

IC 16-41-33

Chapter 33. Pest Control: Local and State Programs for Vector Abatement

IC 16-41-33-1

Pest

Sec. 1. As used in this chapter, "pest" means an arthropod, a vertebrate, or a microorganism of health significance to humans.

As added by P.L.2-1993, SEC.24.

IC 16-41-33-2

Vector

Sec. 2. As used in this chapter, "vector" means an arthropod or a feral animal responsible for the transmission of pathogens from a host to another animal or human.

As added by P.L.2-1993, SEC.24.

IC 16-41-33-3

Authorization of local programs

Sec. 3. The:

- (1) executive of a county that has formed a county health department;
- (2) fiscal body of a city that has formed a city health department; and
- (3) executive of the county and the fiscal body of a city that have formed a joint county-city health department;

may, as an alternative, on their own initiative or after a petition by five percent (5%) of the registered voters within the jurisdiction of the health department, by ordinance establish and maintain a vector abatement program in that health department.

As added by P.L.2-1993, SEC.24.

IC 16-41-33-4

Appropriations; tax levies

Sec. 4. The county fiscal body or the governing board of a health and hospital corporation may, on the fiscal body's or board of trustees' own initiative or after a petition signed by five percent (5%) of the registered voters within the jurisdiction of the health department, make an annual appropriation specifically for the purpose of vector control to be used by the health department solely for that purpose and levy a tax of not more than sixty-seven hundredths of one cent (\$0.0067) on each one hundred dollars (\$100) of assessed value of taxable property in the county.

As added by P.L.2-1993, SEC.24. Amended by P.L.6-1997, SEC.179.

IC 16-41-33-5

Direction of local programs

Sec. 5. The vector abatement program must be under the direction of the local health officer.

As added by P.L.2-1993, SEC.24.

IC 16-41-33-6

Duties of local health officers

Sec. 6. (a) The:

- (1) county fiscal body for the county health department;
- (2) city fiscal body for a city health department; and
- (3) county fiscal body and city fiscal body for a joint city-county health department;

may, by ordinance, determine the duties with respect to vector control of the local health officer.

(b) The duties under subsection (a) may include the following:

- (1) Taking all necessary and proper steps to control vectors that have adverse health significance to humans or domestic animals and livestock.
- (2) Entering upon any land, public or private, at any reasonable time to inspect for or to abate all pest and vector breeding grounds that have adverse health significance to humans or domestic animals and livestock.
- (3) Purchasing supplies, material, and equipment.
- (4) Recommending to the county commissioners or other appropriate authority the building, construction, maintenance, or repair of necessary levees, cuts, canals, channels, or other structures upon any land within the jurisdiction of the local health department after obtaining the necessary local and department of natural resources approvals.
- (5) Executing contracts.
- (6) Conducting control in a manner consistent with recommendations of the Purdue University cooperative extension service, the pesticide review board, and the state department.
- (7) Entering into cooperative agreements with appropriate organizations for the purpose of assuring technical assistance in developing and carrying out specific duties.
- (8) Identifying problems determined to be of importance to the public welfare and developing control programs appropriate to each situation.

As added by P.L.2-1993, SEC.24. Amended by P.L.40-1993, SEC.53.

IC 16-41-33-7

State funding

Sec. 7. (a) Local departments of health, including the department of a health and hospital corporation, are eligible to receive state funds appropriated by the general assembly only if, after allocation by the state agency and before receipt of those state funds, a local appropriation for vector control is made by the appropriate local health agency.

(b) The state department shall adopt rules under IC 4-22-2 to govern the application for and the distribution of any state funds appropriated for this purpose, according to the need and proper utilization.

As added by P.L.2-1993, SEC.24.

IC 16-41-33-8**Support programs**

Sec. 8. An action program in vector abatement requires significant support in monitoring and research to assure the program's continued success. State agencies, including the state department and the office of agricultural research programs, are encouraged to pursue strong programs in support of abatement. Where appropriate and feasible, state agencies may draw on the resources and expertise of other institutions and the private sector in this effort.

As added by P.L.2-1993, SEC.24. Amended by P.L.40-1993, SEC.54.

IC 16-41-33-9**Violations**

Sec. 9. (a) Except as otherwise provided, a person who recklessly violates or fails to comply with this chapter commits a Class B misdemeanor.

(b) Each day a violation continues constitutes a separate offense.

As added by P.L.2-1993, SEC.24.