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Prevent Promote Protect

**Iredell County Health Department**

By action of the Iredell County Board of Health, the following rules governing the control of mosquitoes through removing, filling, draining, emptying, treating, altering, or otherwise eliminating mosquito breeding sources, for the express purpose of protecting the public health, are hereby adopted pursuant to Chapter 130A-39(a) of the General Statutes of North Carolina. These rules shall apply throughout Iredell County, including, but not limited to, all cities and towns, whether incorporated or unincorporated.

### **SECTION 1: PURPOSE**

It is the intent of these rules to control and reduce the mosquito population of Iredell County by removing, draining, treating, altering or otherwise eliminating all breeding sources for mosquitoes. The Iredell County Health Department shall establish an effective program of mosquito control, including, but not limited to, elimination or treatment of breeding sources for mosquitoes, elimination of identified mosquito populations, and alleviation of all such conditions found to be conducive to the reproduction or continued existence of mosquitoes. This shall be accomplished through the processes of education and public information, conference, conciliation, persuasion, and these having failed, by administrative and judicial proceedings for the explicit purpose of controlling the breeding of mosquitoes, the presence of which constitute a danger to the public health, impair the comfort and convenience of the residents, and jeopardize enjoyment of life and property.

### **SECTION 2: DEFINITIONS**

- "Abatement plan" means a written plan of action submitted by the person occupying the premises, or in the absence of an occupant, by the owner.
- "Artificial Container" means any bucket, barrel, tire, bottle, tub, tank, gutter, bird bath, swimming pool, ornamental pond, flower pot, jar, or any other such manmade items capable of collecting water .
- "Breeding Source" means any manmade or unnatural area capable of sustaining the reproduction of mosquitoes.
- "Board of Health" means the Iredell County Board of Health.
- "Director" means the Health Director for Iredell County. The term also means the authorized representative of the Director.
- "Evidence of Mosquito Breeding" means the natural presence of mosquito larva, pupa, or their remains.
- "Imminent hazard" means a situation that is likely to cause an immediate threat to human life, an immediate threat of serious physical injury, an immediate threat to serious adverse health effects, or a serious risk of irreparable damage to the environment if no immediate action is taken.
- "Insecticide" means a chemical agent which kills or prevents the reproduction of insects.
- "Larva" means the immature, fully aquatic stage of mosquito development in which the insect appears as a small wingless worm-like form.
- "Larvacide" means a chemical agent which kills or prevents the reproduction of mosquito larvae.
- "Mosquito" means a small long legged, two winged insect of the family Culicidae, in which the female of the species is distinguished by a long proboscis for sucking blood.

- "Occupant" means the person who has the use of or occupies any building or any part thereof or who has the use or possession, actual or constructive, of the premises where the owner or the tenant. In the case of vacant buildings or vacant portions of a building, or in the case of occupancy in whole or part by an owner, an owner of the building shall be deemed to be, and shall have the responsibility of an occupant of such building.
- "Owner" means a person owning the building or premises.
- "Person" means an individual, firm, partnership, association, public or private institution, municipality, political subdivision of the State of North Carolina, governmental agency or public or private corporation.
- "Premises" means a parcel of real property, including all buildings and structures located thereon.
- "Pupa" means the immature, fully aquatic stage of mosquito development immediately following the larval stage and preceding the adult form in which the insect appears as a small, wingless, worm-like shape with a greatly enlarged head.

### **SECTION 3: GENERAL PROVISIONS**

All premises within Iredell County shall be maintained in such a manner as to prevent the breeding of mosquitoes on the premises. Artificial containers, ditches, abandoned swimming pools and all other such manmade breeding sources of standing water or other liquid where mosquitoes are breeding, shall be removed, drained, treated or altered, or maintained to eliminate the breeding sources of mosquitoes by the occupant and/or the owner of the premise, within ninety-six (96) hours after discovering or being informed of the evidence of mosquito breeding on the premises. In the event more time is needed to eliminate the breeding source, an abatement plan must be submitted to the Director for approval by the occupant and/or owner of the premises within ninety-six (96) hours after discovering or being informed of the evidence of mosquito breeding on the premises.

### **SECTION 4: METHODS OF TREATING MOSQUITO BREEDING SOURCES**

Breeding sources for mosquitoes shall be eliminated or treated by one or more of the following methods as shall be approved by the Health Director.

- Filling, draining, removing, or otherwise eliminating the breeding source.
- Completely emptying the breeding source of all water at least every 7 days, or as approved by the Director. Where an artificial container is a water basin (i.e., swimming pool) designed to hold water, such containers shall be maintained or altered to prevent mosquito breeding or be removed.
- Treating the breeding source with an effective insecticide and/or larvacide approved by the Director.
- Completely emptying artificial containers of all liquid and storing in an enclosed structure which is constructed in such a manner as to prevent the permanent collection of liquid in said containers.
- Maintain all manmade storm or surface water drain ways in a manner to prevent the pooling of water sufficient to provide breeding for mosquitoes.
- Other methods proven to be effective in controlling mosquitoes and as approved by the Director.

### **SECTION 5: RIGHT OF ENTRY-INSPECTION**

The Director shall have the right of entry upon any premise where entry is necessary to carry out the provisions of these Rules. If consent is not given or obtained, an administrative search and inspection warrant shall be obtained pursuant to G.S. 15-27. However, if an imminent hazard exists, no warrant is required for entry upon the premises.



**SECTION 6: PENALTIES AND REMEDIES**

- Any person who violates any provision of these Rules shall be guilty of a misdemeanor in accordance with N.C.GS 130A-25 and punished as by law allowed.
- The Director may bring a civil proceeding in the Iredell County Superior Court to enforce the provisions of these Rules in accordance with Article 1 Part 2 of Chapter 130A of the General Statutes of the State of North Carolina.

**SECTION 7: SEVERABILITY**

If any provision or clause of these Rules shall be declared invalid, such declaration shall not invalidate any other provision or clause of these Rules.

**SECTION 8: PRIOR RULES AND REGULATIONS REPEALED**

All rules and regulations heretofore adopted by the Iredell County Board of Health regulating mosquito control are hereby repealed.

**SECTION 9: EFFECTIVE DATE**

These rules shall be in full force and effective from and after June 9, 2016

Iredell County Mosquito Control Rule adopted and approved by the Iredell County Board of Health on

9th (day) of June (month), 2016 (year).

Sylvia Chapman  
Chair, Iredell County Board of Health

Jane Murray  
Secretary, Iredell County Board of Health