

## Town of Halifax, Massachusetts

### Mosquito Reduction through Environmental Control

Statutory Authority: M.G.L. c.111 § 31, boards of health may make reasonable health regulations and M.G.L. c. 111 § 122-131 Boards of Health have the authority and responsibility to clear, clean and abate or condemn nuisances.

Regulation Effective as of:

July 16, 2008

## Mosquito Reduction through Environmental Control

Mosquitoes can carry disease such as eastern equine encephalitis (EEE) and West Nile virus (WNV). Both diseases can cause illness serious enough to result in death. It is the goal of this regulation to reduce the risk of mosquito borne illnesses by reducing/modifying the breeding habitats of mosquitoes.

The species of mosquitoes carrying EEE tend to breed in swampy areas. This problem is addressed by the Plymouth County Mosquito Control Program's environmental remediation to improve drainage and by larviciding and adulticiding by truck-spray per the request of homeowners and/or the Board of Health.

The species of mosquitoes carrying West Nile virus tend to breed in containers, both natural and artificial. People have a great degree of control over artificial containers. This regulation is aimed at reducing the amount of breeding habitat available to mosquitoes by reducing the number of outdoor containers and/or the condition of the water in containers and by preventing the ability of containers to retain water by allowing them to drain.

**100. ISSUING AGENCY.** Halifax Board of Health

**101. SCOPE.** All persons having ownership of or control over any property, in the Town of Halifax, upon which water may collect.

**102. STATUTORY AUTHORITY.** Statutory Authority: M.G.L. c.111 § 31, boards of health may make reasonable health regulations and M.G.L. c. 111 § 122-131 Boards of Health have the authority and responsibility to clear, clean and abate or condemn nuisances.

**103. DURATION.** Permanent.

**104. EFFECTIVE DATE.** July 16, 2008

**105. OBJECTIVE.** To reduce, as much as possible, the occurrence of mosquitoes that are a nuisance or are capable of transmitting disease to man or domestic animals.

**106. DEFINITIONS.** As used in this Part:

A. "**abatement**" means the reduction, control or elimination of mosquitoes by elimination of their breeding sources or by poisoning, spraying, or the use of biological and environmental controls, or any other method approved by the Department of Public Health and Department of Environmental Protection and the Halifax Board of Health.

B. "**collection of water**" includes any collection of water contained in ditches, pools, crop fields, ponds, streams, excavations, holes, depressions, open cesspools, privy vaults, fountains, cisterns, tanks, shallow wells, troughs, sewage oxidation ponds and lagoons, barrels, urns, cans, boxes, bottles, tubes, buckets, roof gutters, tires, tanks of flush closets, reservoirs, vessels, receptacles of any kind, or other containers or devices which may hold water.

C. "**mosquito**" means any arthropod belonging to the Class Insects, Order Diptera, Family Culicidae, Subfamily Culicinae;

D. "**mosquito larvae**" means the immature aquatic stages of mosquitoes occurring between the egg and pupal stages;

E. "**mosquito pupae**" means the aquatic stages between the larval and adult stages of mosquitoes; and

F. "**person**" means any individual, partnership, firm, public or private corporation, trust, estate, company, society, political subdivision or agency, or any other legal entity or their legal representatives, agents or assigns.

**107. PROHIBITED ACTS.** No person shall create or maintain any collection of water in or on which mosquitoes breed or are likely to breed unless approved methods of abatement are employed as specified by the Department. The presence of mosquito larvae or mosquito pupae, or both, in collections of water shall constitute conclusive evidence that mosquitoes are breeding there.

**108. APPROVED METHODS OF ABATEMENT.** Approved methods of mosquito abatement may consist of one or more of the following procedures:

A. eliminate collections of water by filling or draining (If area in question is a wetland, seek approval or guidance from the Conservation Commission);

B. free collections of water of all vegetative growth, floating debris and other obstruction;

C. clean premises by disposal, removal or destruction of the cans, boxes, broken or empty bottles, vehicles, tires and similar articles likely to hold water;

**D.** empty collections of water every four (4) days;

**E.** stock collections of water with mosquito-eating fish;

**F.** screen collections of water with corrosion resistant netting of at least 16 meshes to the inch each way, or with other material which will effectually prevent the ingress and egress of mosquitoes;

**G.** treat collections of water with chemicals approved by the Department of Public Health and/or Department of Environmental Protection and/or Pesticide Bureau;

**H.** any other method approved by the above stated Departments.

**109. SEVERABILITY.** If any provision of application of this Part is held invalid, the remainder, or its application to other situations or persons, shall not be affected.

**110. SAVING CLAUSE.** Supersession of the Regulations Governing Mosquito Abatement and Control shall not affect any administrative or judicial enforcement action pending on the effective date of this Part.

**112. COMPLIANCE WITH OTHER REGULATIONS.** Compliance with this Part does not relieve a person from the obligation to comply with other applicable state and federal regulations.

These Rules and Regulations are effective as of July 16, 2008

Approved on July 16, 2008 by the Halifax Board of Health

Signed by:

John Delano, Chairperson  
Jeffrey Anderson, Clerk