

**Huron County General Health District**  
**Public Health Nuisance Regulation**  
**2008**

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Public Nuisance Regulation

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## **Section 1 – Definitions**

- A. “Board of Health” means the Board of Health of the Huron County General Health District, as authorized by Section 3709.07 of the Ohio Revised Code.
- B. “Dwelling” means any building, structure, or part thereof used as a place of abode or home by one or more families. Any house, manufactured home, or recreation vehicle used as a place of abode shall be considered a dwelling for the purposes of this regulation.
- C. “Dwelling Unit” means any structure, apartment, room, or rooms used as a place of abode by a family.
- D. “Family” means a person or group of persons occupying a room or group of rooms as a place of abode.
- E. “Health Commissioner” means the person occupying the office in the Huron County General Health District which is created by Sections 3709.1 and 3709.11 of the Ohio Revised Code, or an authorized representative.
- F. “Occupant” means the person residing in or having use of a dwelling, who is the head of a family, or such person or persons other than the owner determined by the Health Commissioner to be the occupant. The same person or persons can be owner and occupant.
- G. “Owner” means any person, partnership, firm, or corporation who alone or jointly with others shall be in possession of, or have control of, any property, dwelling, or dwelling unit, within the Huron County General Health District as owner, employee or agent of the owner, or as executor, administrator, trustee, or guardian of the estate of the owner.
- H. “Person” means any political subdivision, special district, public or private corporation, individual, firm, partnership, association, or any other entity.
- I. “Pollution” means an undesirable change in the physical, chemical, or biological characteristics of air, land, or water which may result in conditions harmful to the public health, or affected resources.
- J. “Potable” means free from contamination and safe for human consumption as determined by laboratory analysis and sanitary survey.
- K. “Property” means thing or things owned, real or personal.
- L. “Provided” means furnished, supplied, and paid for or under control of the owner.
- M. “Public Health Nuisance” means any condition which is injurious or potentially injurious to the health and safety of the public, or which pollutes the air, land, or water.
- N. “Solid Waste” means such residual solid or semisolid material, including but not limited to, garbage, scrap tires, combustible and noncombustible material, refuse, demolition wastes, junk, and appliances.

- O. "Vermin" means any invertebrate or vertebrate animals which may act as carriers or agents of infection or disease transmission.

## **Section 2 – General Authority**

The Board of Health of the Huron County General Health District is granted authority under the Ohio Revised Code Section 3709.21 to make such orders and regulations as are necessary for the public health, the prevention or restriction of disease, and the prevention, abatement, or suppression of nuisances.

## **Section 3 – Penalties**

This Regulation shall be enforced in accordance with Chapter 3709 of the Ohio Revised Code. A violation of this regulation is punishable in accordance with Section 3709.99 of the Ohio Revised Code.

## **Section 4 – Water Supply**

- A. The owner shall provide an adequate supply of potable water. When made available to occupants through plumbing, the water will be continuously maintained in good condition. The owner shall not shut off or cause to be shut off a water supply except when occupants are notified in advance of such shut off for needed repair work. The owner shall not rent a dwelling or dwelling units unless they are provided with an adequate supply of potable water from a municipal source or from an approved private water system.
- B. When a private water system (well, hauled water tank, cistern...) is utilized as the dwelling or dwelling units potable water supply, the owner shall maintain such private water system and its appurtenances so as to prevent contamination of the water supply.
- C. When the water in any private water system becomes polluted and cannot be corrected to meet the quality standards for potable water, or when such private water system is no longer intended for use, the owner shall properly abandon the private water system per the requirements of the Ohio Administrative Code 3701-28-07.

## **Section 5 – Plumbing and Sewage**

- A. Where provided, toilets must be of adequate number and readily accessible to the occupants. The occupant or tenant shall keep the toilet compartment and all its fixtures clean.
- B. The owner shall maintain all toilet fixtures, water supplies to fixtures, waste pipes from fixtures, sump crocks, sewer lines or other containers or conductors of water or sewage in good operating condition free from obstruction or leakage.

- C. The owner of any property not connected to a municipal sanitary sewer, semi-public sewage treatment system, and using instead a private household sewage treatment system shall be responsible for properly maintaining that system.

#### **Section 5 – Plumbing and Sewage continued**

- D. The owner of a property shall not dump or allowed to be dumped any kind of material in such a manner as to interfere with existing drains, sewers, or natural drainage courses when such action creates a public health nuisance condition.
- E. No person shall place or drain the contents of a privy vault, cesspool, or septic tank to the ground surface, public sewer, street catch basin, street gutter, or storm sewer.
- F. No person shall create a nuisance through the improper operation or maintenance of household plumbing, or private household sewage treatment system, or a semi-public sewage treatment system.
- G. It shall be unlawful for any person to discharge, throw, or pour any sink waste, laundry water, or other household waste water onto the surface of the ground.
- H. Whenever a public sewer becomes available to a property having a privy, water flushed toilets shall be installed, the household plumbing shall be connected to the public sewer, and the privy vault shall be properly abandoned.

#### **Section 6 – Solid Wastes**

- A. Garbage shall be removed from a property and disposed of in an approved manner at least once a week to prevent the development of odors and the attraction of insects and other vermin.
- B. No garbage shall be allowed to remain exposed in any building or on any premises for a longer time than shall be reasonably necessary to deposit the garbage in proper waste containers with tight fitting lids.
- C. No garbage shall be stored in a manner such that the resulting odors or flies prevent the use of doors, windows, or other openings used for ventilation in neighboring premises.
- D. It shall be unlawful for any person to throw, deposit, or permit to accumulate solid waste on any lot, yard, shed, porch, or other place that creates a public health nuisance.
- E. The owner of a lot, yard or other property that is not a licensed solid waste facility, and where solid waste is creating a public health nuisance, shall have the solid waste removed and disposed of in an approved manner, or shall otherwise abate the nuisance by means determined to be acceptable by the Huron County General Health District.
- F. No solid waste shall be burned or buried on any property except as authorized by the Ohio Environmental Protection Agency rules and regulations.

## **Section 7 – Housing**

- A. In all buildings used or intended to be used for human occupancy, except one-family dwellings, the owner shall maintain the yard, cellar, halls, sheds, and other portions of the property free from accumulations of solid waste when such waste creates a public health nuisance. In all one-family dwellings, the occupants shall keep the property clean and free from accumulations of solid wastes when such wastes create a public health nuisance.
- B. No dwelling unit which is damp, poorly ventilated, or otherwise liable to predispose occupants to disease or illness shall be occupied or permitted to be occupied for living purposes.
- C. The owner of any property shall keep the below-grade areas of the dwelling free from accumulations of water or sewage and shall have any such water or sewage pumped out immediately, and have conditions altered so that further accumulations will be prevented.
- D. It shall be unlawful for any person to maintain or permit to be maintained any room or rooms in such filthy, vermin-infested, or neglected condition that the health or well-being of the general public is endangered.

## **Section 8 – Miscellaneous**

- A. No dogs, cats, fowl, hogs, goats, cows, horses, or other animals shall be kept in a manner which creates a public health nuisance.
- B. The owner of any dwelling, or other structure located on unoccupied property shall keep the dwelling or structure secured at all times against unauthorized entry, when such a dwelling or structure creates a public health nuisance. Unsafe structures shall be removed or repaired to render them safe when such structure creates a public health nuisance.
- C. The owner of any lot in a developed residential area on which pooled or contained water has stagnated and become a breeding place for mosquitoes shall eliminate the stagnant water or otherwise abate the nuisance condition.
- D. It shall be unlawful for any person to discharge or permit to be discharged any fumes, particulates, liquids, or other forms of potential pollution such that a public health nuisance is created.

### **Section 9 – Effect of Partial Invalidity**

Each section of this regulation and each part thereof is independent, and the holding of any section or part thereof to be unconstitutional, void, or not effective for any cause will not affect the validity or constitutionality of any other section or part thereof.

### **Section 10 – Duty to Comply**

Compliance with this regulation or any portion thereof shall not relieve any person of the duty to comply with other municipal, State, or Federal laws and regulations.

### **Section 11 – Repeal and Date of Effect**

A Regulation Controlling The Hygiene and Sanitation of Supplied Facilities, Maintenance, and Occupancy of Dwelling and Dwelling Units is hereby repealed and is replaced by this Public Health Nuisance Regulation 2008 which shall be in full force and effective on October 1, 2008

This Public Health Nuisance Regulation 2008 was passed and adopted by the Huron County Board of Health at its regular meeting on September 4, 2008.