

FORSYTH COUNTY BOARD OF HEALTH RULE AUTHORIZING MOSQUITO CONTROL

Whereas the Forsyth County Board of Health has determined, after study and investigation, that mosquitoes transmit disease and are a public health nuisance in Forsyth County, that the risk of mosquito-borne disease is rising in Forsyth County and throughout the State of North Carolina, and that there is a clear and present need to ensure the public health through the control of mosquitoes and the elimination and treatment of mosquito breeding sources; Therefore, be it ordained by the Forsyth County Board of Health, that this Rule authorizing mosquito control, for the express purpose of protecting the public health, is hereby adopted pursuant to N.C.G.S. Section 130A-39(a). This Rule shall apply throughout Forsyth County, including, but not limited to, all cities and towns, whether incorporated or unincorporated.

SECTION 1: PURPOSE

It is the intent of this Rule to control and reduce the mosquito population of Forsyth County by removing, draining, treating, altering, or otherwise eliminating breeding sources for mosquitoes. The Forsyth County Department of Public Health 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 other such conditions found to be conducive to the reproduction or proliferation 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 constitutes a danger to the public health.

SECTION 2: DEFINITIONS

“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 area capable of sustaining the reproduction of mosquitoes. Breeding sources may include, but are not limited to, artificial containers, ditches, streams, flooded areas, and all other such sources of standing water or other liquid.

“Director” means the Health Director for Forsyth 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.

“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.

“Larvicide” 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 a person who has the use of or occupies, in whole or in part, any premises or who has the use or possession, actual or constructive, of the premises or any part thereof.

"Owner" means a person owning premises.

"Person" means an individual, firms, partnerships, associations, public or private institutions, municipalities, political subdivisions of the state of North Carolina, governmental agencies or public or private corporations.

"Premises" means a parcel of real property, including all buildings and structures located thereon, located in Forsyth County.

"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 PROVISION

Owners and occupants shall maintain their premises in such manner as to prevent the breeding of mosquitoes on the premises. If there is a complaint or condition conducive to mosquito breeding the Director shall evaluate the premises for the evidence of mosquitoes. Where the premises contain a breeding source or evidence of mosquito breeding, the owner and occupant of such premises shall eliminate or treat the breeding source within 48 hours after discovery of such or of being informed of the presence of breeding sources or evidence of mosquito breeding on the premises.

SECTION 4: METHODS OF ELIMINATING AND 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 Director.

- (a) Filling, draining, removing, or otherwise eliminating the breeding source.
- (b) Completely emptying the breeding source of all water at least every seven (7) days, or as approved by the Director. Where an artificial container is a water basin, such as a swimming pool, designed to hold water, such containers shall be maintained or altered to prevent mosquito breeding or be removed.
- (c) Treating the breeding source with an effective insecticide and/or larvicide approved by the Director.
- (d) 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.
- (e) Maintaining all natural or manmade storm or surface water drain ways in a manner to prevent the ponding of water sufficient to provide breeding for mosquitoes.
- (f) Using other methods effective in controlling mosquitoes, as approved by the Director.

SECTION 5: SEVERABILITY

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

SECTION 6: PRIOR RULES AND REGULATIONS REPEALED

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

SECTION 7: EFFECTIVE DATE

This effective date of this Rule shall be June 9th, 2003.