

# Chapter 131

## MOSQUITO CONTROL

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**[HISTORY: Adopted by the Borough Council of the Borough of Dallastown 7-24-2001 by Ord. No. 467. Amendments noted where applicable.]**

### GENERAL REFERENCES

Property maintenance — See Ch. 149.  
Solid waste — See Ch. 164.

Stormwater management — See Ch. 173.

#### § 131-1. Title.

This chapter shall be known as the “Mosquito Control Ordinance.”

#### § 131-2. Collections of water enumerated.

Any collection of water considered in this chapter shall be held to be those contained in ditches, pools, ponds, streams, excavations, holes, depressions, open cesspools, privy vaults, fountains, cisterns, tanks, shallow wells, barrels, troughs, urns, cans, boxes, bottles, tubs, buckets, roof gutters, tanks of flush closets, reservoirs, vessels, tires, refrigerators, old cars, toys, miscellaneous junk, receptacles of any kind, or other containers or devices which may hold water.

#### § 131-3. Maintenance of breeding areas prohibited.

It shall be unlawful to have, keep, maintain, cause or permit, within the borough limits, any collection standing or flowing water in which mosquitoes breed or are likely to breed, unless such collection of water is treated so as to effectively prevent such breeding.

#### § 131-4. Treatment of collections of water; issuance of regulations.

- A. The methods used and the treatment directed toward the prevention of breeding of mosquitoes in collections of water shall be of a type approved by the borough.
- B. The Borough Council may from time to time issue mosquito control regulations.

**§ 131-5. Evidence of breeding.**

The presence of mosquito larvae in collections of water shall be evidence that mosquitoes are breeding at that location.

**§ 131-6. Enforcement; notice of violation.**

- A. For the purpose of enforcing the provisions of this chapter, an authorized, licensed representative of the borough may at all reasonable times enter in and upon any premises within the borough to inspect the same for evidence of mosquito breeding on the property.
- B. In the event a violation of this chapter is found to be located upon any property in the borough, such representative or the Codes Enforcement Officer shall give written notice thereof to the owner or occupant or both of the property.

**§ 131-7. Correction of violation required; failure to act.**

- A. Upon notice of violation of this chapter, the owner and occupant of the property upon which the violation exists shall take all necessary action to correct such violation within three days after such notice. Failure of the owner or the occupant of the subject property to carry out the necessary measures to correct the said violation to the satisfaction of the Codes Enforcement Officer shall be a separate violation of this chapter.
- B. Should the owner or occupant of the property on which exists the conditions giving rise to the breeding of mosquitoes fail or refuse to take necessary measures to prevent the same within three days after due notice has been given to such person or persons, the Codes Enforcement Officer is hereby authorized to take or cause to be taken all actions necessary to prevent the same, and all costs incurred by or to the borough for this purpose shall be a charge against the subject property, the property owner, the occupant of the property and any other person violating this chapter.

**§ 131-8. Violations and penalties.**

Violation of any provision of this chapter shall constitute a summary criminal offense and, upon conviction thereof, shall be punishable by a fine of \$25. Each day of violation of this chapter, beyond the three days set forth in § 131-7A, shall constitute and be conclusive of a separate offense.

**§ 131-9. Posting of second notice.**

The Codes Enforcement Officer shall deliver to the property owner or the occupant of the subject property or shall affix to the residential, commercial or industrial establishment on the property where the violation of this chapter exists, a notice stating that the owner or occupant has violated this chapter by not correcting the same as previously notified. The notice shall contain instructions to the owner or occupant of the property that if said owner or occupant will pay to the borough the sum of \$10 within seven days after the date of such notice by money

order or check, such payment will save the violator from criminal prosecution and from payment of the fine and costs prescribed in the preceding section.

