

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2009**

No. 14

Introduced by Council Members Brewer, The Speaker (Council Member Quinn), Foster, Gentile, Gerson, Gonzalez, James, Mark-Viverito, Martinez, Mendez, Nelson, Palma, Sanders Jr., Weprin, White Jr., Koppell, Liu, Recchia Jr., Sears, Vallone Jr., Garodnick, Jackson, Avella, Arroyo, Dickens, Mealy, Lappin, Stewart, Rivera and Gennaro

A LOCAL LAW

In relation to the creation of a Bed Bug Advisory Board.

Be it enacted by the Council as follows:

Section 1. Legislative findings and declaration. Sometimes referred to as "red coats," "chinchies," or "mahogany flats," bed bugs, *Cimex lectularius* Linnaeus, are blood-feeding parasites of humans, chickens, bats and occasionally domesticated animals. Bed bugs are wingless and spread from infested to non-infested areas through the transportation of clothing, luggage, furniture and bedding. In the early stages of infestation, bed bugs are found mainly in the tufts, seams and folds of the mattress and bed covers. However, they later spread to cracks and crevices in the bedsteads.

According to the Department of Health and Mental Hygiene ("DOHMH"), bed bugs often seek refuge in bedding during the day and feed on occupants at night. Bed bugs feed primarily on humans by piercing the skin as people sleep. Although bed bugs are not generally considered human disease carriers, they inject a fluid to assist in drawing blood, which causes a welt that becomes irritated, inflamed and uncomfortable. After feeding, bed bugs crawl back into hiding, where they may remain for 80 to 140 days before returning to feed.

Bed bug infestations diminished substantially after the development and use of modern insecticides, such as DDT. However, pest management professionals have noticed a marked increase in

bed-bug related complaints since 1995. Experts believe this may be related to the increased number of people traveling and returning from abroad with these insects hiding in their suitcases and clothing.

According to the DOHMH, the use of appropriate pesticides and the thorough cleaning of all bedding with water at extremely high temperature may help reduce the chance of infestation. However, even with professional extermination, a bed bug problem may be impossible to eliminate. If even one adult female bed bug survives, the area may quickly become infested again as the adult female lays one to five eggs every day and each egg takes only 17 to 28 days to hatch.

The Council finds that the *Cimex lectularius* population is ubiquitous and affects the quality of life of residents throughout the City. Based on this finding, the Council determines that it is necessary to create an advisory board to study this issue further and draft concrete recommendations for the most effective methods for treating and preventing bed bug infestations in New York City.

§2. Bed Bug Advisory Board. a. There shall be an advisory board to study health concerns associated with *cimex lectularius*, commonly referred to as the bed bug, and to make specific recommendations to the mayor and council for the prevention and treatment of bed bug infestations throughout the city.

b. Such advisory board shall consist of ten members as follows:

i. Three members shall be appointed by the mayor, provided that at least one such member shall be from the pest management industry and shall have experience in bed bug control and/or extermination and at least one member shall have advanced specialized training in and knowledge of entomology;

ii. Two members shall be appointed by the speaker of the council, provided that at least one such member shall have a background in community health;

iii. The commissioners of the department of health and mental hygiene, the department of consumer affairs, the department of sanitation, the department of information technology and telecommunications, and the department of housing and preservation, or the designees of such commissioners, shall serve ex officio.

iv. At its first meeting, the advisory board shall select a chairperson from among its members by majority vote of the advisory board.

c. Each member, other than members serving in an ex officio capacity, shall serve for a term of 9

months, to commence after the final member of the advisory board is appointed. Any vacancies in the membership of the advisory board shall be filled in the same manner as the original appointment. A person filling such vacancy shall serve for the unexpired portion of the term of the succeeded member.

d. No member of the advisory board shall be removed from office except for cause and upon notice and hearing by the appropriate appointing official.

e. Members of the advisory board shall serve without compensation and shall meet as necessary.

f. The advisory board shall issue a report to the mayor and council no later than nine months after the final member of the advisory board is appointed. Such report shall include specific recommendations on the following topics:

i. Prevention and treatment of bed bug infestations in private dwellings;

ii. Prevention and treatment of bed bug infestations in public accommodations and institutions, including, but not limited to, schools, hotels, hospitals, nursing homes, jails and residential shelters;

iii. Tracking and reporting of bed bug infestations;

iv. Disposal of bed bug infested items;

v. Bed bug training and/or education for urban pest management professionals;

vi. Bed bug training and/or education for city workers;

vii. The development and most effective distribution of public education and resource materials on bed bug prevention and treatment, including, but not limited to, information on the rights and responsibilities of landlords, tenants and homeowners.

g. The advisory board shall terminate upon the publication of the report.

§3. This local law shall take effect immediately.

The City of New York, Office of the City Clerk, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on March 11, 2009 and approved by the Mayor on March 18, 2009.

Michael McSweeney, City Clerk
Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW § 27

Pursuant to the provisions of Municipal Home Rule Law § 27, I hereby certify that the enclosed Local Law (Local Law 014 of 2009, Council Int. No. 57-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on March 11, 2009:

46 For, 0 Against, 0 Not Voting

Was signed by the Mayor on March 18, 2009

Was returned to the City Clerk on March 18, 2009.

Jeffrey D. Friedlander, Acting Corporation Counsel.