

**CUMBERLAND COUNTY BOARD OF HEALTH REGULATIONS
GOVERNING PUBLIC HEALTH NUISANCES**

WHEREAS, the Board of Health of Cumberland County, North Carolina, after study and investigation of the facts pertaining thereto, finds that there is a clear and present need to protect and enhance the public health by preventing and abating public health nuisances, as herein defined,

NOW, THEREFORE, be it ordained by the Board of Health of Cumberland County that the following regulations be, and they hereby are, adopted pursuant to the authority granted said Board by Article 2, Chapter 130A-39 of the General Statutes of North Carolina.

SECTION .1988 DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of these regulations:

- A) **Building** means any structure intended for human occupation or use for the storage of materials, whether or not it is in fact so occupied or used.
- B) **Debris** means non-putrescible solid waste material, including, by way of example, but not limited to parts of destroyed buildings, automobiles, machinery, or furniture.
- C) **Evidence of Vector Infestation** means testimony or physical signs of the existence of the infestation of rodents or insects of the kind that harbor disease organisms, to include, by way of example, but not limited to, eyewitness accounts, photographs or samples of live vectors, rodent runs and burrows, fecal droppings, dead bodies, larvae, and marks, tracks and other signs associated with the presence of vectors.
- D) **Garbage** means all putrescible waste, to include, by way of example, but not limited to, animal carcasses, manure, and offal, vegetation separated from the soil, and animal or vegetable matter, which are industrial by-products.
- E) **Grounds** means any lot, tract, or parcel of real property exclusive of buildings, to include, by example, but not limited to yards, ditches, right of ways and property surrounding or immediately adjacent to streams, ponds and lakes.
- F) **Health Authority** means and includes the Cumberland County Health Director or his authorized agents.
- G) **Health Director** means the administrative head of the Cumberland County Health Department, appointed pursuant to North Carolina General Statutes Section

130A-40 and having the powers and duties prescribed in North Carolina General Statutes Section 130A-41.

- H) **Manure** means animal excrement of itself or mixed with straw, hay, soil, litter or other refuse of stables, barnyards, animal pens, birdcages, and similar structures or locations.
- I) **Occupant** means the person who actually has the use of or occupies any building or premises, or part thereof, or in the case of a vacant building or part thereof, the person who has the right to use or occupy the same.
- J) **Owner** means the person who has title in fee to real or personal property.
- K) **Person** means any legal entity with the capacity to sue or be sued, to include natural persons, partnerships, corporations, or governmental bodies.
- L) **Premises** means any lot, tract or parcel of real property, to include permanent improvements thereon.
- M) **Imminent Hazard** means a situation which is likely to cause an immediate threat to life or a serious risk of irreparable damage to the environment if no immediate action is taken, as defined in North Carolina General Statutes Section 130A-20.
- N) **Public Health Nuisance** means the infestation of buildings and grounds by disease vectors.
- O) **Vector** means mosquitoes.

SECTION .1989 PUBLIC HEALTH NUISANCES PROHIBITED

It shall be unlawful and a violation of this regulation for any occupant, in the case of occupied premises, or any owner, in the case of vacant premises, to create, maintain, or allow a public health nuisance, as herein defined, to arise upon such premises.