

j. *Rat Proofing.* Shall mean changing structural details and sealing openings to prevent or render more difficult the entry of rats into buildings.

11A—2. *Applicability of Chapter*

This Chapter shall be effective throughout Montgomery County.

11A—3. *Inspections by Health Officer; when warrants required; right of entry.*

The Health Officer is authorized and directed to take such actions as are necessary to identify and eliminate rat infestations and to require the correction of conditions contributing to rat infestations.

a. The Health Officer is hereby authorized and empowered to enter onto any property in the County for the purpose of making inspections to determine the existence of a rat infestation. Prior to such inspection, the Health Officer shall give notice either orally or in writing of his intention to conduct an inspection and obtain the consent of the owner to the inspection. The Health Officer is empowered to enter property for inspection without prior notice where an emergency exists or the property is open to the public.

b. If the owner refuses to consent to such inspection, the Health Officer shall, prior to any entry or inspection, obtain a warrant for such inspection. The warrant shall be obtained by a written application, signed and sworn to by the Health Officer, setting forth the purpose of the inspection and the address or location of the dwelling or property to be inspected. When, upon such application, it shall appear to any judge of the Circuit Court of Montgomery County or to any judge of the People's Court or District Court for Montgomery County or to any committing magistrate of Montgomery County that there is probable cause to believe that there is a violation of any provision of this Article, then such judge or committing magistrate may forthwith issue a warrant directed to the Health Officer authorizing him to enter and inspect such property. The warrant shall state that any inspection made thereunder shall be made within thirty calendar days from the date of issuance thereof, and after the expiration of such thirty day period, the warrant shall be void.

11A—4. *Rat Infestations Illegal; Notice of Violation; Extermination by Health Officer; Appeal from order of Health Officer.*

It shall be unlawful for any owner to allow his property to be infested with rats or to be in such condition as to contribute to existing or potential rat infestations.

a. When the Health Officer shall, by inspection, determine that a rat infestation exists or that conditions contributing to rat infestations exist, he shall give notice of such infestation or condition, and shall issue an order of action to be taken. Such notice and order shall: