**44:02:02:10.  Vermin control.** Hotels must be constructed, equipped, and maintained to prevent the entrance, harborage, or breeding of flies, roaches, rats, mice, and all other insects and vermin. Specific means necessary for the elimination of such pests, such as cleaning, renovation, or fumigation, must be used. The department may require the facility to hire a professional exterminator to exterminate pests under the following conditions:

 (1)  The infestation is so extensive that it is unlikely that a nonprofessional can eradicate the pests effectively;

 (2)  The method of extermination of choice can only be carried out by a professional exterminator; or

 (3)  The department finds that an establishment has not been brought into compliance with a prior order to rid the establishment of pests.

 Regularly scheduled professional extermination services shall be required following the determination of an excessive pest infestation by the department.

 **Source:** SL 1975, ch 16, § 1; 6 SDR 93, effective July 1, 1980; 20 SDR 204, effective June 8, 1994; 23 SDR 75, effective November 19, 1996; 34 SDR 321, effective June 30, 2008.

 **General Authority:** SDCL 34-1-17, 34-18-22.

 **Law Implemented:** SDCL 34-18-22, 34-18-24.