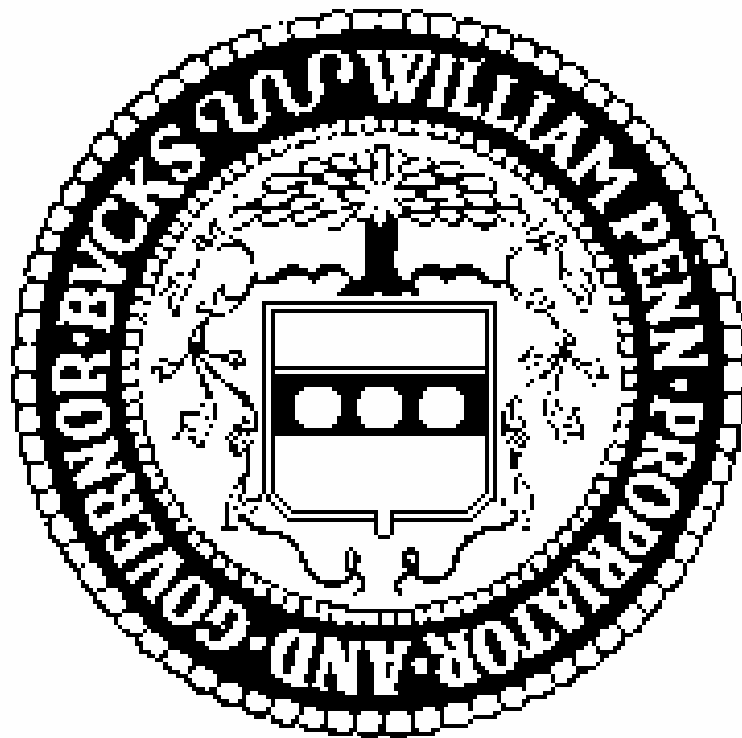


**BUCKS COUNTY DEPARTMENT OF HEALTH**  
**RULES AND REGULATIONS**  
**GOVERNING THE HYGIENE AND SANITATION OF HOUSING**



**EFFECTIVE DATE: June 15, 1998**

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**SECTION ONE - GENERAL PROVISIONS**

**1.1 Legal Authority.**

Under the provisions of the "Local Health Administration Law", Act No. 315, approved 24 August 1951, P.L. 1304, these following Rules and Regulations are hereby adopted.

**1.2 Provisions.**

The provisions of these Rules and Regulations shall apply to all municipalities in Bucks County within the jurisdiction of the Department and shall apply equally to all persons.

**1.3 Rules and Regulations Superseded.**

These Rules and Regulations shall supersede the previously adopted Rules and Regulations effective April 25, 1981, entitled "Rules and Regulations Governing the Hygiene and Sanitation of Housing".

**1.4 Purpose.**

The purpose of these Rules and Regulations is to establish minimum requirements governing the conditions, maintenance and other physical items necessary to make dwellings safe, sanitary and fit for human habitation. Nothing in these Rules and Regulations shall excuse persons from compliance with other codes, rules and regulations or ordinances of any other governmental agency. Unless noted otherwise, the owner and/or operator of the dwelling shall be responsible for complying with the requirements of these Rules and Regulations.

**1.5 Exceptions.**

No person shall occupy as owner/occupant or let to another person for occupancy any dwelling that does not comply with these Rules and Regulations provided that in the case of an owner/occupied dwelling certain exceptions to these regulations may be granted by the Department if such exceptions will not prejudice the health and safety of the occupants or affect the public health of the community.

Where there is a written lease or other written agreement delegating certain duties and responsibilities covered by these Rules and Regulations, the person so delegated shall be responsible for these duties.

**SECTION TWO - DEFINITIONS**

**2.1 List of Definitions.**

- (a) **Approved** - means that the construction or procedure of operation is in accordance with standards of the Bucks County Department of Health.
- (b) **Department** - means the Bucks County Department of Health.

- (c) **Dwelling** - means any building, mobile home or trailer which is wholly or partly used or intended to be used for living or sleeping by humans. This includes both single family and multiple family dwellings.
- (d) **Extermination** - means the control and elimination of insects, rodents or other pests by eliminating their harborage places, removing their food or nesting materials, by poisoning, trapping or by any other recognized pest control activities approved by regulatory authorities.
- (e) **Garbage** - means all food wastes except sewage and body waste.
- (f) **Infestation** - means the presence of any insects, rodents or other pests on the dwelling premises in numbers great enough to pose a hazard to the public health.
- (g) **Multiple Family Dwelling** - means any dwelling containing more than one family unit/dwelling in the structure.
- (h) **Occupant** - means any person, including the owner or operator, living or sleeping in a dwelling.
- (i) **Operator** - means any person who has charge, care or control of a dwelling or part of a dwelling, in which units are let.
- (j) **Owner** - means any person who, alone or jointly or severally with others, holds legal or equitable title to any dwelling. Any person(s) acting on behalf of the actual owner shall be bound to comply with these Rules and Regulations also.
- (k) **Person** - shall include any individual, landowner (which is defined as any person holding title to or having a proprietary or equitable interest in either surface or subsurface rights), landlord, lessor, land occupier (including, but not limited to easement owner, tenant, lessee or occupant of a structure or land, whether the landowner or not), any corporation, including public or private corporation for profit or not for profit, association, partnership, firm, trust, trustee, estate, executor, executrix, administrator, administratrix or other fiduciaries, department, board, bureau or agency of the Commonwealth, political subdivision, municipality, district, authority or any other legal entity whatsoever which is recognized by law as the subject of rights and duties, and any agent for any individual or corporation or other legal entity set forth above. Whenever used in any clause prescribing and imposing a penalty or imposing a fine or imprisonment, the term "Person" shall include all of the above set forth individuals and entities as well as members, officers, and/or employees of any corporation, an association, partnership or firm and the officers, directors of any local agency, municipality, municipal authority and/or political subdivision and the supervisors, councilmen, of any political subdivision public or private corporation for profit or not for profit.
- (l) **Plumbing** - means all water supply and sewage supply components within the dwelling and includes; water and waste water pipes, water heaters, garbage disposals, water closets, sinks, dishwashers, lavatories, bathtubs, shower stalls, clothes washers, catch basins, drains, sewer vents and any other similar supplies or fixtures.
- (m) **Premises** - means a lot, plot or parcel of land including the building and structures thereon.
- (n) **Refuse** - means all wastes generally regarded and classified as rubbish, trash, junk and similar designations.

- (o) **Rodents** - means mice or rats.
- (p) **Safe Drinking Water Act** - means the Act of May 1, 1984 (P.L. 206, No. 43) (35 P.S. §§ 721.1-721.17) known as the Pennsylvania Safe Drinking Water Act and associated regulations.
- (q) **Sewage** - means any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life, or to the use for domestic water or for recreation, or which constitutes pollution under the Act of June 22, 1937 (P.L. 1937, No. 394), known as "The Clean Streams Law", as amended. The term shall include, but not be limited to toilet, lavatory, kitchen or laundry waste water, liquid waste and seepage from floor drains, garbage cans, dumpsters or compactors and the cleaning waste from these garbage storage containers.
- (r) **Sewage Regulations** - means the Pennsylvania Sewage Facilities Act (P.L. 1535, No. 537) (35 P.S. §§ 750.1 - 750.20) et seq and appropriate 25 PA Code Chapters 71, 72, 73, the Bucks County Department of Health Rules and Regulations Governing Individual and Community On-lot Sewage Disposal Systems and the Bucks County Department of Health Rules and Regulations Relating to Public Health Nuisances.

### **SECTION THREE - INSPECTION OF DWELLINGS AND PREMISES**

#### **3.1 Inspections.**

Representatives of the Department, after proper identification, and through due process of law, either by permission or by search warrant, shall have access to all dwellings, dwelling units and premises located within the jurisdictional limits of the Department to make inspections to determine the condition of such dwellings, dwelling units, and premises in order that he/she may perform their duty of safeguarding the health and safety of the general public. For the purposes of making such inspections the above named representatives of the Department, when authorized, may enter, examine, and survey at all reasonable times all dwellings, dwelling units and premises.

### **SECTION FOUR - SAFE AND SANITARY MAINTENANCE**

#### **4.1 Premises Maintenance.**

Every dwelling and part thereof shall be kept clean and free from the accumulation of dirt, filth, garbage, refuse or similar matter. All yards, lawns and premises shall be similarly kept clean and free from mosquito and rodent infestation.

## **4.2 Leasing of Dwellings.**

No owner or operator shall occupy or let to any other occupant, any vacant dwelling unless it is clean, sanitary and fit for human occupancy. The dwelling shall be in compliance with these Rules and Regulations.

## **4.3 Abandoned/Vacant Dwellings.**

All abandoned or vacant dwellings and premises must be maintained by the owner or operator in such a manner so as not to create a public health or safety hazard and must be adequately safeguarded against mosquito and rodent infestation.

# **SECTION FIVE - GENERAL SANITATION**

## **5.1 Sewage Disposal.**

All sewage, including laundry waste, shall be disposed of by a public sewerage system or by an on-lot sewage disposal system constructed, maintained and operated according to the Department's sewage regulations. If an approved public sewer is available, it shall be used to service the dwelling.

## **5.2 Sewage System Approvals.**

All new, altered or repaired sewage disposal systems serving any dwelling must be approved by the Department in accordance with the Bucks County Department of Health's sewage regulations and the Pennsylvania Sewage Facilities Act (P.L 1535 No 537 ) (35 PS §§ 750.1 - 750.20).

## **5.3 Sewage Backups.**

No condition shall be permitted to exist where sewage can or does back up into any portion of the dwelling at any location. The owner or operator of the dwelling shall have the responsibility for protecting the health of the occupants, even to the point of removal of the occupants from the affected areas to alternate housing until the sewage backup is corrected and adequate cleanup and disinfection of the affected dwelling and premises has been completed. No sewage shall overflow or be permitted to discharge onto the surface of the ground or into the Waters of this Commonwealth.

## **5.4 Water Supplies.**

All dwellings, let to another for occupancy, shall be supplied with a safe, potable water supply, under pressure, and in adequate quantity. An adequate quantity of potable water shall be deemed to be a minimum of 50 gallons of water per occupant per day. This water shall meet the standards of the Safe Drinking Water Act. If a municipal water supply is available, connection shall be made thereto in lieu of an on-site water supply or well.

## **5.5 Garbage and Refuse Storage.**

All dwellings shall be supplied with adequate garbage and refuse storage facilities and containers. These containers shall be of a durable material, leak proof, insect and rodent proof and maintained in a clean and sanitary manner. This garbage and refuse shall be collected for disposal at an approved location at frequent intervals so as not to accumulate and not create a public health nuisance.

## **5.6 Rodent and Mosquito Control.**

No condition shall be permitted on the premises of any dwelling which will encourage or permit the infestation or harborage by mosquitoes or rodents. The premises shall be properly graded and drained to eliminate stagnant water which may cause mosquito breeding.

## **SECTION SIX - RESPONSIBILITIES OF OWNERS AND OCCUPANTS**

In addition to the responsibilities of owners, operators and occupants contained elsewhere in these Rules and Regulations, the provisions of this section shall apply to those individuals unless otherwise specified in accordance with Section 1.5 "Exceptions" of these Rules and Regulations or contained in a written lease or other agreement between the owner and occupant..

### **6.1 Sanitary Conditions by Occupant.**

Every occupant of a dwelling shall maintain in a clean and sanitary condition that part of the dwelling and premises which he/she occupies and controls.

### **6.2 Sanitary Conditions of Public Areas.**

Every owner or operator of a multiple family dwelling shall maintain in a clean and sanitary condition the shared or public areas of the dwelling and premises.

### **6.3 Garbage and Refuse Disposal.**

Every occupant of a dwelling shall dispose of all garbage and refuse in a clean and sanitary manner by placing it in approved storage facilities for frequent approved collection and disposal. The owner of a multiple family dwelling shall furnish adequate common storage facilities for garbage and refuse and shall be responsible for the clean and sanitary maintenance of these facilities until picked up for approved disposal.

### **6.4 Extermination of Rodents.**

Every occupant of a single dwelling unit shall exterminate any rodents in it or on the premises. In a multiple family dwelling, the occupant shall accomplish such extermination whenever his/her unit is the only one infested. However, when there is more than one unit or the shared or public areas are infested, extermination shall be conducted by the owner/operator.

## **6.5 Plumbing.**

Every occupant shall keep all plumbing fixtures and components clean and in sanitary condition and shall take care in the proper use and operation of these fixtures and components so as not to create a public health nuisance.

## **6.6 Owner Access.**

Every occupant of a dwelling shall give the owner/operator or his/her agent or employee access to their dwelling unit and premises, at reasonable times, for the purpose of repairs, alterations or extermination necessary to affect compliance with these Rules and Regulations.

## **6.7 Emergency Orders.**

Whenever, in the judgment of the Department, an emergency exists in violation of these Rules and Regulations which requires immediate action to protect the public health, safety or welfare of the occupant(s), an order may be issued by the Department to the owner, operator or his/her agent to take corrective action as is necessary to immediately abate the emergency.

## **SECTION SEVEN - SEVERABILITY**

If any section, sub-section, paragraph, clause, or provision of these Rules and Regulations shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Rules and Regulations as a whole or any part thereof. It is hereby declared to be the intention of the Bucks County Department of Health, the Bucks County Board of Health, and the Bucks County Commissioners that the remainder of the Rules and Regulations would have been enacted if such invalid section had not been enacted and that it is their intent, intention and desire that the remaining portion of the Rules and Regulations remain in effect.

## **SECTION EIGHT - PENALTY PROVISIONS**

### **8.1. Summary Offenses.**

Any person who violates any of the provisions of these Rules and Regulations of the Bucks County Department of Health, or who interferes with the Health Director or any other agent of the Bucks County Department of Health in the discharge of his official duties, shall, for the first offense, upon conviction thereof in a summary proceeding before District Justice of Bucks County wherein said offense was committed, be sentenced to pay the costs of prosecution and a fine of not less than Thirty Dollars (\$30) nor more than Three Hundred Dollars (\$300), and in default thereof, to undergo imprisonment of not less than ten (10) days nor more than thirty (30) days.

### **8.2 Misdemeanors.**

Any person who violates any of the provisions of these Rules and Regulations of the Bucks County Department of Health, or who interferes with the Health Director or any other agent of the Bucks County Department of Health in the discharge of his official duties, convicted of a second or subsequent offense, shall be guilty of a misdemeanor and shall, upon conviction thereof, be sentenced to pay a fine of not less than Five Hundred Dollars (\$500) nor more than One Thousand Dollars (\$1,000) or to undergo imprisonment not exceeding one (1) year, or both.

### **8.3 Separate Offenses.**

For the purpose of this Section, violations on separate days shall be considered separate offenses.

#### **8.4 Injunctions.**

The Bucks County Department of Health may seek to enjoin violations of these Rules and Regulations or may proceed in any court of law or equity to obtain any additional cumulative remedies to abate any violation under these Rules and Regulations. Nothing in these Rules and Regulations shall in any way alter rights or action or remedies now or hereafter existing in equity, or under the common law or statutory law, criminal or civil.

Approved: Bucks County Board of Health

Date: March 24, 1998

Approved: Bucks County Board of Commissioners

Date: May 6, 1998

Effective Date:

June 15, 1998