupant or occupants of the business building requiring such occupant or occupants to take immediate measures for ratproofing the building or to take immediate measures for rat eradication in such building, or to take both such immediate measures, and to fix the time for compliance with the written notice.  
(Ord. 5323. Passed 5-12-52.)

#### **1737.05 MAINTENANCE AND REPAIR OF RATPROOFING.**

The owners of all ratproofed business buildings shall maintain the premises in a ratproof condition and repair all breakes or leaks that may occur in the ratproofing.  
(Ord. 5243. Passed 10-29-51.)

#### **1737.06 CONSTRUCTION OR REPAIR WHERE FOOD KEPT TO RENDER BUILDING RATPROOFED.**

No person, firm or corporation shall hereinafter undertake any major construction, repair or remodeling of any business building wherein foodstuffs are stored, kept, handled or sold, unless such construction, repair and remodeling shall be performed in such a manner as to render the building ratproof.  
(Ord. 5243. Passed 10-29-51.)

**1737.07 STORAGE OF ANIMAL FEED.**

No person shall store any food or feed within the City for feeding chickens, cows, pigs, horses and other animals in any container other than rat-free or ratproof containers, compartments or rooms unless such food or feed is stored in a ratproofed building. (Ord. 5243. Passed 10-29-51.)

**1737.08 GARBAGE CONTAINERS TO WITHSTAND RAT GNAWING.**

No person shall place or store any garbage or refuse consisting of waste animal or vegetable matter upon which rats may feed, or any small dead animals, in any container and on any premises for collection other than in a covered container which is constructed of a material which is impervious to rat gnawing. (Ord. 5243. Passed 10-29-51.)

**1737.09 DUMPING CARCASS OR GARBAGE ON LAND OR WATER PROHIBITED.**

No person shall dump or place on any premises, land or waterway any dead animals or waste vegetable or animal matter of any kind. (Ord. 5243. Passed 10-29-51.)

**1737.10 TRASH ACCUMULATIONS WHICH AFFORD RAT HARBORAGE PROHIBITED.**

No person shall permit to accumulate on any premises, improved or vacant, or upon any open lot, street or alley within the City, any lumber, boxes, barrels, bottles, cans, containers or similar materials, the accumulation of which materials afford harborage for rats. (Ord. 5243. Passed 10-29-51.)

**1737.99 PENALTY.**

Whoever violates or assists in the violation of any provision of this chapter or any order or regulation of the Commissioner made pursuant to any provision of this chapter, or obstructs or interferes with the execution of any such order of the Commissioner or willfully or unlawfully omits to obey such order of the Commissioner is guilty of a misdemeanor of the second degree. However, no person shall be imprisoned under this section for the first offense, and the prosecution shall always be as and for a first offense, unless an affidavit upon which the prosecution is instituted contains the allegation that the offense is a second or repeated offense.