

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 8.
ENVIRONMENTAL AND ANIMAL CONTROL
AND PROTECTION.

CHAPTER 21.
RODENT CONTROL.

2001 Edition

DISTRICT OF COLUMBIA OFFICIAL CODE

CHAPTER 21. RODENT CONTROL.

TABLE OF CONTENTS

Subchapter I. Bureau of Rodent Control.

- § 8-2101.01. Establishment of Bureau of Rodent Control.
- § 8-2101.02. Transfer of functions and duties from the Department of Public Works.

Subchapter II. Rodent Abatement Program.

- § 8-2103.01. Definitions.
- § 8-2103.02. Rodent Control Fund.[Expired]
- § 8-2103.03. Disbursements from the Fund.[Expired]
- § 8-2103.04. Corrective actions.
- § 8-2103.05. Rodent harborage prohibited.

CHAPTER 21. RODENT CONTROL.

SUBCHAPTER I. BUREAU OF RODENT CONTROL.

§ 8-2101.01. ESTABLISHMENT OF BUREAU OF RODENT CONTROL.

- (a) There is established within the Department of Health a Bureau of Rodent Control ("Bureau").
- (b) The Bureau shall be responsible for the control and elimination of rodents in the District that serve as vectors for disease, including but not limited to:
- (1) The treatment and baiting of public spaces for rodents;
 - (2) The conducting of surveys of locations; and
 - (3) The coordination of public outreach, education and enforcement efforts relating to cleanliness and rodent control.

(Oct. 19, 2000, D.C. Law 13-172, § 902, 47 DCR 6308.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90-day) addition of §§ 6-1051.1 to 6-1051.7 [1981 Ed.], see §§ 902 to 908 of the Fiscal Year 2001 Budget Support Emergency Act of 2000 (D.C. Act 13-376, July 24, 2000, 47 DCR 6574).

For temporary (90 day) amendment of section, see §§ 902 to 908 of the Fiscal Year 2001 Budget Support Congressional Review Emergency Act of 2000 (D.C. Act 13-438, October 20, 2000, 47 DCR 8740).

Legislative History of Laws

Law 13-172, the "Fiscal Year 2001 Budget Support Act of 2000," was introduced in Council and assigned Bill No. 13-679, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 18, 2000, and June 6, 2000, respectively. Signed by the Mayor on June 26, 2000, it was assigned Act No. 13-375 and transmitted to both Houses of Congress for its review. D.C. Law 13-172 became effective on October 19, 2000.

Delegation of Authority

Delegation of Authority Pursuant to DC Law 6-100, the "Litter Control Administration Act of 1985;" DC Law 6-42, the "Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985;" DC Law 5-165, the "DC Air Pollution Control Act of 1984;" DC Law 13-172, the "Rodent Control Act of 2000;" and DC Law 6-126, the "Construction Codes Approval and Amendments Act of 1986", see Mayor's Order 2002-5, February 1, 2002 (49 DCR 911).

§ 8-2101.02. TRANSFER OF FUNCTIONS AND DUTIES FROM THE DEPARTMENT OF PUBLIC WORKS.

All the functions, duties, property, records, and personnel associated with the control and elimination of rodents now under the authority of the Department of Public Works are transferred to the Bureau.

(Oct. 19, 2000, D.C. Law 13-172, § 903, 47 DCR 6308.)

HISTORICAL AND STATUTORY NOTES

SUBCHAPTER II. RODENT ABATEMENT PROGRAM.

§ 8-2103.01. DEFINITIONS.

For the purposes of this subchapter, the term:

- (1) "Abate" means removing rodent infestations by eliminating or rodent-proofing rodent food sources, eliminating rodent nesting areas, rodent-proofing building entry ways, and poisoning or trapping existing rodent populations.
- (2) "Debris" means any of the following:
 - (A) Construction or demolition waste that is not stored in a rodent-proof container and not removed after 14 days or longer;
 - (B) Yard waste and branches that are not bundled and set out for waste collection, but not yard waste placed in a properly maintained compost pile; and
 - (C) Fire wood that is stored next to a building or left in loose piles on the ground, but not fire wood that is stored away from buildings and at least 18 inches above the ground or in a rodent-proof building.
- (3) "Grease" means used cooking oil, vegetable oil, shortening, margarine or any other used fat or oil used for cooking, frying or baking intended for recycling or disposal.
- (4) "Harborage" means rodent infestation or providing food or nesting areas for rodents, which may be identified by the presence of burrows, droppings, tracks, runways, gnawings, urine stains, odor, live or dead rodents, nests, and rodent gnawed food.
- (5) "Hardware cloth" means galvanized metal cloth or netting with small diameter holes used to prevent rodents from entering buildings.
- (6) "Rodent-proof" or "rodent-proofing" includes:
 - (A) Heavy duty plastic or metal containers with tightly-fitting lids fastened to the container; and
 - (B) Using hardware cloth to seal building openings.

(Oct. 19, 2000, D.C. Law 13-172, § 904, 47 DCR 6308.)

§ 8-2103.02. RODENT CONTROL FUND.[EXPIRED]

(Oct. 19, 2000, D.C. Law 13-172, § 905, 47 DCR 6308.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) amendment of section, see §§ 902 to 908 of the Fiscal Year 2001 Budget Support Congressional Review Emergency Act of 2000 (D.C. Act 13-438, October 20, 2000, 47 DCR 8740).

Legislative History of Laws

For Law 13-172, see notes following § 8-2101.01.

Editor's Notes

Pursuant to subsection (d) of this section, this section expired on September 30, 2002.

§ 8-2103.03. DISBURSEMENTS FROM THE FUND.[EXPIRED]

(Oct. 19, 2000, D.C. Law 13-172, § 906, 47 DCR 6308.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) amendment of section, see §§ 902 to 908 of the Fiscal Year 2001 Budget Support Congressional Review Emergency Act of 2000 (D.C. Act 13-438, October 20, 2000, 47 DCR 8740).

Legislative History of Laws

For Law 13-172, see notes following § 8-2101.01.

Editor's Notes

Pursuant to subsection (f) of this section, this section expired on September 30, 2002.

§ 8-2103.04. CORRECTIVE ACTIONS.

- (a) Subject to the availability of appropriations, the Bureau may undertake actions to correct certain health

hazards that have resulted from the harborage of rodents, including cleanup, abatement, and preventive measures, if the following conditions exist:

- (1) The District needs to take an action in order to protect human health;
- (2) One or more of the following conditions exist:
 - (A) The action is required to protect public space;
 - (B) No person can be found who is the owner of the property in question, and is capable of proper implementation of the required corrective action within 30 days of the posting of notice on the property in question that violation of this subtitle has occurred, or shorter period if so determined by the Mayor as may be necessary to protect human health;
 - (C) A situation exists that requires immediate action by the Mayor to protect human health; or
 - (D) The responsible party has failed or refused to comply within 30 days of a mayoral order for compliance.

(b) If the District incurs costs for undertaking any corrective or enforcement action to abate rodent infestation, rodent harborage, or rodent food sources, all parties found to be liable by the Mayor shall be jointly and severally liable to the District government for the costs incurred by the District. In addition to any other enforcement action, the Mayor may assess any reasonable costs for correcting the condition and any related expenses as a tax against the property, carry the tax on the regular tax rolls, and collect the tax in the same manner as real estate taxes are collected.

(Oct. 19, 2000, D.C. Law 13-172, § 907, 47 DCR 6308.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) amendment of section, see §§ 902 to 908 of the Fiscal Year 2001 Budget Support Congressional Review Emergency Act of 2000 (D.C. Act 13-438, October 20, 2000, 47 DCR 8740).

Legislative History of Laws

For Law 13-172, see notes following § 8-2101.01.

§ 8-2103.05. RODENT HARBORAGE PROHIBITED.

(a) It shall be unlawful for any person to cause or permit the accumulation of debris on public or private property or cause or permit weeds or grass to grow to a height of 8 inches or more on private property which they own.

(b) Upon the transfer or change in occupancy of any real property, the owner of the property shall inspect the property for signs of rodent harborage. If signs of past rodent harborage are found, all rodent entryways shall be sealed with hardware cloth or another appropriate material to prevent re-infestation. If an active infestation is found, all rodent entryways shall be sealed with hardware cloth or other appropriate material, and the infestation shall be abated.

(c) Any person violating subsections (a) and (b) of this section shall abate the condition causing rodent harborage within 14 days of notification of the violation from the Mayor. Any abatement of existing rodent populations shall be performed by a licensed and certified pest controller. Any person who fails to abate the condition causing rodent harborage shall be liable to arrest and upon conviction shall be deemed guilty of a misdemeanor and shall be subject to a fine for each offense not to exceed \$10,000, or shall be imprisoned for a period not to exceed 90 days, or both, in the discretion of the court.

(d) Civil fines, penalties and fees may be imposed as alternative sanctions for any infraction of this subtitle, or any rules or regulations issued under the authority of this subchapter, pursuant to Chapter 18 of Title 2. Adjudication of any infractions shall be pursuant to Chapter 18 of Title 2.

(Oct. 19, 2000, D.C. Law 13-172, § 908, 47 DCR 6308.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) amendment of section, see §§ 902 to 908 of the Fiscal Year 2001 Budget Support Congressional Review Emergency Act of 2000 (D.C. Act 13-438, October 20, 2000, 47 DCR 8740).

Legislative History of Laws

For Law 13-172, see notes following § 8-2101.01.

Delegation of Authority

Delegation of Authority Pursuant to Title IX of D.C. Law 13-172, the "Rodent Control Act of 2000", see

Mayor's Order 2001-21, February 2, 2001 (48 DCR 1362).