



**Wake County Human Services and
Environmental Services Board
Regulations Governing Mosquito Control**

WHEREAS, the Wake County Human Services and Environmental Services Board has determined, after study and investigation, that mosquitoes transmit disease and are a public health nuisance in Wake County, that the risk of mosquito-borne disease is rising in Wake 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 Wake County Human Services and Environmental Services Board, that these regulations authorizing mosquito control to protect and promote the public health are hereby adopted pursuant to N.C.G.S. Section 130A-39. These regulations shall apply throughout Wake County, including, but not limited to, all cities and towns, whether incorporated or unincorporated.

SECTION 1: PURPOSE

It is the intent of these regulations to control and to reduce the mosquito population of Wake County by removing, draining, treating, altering, or otherwise eliminating breeding sources for mosquitoes. Wake County Environmental Services 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. The Mosquito Control Program shall be accomplished through the processes of education and public information, conference, conciliation, persuasion, and if necessary, 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, birdbath, swimming pool, ornamental pond, flowerpot, 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 Environmental Services Director for Wake 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 a long proboscis for sucking blood distinguishes the female of the species.

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

“Owner” the state or fact of being an owner; legal right of possession; lawful title

“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 Wake 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 pursuant to all applicable federal, state and local requirements.
- (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) Using other methods effective in controlling mosquitoes, as approved by the Director.

SECTION 5: SEVERABILITY

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

SECTION 6: ENFORCEMENT

These regulations may be enforced by the Director by any remedy as set forth in Chapter 130A of the North Carolina General Statutes.

SECTION 7: EFFECTIVE DATE

This effective date of this Rule shall be _____, 2004.

● * * * * *

This the _____ day of the month of _____, 20____.

(name)
Chairperson
Wake County Human Services and
Environmental Services Board

Maria F. Spaulding
Director
Wake County Human Services

Richard K. Rowe
Director
Wake County Environmental Services

Attest:

Jonica L. Hinton
Executive Secretary
Wake County Human Services and
Environmental Services Board