

**NEW YORK CITY  
DEPARTMENT OF HEALTH AND MENTAL HYGIENE**

**Notice of Adoption of new Chapter 35 in Title 24 of the Rules of the City of  
New York concerning the designation of Rat Mitigation Zones  
in New York City**

A Notice of Public Hearing and Opportunity to Comment on a proposal by the Department of Health and Mental Hygiene (“Department”) to create a new Chapter 35 in Title 24 of the Rules of the City of New York concerning the designation of rat mitigation zones as required by section 2 of Local Law 110 of 2022 was published in the City Record on April 3, 2023. A virtual public hearing was held on May 4, 2023. Two persons testified at the hearing and 255 written comments were received. All testimony and comments were supportive of the zone designations and the vast majority of written comments received were template statements from individuals residing in the Prospect Heights area of Brooklyn in zip codes 11216 and 11238 requesting amending the Brooklyn zone to entirely encompass their neighborhood. The Department has not made any substantive changes to the proposed rule in response to the testimony or the comments and now adopts the rule as indicated below.

**Statement of Basis and Purpose of Rule**

**Introduction**

New York City has a robust approach to rat control, and the Department works throughout New York City using a variety of approaches depending on conditions. One approach recognized in Local Law 110 (2022) has been to designate areas with high levels of rat activity as “Rat Mitigation Zones,” and focus a data-driven, coordinated, multiagency effort there to address rats and the conditions that cause them. Local Law 110 requires the Department to promulgate a rule designating Rat Mitigation Zones using criteria set out in Local Law 110.

**Rules Governing Designation of Rat Mitigation Zones**

Local Law 110 requires the Department to consider certain criteria in determining the boundary of a Rat Mitigation Zone using information from a “sanitation district” or “community district”, which are coterminous. The Department will use “community district” because New Yorkers may be more familiar with that term. Specifically, the required criteria within a given community district are:

- (1) the number and percentage of inspections for rat activity for properties that resulted in the issuance of an order pursuant to section 151.02 of the Health Code or an agency referral letter related to rat activity, and the location of such properties;
- (2) the number and percentage of inspections for rat activity for properties that resulted in the issuance of a summons pursuant to sections 3.05 or 151.02 of the Health Code, and the location of such properties;
- (3) the number of rat baiting visits at properties executed by the Department pursuant to section 17-147 of the New York City Administrative Code following a failure to comply with an order issued pursuant to section 151.02 of the Health Code and the location of such properties;
- (4) the number and nature of 311 requests for service or complaints related to rat activity within any 12-month period; and
- (5) the susceptibility to rat infestation of any properties managed by the New York City Department of Parks and Recreation.

**Statutory Authority**

Section 2 of Local Law 110 requires the Department to promulgate rules for establishing Rat Mitigation Zones.

The adopted rules are as follows:

RESOLVED, that Title 24 of the rules of the city of New York is amended by adding a new chapter 35 to read as follows:

**Chapter 35**  
**Designating Rat Mitigation Zones**

**§ 35-01. Definitions.**

“Rat Mitigation Zone” means one or more community districts, in whole or in part, that the Department has designated as meeting the criteria described in section 35-03 of this Chapter.

**§ 35-02. Designation of Rat Mitigation Zones.**

The Department will establish Rat Mitigation Zones in accordance with the criteria described in section 35-03 of this Chapter. The criteria and supporting data for Rat Mitigation Zones will be made available annually on the Department’s website.

**§ 35-03. Criteria for Designating Rat Mitigation Zones.**

The Department will consider the following criteria to determine whether a community district, or any part thereof, should be designated as a Rat Mitigation Zone:

- (a) Commissioner orders to abate. The number and percentage of inspections for properties within a given community district that resulted in an abatement order issued by the Department pursuant to section 151.02 of the Health Code in a 12-month period, and the location of such properties within such community district.
- (b) City agency referral letters. The number and percentage of inspections for properties within a given community district that resulted in the issuance of a city agency referral letter by the Department in a 12-month period, and the location of such properties within such community district.
- (c) Summonses. The number and percentage of inspections for rat activity for properties within a given community district that have resulted in the issuance of a summons pursuant to section 3.05 or section 151.02 of the Health Code in a 12-month period, and the location of such properties within such community district.
- (d) Rat exterminations. The number of rat baiting visits by the Department at properties within a given community district in a 12-month period, executed by the Department pursuant to section 17-147 of the Administrative Code following a failure to comply with an order issued pursuant to section 151.02 of the Health Code, and the location of such properties within such community district.
- (e) Reports to 311. The number and nature of 311 requests for service or complaints related to rat activity within any 12-month period within a given community district.
- (f) Susceptibility to rat infestation. The number of properties that are managed by the New York City Department of Parks and Recreation that are susceptible to rat infestation or have failed inspection for rat infestation in a 12-month period.
- (g) Availability of resources. The availability of resources to implement rat mitigation measures and the most efficient use of such resources.

**§ 35-04 Community Districts Designated as Rat Mitigation Zones.**

- (a) The Department has designated four Rat Mitigation Zones as indicated in the Appendix to this Chapter.
- (b) Nothing in this Chapter shall limit or prevent the Department from any nuisance abatement or other pest control activities in areas not designated as a Rat Mitigation Zone, including with the same methods used in a Rat Mitigation Zone.

Appendix

<u>Rat Mitigation Zone</u>	<u>Community District</u>	<u>Borough</u>
<u>Chinatown, East Village, Lower East Side Zone</u>	<u>103</u>	<u>Manhattan</u>
<u>Harlem Zone</u>	<u>109, 110, 111</u>	<u>Manhattan</u>
<u>Grand Concourse Zone</u>	<u>203, 204, 205, 206, 207</u>	<u>Bronx</u>
<u>Bushwick, Bedford Stuyvesant, Prospect Heights Zone</u>	<u>303, 304, 308</u>	<u>Brooklyn</u>

**Rat Mitigation Zones**

-  Rat Mitigation Zone
-  Community District

