

**HOCKING COUNTY**

**HEALTH DEPARTMENT**

**SANITARY REGULATIONS**

Adopted October 2, 1924 as recommended by the  
Ohio Conference of Health Commissioners  
Amended December 11, 2023

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# HOCKING COUNTY SANITARY REGULATIONS

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## **HOCKING COUNTY SANITARY REGULATION**

### **REGULATION 1. Disposal & Placement of Garbage**

Adopted Oct. 2, 1924 - Amended January 1, 1994

A regulation describing the approved method of garbage and offal disposal.

For the purpose of these regulations, garbage shall include wastes of a putrescible nature produced in household, hotel and restaurant kitchens, also wastes of vegetable and animal origin from markets, groceries and similar establishments. No person shall place or deposit or permit to be placed or deposited garbage, offal or any other putrescible refuse of vegetable or animal origin in any street, alley, road, open excavation, ditch, stream or body of water or on the surface of the ground; provided, however, that this regulation shall not prohibit the depositing of such wastes on the surface of the ground for purpose of feeding animals and fowls as hereinafter provided. Unless disposed of immediately after production such wastes shall be stored in watertight metal containers with tight fitting lids and upon removal from such containers shall be properly disposed of in a manner to avoid the creation of nuisance and pollution of a public or private water supply. A general system of collection and disposal of garbage, satisfactory to the Health Commissioner, and the Ohio Environmental Protection Agency must be maintained.

## **HOCKING COUNTY SANITARY REGULATION**

### **REGULATION 2. Dead Animal Disposal**

Adopted Oct. 2, 1924 - Amended January 1, 1994

A regulation describing the proper manner of disposing of dead farm and household animals.

No person shall place or deposit or permit to be placed or deposited the carcass of a dead animal in any street, alley, road, open excavation, ditch, stream or body of water or onto the surface of the ground. The owner or occupant of the land on which the carcass of a dead animal may be found shall promptly provide for its proper removal and disposal. The carcass shall be disposed of in a manner to avoid the creation of nuisance and pollution of a public or private water supply by burning in a crematory suitable for the purpose, by reduction in a plant operating under license of the Ohio Department of Agriculture or by burial under at least three (3) feet of earth cover at a point not within a municipal corporation and not less than five hundred (500) feet from any public or private water supply, building of human occupancy, road, stream, or body of water.

## **HOCKING COUNTY SANITARY REGULATION**

### **REGULATION 3. Keeping of Hogs**

Adopted Oct. 2, 1924

A regulation describing the manner in which hogs are to be housed and maintained from the public.

No person shall maintain A hog pen or place for housing or feeding hogs at a location within three hundred (300) feet of any building of human occupancy other than a building on the same premises and shall not create a public nuisance.

## **HOCKING COUNTY SANITARY REGULATION**

### **REGULATION 4. Nuisances**

Adopted Sept. 11, 1961 - Amended January 1, 1994

A regulation for enforcement of a nuisance in buildings and on grounds requiring abatement, notice and prosecution.

Where a nuisance, as defined in Section 3767.13-3767.99 of the Revised code, is found in any building or upon any ground or premises within the Logan-Hocking County General Health District, notice in writing shall be given by the Health Commissioner to the owner and/or occupant of such building or premises to abate such nuisance. The time for complying with the order shall be specified in such notice. In case of neglect or refusal to abate the nuisance in accordance with such notice, the Health Commissioner shall cause said owner or occupant to be prosecuted as provided by law.

# HOCKING COUNTY SANITARY REGULATION

## REGULATION 5. Plumbing

Adopted May 12, 2003 – Amended Dec. 11, 2023

WHEREAS, a regulation establishing standards governing the installation, alteration, maintenance, testing, and inspection of plumbing; establishing a plumbing regulation and its enforcement as a local regulation; adopting the Ohio Plumbing Code, Chapter 1225, Ohio Building Code as in effect January 1, 2004, as may be subsequently amended, by incorporation by reference, requiring a register of persons engaged in the plumbing business, and requiring permits and the approval of plans and specifications for plumbing work in order to protect the public health and welfare and to prevent the contamination of water supplies and to provide for the sanitary collection of wastes in the Logan-Hocking County Health District.

THEREFORE, BE IT RESOLVED AND ORDERED, by the Board of Health of the Logan- Hocking County Health District (District) as follows:

### SECTION 1. Definitions

The following definitions shall apply in the interpretation and enforcement of this regulation:

1. **ALTERATION** means the modification of the existing plumbing system to accommodate the installation of additional plumbing fixtures or replacement of the water and/or drain lines with new materials. Minor repairs made to the plumbing system and replacement of the existing fixtures is not considered a plumbing alteration and is not subject to this regulation. Minor repairs do not include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, or other work affecting public health or general safety.
2. **APPRENTICE** means any person with less than five years experience or having not passed the journeyman's test and employed by a licensed Plumbing Contractor. An apprentice must be supervised by a Journeyman plumber or a person with a Plumbing Contractor's License.
3. **BACKFLOW TECHNICIAN** means a Journeyman plumber with the proper experience and proper certification from the State of Ohio, through training and testing, as a backflow technician.
4. **CHANGE OF OCCUPANCY:** A change in the purpose or level of activity within a building that involves a change in application of the requirements of the code. Such a change could be to an entire building or a portion of a building. A change of occupancy includes any change of occupancy classification, and change from one group to another group within an occupancy classification, any change in use with a group for a specific occupancy classification, or any change that causes an increased risk.

5. **COMMERCIAL PLUMBING PERMIT:** Buildings and structures not classified in this policy but is identified in detail in Chapter 4101:1-3-01 of the Ohio Administrative Code defining Occupancy Classification and Use related to commerce. Commercial use shall apply to Residential Group R-1 and Group U Occupancies.
6. **DWELLING:** Any building that exclusively contains one, two, or three family dwelling units, each of which may be occupied by a family and no more than five lodgers or boarders, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that is occupied for **living purposes**, physically separated from adjacent structures, and with an independent exit from each dwelling unit.
7. **DWELLING UNIT:** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. The dwelling unit may include any accessory space intended for the exclusive use of the occupants of an individual dwelling unit such as a private garage, greenhouse, etc.
8. **EXISTING BUILDING:** A building regulated by this code that has been erected and for which a certificate of occupancy has been issued or can be issued in accordance with Section 111.4.
9. **EXISTING STRUCTURE:** A structure regulated by this code that has been erected and for which a certificate of occupancy has been issued or can be issued in accordance with Section 111.4.
10. **GROUP U OCCUPANCIES:** Buildings and structures of an accessory character and not classified in any specific occupancy and are to be constructed to conform to the requirements of the Ohio Building Code. Group U includes Agricultural Buildings, General Buildings, and Barns that are not used for agricultural purposes as defined in **Section 3781.06 of the Ohio Revised Code (ORC)**.
11. **HEALTH COMMISSIONER** means the legally designated health commissioner of the District, or their authorized representative.
12. **IMMEDIATE FAMILY MEMBER:** Family members to include father, mother, son, daughter, grandfather, grandmother, father-in-law, mother-in-law, son-in-law, daughter-in-law.
13. **JOURNEYMAN** means a plumber who may work at the trade in the employment of a Plumbing Contractor. A Journeyman must have at least five years experience working for a licensed Plumbing Contractor or completed a registered plumbing apprenticeship program and has passed a journeyman's plumbing test given by the Hocking County Board of Health. A Journeyman may help supervise apprentices but may not acquire a plumbing permit.
14. **MANUFACTURED HOME PLUMBING INSTALLER** means a person who connects the water line for a manufactured home to the water system and the sewer line on a manufactured home to the sewage or sewer system. Manufactured home plumbing installers shall be able to acquire permits for

making the final connections on HUD standard manufactured homes only. This does not include those units constructed to meet the Ohio Administrative Code.

15. **OCCUPANCY:** The purpose for which a building, or portion thereof is used.
16. **ORC 3781.06:** Any building that may be used as a place of resort, assembly, education, entertainment, lodging, dwelling, trade, manufacture, repair, storage, traffic, or occupancy by the public.
17. **PERSON** means any individual, firm, corporation, association or partnership.
18. **PRIMARILY TRANSIENT:** Use of a space for sleeping that has facilities for sanitation, with or without other spaces used for living purposes, offered or otherwise intended to be used for short periods of time but not intended to be used as a permanent residence or an institutional-use group facility where care or supervision is provided.
19. **PLUMBING** means the practice, materials, and fixtures used in the installation, maintenance, extension, and alteration of all piping, fixtures, appliances, and appurtenances in connection with any of the following: drainage systems, the venting systems, and the water supply systems, within or adjacent to any building, structure, or conveyance; also, the practice and materials used in the installation, maintenance, extension, or alteration of liquid-waste, or drainage and water supply systems of any premises.
20. **PLUMBING CONTRACTOR** means a person who has obtained a Ohio Plumbing Contractor's License through the Ohio Construction Industry Licensing Board (OCILB). A Plumbing Contractor may acquire a permit for plumbing in the Hocking County Health District and may supervise journeymen and apprentices.
21. **PLUMBING FIXTURES** means installed receptacles, devices or appliances, which are supplied with water or which receive or discharge liquids or liquid-borne wastes, with or without discharge into the drainage system with which they may be directly or indirectly connected.
22. **PROPER ENFORCEMENT** means an adequate staff of plumbing inspectors with qualifications in plumbing or plumbing inspection work substantially equal to the qualifications of plumbing inspectors employed by the Ohio Department of Health, as provided under Section 3703.04 of the Ohio Revised Code; an adequate record system; and proper application and enforcement of this regulation
23. **RESIDENTIAL ONE, TWO, THREE FAMILY DWELLING:** shall have the same meaning as described in Section 101.2 of Chapter 4101-8 of the Ohio Administrative Code. A building supporting one, two, three family dwelling for living purposes of which may be occupied by a family and no more than five lodgers or boarders, intended, or designed to be built, used, rented, leased, let or hired out to be occupied that complies with the Residential Building Code of Ohio.

24. **RESIDENTIAL GROUP R-1 DWELLINGS:** Buildings with sleeping units where the occupants are primarily transient in nature, including transient lodging structures.
25. **TRANSIENT LODGING STRUCTURE:** A single dwelling unit structure held out to the public for lodging of no more than twenty transient occupants. Examples may include, but are not limited to cabins, cottages, bungalows, yurts, and chalets. (OAC 4101:1)
26. **WATER CONDITIONER INSTALLER** means a person who is skilled in the installation of water conditioners as to abide by the requirements of the State of Ohio Plumbing Code.  
Such person shall be able to acquire permits for the installation of water conditioning equipment only.

## **SECTION 2. Plumbing for Public Buildings and Dwellings**

Incorporation by Reference of the Ohio Plumbing Code, Ohio Building Code, in effect January 01, 2024, as may be subsequently amended.

Purpose: This regulation applies to all plumbing in residential group R-1, group U, other applicable public buildings and to all plumbing in one, two and three-family residential dwellings in the Hocking County Health District.

- 2.1 All plumbing in or for public buildings or places located in the District shall be installed, altered, maintained, tested, and inspected in accordance with this regulation and the provisions of the Ohio Plumbing Code, Chapters 4101:3-1 to 4101:3-13, Ohio Administrative Code, and the Ohio Building Code, Chapters 4101:1, Ohio Administrative Code, as may be subsequently amended, which is hereby incorporated by reference into this regulation and made a part of this regulation; provided, however, this provision shall apply only to the types of public buildings or places for which the Ohio Department of Commerce has designated and approved the District to make the plumbing inspections and to issue permits therefore.
- 2.2 All plumbing in or for single-family, two-family, and three-family dwellings in the District shall be installed, altered, maintained, tested, and inspected in accordance with these regulations and the applicable provisions of the Ohio Plumbing Code, Chapters 4101:3-1 to 4101:3-13, Ohio Administrative Code, as may be subsequently amended, which is hereby incorporated by reference into this regulation and made a part of this regulation.
- 2.3 It is the purpose of this regulation to adopt by incorporation by reference the standards and methods regarding plumbing installations, alterations, maintenance, testing, and inspections of all plumbing in the District as is provided in the Ohio Plumbing Code, Chapters 4101:3-1 to 4101:3-13, Ohio Administrative Code, as may be subsequently amended, and to provide, as soon as possible, for the proper enforcement of such provisions to protect the public health, to prevent the contamination of water supplies, to provide the sanitary collection of wastes, and to

make unnecessary the exercise of this authority by the Ohio Department of Commerce as is provided in Section 3703.01 of the Ohio Revised Code

- 2.4 A complete copy of the Ohio Plumbing Code, Chapters 4101:1, Ohio Building Code, which is incorporated by reference into this regulation and made a part of this regulation, is on file for inspection by the public at the office of the Logan-Hocking County District Board of Health.
- 2.5 A complete list of all types of public buildings or places which the Ohio Department of Commerce designates and approves the health district to make plumbing inspections and to issue permits therefore, shall be on file for inspection by the public at the office of the District.
- 2.6 Copies of the Ohio Plumbing Code, Chapter 4101:1, Ohio Building Code, as may be subsequently amended, which is incorporated by reference into this regulation and made a part of this regulation are available to any resident of the District or any person affected by this regulation at the adopted fee for the document.

### **SECTION 3. Register of Persons in the Plumbing Business**

- 3.1 The Health Commissioner shall maintain a register of all persons engaged in or intending to engage in the plumbing business in the District.
- 3.2 Any persons engaged in or intending to engage in the plumbing business as a Plumbing Contractor, Journeyman, Apprentice, Water Conditioner Installer, Manufactured Home Plumbing Installer, or Backflow Technician in the Hocking County Health District shall make application to the Health Commissioner on a form provided by the Health Commissioner to have his/her name placed on the register. The application form shall contain the name and address of the person making application and the name and address of the firm or place of business he/she is associated with, and such other information as the Health Commissioner determines will reasonably aid in the administration and enforcement of these regulations. A license/permit bond in the amount of \$20,000.00 must be submitted with the application for Plumbing Contractor, Water Conditioner Installer, and Manufactured Home Plumbing Installer. The license/permit bond must state the name of the company, list as obligee the District, and must have an expiration corresponding with the calendar year December 31. Proof of general liability insurance must be submitted with the application for Plumbing Contractor and Water Conditioner Installer. A current O.C.I.L.B. Plumbing Contractors License must be submitted with the application for Plumbing Contractor. A current State of Ohio Backflow Tester Certification and current calibration of test equipment must be submitted with the application for Backflow Technician.
- 3.3 Any person making application to have his/her name placed on the register for those engaged in the plumbing business shall submit with such application the current registration fee in accordance with the District fee schedule.
- 3.4 Upon recommendation of the Health Commissioner, the District, may, after a hearing, remove the name of any person from the register of persons in the

plumbing business that has demonstrated, falsification, fraud, misrepresentation, inability or unwillingness to comply with this regulation and the Ohio Plumbing Code, Chapter 4101:1, Ohio Building Code. Such person may have his/her name reinstated on the register of persons in the plumbing business by the Board of Health upon recommendation of the Health Commissioner after satisfactory demonstration of ability and willingness to comply with this regulation and the Ohio Plumbing Code, Chapter 4101:1.

#### **SECTION 4. Permit Required; Approval of Plans; Fee**

- 4.1 No person shall perform plumbing in any public building, R-1 residential dwelling, group U building or other commercial structure, or place or dwelling, except in cases of leaks or repairs in existing plumbing, until plans and specifications for such plumbing work have been submitted and approved and an appropriate permit has been obtained from the Health Commissioner; provided, however, this provision shall apply only to the types of public buildings or places for which the Ohio Department of Commerce has designated and approved the Hocking County Health District to make the plumbing inspections and to issue permits therefore and to all dwellings.
- 4.2 The application to the Health Commissioner for a permit to do plumbing work shall be made on forms provided by the Health Commissioner and shall be accompanied by the plans and specifications required by this regulation, including but not limited to written approval from the Department of Commerce or building department having jurisdiction over R-1 residential, group U and commercial buildings.
- 4.3 No person shall do any plumbing in any public building, R1-residential dwelling, group U building or structure, or place or dwelling whose name is not on the register maintained by the Health Commissioner as provided in Section 3 of this regulation. This provision shall not be applicable to persons who are the owners of a one, two three family residential dwelling which serves as their primary residence or the primary residence of an immediate family member (not intended to be built for generating profit or built to be sold within two years) and desire to perform plumbing on their residence. No person shall be required to register to perform plumbing in a house that he/she owns and resides.
- 4.4 The plans and specifications required by this regulation shall contain sufficient detail and information to permit a clear and accurate designation of the intended use of the building or structure and an intelligent review of the proposed plumbing work. When such plans and specifications do not contain the necessary information and details or, if after review and investigation, alterations or revisions are required, additional, supplemental, or revised plans and specifications and other data shall be submitted upon notification from the Health Commissioner.
- 4.5 After review of the plans and specifications submitted, one copy shall be retained and filed in the office of the Health District, and the other copy shall be returned to the person who submitted such plans and specifications. The returned plans shall be marked to show the approval or disapproval of such plans. No plumbing work shall be installed or altered except in exact accordance with the approved plans. When any change or modification is deemed necessary or desirable, such

change or modification shall be incorporated in the revised plans and specifications and shall be submitted to the Health Commissioner in the same manner as is required for the original plans.

- 4.6 Each application to the Health Commissioner for a permit to do plumbing shall be accompanied by the current fee in accordance with the Hocking County Board of Health fee schedule.
- 4.7 The application for a permit to do plumbing work and the plans and specifications submitted shall be acted upon by the Health Commissioner without undue delay and in every case shall be acted upon within thirty (30) days after application is made and determined to be complete and accurate and the required plans and specifications have been submitted.
- 4.8 The permit to do any plumbing work shall be posted in a conspicuous place on the premises where the plumbing work is being done.

### **SECTION 5. Penalties**

- 5.1 Any person who violates any provision of this regulation shall be in violation of Section 3707.48 and subject to the penalties provided by Section 3707.99 of the Ohio Revised Code. Any contractor that knowingly misleads or falsifies information submitted on applications including building occupancy classification may be subject to revocation of registration to conduct plumbing in Hocking County.

### **SECTION 6. Effect of Partial Invalidity**

- 6.1 Should any part of this regulation be declared unconstitutional for any reason, the remainder of this regulation shall not be affected thereby.

### **SECTION 7. Effective Date**

- 7.1 This regulation shall be effective on and after January 1, 2024 as may be subsequently amended.

## **HOCKING COUNTY SANITARY REGULATIONS**

### **REGULATION 6. Penalty**

Adopted Sept. 11, 1961 - Amended Dec. 6, 1966

Any person who violates the sanitary regulations of the Logan-Hocking County Board of Health shall be subject to penalties provided by Section 3707.99 paragraph C of the Revised Code of Ohio.

## **HOCKING COUNTY SANITARY REGULATIONS**

### **REGULATION 7. Unconstitutionality**

Adopted Sept. 11, 1961

Should any section, paragraph, sentence, clause, or phrase of the foregoing regulations be declared unconstitutional or invalid for any reason, the remainder of said regulations shall not be affected thereby.

## **HOCKING COUNTY SANITARY REGULATIONS**

### **REGULATION 8. Subdivisions and Property Splits**

Adopted Dec. 13, 1971 - Amended Aug. 13, 1973, June 12, 2000, November 14, 2011

A. Soil characteristics, limiting conditions such as a seasonal water table or bedrock, percolation rates, topography, and previous land usage conditions vary throughout Hocking County creating a need for each lot or residential site not connected to a sewerage system to contain a minimum of eighty thousand (80,000) square feet that is usable and a minimum of one hundred (100) feet of public road frontage. This allows room for maintaining required isolation distances between drinking water supplies and sewage treatment systems while ensuring room is available for complete relocation and replacement of the sewage treatment system.

1. Definitions:

a. A lot means a legally recorded parcel of land with assigned parcel number by the Hocking County Auditor including lots in a subdivision.

b. Usable as defined here means a contiguous area of land which is not divided or limited by a floodplain, body of water, easement, right-of-way, topographic feature, or a site or soil limitation that would affect the installation and performance of an on-site sewage treatment system.

c. A sewerage system as defined by section 6111.01 (E) of the Revised Code means pipelines or conduits, pumping stations, and force mains, and all other constructions, devices, appurtenances, and facilities used for collecting or conducting water-borne sewage, industrial waste, or other wastes to a point of disposal or

treatment, but does not include plumbing fixtures, building drains and subdrains, building sewers, and building storm sewers.

B. Where lots have both sanitary sewer and water service available, lots shall have a minimum frontage of one hundred (100) feet and a minimum area of seventy-five hundred (7,500) square feet.

C. Where lots have sanitary sewer but no water service, lots shall have a minimum frontage of one hundred (100) feet and minimum area of ten thousand (10,000) square feet.

D. In accordance with 3718.023 of the Revised Code, no lot created after January 1, 2007 is permitted to discharge sewage off lot.

E. All plans for subdivisions shall be submitted to the Health Commissioner for approval of the type of sewage treatment and water supply systems and the size of lots before any construction is started or before any of the lots in the subdivision are sold or offered for sale whether or not such sale entails transfer of title or deed. Approval may require such testing as deemed necessary by the Health Commissioner and may include but is not limited to test wells and soil testing and analyses by a certified soil scientist or other accredited professional approved by the Board of Health.

F. Sewage treatment systems shall only be installed in a subdivision in compliance Section 3718 of the Revised Code, Chapter 16 of the Logan-Hocking County General Health District Sanitary Code, this chapter and when it is considered impractical and inadvisable by the Board of Health and the Ohio Environmental Protection Agency to install a sewerage system.

G. When an interceptor or diverter drain is required on any lot, an easement for drainage or collector tiles may be required.

H. The distance between the outer boundary of a previously established and approved subdivision and proposed new subdivision, when either or both are not served

by a sewerage system, shall be decided by the Board of Health in each individual case and the Board will consider the leaching ability of the soil and the density of the construction and proposed construction in making its decision.

I. Lots created prior to August 13, 1973 and not conforming to these regulations, unless in a platted subdivision, are not "grandfathered" and not approved as building sites. In order for a lot to be utilized as a building site, it must meet required isolation requirements and be able to fully support a primary and secondary sewage treatment system for repair and replacement purposes.

J. A variance from the Board of Health for an existing lot or newly created lot that does not conform to the requirements as set forth in Section A of this regulation may be obtained following an application with fees paid and a site evaluation by a sanitarian(s). Site evaluation may include but is not limited to a soil evaluation by the Health Department or by a certified soil scientist or other accredited professional approved by the Board of Health. The sanitarian(s) shall evaluate the site and any reports required including but not limited to a soil report and recorded easements and make a recommendation to the Board of Health based on their findings. Owners requesting a variance may attend the Board meeting when the variance is presented and may request a fair hearing when the decision is not agreeable.

## HOCKING COUNTY SANITARY REGULATIONS

### REGULATION 9. Approval of Building Plans

Adopted February 13, 1974, Amended January 01, 2024

A regulation defining the type of dwelling, construction of a residence, building, or structure, location, fees, plan approval and requirements to protect the health and safety of the public.

#### SECTION 1. Definitions

The following definitions shall apply in the interpretation and enforcement of this regulation:

1. **CHANGE OF OCCUPANCY:** A change in the purpose or level of activity within a building that involves a change in application of the requirements of the code. Such a change could be to an entire building or a portion of a building. A change of occupancy includes any change of occupancy classification, and change from one group to another group within an occupancy classification, any change in use with a group for a specific occupancy classification, or any change that causes an increased risk.
2. **DWELLING:** Any building that exclusively contains one, two, or three family dwelling units, each of which may be occupied by a family and no more than five lodgers or boarders, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that is occupied for **living purposes**, physically separated from adjacent structures, and with an independent exit from each dwelling unit.
3. **DWELLING UNIT:** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. The dwelling unit may include any accessory space intended for the exclusive use of the occupants of an individual dwelling unit such as a private garage, greenhouse, etc.
4. **EXISTING BUILDING:** A building regulated by this code that has been erected and for which a certificate of occupancy has been issued or can be issued in accordance with Section 111.4.
5. **EXISTING STRUCTURE:** A structure regulated by this code that has been erected and for which a certificate of occupancy has been issued or can be issued in accordance with Section 111.4.
6. **GROUP U OCCUPANCIES:** Buildings and structures of an accessory character and not classified in any specific occupancy and are to be constructed to conform to the requirements of the Ohio Building Code. Group U includes Agricultural

Buildings, General Buildings, and Barns that are not used for agricultural purposes as defined in **Section 3781.06 of the Ohio Revised Code (ORC)**.

7. **HEALTH COMMISSIONER** means the legally designated health commissioner of the District, or their authorized representative.
8. **OCCUPANCY:** The purpose for which a building, or portion thereof is used.
9. **ORC 3781.06:** Any building that may be used as a place of resort, assembly, education, entertainment, lodging, dwelling, trade, manufacture, repair, storage, traffic, or occupancy by the public.
10. **PERSON** means any individual, firm, corporation, association or partnership.
11. **PRIMARILY TRANSIENT:** Use of a space for sleeping that has facilities for sanitation, with or without other spaces used for living purposes, offered or otherwise intended to be used for short periods of time but not intended to be used as a permanent residence or an institutional-use group facility where care or supervision is provided.
12. **RESIDENTIAL ONE, TWO, THREE FAMILY DWELLING:** shall have the same meaning as described in Section 101.2 of Chapter 4101-8 of the Ohio Administrative Code. A building supporting one, two, three family dwelling for living purposes of which may be occupied by a family and no more than five lodgers or boarders, intended, or designed to be built, used, rented, leased, let or hired out to be occupied that complies with the Residential Building Code of Ohio.
13. **RESIDENTIAL GROUP R-1 DWELLINGS:** Buildings with sleeping units where the occupants are primarily transient in nature, including transient lodging structures.
14. **TRANSIENT LODGING STRUCTURE:** A single dwelling unit structure held out to the public for lodging of no more than twenty transient occupants. Examples may include, but are not limited to cabins, cottages, bungalows, yurts, and chalets. (OAC 4101:1)

## **SECTION 2. Permits**

- A. No person shall construct or change any building or group of building, or locate a mobile home or other type of one, two, three family residential dwelling, R-1 residential dwelling, group U building or structure, or any other type of commercial building or structure, either permanent or temporary, having or intended to have sinks, plumbing, drains, or other places where sewage, offensive substances, or liquids may accumulate or be deposited until plans therefore have been submitted to and approved by the health

commissioner, and appropriate building placement permit is issued. The submission of plans shall include a complete floor plan, written approval from the Ohio Department of Commerce or building department having jurisdiction, if applicable for the type of structure or building and shall be reviewed to determine the manner in which the Sanitary Regulations of the Logan-Hocking County General Health District are to be met.

B. Written approval is issued by the Ohio Department of Commerce, per the Ohio Building Code Chapter 4101-1 of the Ohio Administrative Code, upon complete review of the proposed building or structure when the building or structure has successfully met all the requirements of the Ohio Building Code or the Residential Building Code, whichever applies. When a County, or Municipal Building Department has not been approved by the Ohio Department of Commerce, the Ohio Department of Commerce has the regulatory authority to administer and enforce the regulations of the Ohio Building Code. Issuing an appropriate building placement permit authorized by this regulation, the Health Commissioner is ensuring that buildings and structures are built to the proper designation and occupancy classification as outlined in the Ohio Building Code, to require buildings or structures such as R-1 residential dwellings, group U buildings or structures, and other commercial buildings or structures to follow the protocols of the Ohio Department of Commerce in lieu of having a County approved Building Department in order to protect the health and safety of the public and for the prevention of nuisances.

C. Submission Criteria for Review

I. Plans shall show the following and be drawn to scale.

1. The total area and dimensions of the lot or acreage.

2. Roads, road frontage and driveways.
3. Location and dimension of existing and proposed buildings and dwellings.
4. Location and design of existing and proposed water supplies and sewage disposal systems.
5. General topography and degree of slope.
6. Location and direction of flow, and flow characteristics of existing and proposed streams, ponds, etc.
7. Distance of setbacks and location of right of ways.
8. Location of all buried cables, piping, gas, water, telephone, electric lines, etc.

II. Other information to be submitted with the plans shall include:

1. Soil Test, either by on-site inspection by the Hocking County Health Department or submittal of a soil report from a certified soil scientist.
  2. Depth to ground water, rock strata, or any other limiting condition as determined from soil report.
- D. The proposed dwelling may be constructed to be located only in accordance with plans approved by the Health Commissioner. There may be no deviation from the approved plans without the expressed written approval of the Health Commissioner.
- E. The sewage disposal system and water supply shall not be installed until a Building Placement Permit has been issued unless a municipal or OEPA approved system is proposed.
- F. Application for a building placement permit as defined herein shall be made on a form prescribed by the Health Commissioner. Each application for a permit shall be accompanied by a fee to be established by the Board of Health, a record of which shall be available for public inspection.

### **Section 3.0: Penalties**

A. Whomever constructs a building or structure that is not in accordance with the approved plans or that intentionally applied for and was subsequently issued a building placement permit for a building or structure with an intended use or designation that differed from what was actually constructed will be subject to paying penalty fees approved by the board of health not to exceed \$2,000.00. In addition, a formal complaint will be issued to the Ohio Department of Commerce Division of Building Code Compliance to conduct inspections of the building or structure to ensure the building or structure was built in compliance with the Ohio Building Code or the Ohio Residential Code.

## **HOCKING COUNTY SANITARY REGULATIONS**

### **REGULATION 10. Health Commissioner-Authorized Persons for Duty**

Effective Jan. 23, 1975

The Health Commissioner, County Sanitarian, and their assistants, and any other person authorized by the Health Commissioner, may without fee or hindrance, enter, examine, and survey all grounds, vehicles, apartments, buildings, and places in furtherance of any duty laid upon the Board of Health or where he has reason to believe there exists a violation of any health law or regulation, or of the sanitary code.

## **HOCKING COUNTY SANITARY REGULATIONS**

### **REGULATION 11. Sale of Property Inspections**

Effective May 22, 1979 - Amended January 1, 1994

A Regulation allowing sanitarians to inspect and collect test samples as a condition for a sale of property and setting fees.

A resolution amending Regulation 34 (renumbered as Regulation 11) of the Sanitary Regulations of said health district, adopted under authority of Section 3702.21 of the Ohio Revised Code, May 22, 1979.

Be it resolved by the Board of Health of the Logan-Hocking County Health District that Regulation 34 (renumbered as Regulation 11) be amended to read as follows:

A. The Health Commissioner or his authorized representatives may conduct the collection of water samples and inspect the sewage disposal systems at property requested by the property owner or his agent as a condition for sale of property. An application form supplied by the Logan-Hocking County Health Department shall be completed and submitted by the property owner or his agent before any service is performed.

B. Fee for the above said water sample and sewage disposal system inspection, including any correspondence requested by the owner or agent, shall be as established by the Board of Health.

C. This regulation shall be in effect immediately upon its adoption, as provided by law.

## HOCKING COUNTY SANITARY REGULATIONS

### REGULATION 12. Mass Gatherings

Effective May 28, 1981 - Amended January 1, 1994

A regulation controlling a mass gathering, its environmental control, set fees, and protect the public.

A regulation establishing standards for the location, operation and maintenance of temporary mass gatherings; and for the issuance of permits to hold a temporary mass gathering in order to protect the public health, safety and welfare and to prevent insanitary conditions and nuisances; hereinafter known as Regulation 35 of the Logan-Hocking County Sanitary Regulations.

"Be it ordained by the Board of Health of the Logan-Hocking County General Health District State of Ohio as Follows:"

#### **Section 1. Definitions (as used in this regulation)**

1.1 Board of Health means the board of health of the Logan-Hocking County General Health District.

1.2 Health commissioner means the person occupying the office created by Section 3709.11 - 3709.14 of the Revised Code, or their authorized representative.

1.3 Temporary Mass Gathering means an assembly of one thousand (1,000) or more people for a limited time which is not sponsored by the state or any of its political subdivisions nor any agency of either and which continues for four(4) hours or more in a place which is not designed and constructed for such type assembly and is not a licensed Campground or Manufactured Home Park as defined in the Ohio Administrative Code and is not a motel or hotel as defined in Section 3731.01 of the Revised Code.

1.4 Person means an individual, partnership, association, syndicate, company, firm, trust, corporation, or any other legal entity.

#### **Section 2. Permit**

2.1 No person shall operate a temporary mass gathering unless a permit has been issued for the gathering by the Board of Health.

2.2 Application for a permit to operate a temporary mass gathering shall be made to the Health Commissioner, by the person who will operate the temporary mass gathering on a form and in a manner prescribed by the Health Commissioner. Application for a permit to operate a temporary mass gathering shall be made at least fifteen (15) days before the first day of advertising and at least forty-five (45) days before the first day of the gathering.

The application shall be accompanied by such plans, reports and specifications as the Health Commissioner shall deem necessary.

2.3 A separate permit shall be required for each temporary mass gathering.

2.4 The permit to operate a temporary mass gathering shall be revoked by the Board of Health if the temporary mass gathering is promoted, operated, maintained or conducted in violation of this temporary mass gathering regulation. The permit shall automatically expire upon written request of the permittee, upon abandonment of the promotion of the temporary mass gathering or upon conclusion of the time period for which the permit was issued.

2.5 A permit issued for the operation of a temporary mass gathering shall be posted or kept on file and made available by the operator at the request of proper officials.

2.6 Fee for each permit shall be established by the Board of Health.

### **Section 3. Plan Approval**

3.1 The provision of Rule 3701-21-03 of the Ohio Administrative Code relating to the submission of plans and specifications for proposed food service operations shall apply to temporary mass gatherings. In addition, the plans and specifications shall clearly show and describe:

- a. The total area to be used for the temporary mass gathering;
- b. Entrance, exit and interior roadways;
- c. Method and plan for drainage of surface and storm water;
- d. Location and design of service buildings;
- e. Location, number, design and type of toilet facilities, plumbing fixtures, waste water receptacles, and disposal devices;
- f. Solid waste storage and collection facilities;
- g. Insect, rodent, and noxious weed control facilities;
- h. Medical and first-aid facilities;
- i. Police and fire protection facilities;
- j. Other facilities that may be needed for the protection of health and safety.

#### **Section 4. Site**

- 4.1 A temporary mass gathering shall not be located where surface water drainage is inadequate or impracticable.
- 4.2 A temporary mass gathering shall not be located where satisfactory disposal of sewage cannot be provided.
- 4.3 The grounds shall be maintained in a clean and reasonably dry condition.
- 4.4 Adequate signs shall be used to locate and identify all facilities.

#### **Section 5. Water Supply**

- 5.1 The water supply shall be designed, constructed, operated, and maintained in accordance with the requirements of the Ohio Environmental Protection Agency.
- 5.2 Plans for proposed new or modified water supplies shall be submitted to and approved by the Ohio Environmental Protection Agency.
- 5.3 The water supply shall be of potable quality.
- 5.4 If water is hauled to the temporary mass gathering it shall be from an approved source, hauled in properly constructed and operated equipment, and dispensed in an approved manner.
- 5.5 There shall be no cross connections between potable and non-potable supplies.
- 5.6 The water distribution system shall be protected against back flow at all points.
- 5.7 All water storage tanks shall have watertight covers and be protected at all times against entrance of insects or foreign or contaminating material.
- 5.8 All pumps, tanks, filters, softeners, appliances, and devices shall be so installed as to protect the water supply from contamination.
- 5.9 Chemicals or materials added to the water supply or brought in contact therewith shall be harmless to humans.
- 5.10 Common drinking cups shall not be permitted. Any drinking fountain shall be of approved sanitary design and construction.
- 5.11 Any interruption in treatment of a drinking water supply shall be reported immediately to the Health Commissioner. No change in the source nor in the method of treatment of a drinking water supply shall be made without the approval of the Ohio Environmental Protection Agency.

## **Section 6. Liquid Waste Disposal**

6.1 Sewage disposal systems shall be designed, constructed, operated, and maintained in accordance with the requirements prescribed by the Ohio Environmental Protection Agency.

6.2 Plans for proposed new or modified facilities for the satisfactory disposal or treatment of sewage shall be submitted to and approved by the Ohio Environmental Protection Agency.

6.3 Sewage facilities shall be constructed and be operational at least 48 hours before the first day of the temporary mass gathering.

6.4 Suitable drains and watertight receptacles shall be provided for receiving liquid wastes other than body excreta. Liquid wastes shall not be discharged to or allowed to accumulate on the ground surface.

## **Section 7. Toilet Facilities**

7.1 Toilet facilities including privies shall be constructed, located, and maintained so as to prevent any nuisance or public health hazard.

7.2 Water closets or privy seats for each sex shall be in the ratio of not less than one such unit per one hundred fifty (150) persons in attendance at one time.

7.3 Toilet facilities shall be so located as to be conveniently available.

7.4 Privy contents shall be emptied and disposed of in a sanitary manner.

7.5 The toilet facilities shall be maintained in a clean and sanitary condition and an adequate supply of toilet tissue shall be readily available at all times.

## **Section 8. Housing**

8.1 A building or structure used for housing at a temporary mass gathering shall be structurally safe, adequate in size for its use, easy to keep clean and shall have weather tight roof and sides, except that a structure such as a lean-to, occupied by people, shall be so constructed and maintained as to exclude rain from the portions of the structure used as shelter.

8.2 A separate overnight camping area or areas, clearly marked, shall be provided for each temporary mass gathering. The camp shall be in compliance with Sections 3701-25-01 to 3701-25-541, of the Ohio Administrative Code.

8.3 Housing facilities shall be maintained in a clean, sanitary condition at all times.

## **Section 9. Electrical and Lighting**

9.1 The site and all common use facilities shall be provided with adequate light to illuminate the entire area at all times.

9.2 All wiring and lighting fixtures shall be installed and maintained in a safe condition.

9.3 All lighting shall be controlled so as not to reflect on any area beyond the boundary of said site.

#### **Section 10. Handwashing**

10.1 Suitable and adequate handwashing facilities shall be provided and shall be convenient to the toilets, privies, and food handling facilities.

10.2 Handwashing facilities shall be provided in the ratio of not less than one such unit per three hundred (300) persons.

10.3 The facilities shall be maintained in a clean condition at all times.

#### **Section 11. Food Service**

11.1 Food service operations shall be in compliance with Chapter 3732. of the Ohio Revised Code and the Rules adopted thereunder.

#### **Section 12. Solid Waste**

12.1 Adequate and sanitary facilities shall be provided and maintained for the storage and collection of solid waste.

12.2 Sanitary methods shall be used for the collection, temporary storage, and the handling of solid waste.

12.3 Solid waste containers shall be emptied as often as necessary.

#### **Section 13. Vector Control**

13.1 Effective measures shall be taken to control insects and rodents.

13.2 If the adult mosquito population is a problem, steps shall be taken to insure that proper mosquito control measures are instituted no earlier than 72 hours nor later than 48 hours before the advertised start of the gathering in order to reduce the mosquito population to a satisfactory level.

#### **Section 14. Safety**

14.1 The operator shall comply with applicable local and/or state fire safety standards.

#### **Section 15. Operator's Responsibility**

15.1 The operator shall be responsible for the maintenance of the site and facilities. He shall provide responsible supervision of the maintenance and sanitary conditions of the site and facilities. He shall abate all nuisance or insanitary conditions at the site.

15.2 When the site and facilities are vacated or abandoned, the owner or operator shall place the site and facilities in a clean and sanitary condition within 48 hours after the event.

#### **Section 16. Parking and Traffic Control**

16.1 Parking facilities, off public roadways, shall be provided to fully serve all reasonably anticipated requirements at a rate of no more than one hundred (100) passenger cars per usable acre or eighty (80) buses per usable acre.

#### **Section 17. Roadways**

17.1 A temporary gathering site shall be provided with a network of interior roads which are kept clear at all times for service and emergency vehicles, and the site shall be serviced by access roads which will permit an adequate flow of traffic and ensure the free passage of emergency vehicles.

17.2 All road surfaces shall be passable and maintained in a reasonably dust free condition at all times.

#### **Section 18. Noise**

18.1 Amplifying equipment shall be operated so as to control the noise level at the property line of the site to no more than seventy (70) decibels as read on the A-weighted network scale at slow response of a Type 1 or Type 2 sound level meter which meets the specification of the American National Standards Institute (ANSI S1. 4-1971), or the latest approved revision thereof.

#### **Section 19. Authorization to Inspect**

19.1 The Health Commissioner or his authorized representative is authorized and directed to make inspections and investigations of all mass gatherings to determine compliance with this regulation.

#### **Section 20. Penalties**

20.1 Any person who violates any provision of this regulation is subject to the penalties provided by Section 3709.99 of the Revised Code.

#### **Section 21. Effect of Partial Invalidity**

21.1 Should any part of this regulation be declared unconstitutional for any reason, the remainder of the regulation shall not be effected thereby.

#### **Section 22. Effective Date**

22.1 Adopted by the Board of Health of the Logan-Hocking County General Health District effective on or after May 28, 1981.

# HOCKING COUNTY SANITARY REGULATIONS

## REGULATION 13. Housing

Adopted Jan. 14, 1992 – Amended June 13, 2022

A regulation establishing minimum standards of hygiene and sanitation governing the condition, maintenance, and space occupancy of residential dwellings; establishing minimum standards governing supplied utilities and facilities and other physical things and conditions essential to make residential dwellings safe, sanitary, and fit for occupants; establishing certain responsibilities and duties of owners and occupants of residential dwellings, authorizing the inspection of residential dwellings and the condemnation of residential dwellings found to be unfit for human habitation. Hereafter, residential building, residential dwelling and residential dwelling unit will be referred to collectively as dwelling.

Whereas, in Hocking County, there are, or may in the future be, dwellings which are so dilapidated, unsafe, dangerous, unhygienic, or unsanitary as to constitute a menace to the health and safety of the occupants thereof and of the people of Hocking County.

Be it therefore resolved by the Board of Health of the Hocking County Health Department as follows:

### SECTION 1.0 DEFINITIONS

- 1.1 Accessory Structure:** A building, the use of which is incidental to that of the dwelling(s) and which is located on or partially on the same lot.
- 1.2 Basement:** That portion of a building that is partly or completely below grade.
- 1.3 Bedroom:** As defined by OAC 3701-29-01 (I), a room that is designed or used as a sleeping room or any room that could reasonably be used as or finished as a sleeping room as determined by the Board of Health.
- 1.4 Board of Health:** The Board of Health of the Hocking County Health Department.
- 1.5 Dilapidated:** Decayed, deteriorated, or fallen into partial/total ruin and no longer adequate for the purpose or use for which it was originally intended.
- 1.6 Dwelling:** Any building or structure that is wholly or partly used or intended to be used for living or sleeping by human occupants, provided that temporary housing as herein after defined shall be exempted from the provision of these regulations.
- 1.7 Dwelling Unit:** Any habitable room or group of adjoining habitable rooms located within a dwelling and forming a single habitable unit with facilities that are used or intended to be used for living, sleeping, cooking, and eating of meals.
- 1.8 Habitable Space:** A space in a building for living, sleeping, eating, or cooking. Bathrooms, toilet rooms, closets, halls, storage, or utility spaces and similar areas are not considered habitable spaces.

**1.9 Health Commissioner:** The Health Commissioner of the Hocking County Health Department or their authorized representative(s).

**1.10 Infestation:** The presence of any insects, rodents, or other pests within or around a dwelling and accessory structures.

**1.11 Meaning of Certain Words:** Whenever the words "dwelling", "dwelling unit", "residential building", "premises", are used in this regulation, they shall be construed as though they are followed by the words "or any part thereof".

**1.12 Occupant:** Any person living, sleeping, cooking, eating in, or having actual possession of a dwelling.

**1.13 Owner:** Any person, agent, firm, or corporation having a legal or equitable interest in the property.

**1.14 Person:** an individual, corporation, business trust, estate, trust, partnership, and association.

**1.15 Plumbing:** The practice, materials, and fixtures utilized in the installation, maintenance, extension, and alteration of all piping, fixtures, appliances, and appurtenances within or adjacent to any structure, in connection with sanitary drainage or storm drainage facilities; venting systems; and public or private water supply systems.

**1.16 Potable Water:** Water free from impurities present in amounts sufficient to cause disease or harmful physiological effects and conforming in bacteriological and chemical quality to the requirements of the Hocking County Health Department.

**1.17 Premises:** A dwelling together with its land and accessory structures.

**1. 18 Residential Building:** A one-family, two-family, or three-family dwelling house, regardless of its use, and any accessory structure incidental to that dwelling house.

**1. 19 Residential Code of Ohio (RCO):** Chapters 4101:8-1 to 4101:8-25, 4101:8-29, 4101:8-34, and 4101:8-44 of the *Administrative Code* are designated as the "*Residential Code of Ohio* for One-, Two-, and Three-Family for which the designation "RCO" may be substituted.

**1.20 Safe:** As applied to a building, means free from danger or hazard to the life, safety, health, or welfare of persons occupying or frequenting it, or of the public, and from danger of settlement, movement, disintegration, or collapse, whether such danger arises from the method or materials of its construction or from equipment installed therein, for the purpose of lighting, heating, the transmission or utilization of electric current, or from its location or otherwise.

**1.21 Safety Hazard:** The presence of conditions that, if left uncontrolled, can result in bodily harm or death.

**1.22 Sanitary:** As applied to a building, means free from danger or hazard to the health of persons occupying or frequenting it or to that of the public, if such danger arises from the method or materials of its construction or from any equipment installed therein for the purpose of lighting, heating, ventilating, or plumbing.

**1.23 Shall:** The term, when used in these regulations, is construed as mandatory.

**1.24 Solid Waste:** That which is defined in section 3745-27-01 of the Ohio Administrative Code including animal waste.

**1.25 Temporary Housing:** Any tent, trailer, other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure, or to any utilities system on the same premises for more than thirty (30) consecutive days.

## **SECTION 2.0 INSPECTION OF DWELLING AND PREMISES**

**2.1** The Health Commissioner is hereby authorized to make inspections to determine the condition of dwellings, and premises located within Hocking County in order that they may perform their duty of safeguarding the health and safety of the occupants of dwellings and of the general public. The owner, operator or occupant of every dwelling, or the person in charge thereof, shall give the Health Commissioner free access to such dwelling and its premises, at all reasonable times for the purpose of such inspection, examination, and survey.

**2.2** Every occupant of a dwelling shall give the owner or operator thereof, or his agent or employee, access to any part of the dwelling or its premises, at all reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this regulation.

## **SECTION 3.0 ENFORCEMENT, SERVICE OF NOTICES, AND ORDERS**

**3.1** Whenever the Health Commissioner determines there are reasonable grounds to believe there has been a violation of any provision of this regulation, they shall give written notice of such alleged violation to the person or persons responsible, therefore allowing a reasonable time for the correction of the alleged violation. Such notice shall include the following:

- a) Description of the real estate sufficient for identification
- b) Detailed description of the violation(s)
- c) Section of this regulation of which the responsible person is in violation of
- d) Reasonable time for the correction of such violation(s)
- e) Reference to section 3.2 of this regulation regarding the right of appeal

**3.2** Any person affected by any notice of an alleged violation may request and shall be granted a hearing before the Health Commissioner, provided the request for such hearing is made within the number of days specified in the notice.

**3.3** After such hearing the Health Commissioner shall sustain, modify or withdraw the notice, depending upon their findings as to whether the provisions of the regulations have been complied with. If the Health Commissioner sustains or modifies such notice, it shall be deemed to be an order. Any notice served pursuant to Section 3.1 of this regulation shall automatically become an order if a request for a hearing with the Health Commissioner is not received pursuant to the deadlines given in Section 3.2 of this regulation.

**3.4** The proceedings at such hearing, including the findings and decision of the Health Commissioner, shall be summarized, documented, and entered as a matter of public record in the health department. Such record shall also include all documentation, notice, or order issued in connection with the matter.

**3.5** If, after the hearing, said violations are not corrected within the required time period specified by the Health Commissioner, a hearing will be held with the Board of Health to determine if the matter should be forwarded to the Hocking County Prosecutor for legal action. Board of Health meetings are open to the public and any person affected by these findings may attend and provide evidence.

**3.6** Whenever the Health Commissioner finds that an emergency exists which requires immediate action to protect the public health, they may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as they deem necessary to meet the emergency. Notwithstanding the other provisions of this regulation, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the Health Commissioner shall be afforded a hearing as soon as possible. After such hearing, depending upon the Health Commissioner's finding as to whether the provisions of this regulation have been complied with, the Health Commissioner shall continue such order if effect, or modify it or revoke it.

**3.7** Any outstanding orders or notices of violations of this regulation are transferable to subsequent owners of a property that is subject to these regulations.

**3.8** If a dwelling cited under this regulation is vacant or becomes vacant prior to the time for correction given in the notice, the dwelling will be placarded as "To Remain Vacant". The timeline for the correction of all outstanding violations given in the original notice will be voided, except for violations that affect the public health and safety. No such residential building, dwelling, or dwelling unit shall again be used for human habitation until written approval is secured from, and such placard is removed by, the Health Commissioner. The Health Commissioner shall remove such placard whenever the violation(s) listed within the original notice have been corrected.

**3.9** Vacant dwellings and their accessory structures shall be closed up and secured so that they do not create a safety hazard or attract vermin.

## **SECTION 4.0 MINIMUM SANITATION STANDARDS**

No person shall occupy, or let to another for occupancy, any dwelling, for the purpose of living, sleeping, cooking, or eating therein, which does not comply with the following requirements:

- 4.1** Every dwelling shall contain a kitchen sink which is properly connected to an approved sewage treatment or sewer system.
- 4.2** Every dwelling shall contain a room which affords privacy to a person within such room and which is equipped with a flush toilet, handsink and a bathtub or shower, properly connected to a potable water supply and an approved sewage treatment or sewer system.
- 4.3** Every kitchen sink, handsink, bathtub or shower shall be properly connected with hot and cold water lines in sufficient volume and at adequate pressure to allow the fixtures to operate properly for their intended use. The hot water lines shall be connected to a hot water heating unit of adequate size which provides at all times a temperature of not less than 120 De. F., and the hot water tank shall be installed and maintained in accordance with the manufacturer's instructions.
- 4.4** Every dwelling shall be supplied with, or accessible to, a potable water supply.
- 4.5** All plumbing shall be properly installed and maintained in good working condition, free from defects, leaks, and obstructions. All plumbing shall be installed and maintained to prevent contamination of the potable water supply through backflow, back siphonages, or any other method of contamination.
- 4.6** Every dwelling shall have adequate garbage disposal facilities, type and location of which are acceptable to the Health Commissioner and shall be disposed of in a manner acceptable to the Health Commissioner.
- 4.7** Every dwelling shall have a safe unobstructed means of egress leading to a safe and open outdoor space at ground level.
- 4.8** All interior spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, the safe occupancy of the space, and utilization of the appliances, equipment, and fixtures.
- 4.9** Every habitable room shall have at least one screened window facing the outdoors. Such window shall be easy to open with the ability to stay open and properly screened to prevent intrusion of vermin and insects unless there is some other device affording adequate ventilation such as a fan or air conditioner.
- 4.10** Every bathroom shall be adequately lighted and ventilated. Every bathroom floor shall be constructed and maintained so as to be reasonably impervious to water. Air exhausted by mechanical ventilation shall discharge to the outdoors.
- 4.11** Every dwelling shall have heating facilities which are properly installed, are maintained in safe and good working condition, and are capable of safely and adequately heating all habitable rooms, bathrooms and water closet compartments in every dwelling unit located therein to a temperature of at least 68 De.F., under ordinary minimum winter condition.
- 4.12** Clothes dryers shall be properly exhausted to the outdoors.

**4.13** The openings to the outdoors resulting from doors or windows customarily open when flies, mosquitoes and other insects are prevalent, shall be properly screened.

**4.14** The interior, exterior areas, and accessory structures of every dwelling shall be maintained in a safe and sanitary condition and be free from insect, rodent, and vermin infestation, or any conditions which might create a nuisance. Orders to obtain professional extermination may be required at the Health Commissioner's discretion.

**4.15** Every foundation, floor, ceiling, wall and roof shall be reasonably weathertight and rodent proof. Where excessive dampness exists, corrective measures shall be required to relieve this dampness.

**4.16** Every window, exterior door and basement hatchway shall be reasonably weathertight, watertight and rodent proof.

**4.17** Every inside and outside stair, every porch and every appurtenance thereof shall be properly constructed and maintained as to be safe to use.

**4.18** Where there is electric service, all wiring shall be installed and maintained in accordance with the Residential Code of Ohio and the National Electric Code.

**4.19** Every supplied facility, piece of equipment or utility which is required under this regulation shall be so constructed, installed, maintained, or operated that it will function safely and effectively.

**4.20** No owner or operator shall cause any service facility, equipment, or utility which is required under this regulation to be removed from or shut off from or discontinued for any occupied dwelling let or occupied by him/her except for such temporary interruption as may be necessary while actual repairs or alterations are in process, or during temporary emergencies when discontinuance of service is approved by the Health Commissioner.

**4.21** The number of persons occupying a dwelling shall not create conditions that, in the opinion of the Health Commissioner, endanger the life, health, safety, or welfare of the occupants.

**4.22** Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public area of the dwelling and premises thereof. Every public hall and stairway shall be adequately lighted at all times.

## **SECTION 5.0 DESIGNATION OF DWELLINGS AND LEGAL PROCEDURE OF CONDEMNATION**

**5.1** Any dwelling which shall be found to have any of the following defects shall be condemned as unfit for human habitation and shall be so designated and placarded by the Health Commissioner;

- (a) One which is so damaged, decayed, dilapidated, insanitary, unsafe, or vermin infested that it creates a serious hazard to the health or safety of the occupants or of the public.

- (b) One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health safety of the occupants or of the public.
- (c) One which because of its general condition or location is insanitary, or otherwise dangerous to the health or safety of the occupants or of the public.

**5.2** Whenever the Health Commissioner has condemned a dwelling as unfit for human habitation, the Health Commissioner shall give notice to the owner of such condemnation and of their intent to placard the dwelling as unfit for human habitation.

**5.3** Any dwelling condemned as unfit, for human habitation, and so designated and placarded by the Health Commissioner, shall be vacated within a reasonable time as ordered by the Health Commissioner and shall remain vacant until written approval is secured from the Health Commissioner.

**5.4** All condemnation orders shall be brought before the Board of Health at the next regularly scheduled Board meeting.

**5.5** No person shall deface or remove the placard from any dwelling that has been condemned as unfit for human habitation.

**5.6** If the Health Commissioner determines that the structure cannot be improved so as to comply with provisions of these regulations and that the same is unsafe, the Board of Health may order and direct the owners to demolish said structure as a hazard. In the event that the owners fail to comply with said order, the Board of Health may order the demolition of said structure and shall certify the cost and expense of demolition as set forth herein to the county auditor and the same shall become a lien upon real estate.

**5.7** Any person affected by any notice of alleged violation Under Section 6 may request and shall be granted a hearing before the Board of Health provided the request for such hearing is made within the number of days specified in the notice.

**5.8** After such hearing the Board of Health shall sustain, modify, or withdraw the notice, depending upon its findings as to whether the provisions of the regulations have been complied with.

## **SECTION 6.0 PENALTIES**

**6.1** Violation of any provision of this regulation is prohibited by Section 3707.48-of the Revised Code and subject to the penalties provided by Section 3707.99 of the Revised Code. Each and every violation shall constitute a separate offense and each day's continued violation shall constitute a separate offense.

## **SECTION 7.0 APPEAL**

**7.1** Any person aggrieved by any decision which has been issued by the Health Commissioner in connection with the enforcement of any provision of this regulation may request and be granted a hearing on the matter before the Board of Health provided that such person shall file in the office of the Health Commissioner a written petition requesting such hearing and setting forth a brief statement of the grounds therefore within ten (10) days after notice of such decision was served. Upon receipt of

such petition, the aggrieved shall be heard before the Board of Health at the next regular meeting of the Board of Health provided that the Board of Health shall not consider such petition sooner than five (5) days after filing with the Health Commissioner. Notice to the persons mentioned, and in the procedure set forth, in Section 3 of this regulation shall be given stating the time and place of such hearing.

**7.2** The board of Health may authorize, in specific cases, such variance from the requirements of these regulations as will not be contrary to the public interest, or where the person shows that because of practical difficulties or tother special conditions, their application will cause unusual and unnecessary hardship. However, no variance shall be granted that will defeat the spirit and general intent of these regulations, or otherwise not be in the public interest.

**7.3** Any person aggrieved by a decision of the Board of Health may seek relief therefore in any court of competent jurisdiction.

Adopted:	January 14, 1992
Revised:	September 05, 2023
First Reading:	October 11, 2022
Second Reading & Public Hearing:	May 9, 2022
Third & Final Reading:	June 13, 2022
Effective Date:	June 13, 2022
Resolution:	2022-

# HOCKING COUNTY SANITARY REGULATIONS

## Appendix A

### Renumbering of Regulations

Effective June 13, 2022

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