

ORDINANCE #14-2021

AN ORDINANCE ESTABLISHING CHAPTER 131 "EXTERMINATION OF VERMIN AND RODENTS" OF THE CODE OF THE CITY OF MARGATE CITY, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY

WHEREAS, the Board of Commissioners has determined that there is a need to establish local ordinance control over the extermination of vermin and rodents so as to protect the public health, safety and welfare of residents, visitors and pets; and

WHEREAS, the State of New Jersey has enacted through the New Jersey Administrative Code Title 7, Department of Environmental Protection, Chapter 30, Pesticide Control Code, Subchapter 10, Pesticide Use, regulations applicable to the use and application of pesticides from which the provisions in this Ordinance have been derived.

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of the City of Margate City, County of Atlantic and State of New Jersey as follows:

Chapter 131 - Extermination of Vermin and Rodents, shall be added to the Code of the City of Margate City as follows:

§131-1 Definitions.

The following words and phrases, as used in this chapter, shall have the following meanings:

RODENT – a gnawing mammal of an order that includes rats, mice, squirrels, hamsters, porcupines, and their relatives, distinguished by strong constantly growing incisors and no canine teeth.

VERMIN - wild animals that are believed to be harmful to crops, farm animals, or game, or that carry disease.

§131-2 Vermin and Rodent Baiting

(a) No Person shall use any vermin and rodent bait, unless it has been placed in tamper-resistant bait boxes pursuant to (b) and (c) below, or in locations not accessible to children, pets, domestic animals or non-target wildlife.

(b) No person shall use or otherwise possess any pesticide in any vermin or rodent bait box or bait tray unless:

1. The bait box is secured against tampering when placed in areas accessible to pets, domestic animals, non-target wildlife or children; and

- i. The bait box or tray has attached to the exterior, a copy of the registered label of the pesticide; or
- ii. The bait box or tray has, attached to the exterior, a readable label with the following information about the pesticide contained therein:

- (1) The brand or trade name;
- (2) The EPA registration number;
- (3) The name and percentage of active ingredient(s) in the bait box; and
- (4) An appropriate signal word that is Danger-Poison, Warning or Caution.

(c) For purposes of interpretation of (b) above, a bait box shall be considered tamper-resistant when:

1. It has met the standards for tamper-resistant bait boxes used by the EPA in PR-Notice 94-7, incorporated herein by reference.
 2. The bait box containing the pesticide is in a secure storage area; or
 3. The bait box is under the direct observation of a pesticide applicator.
- (d) After the application has been completed or the contract has been terminated, all accessible bait shall be removed by the applicator or applicator business.

§131-2 Violations and Penalties

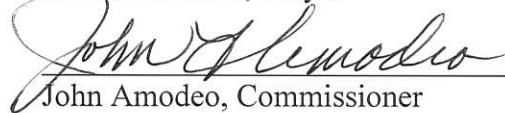
Any person who violates or fails or refuses to comply with this chapter or any part or section thereof shall, upon conviction in the Municipal Court of the City of Margate City, be punished for each offense by a fine not to exceed \$1,000.00 or by imprisonment for any term not exceeding 90 days, or both. Every such violation or refusal shall be deemed a separate violation, and each day that the same shall continue shall be deemed a separate violation.

SECTION 2. All ordinances or parts of ordinances inconsistent with any terms of this Ordinance are hereby repealed to the extent of such inconsistency only.

SECTION 3. This ordinance shall take effect upon its final passage and publication as required by law.



Michael Becker, Mayor



John Amodeo, Commissioner



Maury Blumberg, Commissioner

Board of Commissioners of the City of
Margate City, New Jersey

Introduction: October 7, 2021

Enactment: October 21, 2021