

LOGAN-HOCKING COUNTY
GENERAL HEALTH DISTRICT
SANITARY REGULATIONS

Amended July 12, 1993

Effective January 1, 1994

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HOCKING COUNTY SANITARY REGULATION

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HOCKING COUNTY SANITARY REGULATION

REGULATION 1. Definitions within Sewage Systems

Adopted Oct. 2, 1924 - Amended Dec. 6, 1966

"Sewage disposal systems" means all equipment and devices necessary for proper conduction, collection, storage, treatment and disposal of sewage from one, two, or three family dwellings. Included within the scope of this definition are house sewers, septic tanks, aeration tanks, leaching systems, subsurface filters, privy vaults or any other device that will properly conduct, collect, store, treat or dispose of sewage.

"Installer" means any person that constructs, installs, alters, repairs, or extends any type of sewage disposal system or any part thereof.

HOCKING COUNTY SANITARY REGULATION

REGULATION 2. Installation of Water Supplies

Effective Jan. 1, 1984

A. No person shall install or develop or change the development of a well, spring or other source of water supply for drinking and general domestic purposes until such water supply, its location and the proposed method of development or plans therefore have been approved by the Health Commissioner, and a written permit has been issued by the Health Commissioner. No such permit shall be issued if a public water supply of satisfactory sanitary quality is available. Each application for a permit to install a private water supply must be accompanied by a fee to be established annually by the Board of Health. When a public water supply is made available, existing private wells must be abandoned and filled to the top with clay or other impervious material.

B. The Health Commissioner of the Logan-Hocking County Board of Health shall maintain a register of licensed installers of private water supplies and water pump installers.

HOCKING COUNTY SANITARY REGULATION

REGULATION 3. Orders to Improve Water Supplies

Adopted Oct. 2, 1924

A water supply for drinking and general domestic purposes which is found by the Health Commissioner to be impure and dangerous to health or subject to contamination by reason of unsatisfactory location, protection or construction, is hereby declared to be a nuisance and the Health Commissioner shall order the owner of such water supply to abandon it and make it unavailable for use or to make improvements, corrections and changes so as to provide a water supply not subject to contamination; and he shall fix the time for compliance with such order.

HOCKING COUNTY SANITARY REGULATION

REGULATION 4. Abandoned Water Supplies

Adopted Oct. 2, 1924

When a well, spring or other source of water supply is abandoned on account of its impurity or in accordance with an order of the Health Commissioner, it shall be sealed or plugged, if possible, and filled to the ground surface with clay, earth, concrete or other suitable impervious material, or otherwise made unavailable as a source of water supply.

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 5. Plumbing

Adopted Oct. 2, 1924 - Amended Sept. 11, 1961- Amended January 1, 1994

A regulation requiring plumbing to be installed to meet the Ohio Revised Code.

Plumbing in and for a dwelling or other building shall be installed in accordance with the provisions of "Chapter 1225, Ohio building Code", which for the purposes herein expressed are a part of these regulations.

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 6. Permits for Privies and Privy Vaults

Adopted Oct. 2, 1924 - Amended Dec. 31, 1971 - Amended January 1, 1994

A regulation requiring permits and fees for privies and pit privies.

No person shall install or change a privy or privy vault or a chemical privy tank until the location and construction of the plans therefore have been approved by the Health Commissioner. Each application for a permit to install sewage system, privy or privy vault must be accompanied by a fee as established by the Board of Health.

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 7. Satisfactory Compliance

Adopted Oct. 2, 1924 - Amended Sept. 11, 1961- Amended January 1, 1994

A regulation requiring construction requirements, conditions and capacity of privy vaults.

Specifications for privies and privy vaults. The construction of a privy and privy vault should be as follows:

The privy should be provided with a watertight vault or other watertight receptacle which should be of not less than one thousand (1,000) gallons capacity.

No privy or privy vault should be located less than thirty (30) feet from a building of human occupancy or street line or less than twenty (20) from any lot or alley line.

The design of the privy and privy vault shall be in accordance with or equal to the ORC #3701 and recommendations of the Ohio Department of Health.

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 8. Chemical Privy Tanks

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

A regulation defining chemical commodes or other portable sewage receptacles.

For the purpose of these regulations a chemical privy tank shall be constructed to be a watertight receptacle supplied regularly with a sufficient amount of caustic or other chemical substance to sterilize and deodorize the contents completely and continuously. This definition does include the chemical commode or other portable receptacle. The above requirements for a privy and privy vault shall apply to a chemical privy tank and the superstructure for the same, except that such chemical privy tank and superstructure may be located adjacent to a dwelling but without a direct entrance therefrom.

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 9. Privies Prohibited: Abandoned Privies

Adopted Oct. 2, 1924

No privy, privy vault or chemical privy tank shall be installed or maintained on property accessible to a sanitary sewer. Whenever a sanitary sewer is made available, any privy, privy vault or chemical privy tank on such property shall be abandoned and connection shall be made direct from the building to the sewer. The issuance of permits shall be governed by this regulation. An abandoned privy vault shall be thoroughly cleaned and disinfected and filled to the ground surface with earth, ashes or other suitable filling material. As abandoned chemical privy tank shall be thoroughly cleaned, disinfected and removed.

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 10. Cleaning of Vaults

Adopted Oct. 2, 1924 - Amended Sept. 11, 1961 Amended January 1,
1994

A Regulation describing the timeliness of cleaning sewage vaults.

The vault or tank shall not be permitted to become filled to the top. The cleaning of a privy vault and chemical privy tank and the removal of the contents thereof shall be done only at such time and in such manner as the health commissioner shall specify.

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 11. Disposal of Contents of Vaults

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

An emergency resolution adopted March 8, 1965

A regulation describing where contents of sewage vaults may be discharged or deposited.

Any person engaging in the collection of the contents of a privy vaults or sewage systems shall secure a written permit annually from the Health Commissioner or his authorized representative. A permit shall be revoked for failure to abide by conditions set forth on the application for a permit. A fee as established by the board of health shall accompany the application.

The contents removed from the vaults or sewage systems shall be placed in municipal sewage treatment plants or other approved treatment facilities approved by the board of health.

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 12. Disposal of House Slops

Adopted Oct. 2, 1924

No person shall discharge or permit to be discharged urine, fecal matter or the contents of a chemical commode onto the surface of the ground or into a street, road, alley, open excavation, storm water sewer, land drain ditch, watercourse or body of water. Such wastes shall be deposited in a privy vault or shall be buried as provided in Regulation 11.

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 13. Permits for Sewage Disposal Installation

Effective Jan. 1, 1984 Amended January 1, 1994

A regulation describing the valid period and authority of an installation permit for sewage disposal system.

Each application for a permit to install a sewage disposal system must be accompanied by a fee to be established annually by the Board of Health.

No person shall install or develop or change the development of a sewage disposal system until its location and proposed method of development have been approved by the Health Commissioner and a permit has been issued by the Health Commissioner. No permit shall be issued if a public sewage system is available. A permit must be obtained before any new construction is begun.

Following application completion and permit fee payment, a site evaluation by a registered sanitarian will be completed and an approved diagram will be presented to the installer or property owner. Final approval of the installation of a sewage disposal system will not be granted until the fee has been paid. All permits to install a sewage disposal system expire automatically upon completion of installation or one (1) year after date of issuance unless a delay in installation exists with good and reasonable cause for same and is approved by the health department.

HOCKING COUNTY SANITARY REGULATION

REGULATION 14. Discharge of Sewage Prohibited

Adopted Oct. 2, 1924

No person shall discharge, or permit or cause to be discharged, sewage, the overflow, drainage or contents of a sewage tank or other putrescible or offensive wastes onto the surface of the ground or into any street, road, alley, open excavation, storm water sewer, land drain ditch, watercourse or body of water except as provided in Regulation 15. No person shall discharge or permit to be discharged sewage, the overflow, drainage or contents of a sewage tank or other putrescible impure or offensive wastes into an abandoned water supply well, spring or cistern or into a natural or artificial well, sink hole, crevice or other opening extending into limestone, sandstone or other rock or shale formation.

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 15. Sewer Connections Required: Abandoned Sewage Disposal Equipment

Adopted Oct. 2, 1924

No sewage disposal device or equipment shall be installed or maintained on property accessible to a sanitary sewer. Whenever a sanitary sewer is made available any sewage disposal device or equipment on such property shall be abandoned and the sewage shall be discharged directly from the building to the sanitary sewer through a sewage tank or other treatment device. However, no roof water, cistern overflow, or surface or subsoil drainage shall be discharged to such sewer or to sewage disposal equipment hereinafter specified. An abandoned sewage tank or other device or equipment for treatment or disposal of sewage shall be thoroughly cleaned and disinfected and filled to the ground surface with earth, ashes or other suitable filling material.

HOCKING COUNTY SANITARY REGULATION

REGULATION 16. Design, Construction, Installation, Location and Operation of Household Sewage Disposal Systems

Adopted Oct. 2, 1924 - Amended Sept. 11, 1961 -Amended Dec. 13, 1971- Amended January 1, 1994

A regulation describing the construction, design, location, installation, and operation of a household sewage disposal system to protect the public.

The design, construction, installation, location, maintenance, and operation of household sewage disposal systems including septic tanks, aeration type treatment systems, leaching tile fields, leaching beds, leaching wells, subsurface sand filters, house sewers, privies and any other treatment system or part thereof shall comply with the minimum standards and engineering practices as follows:

A. Septic Tanks

1. The minimum septic tank working capacity is determined by the number of bedrooms being served and is to be: as specified and approved by the Ohio Department of Health approved sewage systems.

2. Tanks installed in series may be used to accomplish the required capacity providing the first tank will furnish at least half of the required capacity.

3. The septic tank is to be installed with removable covers and manholes extended to grade to provide access to the inlet and outlet devices and to each compartment of the tank for inspection and cleaning, and are to be equipped with safety secured covers.

4. Septic tanks are to be watertight and constructed of materials not

subject to excessive corrosion or decay.

5. Roof drains, foundation drains, area drains or cistern overflows are not to enter the septic tank or any part of the treatment system.

6. The septic tank is to be located not less than fifty (50) feet from any well, spring, cistern, or other source of water supply, not less than ten (10) feet from an occupied building, and not less than ten (10) feet from any lot line.

7. Tanks shall be inspected at least once a year and be cleaned when the bottom of the scum mat is within three (3) feet of the bottom of the outlet device or the sludge and scum has reduced the liquid capacity by 50%.

B. Aeration Type Treatment System

I. General

1. The treatment system including each individual unit or compartment shall be easily accessible. Inspection manholes shall be of a size necessary to visually examine or test the effectiveness of any tank and its mechanical components, are to be brought up to or above finished grade and are to be equipped with safely secured covers. The maximum earth cover over the tank shall not exceed thirty-six (36) inches unless approved by the Health Commissioner.

2. Tank shall be watertight and constructed of materials resistant to excessive corrosion or decay, and shall be set level and at the proper elevation.

3. The installation of aeration equipment into an existing or regular septic tank will not be permitted. The system must be a complete unit.

II. Septic Tank or Trash Trap

1. The raw sewage flow shall be intercepted by a septic tank or trash trap prior to its entering the aeration compartment, which shall have a net holding capacity of not less than four hundred (400) gallons, and, shall be equipped with an access manhole(s) so located that the inlet and outlet may be inspected and effectively cleaned.

III. Aeration Compartment

1. The aeration compartment shall have a minimum holding capacity of five hundred (500) gallons or one hundred and twenty (120) gallons per bedroom whichever is larger.

IV. Settling Compartment and Sludge Return

1. The settling compartment shall be equipped with an access manhole(s) located so as to permit visual examination of the outlet and tank scum accumulation. Sufficient access is to be available for removal of excessive scum accumulation.

2. An outlet baffle or trough shall be provided to prevent the discharge of scum.

V. Mechanical Components

1. All mechanical and electrical components are to be easily accessible for inspection, maintenance and replacement, and any components located in or at the tank, which may require maintenance, replacement or service, are to be accessible and easily removable.

2. Mechanical and other components which are submerged are to be constructed of corrosion resistant materials.

3. Mechanical components installed in or at the tank are to be protected against damage or impairment of its efficiency by flooding, foaming, or surcharging, and be

properly vented.

VI. Maintenance Operation

1. A lifetime prorated replacement policy covering all mechanical and electrical components shall be furnished by the manufacturer to each owner. All mechanical and electrical components exchanged under this policy shall receive a new unit guarantee.

2. A two (2) year service policy shall be furnished by the manufacturer of the distributor and be included in the original installation costs. This policy shall provide:

An inspection/service call, at intervals not to exceed six months, which includes inspections, adjustment and servicing of the mechanical and electrical components so that they function properly.

3. A service policy with terms identical to the initial two (2) year policy shall be available at a reasonable cost, to all owners whose initial policy has expired.

4. The inspection/service policy shall be mandatory for all owners of dwellings utilizing aeration units.

5. The mechanical and electrical components are to be guaranteed against any defects in materials and workmanship for a period of one year.

6. A bond shall be required of the equipment manufacturer guaranteeing service on the equipment for a period of ten years, or he is to otherwise demonstrate that he is capable of meeting this obligation.

a. The aeration unit must be installed to run as per manufacturer recommendations and the homeowner may not turn off the energy power to the unit except for repairs.

7. Service shall be available locally and in no case is a request for services to go more than two days without being answered.

a. The Health Commissioner of the Logan-Hocking County Board of Health shall maintain a register of licensed service providers for aeration type sewage disposal systems.

b. Any person engaged in servicing aeration type sewage disposal systems shall obtain an annual license from the Logan-Hocking County Board of Health. Any person who is a serviceman after the effective date of this regulation must show that he is trained and capable of servicing aeration units and must obtain a license before beginning work. Each application for license must be on a form prescribed by the Health Commissioner and accompanied by a fee as established the Board of Health and a Performance Bond as established annually by the Board of Health.

c. Any person engaged in the servicing of aeration systems must send a copy of the inspection report to the Health Department and the homeowner.

8. An owner's manual is to be supplied to each owner at the time of installation and is to include the following information: (A) Method of operation of the system and mechanical components.

(B) Guarantee terms.

(C) Prorated replacement policy terms.

(D) Owner instruction.

9. A clearly visible, permanent attached label or plate telling whom to contact for local service is to be placed at the warning light or buzzer.

10. The user will be responsible for maintaining and operating the system in

accordance with Health Department and manufacturer's specifications.

11. The Health Commissioner may require the owner or user to have any necessary repairs, adjustments or replacements made to the system to place it in proper operation within fifteen (15) days, unless an extension is granted for good and sufficient reason.

VII. Effluent Disposal

1. The effluent from a dwelling utilizing an aeration type treatment system shall be disposed of on the owner's property. Secondary treatment such as leaching fields, sand filters, etc. may be used and required for this purpose. The effluent may be discharged off the property only with the approval of the Health Commissioner. Operational permits shall be required for all aeration type treatment systems, discharging off the property.

C. Leaching Tile Fields

1. A leaching tile field or leaching bed is not to be installed:
 - a. In a swampy area or where ponding or flooding is likely to occur;
 - b. Where the percolation rate exceeds sixty (60) minutes per inch of water fall in the test holes;
 - c. Where the depth to normal ground water or rock strata is less the four (4) feet below the bottom of the proposed leaching device;
 - d. (1) Less than fifty (50) feet from any source of water supply, twenty (20) feet from an occupied building and five (5) feet from any lot line.
- (2) There is to be available, sufficient, suitable area to provide for complete

replacement of the leaching system.

Absorption area requirements for private residences are to be a minimum of six hundred (600) square feet or to conform to the following whichever is greater:

Average Time Required Leaching Soil Required Per	Suitability of Bottom of Leach Bed Inch as Indicated by	Sq. Ft. of Trench for Water to Fall One Bedroom Base
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1 min. or less	Good	75
5 min.	Good	150
10 min.	Good	175
15 min.	Fair	200
30 min.	Fair	275
45 min.	Poor	325
60 min.	Poor	360

Percolation tests will be done by the Health Commissioner or his authorized representative. Application for a percolation test must be made on a form prescribed by the Health Commissioner and accompanied by a fee as established by the Board of Health.

3. Distribution lines are to be constructed of materials which are not subject to excessive deterioration, are to be a minimum of four (4) inches in diameter and should be relatively level, but in no instance are to have greater fall than three (3) inches in fifty (50) feet.

4. In leaching tile field the minimum distance between centerline of trenches is to be at least six (6) feet.

5. In leaching beds, the distribution lines are to be spaced not greater than six (6) feet apart and not more than three (3) feet from the bed sidewall.

6. a. The depth of the absorption trenches is to be a maximum of thirty (30) inches from the original soil surface. The leaching tile field or leaching bed is to have a minimum depth of sixteen (16) inches of clean gravel, stone fill, extending at least two (2) inches above and ten (10) inches below the distribution lines. The material is to be 1/2 inch to 2 1/2 inches in size. The top of the stone is to be covered with a pervious material such as untreated building paper or a two (2) inch layer of hay, straw or similar material before being covered with the earth backfill.

b. The width of the absorption trenches is to be a minimum of eighteen (18) inches, but not more than thirty-six (36) inches.

D. Subsurface Sand Filters

1. Subsurface sand filters, or other approved filter additions, are to be permitted only after it has been determined that on the lot leaching is impracticable and that an outlet, satisfactory to the Health Commissioner, into which the filtered effluent may be discharged is accessible.

2. A subsurface sand filter is to be located not less than fifty (50) feet from any water supply sources, twenty (20) feet from any building and five (5) feet from any lot line.

3. The minimum filter area shall be three hundred sixty (360) square feet for a three bedroom house, and four hundred eighty (480) square feet for more than a three (3) bedroom house.

4. The distribution lines are to be constructed of material not subject to deterioration by excessive corrosion or decay, are to be at least four (4) inches in diameter laid on a slope not greater than three (3) inches in fifty (50) feet, surrounded with twelve (12) inches of clean, coarse gravel $3/4 - 1\ 1/2$ inches in size, and laid on three (3) foot centers between lines, and eighteen (18) inches from the sidewalls of the filter.

5. The filtering media is to be eighteen (18) - twenty-four (24) inches in depth and to be sand having an effective size 0.4 to 1.0 mm with an uniformity coefficient less than 3.0 as determined by a sieve analysis.

6. The lower or collecting line is to be four (4) inch clay field tile or equal, laid the full length of the bed at a slope of not less than six (6) inches in fifty (50) feet, surrounded with twelve (12) inches of clean, fine gravel $1/4 - 3/4$ inch in size.

7. The top of the filter is to be covered with untreated building paper or a two (2) inch layer of hay, straw, or similar material before being covered with the earth backfill not to exceed fourteen (14) inches in depth.

E. House Sewers

A. Design

1. The house sewer shall be not less than four (4) inches in diameter, and constructed of premium joint materials (schedule 40 or equivalent) acceptable to the health commissioner.

2. The house sewer shall be laid at a uniform minimum grade of $1/8$ inch fall per foot for four (4) inch sewers, and of $1/8$ inch fall per one and one-half ($1\ 1/2$) feet for six (6) inch sewers.

3. No sewer line shall be located less than ten (10) feet from any household water supply well, spring, cistern, water service line or any other source of water supply.1

HOCKING COUNTY SANITARY REGULATION

REGULATION 17. Sewage Tanks and Sewage Tank Cleaners

A regulation describing the licensing, cleaning, equipment, pumping requirements, compliance, permit fees and materials removed from sewage tanks.

Amended July 12, 1993

A. Cleaning of Sewage Tanks

A watertight sewage tank shall be cleaned at intervals not greater than three (3) years and more frequently if necessary to prevent discharge of solid through the overflow. A written permit shall be secured from the Health Commissioner for the cleaning of such tank which permit shall state the conditions under which the material shall be removed and disposed of.

B. Licensing of Sewage Tank Cleaners

The Health Commissioner of the Logan-Hocking County Board of Health shall maintain a register of licensed sewage tank cleaners.

1. Any person engaged in the cleaning of privy vaults or sewage disposal tanks shall obtain an annual sewage tank cleaner license from the Logan-Hocking County Board of Health. Any person who becomes a sewage tank cleaner after the effective date of this regulation must obtain a license before beginning work.

2. Each application for license will be made on a form prescribed by the Health Commissioner and accompanied by a fee as established by the Board of Health. Each application must be signed in person by the operator and must include the name, address, and phone number of the operator, a complete description of the equipment, and the vehicle license number. A license may not be issued unless all information of

the application is found to be true and accurate.

C. Materials Removed From a Sewage Tank

The materials removed from a sewage tank shall be placed in watertight covered containers and disposed of in the same manner and under the same restrictions specified in Regulation 11 for the disposal of the contents of a privy vault or be disposed of at a dump station approved by the Health Commissioner.

1. Each sewage tank cleaner must dispose of the sewage at an approved licensed site and must have a contract with the owner of the sewage disposal site. Each disposal site must be inspected and approved by the Health commissioner or his authorized representative before a license is issued, and inspected periodically thereafter.

2. Any person operating a sewage disposal site must obtain an annual license from the Logan Hocking County Board of Health. Each application for license will be accompanied by a fee as established by the Board of Health unless the site is owned and operated by a licensee under Regulation 17B.

D. Equipment

Equipment must be inspected by the Health Commissioner or his authorized representative before a license is issued.

1. Minimum equipment shall include a one thousand (1000) gallon watertight tank, a four (4) inch inlet hose, and an outlet hose of adequate length to discharge directly into a manhole.

2. The name, address and phone number of the operator must be posted permanently on the equipment to be used.

E. Pumping Requirements

It shall be the responsibility of the operator to pump all of the solids and liquids from the sewage tank.

F. Compliance

The Board of Health, after a Fair hearing, shall remove the name of any person from the register who has demonstrated the inability or unwillingness to comply with this regulation, or who in the opinion the Board of Health has demonstrated incompetency, misrepresentation of service, or unfair treatment of the public.

HOCKING COUNTY SANITARY REGULATION

REGULATION 18. Ice

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

Regulation 18. Manufactured ice selling and delivery

A regulation permitting the sale and delivery of manufactured ice.

No person shall manufacturer, sell and deliver manufactured ice, unless a written permit therefor is first obtained.

HOCKING COUNTY SANITARY REGULATION

REGULATION 19. DISPOSAL AND 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 20. 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 21. DISPOSAL OF MANURE

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

A regulation describing the proper disposal, location and storage procedure for animal manure.

No person shall place or deposit manure, produced in the keeping of an animal or animals of the horse, mule or cattle kind, in any street, alley, road, open excavation, ditch, stream or body of water. Unless the manure is produced and stored at a location at least one thousand (1000) feet from any building of human occupancy, other than that on the same premises, it shall be stored in a bin, pit or other receptacle which shall be fly-proof from which it shall be removed at least once each month and disposed of in a manner to avoid the creation of nuisance and the pollution of a public or private water supply. After removal from such receptacle the manure may be stored at a point not less than one thousand (1000) feet from any building of human occupancy. This regulation shall not prohibit the spreading of manure on the surface of the ground for fertilizing purposes at any point not prohibited by municipal ordinances or by orders or regulations of the State Department of Health. The bin, pit or other receptacle for manure shall be located not less than fifty (50) feet from a water supply or building of human occupancy and shall be watertight if located within one hundred (100) feet of a water supply.

HOCKING COUNTY SANITARY REGULATION

REGULATION 22. 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 23. NUISANCE ON BUILDINGS OR GROUND

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 REGULATIONS

REGULATION 24. 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 REGULATION

REGULATION 25. 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 26. Repeal

Adopted Sept. 11, 1961

Any regulations of the Logan-Hocking County General Health District in conflict or inconsistent with the provisions of these regulations is hereby repealed.

This resolution shall take effect from and after the earliest period allowed by law.

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 27. LICENSING OF SEWAGE SYSTEM INSTALLERS

Adopted Dec. 6, 1966; Amended January 1, 1994

A regulation describing the licensing requirements, fees and regulation compliance.

A. The Health Commissioner of the Logan-Hocking County Board of Health shall maintain a register of licensed installers of sewage disposal systems.

B. Any person engaged in installing any sewage disposal system shall obtain an annual license from the Logan-Hocking County Board of Health. Any person who becomes an installer of sewage disposal systems after the effective date of this regulation must obtain a license before beginning work. Each application for license will be on a form prescribed by the Health Commissioner and will be accompanied by a fee and performance bond as established by the Board of Health.

C. This licensing regulation shall not apply to a property owner actually doing his own work on his own property if the structure or building for which the sewage disposal system is being installed is used or will be used for his residence.

D. The Board of Health, after a hearing, shall remove the name of any person from the register who has demonstrated inability or unwillingness to comply with this regulation or Regulation 13. Any person may have his name reinstated on the register after he has made written application for reinstatement, paid the registration fee, and has demonstrated the ability and willingness to comply with this regulation and Regulation 13.

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 28. Approval of All Sewage Disposal Systems

Adopted Dec. 6, 1966 Amended January 1, 1994

A. No person, firm, or corporation shall occupy a one, two, or three family dwelling, or place in service or use the plumbing fixtures in such dwelling, constructed after January 1, 1967, having an individual sewage disposal system before such sewage disposal system has been installed and in operation in accordance with the requirements of the Logan-Hocking County Board of Health and has been approved for use by the Health Commissioner or his authorized representative.

B. No person, firm, or corporation shall occupy any other dwelling or building not covered by Section A of this regulation, or place in service or use the plumbing fixtures in such dwelling or building constructed after January 1, 1967, having an individual sewage disposal system before such sewage disposal system has been installed and in operation in accordance with the requirements of the Ohio Department of Health and has been approved for use by the Ohio Department of Health.

C. No person, firm, or corporation shall occupy any dwelling or building or place in service or use the plumbing fixtures in such dwelling or building, constructed after January 1, 1967, which is to be served by a community or central sewage system before such sewage disposal system has been installed and in operation in accordance with the requirements of the Ohio Department of Health and the Ohio Environmental Protection Agency and has been approved for use by such dwelling or building by the Ohio Department of Health and the Ohio Environmental Protection Agency or the agency in authority.

D. No person, firm, or corporation shall place in service, use or permit the use of

any sewage disposal system before such sewage disposal system has been approved for use by the Health commissioner or his authorized representative, and/or by the Ohio Department of Health as required by this regulation.

E. When authorized by the Ohio department of Health the Health Commissioner or his authorized representative may review plans, inspect, and approve for use a sewage disposal system under the jurisdiction of the Ohio Department of Health, and where approval for use is given, such approval may be substituted for the approval required by the Ohio Department of Health by Sections B, C, and D of this regulation.

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 29. Solid Waste Haulers, Handlers

Adopted Dec. 9, 1968 - Amended Sec. 3.3 and Section 3.7

Amended Oct. 13, 1987

A regulation establishing standards for the handling of solid waste on premises; for the collection of solid waste, and for registration certificates to operate solid waste collection equipment in order to protect the public health and welfare and prevent insanitary conditions and nuisances.

Authority Section 3709.21 of the Ohio Sanitary Code

Section 1. Definitions

As used in this regulation:

1.1 "Health Commissioner" means the person occupying the office created by Section 3709.11 and Section 3709.14 of the Revised Code, or his authorized representative.

1.2 Person means the state, any political subdivision, public or private corporation, individual, partnership, or other entity.

1.3 Premises means any land, building, or structures upon or in which waste may be temporarily stored, placed, or accumulated.

1.4 Solid waste means such unwanted residual solid or semi-solid material as results from industrial, commercial, agricultural, and community operations, excluding earth or material from construction, mining, or demolition operations and slag and other substances which are not harmful or inimical to public health, and includes garbage, combustible and non-combustible material, street dirt and debris.

Section 2. Premises Maintenance

2.1 No person shall store, place, burn or dispose on his premises or the premises of another or permit to accumulate on his premises, any solid waste in such a manner whereby it will become a rodent or insect harborage or breeding place, or create a health menace, insanitary condition, or nuisance.

Section 3. Registration Certificate Required

3.1 No person shall engage in the business of solid waste collection unless he possesses a registration certificate issued by the Board of Health of the Logan-Hocking County Health District.

3.2 The Board of Health shall issue registration certificates to collect solid waste only to persons having proper equipment, as required by this regulation and personnel for collecting of solid waste, and agreeing to comply with all conditions of issuance or possession of the registration certificate and otherwise complying with the requirements of this regulation.

3.3 Any person intending to collect solid waste shall make written application for a registration certificate to the Board of Health on a form provided by the Board of Health. Such application shall contain the name and address of such person, a description of the equipment to be used in the collection of such solid waste, the area where solid waste collections are to be made, and such other information as the Board of Health determines will reasonable aid in the administration and enforcement of this regulation. The application will be accompanied with a fee as established by the Board of Health for each motor vehicle used in the collection of solid waste.

3.4 Upon approval of such application and the determination that the applicant

has the proper equipment in good condition, the personnel to meet the requirements of this regulation, the Board of Health shall issue a registration certificate to the applicant. The Board of Health may state on the registration certificate the conditions under which it is issued to insure the proper collection of all refuse in accordance with this regulation.

3.5 The Board of Health may revoke or suspend the registration certificate of any person to collect solid waste who has demonstrated inability or unwillingness to comply with this regulation.

3.6 Any person whose application for a registration certificate has been denied, suspended, or revoked may have written request for a hearing before the Board of Health of the Logan-Hocking County Health District.

3.7 All registration certificates issued under this regulation must be renewed on or before January 1 or each year regardless of the date of issue.

3.8 All vehicles used for the collection and transportation of solid waste, unless all the solid waste is kept in watertight covered containers, shall have enclosed bodies or suitable provisions for covering the body of the vehicle. All vehicles shall be leak proof, or easily cleanable construction, shall be cleaned at sufficient frequency to prevent odor, nuisance, or insect breeding, and shall be maintained in good repair.

3.9 Any person making application for a registration of certificate to collect solid waste shall present his equipment for inspection by the Health Commissioner of Logan-Hocking County Health District,

or his authorized representative, to determine if applicant is in compliance with Section 3.4 and 3.8 of this regulation.

4.0 Any person making application for a registration certificate to collect solid waste shall have equipment to satisfactorily clean all vehicles or containers used in the conduct of business.

Section 5. Penalties

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

Section 6. Effect of Partial Invalidity

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

Section 7. Effective Date

7.1 This regulation shall be effective on and after the 15th day of Feb. 1969.

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 30. Food Establishment

Adopted Nov. 9, 1970 Amended January 1, 1994

A regulation defining, setting fees and providing minimum standards for such establishments for the protection of the public.

A regulation of the Logan-Hocking county Board of Health defining food establishment, Board of Health, Health Commissioner, fixtures, utensils, food, mobile establishment, operator, and unwholesomeness of food establishment; and providing minimum standards covering the operation, maintenance and sanitation of such establishments for the protection of the public health.

Be it resolved by the Board of Health of the Logan-Hocking County Health District as follows:

Section 1. Definitions

1.1 Food Establishment means any place, whether temporary or permanent, stationary or mobile, or whether it be considered public, semi-public, private, where food or drink is prepared, processed, manufactured, packaged, stored, served, sold, or offered for sale. Provided that the following places are not included:

Homes containing what is commonly known as the family unit and their non-paying guests.

Food service operations as defined in Section 3732.01 of the Revised Code; dairy plants, meat plants, slaughter houses and abattoirs which are covered under other regulations of this Board of Health.

EXPLANATIONS

1. The following are some examples of "food establishments" as defined above:

a. Churches, schools, fraternal or veterans' organizations serving meals or lunches on their own premises, as provided in ORC Section 3732.01.

b. Places selling only frozen desserts, hot chocolate, ice cream sodas, ice cream sundaes, milk shakes, ice cream, candy, potato chips, popcorn, popcorn balls, snow cones, candied apples, cotton candy, wrapped cookies, wrapped crackers, soft drinks, candied waffles, or coffee.

c. A grocery selling processed foods such as potato salad, other salads, baked beans, or wrapped sandwiches as additional grocery items.

d. Dairy plants, meat plants, slaughter houses, meat processing plants, and abattoirs which are not covered under other regulations of this Board of Health or state-wide regulations.

e. Bakeries, canning plants, breweries, soft drink plants, fresh fruit and vegetable stands and stores, meat market, beer and soft drink carry-outs, gasoline service stations, theaters, parks, swimming pools, playgrounds, etc., that sell items listed above.

f. A roadside fresh fruit or vegetable stand selling a prepared or processed product.

2. The following are examples of "operations" **NOT** requiring a food establishment permit since they qualify as Food Service Operations under Section 3732.01 of the Revised Code.

- a. A pizza bakery selling for consumption on the premises or for carry out only.
- b. Soda fountains, lunch counters, and other similar places serving soups, unwrapped cookies, unwrapped crackers, doughnuts, sandwiches or other solid food.
- c. A catering operation.
- d. Churches, church organizations, school organizations, fraternal organizations or veterans' organizations serving meals or lunches on their own premises for a consideration when such meals or lunches are served according to ORC 3732.01.
- e. Churches, church organizations, fraternal organizations or veterans' organizations serving meals or lunches for a consideration off their own premises regardless of the number of days such meals or lunches are prepared or served.
- f. A soda fountain selling doughnuts, coffee, unwrapped cakes and cookies.
- g. A fair stand selling doughnuts and coffee.

1.2 Board of Health means the board of health of the Logan-Hocking County Health District as created by the provisions of Section 3709.02 and Section 3709.05 of the Revised Code of Ohio.

1.3 Health Commissioner means the person occupying the office in a health district which is created by Sections 3709.11 and 3709.14 of the Revised Code of Ohio or his authorized representative.

1.4 Fixtures means and includes display cases, tables, counters, shelves, refrigerators, stoves, hoods, sinks,

and other similar equipment used in processing, packaging, transportation and storing food.

1.5 Utensils means and includes kitchenware, tableware, glassware, cutlery, containers, food slicing machines, grinders, choppers, and other similar equipment coming in contact with food during storage, preparation, processing, packaging, transporting, or serving.

1.6 Food means a) articles used for food or drink for man, b) chewing gum, and c) articles used for components of any such articles.

1.7 Mobile Food Establishment means one which may be moved without significant alteration of the structure or equipment after the structure and equipment has been moved from one location to another.

1.8 Operator means the person, firm, association, or corporation who is in responsible charge of conducting a food establishment.

1.9 Unwholesomeness means adulteration as defined in Section 3715.59 of the Revised Code of Ohio

1.10 Equipment means and includes utensils and fixtures.

Section 2. Permit Required

2.1 No food establishment shall be operated in the Logan-Hocking County Health District without a permit from the Board of Health. Such a permit shall be displayed in a conspicuous place in the food establishment.

2.2 All permits issued by the Board of Health to operate a food establishment shall expire on June 30, annually, following the date of issuance.

2.3 Permit fees will be set by Board of Health. a.

Less than 1,000 square feet-----\$

Between 1,000 and 5,000 square feet----\$

Between 5,000 and 10,000 square feet---\$

Between 10,000 and 20,000 square feet--\$

Over 20,000 square feet-----\$

Pertains to food sales only.

Section 3. Permit Application

3.1 During the month of June of each year, every operator of a food establishment proposing to operate a food establishment during any part of the next year shall apply for a permit from the Board of Health.

3.2 Any person, firm, association, or corporation who, subsequent to January 1 of any year, proposes to operate a food establishment during any remaining part of the year shall apply for a permit from the Board of Health not less than ten days before the food establishment is to be opened for business.

Section 4. Permit Issuance

4.1 On or before June 30 of each year, every operator of a food establishment proposing to operate a food establishment during any part of the year shall procure a permit from the Board of Health.

- a. Inspections will be made promptly and permits issued when acceptable.
- b. If found unacceptable, recommendations will be made and re-inspection performed until acceptable.

Section 5. Permit Revocation or Suspension

5.1 A permit to operate a food establishment may be suspended or revoked by the Board of Health upon violation by the holder of any of the terms of the regulations; however, such suspension or revocation shall not take place until the Board of Health has first notified such permit holder in writing, called specific attention to the violation and afforded a reasonable time and opportunity to make satisfactory corrections.

Section 6. Plans

6.1 No person, firm, association, or corporation shall construct, install, provide, equip, or extensively alter a food establishment until the plans therefore have been submitted to and approved in writing by the Board of Health. When such plans are submitted to the Board of Health, they shall be acted upon within thirty (30) days after date of receipt.

6.2 The provisions of Regulation 96 through 99 of the Ohio Sanitary Code relating to the submission of plans and specifications for proposed water supply, sewerage, and sewage disposal, plumbing, drainage, and sanitation shall apply to food establishments. In addition, the plans and specifications submitted for the approval of

the Board of Health shall clearly show and describe that the provisions of Section 7 can be adequately met. The plans and specifications shall include:

- a. The total area to be used for the food establishment.
- b. Entrances and exits.
- c. Location, number and types of plumbing fixtures including all water supply facilities.
- d. Plan of lighting, both natural and artificial.
- e. All rooms in which the food establishment is to be conducted.
- f. General layout of fixtures and other equipment.
- g. Building materials to be used.

6.3 All new equipment used in a food establishment shall be of a type approved by the Board of Health. All such equipment shall be of such material and so constructed and installed as to readily conform with Section 7.

Section 7. Sanitation Requirements

7.1 Structure, Cleanliness, and Repair: Every food establishment and all parts thereof and places appurtenant to the food establishment shall be maintained in good repair and shall be kept thoroughly clean and free from any accumulation of filth, garbage, rubbish or other waste.

7.2 Ventilation: All food establishments shall be provided with sufficient ventilation to prevent undue condensation or accumulation of offensive or dangerous fumes, gases, mists, or odors.

7.3 Lighting: Working surfaces coming in contact with food during preparation, processing, or manufacturing and where utensils are washed shall be

illuminated to a minimum of twenty foot candles.

7.4 Toilet Facilities: Every food establishment, except mobile establishments, shall be provided with toilet rooms and plumbing facilities for the employees as required by the Ohio Building code where applicable. Where the Ohio Building code is not applicable, the following shall apply: Where both sexes are employed, and there are more than four (4) employees, plumbing facilities shall be in separate rooms for each sex;

7.4 one water closet shall be provided for each twenty-five (25) employees or fraction thereof; where there are more than twenty-five (25) employees and urinals are provided, one water closet less than the number specified may be provided for each urinal installed, except that the number of water closets shall not be reduced to less than two-thirds (2/3) the number specified. All plumbing shall be satisfactory. Doors on all toilet rooms shall be self-closing and tight fitting. Toilet room ventilation shall meet the requirements of Section 7.2.

7.5 Every toilet room and all the facilities provided therein shall, at all times, be kept in good repair, in a clean and sanitary condition, free from filth and accumulation of waste, and shall be provided with a supply of toilet tissue; every water closet and urinal shall be provided with a sufficient supply of water for flushing to keep it in a clean condition. The toilet rooms for all new or extensively altered food establishments shall meet the requirements of the Ohio Building Code.

7.6 Handwashing Facilities: One lavatory located in or adjacent to each toilet room shall be provided for each twenty-five (25) employees or fraction thereof. Adequate and convenient handwashing facilities shall be provided for the employees in areas where food is prepared, processed or handled.

All handwashing facilities shall include hot and cold or warm running water, soap or other detergent, and approved drying facilities. No employees shall resume work after using the toilet room without first washing his hands. Dirty hands shall not be washed in sinks used for the preparation of food or the cleaning or sanitizing of utensils.

Where toilet facilities are not required for guests, but are furnished voluntarily by the operator, handwashing facilities are required and shall consist of clean water, soap or other detergent, and approved drying facilities.

7.7 Water Supply: The water supply shall be of adequate and safe sanitary quality. The food preparation or processing area of every food establishment shall be provided with water under pressure for handwashing, cleaning of utensils and fixtures, and the general operation of the food establishment.

7.8 Construction of Utensils: All multi-use utensils used in connection with a food establishment shall be so constructed as to be easily cleaned and shall be kept in good repair. Utensils containing or plated with cadmium or lead or any other substance or material which either in itself, or in the storage, preparation, or serving of food may

produce and unwholesome deleterious compound that may render such food contaminated or dangerous to health shall not be used. Utensils as defined in Section 1 shall be used only for the storage, processing, preparation, or serving of food.

7.9 Cleaning and Bactericidal Treatment of Utensils and

Fixtures: All utensils and fixtures shall be kept clean and free from dust, dirt, insects, and other contaminating material.

All cloths, sponges, brushes, and similar items used by employees, shall be clean. Single-service containers shall be used only once. All multi-use utensils used by consumers shall be thoroughly cleaned and effectively subjected to a bactericidal process after each usage. All other multi-use utensils shall be thoroughly cleaned and subjected to an approved bactericidal process immediately following the day's operation.

Cloths, if used for wiping or drying utensils, shall be clean and shall be used for no other purposes. Cleaning wastes shall not be emptied into sinks used for the preparation of food or the cleaning or sanitizing of utensils. No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleaning or polishing of utensils.

7.10 Storage and Handling of Utensils: After bactericidal treatment, utensils shall be stored in a clean place, dry and protected from flies and other contamination and shall be handled in a manner to prevent contamination.

Single-service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean dry place until used, and shall be handled in a sanitary manner.

7.11 Disposal of Wastes: All liquid waste shall be properly disposed of in a

public sanitary sewerage system, or by another approved method of sewage disposal. Garbage, if stored, shall be stored in metal containers.

Such containers shall be provided with tight fitting lids, except when in regular use in food preparation or processing area. Refuse other than garbage shall be kept in suitable receptacles in such a manner as not to become a nuisance. Garbage and other refuse shall be disposed of in a safe sanitary manner.

7.12 Refrigeration: Every refrigerator, ice-box, and all appurtenances thereto in which any food is stored, shall be kept in good repair and in a clean condition and the compartment used for the storage of ice shall be lined with a non-absorbent substance and shall be water-tight.

Waste from refrigerator equipment shall be disposed of as prescribed in Section 1225.52 of the Ohio Building Code (Indirect Waste). Every food establishment using food needing refrigeration to prevent spoilage shall be equipped with a refrigeration system of adequate capacity to hold all milk, and other dairy products, meat and meat products, and other food products that are subject to spoilage and that require refrigeration to prevent such spoilage, and such foods shall be stored therein. Such refrigeration systems shall be operated so as to maintain temperatures to properly protect the food contained therein and in no case shall the temperature be above 45 degrees Fahrenheit.

7.13 Storage, Display and Serving of Food: All food shall be stored, displayed and served so as to be reasonably protected from dust, flies, vermin, depredation and pollution by rodents, poisonous insecticides, unnecessary handling, droplet infection, overhead leakage, and other contamination. No live animals or fowls shall be kept in

any room in which food is prepared, processed, served, or stored, except guide dogs accompanied by blind guests. All practicable means shall be used for the elimination of flies, roaches, vermin and rodents.

7.14 Miscellaneous: The premises of all food establishments shall be kept clean and free of litter or rubbish. Food shall not be prepared, processed, or stored in any room used for living or sleeping quarters. No clothing shall be kept in such a manner as to be likely to cause contamination of food or utensils. Soiled linens and soiled wearing apparel shall be kept in sanitary containers.

Section 8. Wholesomeness of Food

8.1 Condemnation: Samples of food and other substances may be taken and examined by the Health Commissioner as often as necessary for the detection of unwholesomeness. The Health Commissioner shall condemn and forbid the sale of, or cause to be removed or destroyed, any food which is unwholesome.

8.2 Approved Source: All food shall be clean, wholesome, free from spoilage and so prepared or processed as to be safe for human consumption. All milk products, all meat, and all meat products shall be from sources approved by the Board of Health. All oysters, clams, and mussels shall be from approved sources.

Section 9. Health of Employees

9.1 Responsibility: No person affected with a disease in a communicable form, or who is a carrier of a communicable disease shall work in any food establishment. No operator shall employ any person knowing him to be suspected of having or knowing him to be a carrier of a communicable disease. The operator shall notify the Health Commissioner immediately if he has reason to believe that an

employee has a disease in a communicable form or has become a carrier of a communicable disease.

9.2 Examinations: Where the Board of Health determines that x-ray facilities are reasonably available it may require periodic chest x-ray examinations of all employees or may substitute a negative TB skin test for a chest x-ray.

9.3 Procedure When Infection is Suspected: When the Health Commissioner has reasonable cause to believe that a danger or transmission of infection from any food establishment employee exists, the Health Commissioner is authorized to require any or all of the following measures:

a) the immediate exclusion of the employee from employment in all food establishments; b) the suspension of the food establishment permit in accordance with the provisions of Section 5 until no further danger of disease outbreak exists, in the opinion of the Health Commissioner; or c) adequate medical examination of the employee and of his associates, with such laboratory examination as may be required by the Health Commissioner.

Section 10. Enforcement and Penalty

10.1 This regulation shall be enforced in accordance with Sections 3707.48 and 3707.50 of the Revised Code of Ohio and violation of this regulation is punishable by Section 3707.99 of the Revised Code of Ohio. Each and every violation of the regulation shall constitute a separate offense.

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 31. Subdivisions

Adopted Dec. 13, 1971 - Amended Aug. 13, 1973

A resolution repealing regulation 32 and amending Regulation 31 of the Sanitary Regulations of said Health Department, adopted August 13, 1973.

Be it resolved by the Board of Health of the Logan-Hocking County General Health District of Hocking County, Ohio: Regulation 32 of the existing Sanitary Regulations is hereby repealed and Regulation 31 of said regulations is hereby amended to read as follows:

A. All plans for subdivisions shall be submitted to the Health Commissioner for approval of the type of sewage disposal 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.

B. Individual household sewage disposal systems shall not be installed in any new subdivision unless it is considered impractical and inadvisable by the Board of Health to install a community sewage collection system with required treatment.

C. Individual household sewage disposal systems shall be designed and the number and size of lots shall be determined by the results of soil analyses performed by the Soil Conservation Service or similar agency approved by the Board of Health.

1. Where the leaching ability of the soil is determined to be good by the Soil Conservation Service and neither sanitary sewer nor water service is available, there shall be a maximum of twenty (20) lots, a minimum of twenty thousand (20,000) square feet per lot, and a minimum frontage of one hundred (100) feet.

2. Where the leaching ability of the soil is determined to be fair by the Soil Conservation Service and neither sanitary sewer nor water service is available, there shall be a maximum of fifteen (15) lots, a minimum of forty thousand (40,000) square feet per lot, and a minimum frontage of one hundred (100) feet.

3. Where the leaching ability of the soil is determined to be poor by the Soil Conservation Service and neither sanitary sewer nor water service is available, there shall be a maximum of ten (10) lots, a minimum of eighty thousand (80,000) square feet per lot, and a minimum frontage of one hundred (100) feet.

4. Where lots have both sanitary sewer and water service available, lots shall have a minimum frontage of sixty (60) feet and a minimum area of seventy-five hundred (7,500) square feet.

5. Where lots have sanitary sewer but no water service, lots shall have a minimum frontage of seventy-five (75) feet and a minimum area of ten thousand (10,000) square feet.

D. Where lots are to be used for anything other than construction of permanent dwellings and the use and size of said lots are not covered by the state statutes relating to camp grounds, and said lots are to be served by a public water and sewage system and which said system is subject to state regulation, said lots shall have a minimum frontage of fifty (50) feet and a minimum area of five thousand (5,000) square feet.

1. Where a private water and sewage system is to be used, lot sizes shall comply with Regulation 31 C.

E. The distance between the outer boundary of a previously established and

approved subdivision and proposed new subdivision, when said previously established subdivision is not served by a central sewage 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.

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 32. Approval of Building Plans

Adopted February 13, 1974

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

A. No person shall construct or change any building or group of building, or locate a mobile home or other type of dwelling, 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 permit is issued. The plans shall show and describe the manner in which the Sanitary Regulations of the Logan-Hocking County General Health District are to be met. In granting an approval authorized by this regulation, the Health Commissioner may stipulate such modifications, conditions, and provisions as the protection of the public health, and the prevention of a nuisance may require.

- 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. Leaching ability of the soil as determined from the soil survey by the Hocking Soil and Water Conservation District, or by on site inspection by the Logan-Hocking County Health Department.

2. Depth to ground water and rock strata as determined from the soil survey by the Hocking soil and Water Conservation District, or by on site inspection by the Logan-Hocking County Health Department.

3. Name and address of and distance to the first two down stream property owners.

4. Depth from the surface of the ground to the house sewer.

5. Depth from the surface of the ground to the top of the septic tank.

B. The proposed dwelling may be constructed or 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.

C. The sewage disposal system and water supply shall not be installed until a building permit has been issued unless a municipal or OEPA approved system is available.

D. Application for a building or mobile home location 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.

HOCKING COUNTY SANITARY

REGULATIONS

REGULATION 33. 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 34. Sale of Property

Water Samples and/or Sewage 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 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 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 35. 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 his 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 camp or Mobile 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.

LOGAN-HOCKING COUNTY

HEALTH DEPARTMENT

REGULATION 36. Solid Waste Program

Adopted Jan. 13, 1992 by emergency.

Regulations governing construction and demolition debris disposal facilities.
Siting, operation and closure of construction and demolition debris disposal facilities.

A regulation establishing standards for the disposal of construction and demolition debris in the Logan-Hocking County General Health District in order to protect the public health, environment, welfare, safety of persons and prevent unsanitary conditions and nuisances.

<u>SECTION</u>	<u>TITLE</u>
1	Definitions
2	Siting Criteria
3	Application for Installation and Operation License; Issuance; Modification of Facility
4	Comments and Recommendations Prior to Approval
5	Annual Fee
6	Operation and Maintenance of Facility
7	Ground Water Monitoring
8	Restriction on Hours of Operation
9	Closure of Construction/Demolition Debris Disposal Facilities
10	Closure Financial Assurance Requirements
11	Inspection and Investigation of Facility
12	Denial, Suspension, Modification or Revocation of License
13	Other Disposal Sites
14	Variance
15	Effect of Partial Invalidity
16	Penalty
17	Effective Date

SECTION 1: DEFINITIONS

1.1 "AQUIFER" means a formation or group of formations that is sufficiently permeable to conduct groundwater and yield economically significant quantities of water to wells and springs.

1.2 "AQUIFER SYSTEM" means any formation or group of formations that transmits ground water and is located below the surface of the groundwater table in the zone of saturation or phreatic zone.

1.3 "BOARD OF HEALTH" means the board of health of the Logan-Hocking County General Health District, created by Section 3709.02 of the Revised Code.

1.4 "CELL" means compacted construction and demolition debris that is enclosed by compacted soil.

1.5 "CLOSURE" means either the time at which a construction and demolition debris facility will no longer accept construction and demolition debris for disposal or the effective date of an order revoking the license of the facility. The term includes measures performed to protect public health or safety, to prevent air or water pollution, or to make the facility suitable for other uses, if any, including, without limitation, the establishment and maintenance of suitable cover of soil and vegetation over areas where construction and demolition debris is buried and minimization of erosion, the infiltration of surface water into such areas, the production of leachate, and the accumulation and runoff of contaminated surface water.

1.6 "CONSTRUCTION AND DEMOLITION DEBRIS" means those materials resulting from the alteration, construction, destruction, rehabilitation or repair of any man-made physical structure, including, without limitation, houses, buildings, industrial or commercial facilities, or roadways. "Construction and demolition debris" does not include materials identified or listed as solid wastes or hazardous waste pursuant to Chapter 3734 of the Revised Code and rules adopted under it; materials from mining operations, nontoxic fly ash, spent nontoxic foundry sand, and slag; or reinforced or non-reinforced concrete, asphalt, building or paving brick, or building or paving stone that is stored for a period of less than two (2) years for recycling into a usable construction material.

1.7 "COVER MATERIAL" means soil having low permeability to water, good compactibility and relatively uniform texture.

1.8 "DIRECTOR" means the director of environmental protection.

1.9 "DISPOSAL" means the discharge, deposit, injection, dumping, spilling,

leaking, emitting, or placing of any construction and demolition debris into or on any land or ground or surface water into the air, except if the disposition or placement constitutes storage.

1.10 "FACILITY" means any site, location, tract of land, installation, or building used for the disposal of construction and demolition debris. "Facility" does not include any construction site where construction debris and trees and brush removed in clearing the construction site are used as fill material on the site where the materials are generated or removed and does not include any site where materials composed exclusively of reinforced or non-reinforced concrete, asphalt, clay tile, building or paving brick, or building or paving stone are used as fill material, either alone or in conjunction with clean soil, sand, gravel, or other clean aggregates, in legitimate fill operations for construction purposes or to bring the site up to a consistent grade.

1.11 "GROUNDWATER DEGRADATION" means the unnatural increase in concentration of one or more contaminants in the groundwater above background concentrations for those same contaminants.

1.12 "HAZARDOUS WASTE" means any waste or combination of wastes in solid, liquid, semisolid, or contained gaseous form that in the determination of the director of the Ohio Environmental Protection Agency, because of its quantity, concentration, or physical or chemical characteristics, may: 1) Cause or significantly contribute to an increase in mortality or an increase in serious, irreversible or incapacitating reversible illness; or 2) Pose a substantial present or potential hazard to human health or safety or to the environment when improperly stored, treated, transported, disposed of, or otherwise managed. Hazardous waste includes any substance identified by regulation as hazardous waste under the "Resource Conservation and Recover Act of 1976," 90 Stat. 2806, 42 U.S.C. 6921, as amended, and does not include any substance that is subject to the "Atomic Energy Act of 1954," 68 Stat. 919, 42 U.S.C. 2011.

1.13 "HEALTH COMMISSIONER" means the individual occupying the office created by Sections 3709.11 and 3709.14 of the Revised Code, or his/her authorized representative.

1.14 "HEALTH DISTRICT" means city or general health district as created by or under authority of Section 3709 of the Revised Code.

1.15 "INFECTIOUS WASTES" means that material as defined in Rule 3745-27-01 (V), Administrative Code.

1.16 "OPEN BURNING" means the burning of any materials wherein air contaminants resulting from combustion are emitted directly into the ambient air without

passing through a stack or chimney.

Open burning includes the burning of any refuse or salvageable material in any device not subject to or designed specifically to comply with the requirements of Rule 3745-17-09 or 3745-17-10 of the Administrative Code.

1.17 "OPEN DUMPING" means the deposition of solid wastes into waters of the state, and also means the final deposition of solid wastes on or into the ground at any place other than a solid waste facility operated in accordance with Chapter 3734 of the Revised Code and Chapters 3745-27 and 3745-37 of the Administrative Code.

1.18 "PERMITTEE" means the person to whom a permit to install has been issued.

1.19 "PERSON" includes the state, any political subdivision of the state or other state or local body, the United States and any agency or instrumentality thereof, and any legal entity or organization defined as a person under Section 1.59 of the Revised Code.

1.20 "PUBLIC NUISANCE" means any space, building, excavation, facility or site operated for the disposal of material authorized in this regulation which in its entirety or in part thereof, by the reason of the condition in which the same is permitted to be or remain, shall or may endanger the health, life, limb, or property or cause any hurt, harm, inconvenience, damage, or injury to any one or more persons in the Logan-Hocking County General Health District, including, but not limited to, the following particulars:

1) By reason of being a menace to the general health of the community.

2) By reason of being a fire hazard.

3) By reason of being unsafe for occupancy or use on, in, about, or around the aforesaid premises.

4) By reason of being a nuisance because of lack of reasonable or adequate maintenance of premises adjacent thereto, thereby depreciating the enjoyment and use of the property in the immediate vicinity to such an extent that it is harmful to the community in which such premises, site, or facility is situated.

5) By reason of material being placed on the premises, site, or facility which may cause seepage through a dike or in any other way drain upon adjacent

property or into ditches or waterways so as to cause pollution of water or soil.

6) By reason of material being placed on the premises, site, or facility being of such nature so as to cause pollution of air.

1.21 "SOLID WASTES" means such unwanted residual solid or semisolid material as results from industrial, commercial, agricultural, and community operations, excluding earth or material from construction, mining, or demolition operations, or other waste materials of the type that would normally be included in demolition debris, nontoxic fly ash, spent nontoxic foundry sand, and slag and other substances that are not harmful or inimical to public health, and includes, but is not limited to garbage, tires, combustible and noncombustible material, street dirt, and debris. Solid waste does not include any material that is an infectious waste or a hazardous waste.

For the purpose of this definition, "material from construction operations; or demolition operations" are those items affixed to the structure being constructed or demolished, such as brick, concrete, stone, glass, wallboard, framing and finishing lumber, roofing materials, plumbing, plumbing fixtures, wiring, and insulation, but excludes materials whose removal has been required prior to demolition.

For the purpose of the definition, "semisolid material" does not contain liquids, which can be readily released under normal climatic conditions as determined by method 9095 (paint filter, liquids test) in SW-846: "Test methods for evaluating solid wastes, physical/chemical methods."

1.22 "STORAGE" means the holding of construction and demolition debris for a temporary period in such a manner that it remains retrievable and substantially unchanged and, at the end of the period, is disposed of or reused or recycled in a beneficial manner.

1.23 "WATERS OF THE STATE" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, which are situated wholly or partly within, or border upon, this state or are within its jurisdiction, except those private waters which do not combine or effect a junction with natural surface or underground waters.

SECTION 2: SITING CRITERIA

2.1 In addition to those areas listed under Section 3714.03 of the Revised Code, new construction and demolition debris disposal facilities shall not be located in:

- A) Landslide prone areas.
- B) Karst geology.
- C) Undermined areas.
- D) Sand or gravel pits where the sand or gravel deposit has not been completely removed, unless geologic conditions exist which would preclude groundwater contamination.
- E) Limestone or sandstone quarries or strip mines unless geologic conditions exist which would preclude groundwater contamination.
- F) Or other unsuitable geological formations.

2.2 Documentation confirming that the proposed facility will be in compliance with items (A) through (F) inclusive, above, shall be submitted by a certified professional geologist as part of the application for installation and operation license.

SECTION 3: APPLICATION FOR INSTALLATION AND OPERATION LICENSE; ISSUANCE, MODIFICATION OF FACILITY

3.1 No person shall establish, modify, operate, or maintain a construction and demolition debris facility without an installation and operation license issued by the Board of Health of the Logan-Hocking County General Health District. Each person proposing to open a new construction and demolition debris facility or to modify an existing facility shall, at least ninety (90) days before proposed operation of the facility, submit an application for a license with accompanying plans, specifications, and information regarding the facility and its method of operation to the Board of Health and the fee to be established by the board of health for the purpose of the hiring of a consultant to review all requirements and proposals for compliance to this regulation. If the Board of Health finds that the proposed facility or modification complies with these regulations, the Board shall issue a license for the facility. Any such license may be issued with such terms and conditions as the Board of Health finds necessary to ensure that the facility will comply with these regulations and to protect the public health and safety and the environment. Licenses issued under this section expire annually on the thirty-first day of December.

3.2 During the month of December, but before the first day of January of the next year, each person proposing to continue with construction and operation of a construction and demolition debris facility shall procure a license for the facility for that year from the Board of Health.

The application for a license shall be submitted to the Board of Health on or before the last day of September of the year preceding that for which the license is sought. A person who has received a license, upon sale or disposition of the facility, may with the consent of the Board have the license transferred to another person.

3.3 The owner or operator of a construction and demolition debris facility that is

in operation or under construction on the effective date of this section shall, within one hundred twenty (120) days after the effective date of these regulations submit to the Board of Health application for a construction and demolition debris facility installation and operation license and accompanying plans, specifications, and information regarding the facility and its method of operation.

The Board of Health shall issue a license for such an existing facility within ninety (90) days after receiving a complete application therefore and accompanying plans, specifications, and information if the Board of Health finds that the facility complies with these regulations.

When the Board of Health denies an application submitted under these regulations, the Board of Health shall include in the order denying the application the requirements that the owner or operator of the facility submit a plan for closure of the facility to the Board of Health as appropriate, for approval within six (6) months after issuance of the order; cease accepting construction and demolition debris for disposal; and commence closure of the facility within one (1) year after issuance of the order.

3.4 Application for license to install and operate any construction and demolition debris disposal facility for materials described above, shall be submitted to the Health Commissioner and shall contain the following listed items, unless otherwise waived:

A) Topographical map of the entire site and adjacent land at least 1000 feet from the boundaries of the proposed facility property line at a scale of not over 200 feet to the inch with suitable contour intervals, drawn by a professional engineer or professional surveyor, showing:

- 1) location of existing and proposed buildings on the facility and existing buildings on adjacent property.
- 2) location of all water supplies both on and within the facility.
- 3) location of access roads both on and within the facility.
- 4) location of equipment and employee facilities.
- 5) location of property lines and fences.
- 6) location of communications.
- 7) location of monitoring wells.
- 8) acreage.
- 9) general description of land.
- 10) surface water diversion.
- 11) The limits of construction and demolition debris placement are not to be located within one thousand (1000) feet of a water supply well or a developed spring, where water from said well or spring is used for human consumption.
- 12) The limits of construction and demolition debris placement are not to be located within two hundred

fifty (250) feet of the facilities property line.

- 13) The limits of construction/demolition debris placement are not to be located within one thousand (1000) feet of an occupied domicile, whose owner has not consented in writing to the location of the facility.
- 14) The limits of construction/demolition debris placement are not to be located within two hundred (200) feet of a stream, lake or natural wetland.
- 15) USDA soil classification of site and description of same.
- 16) Location of utilities.
- 17) Zoning of site and adjacent lands.
- 18) Condition, load limit and location of nearby bridges.
- 19) Final elevations.
- 20) The location of gas and oil well (active and inactive).
- 21) The location of rights-of-way for high-tension power lines, pipelines, railroads, and public and private roads within 1/4 mile of the proposed facility.
- 22) The location of 100-year floodplain boundaries in the proposed permit area and adjacent area.
- 23) Location of previous mining operations underlying the proposed facility.

B) A geological and hydrologic site investigation report including: sufficient information to identify and characterize the geology and hydrogeology of the uppermost aquifer system and all geologic strata that exist above the uppermost aquifer system; a description of the regional hydrogeology including the identification of the regional aquifer, the well logs and average yield of any public and private water supply wells within one (1) mile of the facility, direction of groundwater supply wells within one (1) mile of the facility, direction of groundwater flow, identification of recharge and discharge areas, identification of any public water supply within ten (10) miles of the facility, and description of the consolidated and unconsolidated stratigraphic units from the ground surface down to the base of the uppermost aquifer system. Said site investigation report shall be submitted by a certified professional geologist.

C) A water quality report describing and quantifying existing groundwater quality, of the uppermost aquifer system and all significant zones of saturation above the uppermost aquifer system, determined by Ohio Environmental Protection Agency approved laboratory analysis of such a number of wells as the Health Commissioner deems necessary to determine existing ground water quality including temperature, ph, specific conductance, total dissolved solids (TDS), total organic carbon (TOC), chemical oxygen demand (COD) total alkalinity, ammonia, nitrate-nitrite, sodium, chloride, sulfate, magnesium, calcium, potassium, phosphorus, phenols, cyanide, turbidity, zinc, copper,

nickel, barium, cadmium, chromium, lead, mercury, selenium, silver, iron, manganese, arsenic and dissolved organic halogen (DOX). If any of the DOX test results are positive (above detection limit) then analysis for all the volatile organic compounds (VOC'S) listed in Appendix I of Administrative Code Rule 3745-27-10 shall be completed.

(D) A report of any planned diking, giving the location, cross section, seeding and material or composition thereof.

The water diversion, collection, conveyance, erosion and sedimentation control, treatment, storage and discharge facilities to be used.

(E) A report showing adequate numbers, ages, types, and sizes of equipment for operational procedure and completed operation which shall include fencing, roadways, and landscaping.

(F) Copy of written fire control program to the local fire official having jurisdiction prior to the operation of the facility.

(G) A plan to prevent and control hazards or nuisances from vectors, odors, noise, dust and other nuisances not otherwise provided for in the permit application.

(H) Hours of operation of the site.

(I) Method of collecting, storing and disposing of any solid waste generated on the facility.

(J) Proof of ownership or lease of the land on which the facility is to be located.

(K) The maximum daily volume in cubic yards or an otherwise approved unit of measurement.

(L) Source and nature of cover material to be used.

3.5 The applicant shall submit 3 copies of all application materials to the Board of Health.

SECTION 4: COMMENTS AND RECOMMENDATIONS PRIOR TO APPROVAL

4.1 The Health Commissioner shall send copies of applications and pertinent items attached thereto, to the following for their review and recommendations:

- (1) Local city, village or township government.
- (2) Local fire department.
- (3) Local police department.
- (4) Local zoning department.
- (5) Local road superintendent.
- (6) Local safety service director.

SECTION 5: ANNUAL FEE

5.1 The fee for a construction and demolition debris facility installation and operation license issued under these regulations is twenty five thousand dollars (\$25,000). The same fee applies to private operators and to governmental entities. The fee shall accompany the application for the annual license submitted under Section 3 and is non-refundable.

The fee includes the cost of licensing, all inspections, and other costs associated with administering and enforcing these regulations.

5.2 The applicant shall post a bond for the amount of one million (1,000,000) dollars. The bond is required to ensure compliance with these regulations.

5.3 For construction and demolition debris disposal sites operated in conjunction with solid waste facilities, the operator may be exempted from bonding and financial assurance requirements, if he/she can demonstrate that these requirements for his/her solid waste facility license enable him/her to meet the requirements set forth in Section 5.2 and 10.1 of these regulations.

SECTION 6: OPERATION AND MAINTENANCE OF FACILITY

6.1 Open burning shall not be conducted, permitted, or allowed at a construction and demolition debris disposal facility.

6.2 Open dumping shall not be conducted, permitted, or allowed at a construction and demolition debris disposal facility. For the purposes of this regulation, construction and demolition debris so altered by shredding, pulverizing or other processes as to render the debris indistinguishable as construction and demolition debris shall not be permitted to be disposed of at the facility.

6.3 Solid wastes, infectious wastes, sewage solids, semi-solids, liquid wastes, hazardous wastes, friable asbestos, or asbestos containing materials that may become friable during demolition or deposition at the facility, radioactive material and materials containing lead (paints, solder, etc.), shall not be accepted at a construction and demolition debris disposal facility. The operator shall reject any material entering the facility which, by definition, constitutes any of the above categories of waste.

6.4 All operations at demolition disposal facilities shall be conducted in strict compliance with approved detailed plans, specifications, and information; the terms and

conditions of the license issued under this regulation and Chapter 3704 and 6111 of the Revised Code.

6.5 Access roads shall be constructed and maintained in such a manner as to withstand the anticipated degree of use and to allow the passage of loaded demolition vehicles at all times, with a minimum of erosion and fugitive dust generation. The road shall be constructed of a material that will maintain a stable driving surface under all weather conditions.

6.6 The operator shall not permit access to the facility by persons other than employees of the facility except during operating hours.

The operator shall at all times limit access to the facility as necessary to prevent scavenging or salvaging operations not conducted in accordance with Section 6.12 of this rule; and as necessary to prevent interference with proper operating procedures. This section shall not apply to the Health Commissioner or his designated representative, who upon proper identification may enter the facility at any reasonable time, subject to safety requirements.

6.7 The operator of a construction and demolition debris disposal facility shall not admit construction and demolition waste material to any area of the facility, until that area has been prepared in accordance with the license issued by the Board of Health. All facility preparation shall be completed, shall be inspected and approved by the Health Commissioner before any disposal activity commences.

6.8 The operator shall confine the unloading of construction and demolition debris to the smallest practical area. Such material shall be evenly spread over the working face and uniformly compacted.

6.9 The operator shall routinely collect, properly contain, and dispose of blowing debris.

6.10 The operator shall take action to control noise, fugitive dust, mud and odors that originate from the construction and demolition debris disposal facility, so as not to cause a nuisance, health hazard, air pollution or water pollution.

6.11 Construction and demolition debris shall not be placed on or in the waters of the state, in accordance with Chapter 6111 of the Revised Code.

6.12 Scavenging, salvaging, and recycling shall not be conducted at the facility unless express written permission is given by the Health Commissioner. Such permission shall not be given until detailed plans for the scavenging, salvaging, or recycling activity are submitted to the Health Commissioner. Scavenged, salvaged, or recycled materials shall not remain at the facility for more than thirty (30) days, nor shall the material accumulate in such a quantity as to constitute open dumping or a public health nuisance.

6.13 The operator shall exclude all domestic animals from the facility, except for dogs employed for security purposes.

6.14 The operator shall develop a fire-control program that shall be submitted to the local fire authority for review and comment. The operator shall implement any reasonable recommendations therein. In the event of a fire, the operator shall immediately act to implement the fire control plan.

6.15 Waste materials that are burning, highly flammable, or at a temperature likely to cause fire shall not be deposited at the working face. Such materials shall be deposited in a separate location at a sufficient distance from the working face to prevent fires from spreading to the working face. It shall be immediately covered with a sufficient amount of earth or other material, or sprayed with water or other appropriate fire suppressant, in order to extinguish or prevent fire. The material shall be uniformly spread over the working face after it is completely extinguished.

6.16 The operator shall maintain a daily log indicating the following: type, quantity, specific place of origin, name of contractor, and name of hauler or person presenting the material for disposal.

6.17 The operation of a construction and demolition debris disposal facility shall be supervised at all times by an individual who is thoroughly familiar with the plans for the facility, the proper operational procedures, and who shall be responsible for operating the facility in accordance with the approved plans and specifications.

6.18 The operator shall insure that operable equipment adequate in size and quantity for the operation of the facility is available at all times, and that an appropriate contingency plan has been prepared to properly handle and dispose of construction and demolition debris in case of equipment failure. A copy of the plan will be readily accessible on site.

6.19 Existing vegetative cover shall be maintained on all portions of the facility designated to receive construction and demolition debris until each area is prepared for use.

6.20 Temporary roads shall be constructed and maintained on the facility in a manner that allows passage of loaded construction and demolition debris waste vehicles and other heavy vehicles with minimum erosion and dust generation.

6.21 Preparations for inclement weather operation are required. The operator shall ensure that the construction and demolition debris disposal facility is able to receive, compact, and cover waste materials in the amounts customarily received. Preparations shall include, but are not limited to designation and preparation of areas where waste materials will be deposited, compacted, and covered during inclement

weather; construction and maintenance of all-weather construction and demolition collection vehicles reach the inclement weather area; and stockpiling of cover material.

6.22 The operator shall ensure that all waste materials admitted to the facility are deposited at the working face, spread, and, if required under (6.23) compacted into defined cells. Clipping of construction and demolition debris waste shall not be permitted.

6.23 Any construction and demolition debris material admitted to the working face shall be immediately crushed, compacted to the smallest possible volume, and spread evenly over the working face. The working face shall be maintained as a uniform slope. The working face shall be covered with six (6) inches of compacted soil at the end of the work week, which is defined as the period from any Monday through the following Saturday. Construction and demolition debris shall be disposed in defined cells. The walls of such cells shall be constructed of compacted soil. The cell shall be designed to completely isolate the filled material from material in an adjacent cell.

The cell size shall be in conformance with specifications approved in the application for license.

6.24 If leachate is detected on the facility, or is draining from the facility, in such quantities that the Health Commissioner believes, based on a review of geologic, hydrogeologic, engineering, and other factors, that a substantial threat of water pollution exists, leachate shall be contained on the facility and properly treated, or leachate shall be collected and transported from the facility and properly treated, and action shall be taken to minimize, control, or eliminate the conditions which contribute to the production of leachate.

6.25 Surface water entering the facility shall be diverted from the portion of the facility where waste materials are being or have been deposited, provided these surface waters are not drained onto adjacent property. The construction and demolition debris disposal facility shall be properly graded and provided with such additional drainage facilities as are necessary to insure minimal erosion of the cover material.

If ponding or erosion occurs on those areas of the facility where waste materials are being or have been deposited, the operator shall as soon as weather permits undertake such remedial actions as the Health Commissioner deems necessary to eliminate the ponding or erosion.

6.26 The operator shall sample any ponded water or surface water on his/her facility if the Health Commissioner deems it necessary to determine the effect of the facility upon the quality of waters of the state. Such ponds or surface water shall be sampled for substances as deemed necessary by the Health Commissioner. Where the Health Commissioner determines that a substantial threat of water pollution exists, he may require more frequent sampling, and may require sampling for additional substances.

6.28 The owner/operator of a construction and demolition debris disposal facility shall identify the facility for the duration of operations by posting and maintaining a sign which is clearly visible at the junction of each access road and public road.

The sign shall show the name, business address and telephone number of the person who operates the facility, the operating hours of the facility and the number of the current license authorizing operation of the facility.

SECTION 7: GROUND WATER MONITORING

7.1 All existing, new, expanding, or closing construction and demolition debris disposal facilities shall implement a groundwater monitoring program, consisting of a sufficient number of monitoring wells installed at appropriate locations and depths, that the Health Commissioner deems capable of determining the impact of the construction and demolition debris disposal facility on the quality of groundwater occurring within the uppermost aquifer system and all significant zones of saturation above the uppermost aquifer system underlying the construction and demolition debris disposal system. Each construction and demolition debris disposal facility shall establish wells designed to ensure monitoring results that provide an accurate representation of groundwater quality at the background level, or groundwater that has not been affected by past or present operations at the construction and demolition debris disposal facility, and at the down gradient level, or where the groundwater passes directly down gradient of the limits of the facility. At least annually, such data collected at the monitoring wells shall be analyzed for the same parameters found in Section 2 and this analysis shall utilize one of the statistical methods found in Administrative Code Rule 3745-27-10 (C) (5).

7.2 The monitoring wells shall be located and installed in such a manner that they will not provide a conduit for any possible contaminants to enter the aquifer from the upper layers of bedrock. In the case of perched water tables the impermeable layer producing the perched table shall not be penetrated.

SECTION 8: RESTRICTION ON HOURS OF OPERATION

8.1 Licensed construction and demolition debris disposal facilities shall only operate from 6:00 AM to 6:00 PM unless the Health Commissioner is given at least a twenty-four (24) hour notice prior to off-hours operation. Such notice shall specify the hauler, approximate number of loads, approximate time of disposal(s), and position in facility where the construction and demolition debris will be placed.

SECTION 9: CLOSURE OF CONSTRUCTION AND DEMOLITION DEBRIS DISPOSAL FACILITIES

9.1 Closure of a construction demolition debris disposal facility shall be deemed to occur if:

- 1) The operator declares the facility closed; or
- 2) A construction and demolition debris disposal facility license held by the operator expires, and no further license has been applied for in the manner prescribed by this regulation; or
- 3) A construction and demolition debris disposal facility license held by the operator has expired, a further license has been applied for and denied, and all remedies for such denial have either been exhausted, or waived by timely failure to pursue such remedies; or
- 4) A construction/demolition debris disposal license held by the operator has been suspended or revoked, all remedies for such revocation or suspension have either been exhausted, or waived by timely failure to pursue such remedies; or
- 5) Detail plans, specifications and information submitted as required by this regulation are disapproved, and all remedies for such disapproval have either been exhausted or waived by timely failure to pursue such remedies; or
- 6) The construction and demolition debris disposal facility has reached final elevation.

9.2 If closure will occur as described in section 9.1 (1) or (2) above, the operator will notify the Board of Health of intent to close not less than 60 days prior to closure.

Upon receiving the notice of intent to close or upon occurrence of the events described in section 9.1 (3) or (4) above, the operator shall at least once a week for not less than four weeks, publish prominent notice of the closure in a newspaper of general circulation in Hocking County.

9.3 Not later than 60 days after closure of a construction and demolition debris disposal facility, the operator shall complete the following actions:

(1) All debris deposited in the construction and demolition debris disposal facility shall be covered with at least two feet of well compacted soil, which shall have a texture and permeability acceptable to the Health Commissioner. At a minimum, cover soil shall:

- (a) be free of large stones and rocks;
 - (b) be slowly to moderately slowly permeable;
 - (c) exhibit good cohesiveness;
 - (d) possess a texture that will promote a high vegetation that
- (2) The facility shall be seeded with grass or other

will rapidly form a complete and dense vegetative cover. Seeding shall be done as many times as necessary to insure compliance with this requirement.

(3) All land surfaces shall be graded to slopes of no less than 1% and no greater than 12%.

(4) All land shall be graded and drainage facilities shall be provided so as to direct surface water off the facility.

A sedimentation basin or other retention device shall be installed if required by the Ohio Department of Natural Resources and Ohio Environmental Protection Agency. An NPDES permit shall be obtained for any discha

(5) The facility shall be baited for rodents, and treated for other vectors if necessary.

(6) Except for facilities receiving only debris generated on the premises where the facility is located, signs stating in letters not less than three inches high that the facility is permanently closed shall be posted in such a of the facility.

(7) A plat of the construction and demolition debris disposal facility shall be filed with the Board of Health and the County Recorder. The plat shall accurately locate and describe the completed facility and include information relating to the area, depth, volume,

and nature of the waste materials deposited in the construction and demolition debris disposal facility.

(8) Except for facilities receiving only debris generated on premises where the facility is located, all entrances and access roads to the facility shall be blocked by locked gates, fencing, or other sturdy obstacles to prevent unauthorized access.

9.4 During the ten (10) years immediately following closure, the operator or his representative shall inspect the closed facility at least every ninety (90) days. The operator shall inspect for:

- 1) evidence of subsidence;
- 2) ponding and erosion;
- 3) lack of vegetative cover.

He will then submit a report of his findings to the Health Commissioner. If, within ten (10) years after closing, settling occurs to such an extent that ponding of water occurs on those portions of the facility where debris materials are deposited, the operator, owner, or lessee shall, within thirty (30) days or less, promptly re-grade the facility and/or add additional cover mat

9.5 If within ten (10) years after closure, cracking or erosion of the cover material occurs to such an extent that an excessive quantity of water may enter the cells, the operator, owner, or lessee shall, within thirty (30) days or less, promptly re-grade the facility and/or add additional cover material, and re-seed as necessary to eliminate the cracking and erosion.

9.6 All monitor wells required by this regulation, shall be maintained by the operator, owner, or lessee in such condition that water samples may be obtained for a period of ten (10) years after closure.

9.7 If, within the ten (10) year monitoring period required by Section 9.5 and 9.6 above, leachate is detected on the facility, or is draining from the facility, in such quantities that the Health Commissioner believes that a

substa

- 1) Leachate shall be contained on the facility and properly treated; or
- 2) Leachate shall be collected and transported from the facility and properly treated; and
- 3) Action shall be taken to control, minimize, or eliminate the conditions which contribute to the production of leachate.

Actions required by this section shall be continued until the Health Commissioner is satisfied that actual or potential pollution of ground or surface water has been effectively controlled, minimized, or eliminated.

SECTION 10: CLOSURE FINANCIAL ASSURANCE REQUIREMENTS

10.1 No license to operate or maintain a construction and demolition debris disposal facility shall be issued under this regulation until the owner or operator of the facility submits: proof of a final closure trust fund as defined in O.A.C. 3745-27-15 (A); or a surety bond as defined in O.A.C. 3745-27-15 (B) or (C); or negotiable certificates of deposit; or proof of final closure insurance as defined in O.A.C. 3745-27-15 (E); or an amount of cash which the Health Commissioner deems satisfactory.

SECTION 11: INSPECTION AND INVESTIGATION OF FACILITY

11.1 At least annually, the Board of Health of the Logan-Hocking County General Health District shall cause each construction and demolition debris facility for which the Board issued a license under these regulations to be inspected and shall cause a record to be made of each inspection. The Board of Health shall require each such facility to be in substantial compliance with these regulations.

11.2 The Health Commissioner or his authorized representative, upon proper identification and upon stating the purpose and necessity of an inspection, may enter at

reasonable times upon any public or private property, real or personal, to inspect or investigate, obtain samples, and examine or copy records to determine compliance with these regulations. The Health Commissioner may apply for, and any judge of a court of record may issue, an appropriate search warrant necessary to achieve the purposes of these regulations within the court's territorial jurisdiction.

If entry is refused or inspection or investigation is refused, hindered, or thwarted, the Board of Health may suspend or revoke the construction and demolition debris facility's license.

11.3 If the entry authorized by this section is refused or if the inspection or investigation so authorized is refused, hindered, or thwarted by intimidation or otherwise, and if the Health Commissioner or authorized representative applies for and obtains a search warrant under this section to conduct the inspection or investigation, the owner or operator of the premises where entry was refused or inspection or investigation was refused, hindered, or thwarted is liable to the Board of Health for the reasonable costs incurred for the regular salaries and fringe benefit costs of personnel assigned to conduct the inspection or investigation until the search warrant is executed; for the salary, fringe benefits, and travel expenses of the attorney general, prosecuting attorney of the county, or city director of law, or an authorized assistant, incurred in obtaining the search warrant; and for expenses necessarily incurred for the assistance of local law enforcement officers in executing the search warrant. In the application for search warrant the Health Commissioner may request and that court, in its order granting the search warrant, may order the owner or operator of the premises to reimburse the Board of Health for such of those costs as the court finds reasonable. From moneys recovered under this division, the Board of Health shall reimburse the prosecuting attorney of the county or the city director of law for the costs incurred by him or his authorized assistant in connection with proceedings for obtaining the search warrant and shall reimburse the political subdivision in which the premises is located for the assistance of its law enforcement officers in executing the search warrant.

SECTION 12: DENIAL, SUSPENSION, MODIFICATION OR REVOCATION OF LICENSE

12.1 The Board of Health may deny, suspend, or revoke a license for the facility under these regulations for violation of any section of these regulations, or a term or condition of the facility's license. No application for a license to be issued under this chapter shall be denied and no license issued under these regulations shall be modified, suspended, or revoked without a written order stating the findings upon which the denial, suspension, modification, or revocation is based. A copy of the order shall be sent to the applicant or license holder by certified mail. Unless an emergency exists requiring immediate action to protect the public health or safety of the environment, no suspension, modification, or revocation of a license shall be made effective until the license holder has been given notice in writing.

SECTION 13: OTHER DISPOSAL SITES

13.1 No person shall operate or maintain any facility for the disposal of material other than material from construction or construction and demolition operations, except a facility or site licensed by the Logan-Hocking County Board of Health or the State of Ohio as a solid waste disposal facility.

SECTION 14: VARIANCE

14.1 The Board of Health may grant a variance from the requirements of Sections 1 through 13, inclusive, of these regulations, as will not be contrary to the public interest, where a person shows that because of practical difficulties or other special conditions their strict application will cause unusual and unnecessary hardship.

However, no variance shall be granted that will defeat the spirit and general intent of said regulations, or be otherwise contrary to the public interest.

14.2 An application for variance shall be submitted in writing, along with documentation suitable for determining the merits of the application.

14.3 Any variance granted shall be without precedent.

SECTION 15: EFFECT OF PARTIAL INVALIDITY

15.1 In the event that any section or paragraph or part of this regulation is declared unconstitutional or unenforceable, the remaining parts thereof, shall not be affected thereby and shall remain in full force and effect.

15.2 In the event of any conflict between the provisions of any law, rule or regulation of the State of Ohio, the provisions imposing the higher standard or the more stringent requirement shall be controlling.

SECTION 16: PENALTY

16.1 Any person who violates any provision of these regulations shall be subject to the penalties provided by Section 3707.48, 3707.49, 3707.99, 3714.13 and 3714.99 of the Revised Code.

SECTION 17: EFFECTIVE DATE

17.1 These regulations shall be effective on and after the 9 day of NOVEMBER, 1992.

HOCKING COUNTY SANITARY REGULATION

REGULATION 37. A Regulation Controlling Hygiene, and Sanitation of Supplied Facilities, Maintenance, and Occupancy of Dwelling and Dwelling Units.

Adopted and effective January 14, 1992

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

Whereas, in the Logan-Hocking County Health District there are, or may in the future be, dwelling structures 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 the Logan-Hocking County Health District.

Be it therefore resolved by the board of health of the Logan-Hocking County Health District as follows:

SECTION 1.0 DEFINITIONS

1.1 Basement means a portion of a building located partly underground, but having less than half its clear floor-to-ceiling height below the average grade of the adjoining ground.

1.2 Board of Health means the board of health of the Logan-Hocking County health district.

1.3 Cellar means a portion of a building located partly or wholly underground, and having half or more than half of its clear floor-to-ceiling height below the average of the adjoining ground.

1.4 Dwelling means any building or structure which 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.

1.5 Dwelling Unit means any habitable room or group of adjoining rooms located within a dwelling and forming a single habitable unit with the facilities which are used or intended to be used for living, sleeping, cooking, and eating of meals.

1.6 Garbage means the putrescible animal and vegetable wastes resulting from the handling, processing, preparation, cooking or serving of food.

1.7 Habitable Room means a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers, or communicating corridors, closets, and storage space, and any other room designated by the health commissioner.

1.8 Health Commissioner means the health commissioner of the Logan-Hocking County health district or his authorized representative.

1.9 An infestation means the presence, within or around a dwelling, or any insects, rodents, or other pests.

1.10 Multiple Dwelling means any dwelling containing two or more

dwelling units.

1.11 Occupant means any person over one year of age, living, sleeping, cooking, eating in, or having actual possession of a dwelling unit or rooming unit.

1.12 Operator means any person who has charge, care, or control of a building, or part thereof, in which dwelling units or rooming units are left.

1.13 Ordinary Minimum Winter Conditions means the temperature 15 degrees above F. above the lowest recorded temperature for the previous ten year period.

1.14 Owner means any person who, alone or jointly or severally with others:

(a) Shall have legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof, or

(b) Shall have charge, care, or control of any dwelling or dwelling unit, as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this regulation.

1.15 Person means an individual partnership, association, syndicate, company, firm, trust, corporation, government corp., department, bureau, agency, or any entity recognized by law.

1.16 Plumbing means and includes all of the following supplied facilities

and equipment: gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents, and any other similar supplied fixtures, together with all connections to water, sewer, or gas lines.

1.17 Rooming house means any dwelling, or that part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to five or more persons who are not husband or wife, son or daughter, mother or father, or sister or brother of the owner or operator.

1.18 Rooming Unit means any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

1.19 Rubbish means combustible and non-combustible waste materials, except garbage, and the term shall include the residue from the burning of wood, coal, coke, and other combustible material, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, plastics, glass crockery and dust.

1.20 Supplied means paid for, furnished, or provided or under the control of the owner.

1.21 Temporary Housing means:

(a) House trailers and travel trailers as defined in Section 4501.01, Revised Code, when occupied for periods of less than thirty (30) days.

(b) A camp as defined in Regulation 232, Ohio Sanitary Code under authority of Sections 3701.13 Revised Code.

(c) Any 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.

1.22 Premises means a lot, plot, or parcel of land including the building, or structures thereon.

1.23 Meaning of certain Words-Whenever the words "dwelling", "dwelling unit", "rooming house", "rooming unit", "premises", are used in this regulation, they shall be construed as though they are followed by the words "or any part thereof".

SECTION 2.0

INSPECTION OF DWELLING, DWELLING UNITS, ROOMING UNITS AND PREMISES

2.1 The health commissioner is hereby authorized to make inspections to determine the condition of dwellings, dwelling units, rooming units, and premises located within the Logan-Hocking County Health District, in order that he may perform his 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, dwelling unit, and rooming unit, or the person in charge thereof, shall give the health commissioner free access to such dwelling unit, or rooming unit, and its premises, at all reasonable times for the purpose of such inspection, examination, and survey.

Every occupant of a dwelling or dwelling unit shall give the owner or operator thereof, or his agent or employee, access to any part of the dwelling or dwelling unit 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 that there are reasonable grounds to believe that there has been a violation of any provision of this regulation, he 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.

3.2 Any person affected by any notice of an alleged violation 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.

3.3 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.

3.4 Whenever the health commissioner finds that an emergency exists which requires immediate action to protect the public health, he may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he deems 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 Board of Health, shall be afforded a hearing as soon as possible. After such hearing, depending upon his finding as to whether the provisions

of this regulation have been complied with, the Board of Health shall continue such order in effect, or modify it or revoke it.

SECTION 4.0

MINIMUM SANITATION STANDARDS

4.1 Every dwelling unit shall contain a kitchen sink which is properly connected to a sewer system approved by the health commissioner. There shall also be a potable water supply on the premises of this dwelling.

4.2 Every dwelling unit shall contain a room which affords privacy to a person within such room and which is equipped with a flush water closet, a lavatory and a bathtub or shower, connected to a water and sewer system approved by the health commissioner, providing, the water supply is accessible in the judgement of the health commissioner.

4.3 Every kitchen sink, lavatory, bathtub or shower shall be properly connected with hot and cold water lines. The hot water lines shall be connected to a hot water heating facility of adequate size which provides at all times a temperature of not less than 120 De. F., providing the water supply is accessible in the judgement of the health commissioner.

4.4 Every dwelling and dwelling unit shall be supplied with a potable water supply.

4.5 All plumbing shall be properly installed and maintained in good working condition, free from defects, leaks, and obstructions.

4.6 Every dwelling unit shall be supplied with adequate rubbish storage

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 unit 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.

4.8 Every dwelling shall have a safe unobstructed means of egress leading to a safe and open outdoor space at ground level.

4.9 Every habitable room shall have at least one window or skylight facing directly to the outdoors, which is to be ten (10) percent of the floor area of such room. Whenever the only window in a room is a skylight-type window in the top of such room, the total window area of such skylight is to equal at least fifteen (15) percent of the total floor area of such room.

4.10 Every habitable room shall have at least one window or skylight which can be easily opened or such other device as will adequately ventilate the room. The total of openable window area in every habitable room shall be equal to at least forty-five (45) percent of the minimum window area size or minimum skylight-type window size as required in subsection 4.9 of Section 4 of this regulation, except where there is supplied some other device affording adequate ventilation and approved by the health commissioner.

4.11 Every bathroom and water closet compartment shall be adequately lighted and ventilated. Every bathroom floor shall be constructed and maintained so as to be reasonably impervious to water.

4.12 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 70 De.F., under ordinary minimum winter condition.

4.13 In every dwelling unit, 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 Exterior property areas and accessory structures shall be free from health, fire and accident hazards, and vermin, insect and rodent harborage and conditions which might create a nuisance.

4.15 The interior of every structure used for human habitation shall be free from insect, rodent, and vermin infestation.

4.16 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.

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

4.18 Every inside and outside stair, every porch and every appurtenance thereof shall be constructed as to be safe to use.

4.19 Where there is electric service available from power lines which are not more than 300 feet away from a dwelling, every habitable room of such dwelling shall contain at least two separate floor or wall-type electric convenience outlets or one such convenience outlet and one supplied ceiling-type electric light

fixture; and every water closet compartment, bathroom, laundry room, furnace room, and public hall shall contain at least one supplied ceiling or wall-type electric light fixture. Every such outlet and fixture shall be properly installed, shall be maintained in good and safe working condition, and shall be connected to the source of electric power in a safe manner.

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

4.21 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 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.

4.22 Every dwelling unit shall contain a minimum gross floor area of at least one hundred fifty (150) square feet of space in habitable rooms for the first occupant and at least one hundred (100) square feet of floor space in habitable rooms for each additional occupant.

4.23 Every habitable room shall have a minimum ceiling height of seven (7) feet over fifty (50) percent of the floor area, and the floor area where the ceiling height is less than five (5) feet shall not be considered as part of the floor area in computing minimum gross floor area.

4.24 In every dwelling unit of two or more rooms, every room occupied for sleeping purposes by one occupant shall contain at least seventy (70) square feet of floor space, and every room occupied for sleeping purposes by more than one occupant shall contain at least fifty (50) square feet of floor space for each additional occupant thereof.

4.25 No dwelling or dwelling unit containing two or more sleeping rooms shall have room arrangements that access to a bathroom or water closet compartment intended for use by occupants of more than one sleeping room can be had only by going through another sleeping room, nor shall room arrangements be such that access to a sleeping room can be had only by going through another sleeping room or bathroom or water closet compartment.

4.26 No basement shall be used as habitable room or dwelling unit unless:

(a) The floors and walls are impervious to leakage of underground and surface runoff water and are effectively insulated against dampness.

(b) Adequate light and ventilation are supplied.

4.27 No cellar space shall be used or considered as a

4.28 No owner shall occupy or let to any other occupant any vacant dwelling unit unless it is clean, sanitary and fit for human occupancy.

4.29 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.

4.30 Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit, and premises thereof which he occupies and controls.

SECTION 5.0

ROOMING HOUSES

5.1 No person shall operate a rooming house unless he holds a valid rooming house permit issued by the Health Commissioner in the name of the operator for the specific rooming house. This permit shall be displayed in a conspicuous place within the rooming house at all times. Every rooming house permit shall expire at the end of one year following its date of issuance.

5.2 The operator shall apply to the Health Commissioner for such permit, which shall be issued by the Health Commissioner upon compliance by the operator with the applicable provisions of these regulations.

5.3 A permit fee of \$2.50 shall be paid for each dwelling unit in a rooming house. The minimum fee shall be \$10.00 for any rooming house.

5.4 A rooming house permit is not transferable. When a person who holds a rooming house permit transfers his interest in or control of a rooming house he shall notify the Health Commissioner in writing within twenty-four (24) hours. Such notice shall include the name and address of the person succeeding to the ownership or

control of the rooming house.

5.5 When the Health Commissioner denies an application for a rooming house permit, he shall notify the applicant in writing. A request for hearing may be made, and a brief statement of the facts upon which the denial was based.

5.6 Any person whose application for a permit to operate a rooming house has been denied may request and shall be granted a hearing before the Board of Health under the procedure provided by **Section 3**.

5.7 Whenever upon inspection of any rooming house the Health Commissioner finds that conditions or practices exist which are in violation of any provision of these regulations, the Health Commissioner shall give notice in writing to the operator of such rooming house that unless such conditions or practices are corrected within a reasonable period to be determined by the Health Commissioner, the operators rooming house permit will be suspended. At the end of such period the Health Commissioner shall reinspect such rooming house, and if he finds that such conditions or practices have not been corrected, he shall give notice in writing that the latter's permit has been suspended.

5.8 Any person whose permit to operate a rooming house has been suspended, or who has received a written notice that his permit is to be suspended unless an existing violation is corrected, may request and shall be granted a hearing before the Board of Health, under the procedure provided by Section 3 of this regulation. Provided that if no petition for such a hearing is filed within ten (10) days after the date such permit was suspended, such permit shall be automatically revoked. Upon receipt of notice of revocation, such operator shall immediately cease operation of

such rooming house and no person shall occupy for sleeping or living purposes any rooming unit therein.

5.9 At least one flush water closet, lavatory basin and bathtub or shower, properly connected to a water and sewer system approved by the Health Commissioner and in good working condition, shall be provided for each five (5) persons or fraction thereof residing within a rooming house, including members of the operator's family wherever they share the use of the said facilities: Provided that in a rooming house where rooms are let only to males, flush urinals may be substituted for not more than one third the required number of water closets.

All such facilities shall be so located within the dwelling as to be reasonably accessible from a common hall or passageway to all persons sharing such facilities.

Every lavatory basin and bathtub or shower shall be supplied with hot water at all times. No such facilities shall be located in a basement except by written approval of the Health Commissioner.

5.10 The operator of every rooming house shall change supplied bed linen and towels therein at least once each week, and prior to the letting of any room to any occupant.

The operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner.

5.11 Every room occupied for sleeping purposes by one person shall contain at least seventy (70) square feet of floor space, and every room occupied for sleeping

purposes by more than one person shall contain at least fifty (50) square feet for each additional occupant.

5.12 Every rooming unit shall have at least one safe, unobstructed means of egress leading to safe, open space at ground level and to a public street or alley without having to pass through any other rooming unit.

5.13 The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors, and ceilings; for maintenance of a sanitary condition in every other part of the rooming house; and for the sanitary maintenance of the premises of the rooming house.

5.14 Every provision of this regulation which applies to rooming houses shall also apply to hotels, motels, tourist homes, except to the extent that any such provision may be found in conflict with the laws of this state or with the lawful regulations of any state board or agency.

SECTION 6.0

DESIGNATION OF UNIT DWELLINGS AND LEGAL PROCEDURE OF CONDEMNATION

6.1 Any dwelling or dwelling unit 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.

6.2 Whenever the Board of Health has condemned a dwelling or dwelling unit as unfit for human habitation, the Health Commissioner shall give notice to the owner of such condemnation and of his intent to placard the dwelling or dwelling unit as unfit for human habitation.

6.3 Any dwelling or dwelling unit 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 Board of Health and shall remain vacant until written approval is secured from the Board of Health.

6.4 If the Board of Health 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.

6.5 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.

6.6 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 7.0

PENALTIES

7.1 Violation of any provision of this regulation is prohibited by Section 3707.48 or 3707.50 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.

7.2 The Board of Health may grant a hearing to a person and authorize in specific cases, such variance from the requirements of these regulations as will not be contrary to the public interest, where the person shows that because of practical difficulties or other 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.

SECTION 8.0

REPEAL AND DATE OF EFFECT

8.1 All regulations and parts of regulations in conflict with this regulation are hereby repealed and this regulation shall be in full force immediately upon its adoption, as provided by law.

SECTION 9.0

EFFECT OF PARTIAL INVALIDITY

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

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 38. Regulation for Outside Tire Storage

Adopted October 12, 1993

Whereas, it is the purpose of this regulation to regulate the storage of tires within the Logan-Hocking County Health District

and to promote the health, safety, and general welfare of the citizens of the county; and,

Whereas, it has been established that without proper regulatory measures, the uncontrolled storage of tires constitutes a fire hazard, a health hazard and a blight to the adjacent properties within the county; and,

Whereas, the Logan-Hocking District Board of Health (hereafter known as "Board") desires to minimize and control these adverse effects and thereby protect the health, safety and welfare of the citizens; now therefore,

BE IT ORDAINED by the District Board of Health of Logan-Hocking County, State of Ohio

SECTION 1. That any person, firm, corporation or business entity of any type, which, as a part of its business operations, has an outside tire storage in excess of 300 tires as defined, shall comply with regulations established in this chapter.

SECTION 2. That no person shall operate any business with the outside storage of tires without obtaining a Certificate of Occupancy and Compliance reviewed and approved by the Board of Health. A detailed site plan including designated fire lanes and appropriate cover, along with a completed application for a Certificate of

Occupancy and Compliance, shall be submitted no later than fifteen (15) days prior to the monthly Board meeting.

SECTION 3. That a Certificate of Occupancy and Compliance shall only be issued if the proposed facility meets the following conditions. The operating facility, after a compliance is issued, must continue to comply with these conditions:

a. The Storage Facility:

1. Complies with any and all previously adopted codes such as those referred to in the International Building Code and Code Administrators (BOCA) Fire Prevention Code and Existing Structures Code.
2. Shall not be located within any area determined to have a ground water contamination problem as defined herein. The cost of any necessary hydrogeologic study to make such a determination shall be borne by the applicant.
3. Shall not be located on any lot, combination of lots or parcel of land which lies within an Area of Special Flood Hazard.
4. Shall not be located within 500 feet of any lot, combination of lots;
5. Shall not be permitted to cover an aggregate ground area greater than 2500 square feet, nor exceed a height of ten feet as measured from the average ground grade immediately adjacent to the storage area. Outside storage in excess of these limitations shall be considered open dumping, as defined herein, and is hereby prohibited by the Board.

- b. In addition to all previously listed requirements, the storage of tires shall not be permitted unless:

1/ A letter of authorization has been obtained from the respective Fire Department with responsibility for said property after approval of a detailed plan for fire control submitted by the applicant. Such business shall also be required to maintain a daily log, as defined herein detailing the amount of tires received and disposed of, and the method of disposal. The Board shall monitor the accumulation of tires.

- 2/ Upon application the following shall be delivered to the Logan-Hocking Board:
- A. Site plan for operation.
 - B. Plan review fee of \$100.00. Fee to be set annually by the Board.
 - C. Permit application and accompanying fee. Annual fee for permit.

3/ Performance bond in the form and with an insurance company satisfactory to the Board, minimum amount of \$500,000.00 in favor of the Board. The Board reserves the right to establish additional bond requirements for both existing and new applicants.

Said plan shall show and provide for effective control measures for mosquitoes and other vectors. The Board shall certify that the manner in which said tires are stored does not constitute a nuisance or a public health hazard.

SECTION 4. When the approved permit is issued by the Board and performance bond received in the minimum amount of \$500,000, issued in favor of the Board, the applicant shall renew the permit and bond annually provided that all conditions of this regulation have been met.

SECTION 5. That the following definitions shall be used to clarify the wording used in this regulation:

1. "Aquifer", as used herein, shall mean a consolidated or unconsolidated geologic formation or series of formations that are hydraulically interconnected and that have the ability to receive, store, or transmit water to wells or spring.

2. "Ground Water Professional", as used herein, shall mean any person certified by the Association of Groundwater Scientists and Engineers to conduct hydrography studies.

3. "Open Dumping", as used herein, shall mean the deposition of solid wastes into waters of the County, and also means the final disposition of

4. "Vector", as used herein, shall mean an organism that transmits a pathogen.

5. "Pathogen", as used herein, shall mean a specific cause of disease (as a bacterium or virus).

6. "County", as used herein, shall mean Hocking County, State of Ohio.

7. "Daily Log", as used herein, shall mean a record

reporting the number of tires received, processed into other forms, sold or otherwise removed from the business premises, and to whom and where the tires were sent. A daily log shall be kept each day a business is open and operating.

8. "Tire", as used herein, shall mean any new or used tire or any part thereof, of any tire made from rubber or a natural or synthetic origin.

9. "Board", as used herein, shall mean Logan-Hocking County District Board of Health and their activities.

SECTION 6. That should any section or provision of this regulation be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulation as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 7. That any person, firm, corporation, or business entity violation any of the provisions of this Chapter, or failing to comply with any order issued pursuant to any section thereof, shall be guilty of a misdemeanor of the fourth degree, and upon conviction, shall be punished by a fine of not more than one hundred dollars (\$100.00). Each day that a violation continues, after notification, shall constitute a separate offense.

SECTION 8. That the imposition of the penalties, herein described, shall not prevent the Prosecuting Attorney of Hocking County from instituting appropriate action to prevent unlawful activity, or to restrain, correct, or abate a violation;

or to prevent illegal occupancy of a building, structure or premises; or to stop an illegal act, conduct a business, or use of a building or structure in or about any premises.

SECTION 9. This regulation shall not be interpreted to supersede or replace

other agencies, I.E. Ohio Environmental Protection Agency, Solid Waste District, rules or regulations.