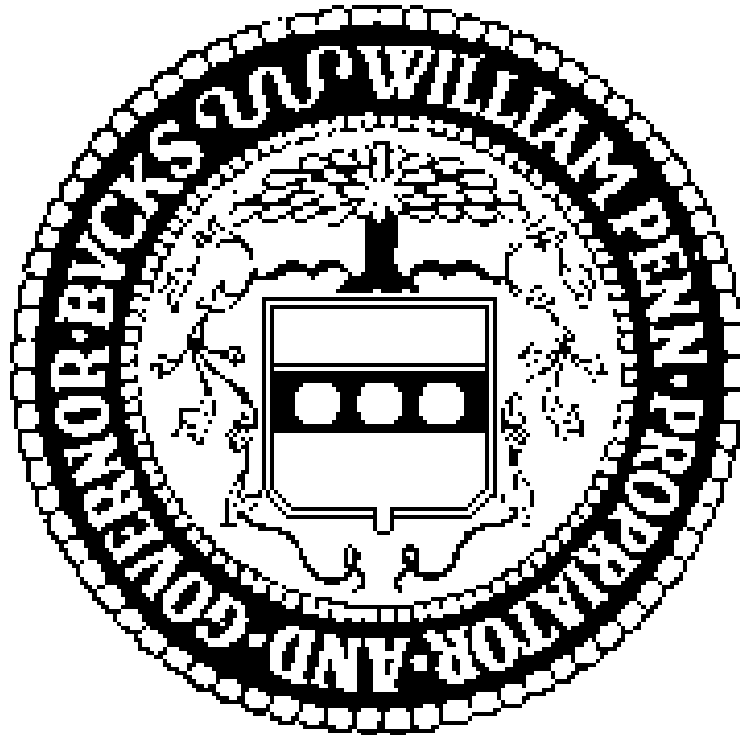


BUCKS COUNTY DEPARTMENT OF HEALTH
RULES AND REGULATIONS
GOVERNING THE HYGIENE AND SANITATION OF HOUSING



EFFECTIVE DATE: 2/2/2022

**BUCKS COUNTY DEPARTMENT OF HEALTH
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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1.3 Rules and Regulations Superseded.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 June 15, 1998, 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 rental units 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 rental unit(s) shall be responsible for complying with the requirements of these Rules and Regulations.

1.5 Exceptions.

No person shall let to another person for occupancy any rental unit that does not comply with these Rules and Regulations. 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** – Any procedure or operation that is in accordance with standards of the Bucks County Department of Health.
- (b) **Department** - The Bucks County Department of Health.

- (c) **Extermination** - The use of a Certified Pesticide Applicator who is licensed to utilize restricted pesticides in their exterminating business within the Commonwealth under the regulations, set forth in the Pennsylvania Pesticide Control Act of 1973, and 7 PA. Code, Chapter 128, Pesticides, as amended, Acts 35 and 36, The School IPM and Notification Acts.
- (d) **Garbage** - All food wastes except sewage and body waste.
- (e) **Infestation** - The presence of any disease vector on a premise or premises located within the County of Bucks in numbers great enough to pose a hazard to the public health.
- (f) **Multiple Family Rental Unit** - Any building containing more than one rental unit.
- (g) **Occupant** - Any person living or sleeping in a rental unit.
- (h) **Operator** – Agent of the owner.
- (i) **Owner** - Any person who, alone or jointly or severally with others, holds legal or equitable title to any rental unit.
- (j) **Person** - 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.
- (k) **Plumbing** - All water supply and sewage supply components within the rental unit such as water and wastewater 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.
- (l) **Premises** - A lot, plot or parcel of land including the buildings and structures thereon.
- (m) **Refuse** - All non-putrescible wastes generally regarded and classified as rubbish, trash, junk, and similar materials which have been discarded by the owner or possessor thereof as useless or worthless to them.
- (n) **Rental Unit** - Any non-owner occupied structure used or intended to be used for living or sleeping. This includes both single family and multiple family units, excluding hotels, motels, etc. designed for short term occupation or regulated by other agencies (half-way houses).
- (o) **Rodents** - Mice or rats.

- (p) **Safe Drinking Water Act** - 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** - 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 Clean Streams Law, as amended. The term shall include, but not be limited to toilet, lavatory, kitchen or laundry wastewater, liquid waste and seepage from floor drains, garbage cans, dumpsters or compactors and the cleaning waste from these garbage storage containers.
- (r) **Sewage Regulations** - 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 RENTAL UNITS AND PREMISES

3.1 Inspections.

Representatives of the Department, in order that they may perform their duty of safeguarding the health and sanitation of the public, after proper identification and through due process of law, either by permission or by search warrant, shall have access to all rental units and premises to make inspections and determine the condition of such rental units and premises. For the purposes of making such inspections the representatives of the Department, when authorized, may enter, examine, and survey at all reasonable times all rental units and premises.

SECTION FOUR - SANITARY MAINTENANCE

4.1 Premises Maintenance.

Every rental unit 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 Rental Units.

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

4.3 Abandoned/Vacant Rental Units.

All abandoned or vacant rental units and premises must be maintained by the owner or operator in such a manner so as not to create a public health 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 Bucks County Department of Health Rules and Regulations Governing Individual and Community On-lot Sewage Disposal Systems. No sewage shall overflow or be permitted to discharge onto the surface of the ground or into the Waters of this Commonwealth. If an approved public sewer line is available, it shall be used to service the rental unit(s).

5.2 Sewage System Approvals.

All new, altered, or repaired sewage disposal systems serving any rental unit must be permitted by the Department in accordance with the Bucks County Department of Health Rules and Regulations Governing Individual and Community On-lot Sewage Disposal Systems 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 rental unit(s). The owner or operator of the rental unit(s) shall have the responsibility for protecting the health of the occupant(s), even to the point of removal of the occupant(s) from the affected rental unit(s) to alternate housing until the sewage backup is corrected and adequate cleanup and disinfection of the affected rental unit(s) and/or premises has been completed.

5.4 Water Supplies.

All rental units, let to another for occupancy, shall be supplied with a safe, potable water supply, under pressure, and in adequate quantity. In an emergency, 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 primary contaminant 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 rental units shall be supplied with adequate garbage and refuse containers. These containers shall be of a durable material, lidded, leak proof, insect and rodent proof and maintained in a clean and sanitary manner. The garbage and refuse containers shall be collected for disposal at an approved location at frequent intervals so as not to accumulate and create a public health nuisance.

5.6 Rodent and Mosquito Control.

No condition shall be permitted on the premises of any rental unit which will encourage or permit the infestation or harborage of 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

Where there is no written lease or other written agreement delegating certain duties and responsibilities covered by these Rules and Regulations, the person so delegated in the following subsections shall be responsible for these duties.

6.1 Sanitary Conditions by Occupant.

Every occupant of a rental unit shall maintain in a clean and sanitary condition that part of the rental unit and premises which they occupy and control.

6.2 Sanitary Conditions of Public Areas.

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

6.3 Garbage and Refuse Disposal.

Every occupant of a rental unit shall dispose of all garbage and refuse in a clean and sanitary manner by placing it in approved storage containers for frequent approved collection and disposal. The owner or operator of a multiple family rental unit shall furnish adequate common storage facilities for garbage and refuse and shall be responsible for the clean and sanitary maintenance of these facilities. The frequency of garbage and refuse collection shall be sufficient so as to prevent a public health nuisance.

6.4 Extermination of Rodents.

Every occupant of a single rental unit shall be responsible for any rodent infestation in it or on the premises. In a multiple family rental unit, the occupant shall accomplish such extermination whenever their 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 a certified pesticide applicator contracted by the owner or 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 rental unit shall give the owner or operator or their employee access to the rental 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 or welfare of the occupant(s), an order may be issued by the Department to the owner 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 their 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 their 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: 1/13/2022

Approved: Bucks County Board of Commissioners

Date: 2/2/2022

Effective Date:

2/2/2022