

BED BUG INFESTATION REGULATIONS AND PROCEDURES

In order to protect the health, safety, and general welfare of the citizens of Lawrence, Kansas, the City of Lawrence, Kansas, through its Property Maintenance Code, codified as amended at City of Lawrence, Kan., Code § 9-601 *et seq.* (July 1, 2013), regulates bed bug infestations. Under the City's Property Maintenance Code, no person shall allow a bed bug infestation to remain upon any real property or premises that he or she owns, occupies or controls. Section 9-620 of the City's Property Maintenance Code also authorizes the City to promulgate regulations establishing procedures that are to be followed in the event of a bed bug infestation. In accordance with Section 9-620, the City hereby promulgates these Regulations, establishing general procedures that shall be followed in the event of a bed bug infestation.

The City hereby requires that all bed bug infestations be reported to the Code Official and be referred to a licensed pest control company for treatment and extermination.

The City hereby encourages all property owners and property managers to provide training to their employees, including maintenance personnel, housekeeping staff, and other responsible individuals regarding bed bug prevention, identification, and control. Training should be provided, if possible, at the commencement of employment. Suggested elements of a training curriculum include:

- Identification of bed bugs and understanding of their life-cycle.
- Inspection procedures for Transient Accommodations, Detached Dwelling Units, Attached Dwelling Units, including the inspection of seams, joints, and cracks of mattresses, bed frames, upholstered furniture, baseboards, window sills, floors, walls, behind picture frames, *etc.*
- Housekeeping and maintenance procedures, including those for vacuuming and the appropriate disposal of refuse.
- Reporting procedures upon the discovery of any evidence of bed bugs.
- Prevention and control of the transmission of bed bugs.

Definitions

Code Official means the City's Code Enforcement Officer, any person fulfilling the duties of the Code Enforcement Officer, or the Code Enforcement Officer's designee.

Attached Dwelling Unit means one room or a suite of two or more rooms designed for permanent living and sleeping purposes that share common walls, floors, and/or ceilings with another dwelling unit within a structure.

Detached Dwelling Unit means one room or a suite of two or more rooms designed for permanent living and sleeping purposes that does not share common walls, floors, and/or ceilings with another dwelling unit.

Transient Accommodations means any living space within a hotel, motel, extended stay, bed & breakfast, or similar establishment that is rented by a guest or lodger for temporary living and sleeping purposes.

1. Procedures for Bed Bug Infestations of Transient Accommodations

- A property owner or property manager of Transient Accommodations shall respond to an employee's report or to a guest's or lodger's complaint of bed bugs, immediately, by relocating the guest or lodger to another accommodation. Thereafter, the property owner or property manager shall hire a licensed pest control company to complete an initial verification inspection, which inspection shall include all rooms with a common wall, floor, and/or ceiling as well as all laundry facilities. The initial verification inspection must be completed within three business days after the original report or complaint.
- If the report or complaint of bed bugs is confirmed by the initial verification inspection, then the property owner or property manager must, within three business days thereafter, submit to the Code Official a written report. The report shall identify the licensed pest control company hired to exterminate the bed bug infestation, shall outline what steps will be taken to exterminate the bed bug infestation, and shall include an estimated time frame within which such extermination will be completed.
- The property owner or property manager shall also submit to the Code Official any subsequent reports of inspections or treatments, including a final report stating that the bed bug infestation has been exterminated or treated to the best of the ability of the licensed pest control company.

2. Procedures for Bed Bug Infestations of Detached Dwelling Units

- In the case where the Code Official receives a complaint of bed bugs from either a tenant or the property owner or property manager of a Detached Dwelling Unit, the Code Official shall inquire as to how long the tenant has resided in the Detached Dwelling Unit before the bed bug infestation was discovered.
- If the tenant or a guest of the tenant has knowingly or unknowingly brought bed bugs into the Detached Dwelling Unit, then the tenant shall be responsible for exterminating the bed bugs. *See* Section 107.1 of the Property Maintenance Code. The Code Official shall then give the tenant a Notice of Violation. The Notice of Violation shall inform the tenant that he or she must hire a licensed pest control company to exterminate the bed bug infestation within ten business days after the date of the Notice of Violation.
- In the case where the tenant is served with a Notice of Violation, the Code Official shall also verify that the bed bug infestation has been brought to the attention of the property owner or property manager of the Detached Dwelling Unit.

- If the tenant or a guest of the tenant is not responsible for the bed bug infestation, if the tenant fails to prosecute extermination of the bed bug infestation to its completion, or if the tenant vacates the Detached Dwelling Unit prior to the completion of the extermination of the bed bug infestation, then the property owner or property manager shall be responsible for hiring a licensed pest control company to exterminate the bed bug infestation.
- Upon the issuance of a Notice of Violation, either to the tenant or to the property owner or property manager of a Detached Dwelling Unit, the tenant, property owner, or property manager shall, within three business days thereafter, submit to the Code Official a written report. The report shall identify the licensed pest control company hired to exterminate the bed bug infestation, shall outline what steps will be taken to exterminate the bed bug infestation, and shall include an estimated time frame within which such extermination will be completed.
- The tenant, property owner, or property manager shall also submit to the Code Official any subsequent reports of inspections or treatments, including a final report stating that the bed bug infestation has been exterminated or treated to the best of the ability of the licensed pest control company.
- If the tenant vacates the Detached Dwelling Unit prior to the completion of the extermination of the bed bug infestation, the Detached Dwelling Unit may not be leased to another person until the bed bug infestation is eradicated.
- Any dispute between a tenant and a property owner or property manager regarding responsibility for exterminating a bed bug infestation is a civil matter between those parties.

3. Procedures for Attached Dwelling Units

- Unlike Detached Dwelling Units, where a bed bug infestation will most likely be contained within that dwelling unit, it is likely, in the case of Attached Dwelling Units, that the bed bug infestation shall have spread to other Attached Dwelling Units. Bed bugs often migrate between common walls, floors, and ceilings.
- In the case where the Code Official receives a complaint of bed bugs from either a tenant or the property owner or property manager of an Attached Dwelling Unit, the Code Official shall inquire as to how long the tenant has resided in the Attached Dwelling Unit before the bed bug infestation was discovered.
- If the tenant or a guest of the tenant has knowingly or unknowingly brought bed bugs into the Attached Dwelling Unit, then the tenant shall be responsible for exterminating the bed bugs. *See* Section 107.1 of the Property Maintenance Code. The Code Official shall then give the tenant a Notice of Violation. The Notice of Violation shall inform the tenant that he or she must hire a licensed pest control company to exterminate the bed bug infestation within ten business days after the date of the Notice of Violation.

Code Enforcement Policies and Procedures

- In the case where the tenant is served with a Notice of Violation, the Code Official shall also verify that the bed bug infestation has been brought to the attention of the property owner or property manager of the Attached Dwelling Unit
- If the tenant or a guest of the tenant is not responsible for the bed bug infestation, if the tenant fails to prosecute the extermination of the bed bug infestation to its completion, or if the tenant vacates the Attached Dwelling Unit prior to the completion of the extermination of the bed bug infestation, then the property owner or property manager shall be responsible for hiring a licensed pest control company to exterminate the bed bug infestation.
- Upon the issuance of a Notice of Violation either to the tenant or to the property owner or property manager of a Attached Dwelling Unit, the Code Official shall advise the property owner or property manager that all surrounding Attached Dwelling Units that share a common wall, floor, or ceiling with the infested dwelling unit must also be inspected by a licensed pest control company to determine whether the bed bug infestation is contained within one dwelling unit or whether it has spread through multiple dwelling units.
- Upon the issuance of a Notice of Violation, either to the tenant or to the property owner or property manager of a Attached Dwelling Unit, the tenant, property owner, or property manager shall, within three business days thereafter, submit to the Code Official a written report for review and approval. The report shall identify the licensed pest control company hired to exterminate the bed bug infestation, shall outline what steps will be taken to exterminate the bed bug infestation, and shall include an estimated time frame within which such extermination will be completed.
- The tenant, property owner, or property manager shall also submit to the Code Official any subsequent reports of inspections or treatments, including a final report stating that the bed bug infestation has been exterminated or treated to the best of the ability of the licensed pest control company.
- If the tenant vacates the Attached Dwelling Unit prior to the completion of the extermination of the bed bug infestation, the Attached Dwelling Unit may not be leased to another person until the bed bug infestation is eradicated.
- Any dispute between a tenant and a property owner or property manager regarding responsibility for exterminating a bed bug infestation is a civil matter between those parties.

4. Treatment and Control of Bed Bug Infestations in Transient Accommodations, Detached Dwelling Units, and Attached Dwelling Units

- When bed bugs are confirmed to be present in Transient Accommodations, Detached Dwelling Units, or Attached Dwelling Units, the City mandates that the bed bug infestation be exterminated by a pest control company licensed by the state of Kansas.
- The City requires all persons to comply with the licensed pest control company's instructions regarding the preparation of a Transient Accommodation, Detached Dwelling Unit, or Attached Dwelling Unit for bed bug extermination. After treatment, the property owner and property manager shall caulk easily identifiable cracks and crevices to prevent further bed bug infestation.
- No person shall remove any items from a bed bug infested Transient Accommodation, Detached Dwelling Unit or Attached Dwelling Unit before treatment by a licensed pest control company. Removal of items before treatment may transmit the bed bug infestation to other areas on the premises or other areas within the City.

5. Management of Furnishings and Items Infested with Bed Bugs in Transient Accommodation, Detached Dwelling Units, and Attached Dwelling Units

- No person shall remove bed-bug infested furnishings or items that are designated for disposal until after the Transient Accommodation, Detached Dwelling Unit, or Attached Dwelling Unit is treated by a licensed pest control company.
- The City will allow clothing that is to be laundered to be removed from a bed bug infested Transient Accommodation, Detached Dwelling Unit, or Attached Dwelling Unit. Such clothing must be removed in sealed plastic bags, washed in hot water, and dried on the hottest setting in a drying machine.
- The City requires all clothing that is to be discarded to be sealed in plastic bags and disposed of properly.
- The City requires all vacuumed refuse from a bed-bug infested room to be placed in sealed, double-bagged plastic bags and properly discarded in an outdoor trash receptacle..
- The City requires that all furniture, mattresses, and the like, that are to be discarded to be treated and, if possible, labeled as bed-bug infested before being placed in a dumpster or otherwise properly discarded.

6. Responsibilities of Guests or Lodgers of Transient Accommodations or Tenants of Detached Dwelling Units and Attached Dwelling Units

- Guests or lodgers at Transient Accommodations and Tenants of Detached Dwelling Units or Attached Dwelling Units shall promptly report all bed bug infestations to the property owner or property manager.
- Upon notification, all guests or lodgers at Transient Accommodations and Tenants of Detached Dwelling Units or Attached Dwelling Units shall cooperate with the property owner or property manager and the licensed pest control company in order to eradicate bed bugs from the premises.
- The City requires all persons to comply with the licensed pest control company's instructions regarding the preparation of a Transient Accommodation, Detached Dwelling Unit, or Attached Dwelling Unit for bed bug extermination.
- No person shall remove anything from bed-bug infested rooms or dwelling units except clothes that are to be laundered in accordance with Section 5, bullet-point 2 of these Regulations.

7. Record Keeping

- Property owners and property management shall maintain records of all identified instances of bed bugs reports or complaints by employees, guest, lodgers, or tenants, other persons. All such records shall be provided to the Code Official , upon request, whenever a complaint is made to the Code Official.
- Property owners and property management shall maintain records of their responses to any reports or complaints of bed bugs, including any treatments provided by licensed pest control companies.
- All records maintained by property owners and property management shall document whether or tenants, guests, or lodgers cooperated with these Regulations including the requirements of any licensed pest control company.
- The Code Official shall maintain records documenting all reports and complaints of bed bugs, including the location of the bed bug infestation, the treatment provided, all records and reports submitted in the case, and the final result of that treatment.

Appendix A: Tenant Guidelines

What are bed bugs?

Bed bugs are tiny insects that feed on the blood of people, pets, birds, and other animals. Bed bugs are parasites. Adult bed bugs are 1/4" (one-fourth of one inch) long. They do not have wings and their bodies are flat. After feeding on blood, bed bugs' bodies become round. Newly hatched bed bugs are called "nymphs" and their tiny, white bodies are almost too small to see.

How do I know if I have bed bugs?

If you have bed bugs, you will have itchy bumps where they have bitten you. You may also see live or dead bed bugs in your room. Also, look for blood stains or feces (tiny black stains) on your mattress, sheets, or pillow cases.

How do bed bugs enter buildings?

Bed bugs are carried from place to place by people who transport items and belongings, such as luggage, clothing, furniture, or bedding, that have been in locations infested with bed bugs. Bed bugs may also be introduced into a building through items that are collected off the street, such as discarded furniture.

Can bed bugs make me sick?

When bed bugs bite, their saliva is an irritant that will make you itch. If the itching causes scratching, there is always the chance that those scratches may become infected.

How do I get rid of bed bugs?

1. Tell the property manager immediately when you see bed bugs or signs of bed bugs.
2. Permit the person (the pest control employee) who is going to help you exterminate the bed bugs to enter your room to treat it.
3. On the day that the pest control company comes to treat your room, seal all your clothing and bedding in plastic bags and wash them at the Laundromat on the hottest setting. Dry them in a drying machine set on the hottest temperature. Do not return the clean clothing and bedding to your room until **after** the room treatment is finished.
4. Bathe yourself and wash the clothes that you are wearing. Wear only the clothes that you have washed.
5. Repeat the washing and drying of clothes for each bed bug treatment.
6. If the property owner or property manager does not respond to your complaints about bed bugs, call the Code Enforcement Division of the City of Lawrence, (785) 832-7700, or file a complaint online at http://www.lawrenceks.org/pds/code_violation.

Appendix B: Property Owner and Property Manager Guidelines

What are bed bugs?

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How do I get rid of bed bugs?

1. **Respond** immediately to any complaint or report of bed bugs.
2. **Consult** a licensed pest control company to identify and, if necessary, to treat all infested rooms, dwelling units, common areas, and those spaces adjacent to infested areas.
3. **Ensure** that all tenants prepare their dwelling units for bed bug treatment.
4. **Provide** treatment every two weeks until no new signs of bed bugs are found (minimum of two treatments).
5. **Vacuum** all dead bed bugs after each treatment and immediately afterward double-bag and seal the vacuum contents in a plastic bag and discard in an outdoor trash receptacle.
6. **Treat** all cracks and crevices in walls, baseboards, window sills, bed frames, closets, furniture, *etc.*
7. **Replace** all torn mattresses and box springs after they have been treated (if you manage a hotel or motel).
8. **Completely** seal items in plastic bags before removing them from bed bug infested rooms or dwelling units.