

**PREMISES SANITATION REGULATION**  
**of**  
**THE HANCOCK COUNTY GENERAL HEALTH DISTRICT**

Whereas, in the Hancock County General 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 Hancock County General Health District.

By authority of section 3709.21, Ohio Revised Code, be it therefore resolved by the board of health of the Hancock County General Health District as follows:

**Section I**

**DEFINITIONS**

- 1.01 **Accessory Building or Structure** means a detached structure which is not used or not intended to be used for living or sleeping by human occupants and which is located on or partially on any premises.
- 1.02 **Apartment** means a suite of rooms with sanitation facilities and with or without cooking facilities, occupied as the home or residence of a single family.
- 1.03 **Appropriate Authority** means that person within the governmental structure of the corporate unit who is charged with the administration of the appropriate code.
- 1.04 **Approved** means passed upon favorably by the local or state authority having such administrative authority.
- 1.05 **Ashes** means the residue from the burning of combustible materials.
- 1.06 **Attic** means the space between the top of the ceiling framing of the top habitable story, or any flooring over such framing, and the roof framing and any walls constituting a part of the enclosure of said space.
- 1.07 **Basement** means that portion of a building which is partly underground and which has one half or more of its ceiling height above the average finished grade of the ground adjoining the building.

Explanation: While the definition is self-explaining, the definition should be compared against the definition of cellar.

- 1.08 **Board of Health** means the Board of Health of the Hancock County General Health District.

- 1.09 **Building** means a structure built or used for the shelter, occupancy enclosure or support of persons.
- 1.10 **Bulk Container** means any metal garbage, rubbish, and/or refuse container having a capacity of one (1) cubic yard or greater and which is equipped with fittings for hydraulic and/or mechanical emptying, unloading, and/or removal.
- 1.11 **Cellar** means the portion of the building wholly below, or with less than half of its ceiling height above the average finished grade of the ground adjoining the building.
- 1.12 **Central Heating System** means a single system supplying heat to one (1) or more flues, for the purpose of removing products of combustion from solid, liquid, or gaseous fuel.
- 1.13 **Chimney** means a vertical masonry shaft of reinforced concrete or other approved noncombustible, heat-resisting material enclosing one (1) or more flues, for the purpose of removing products of combustion from solid, liquid, or gaseous fuel.
- 1.14 **Dilapidated** means no longer adequate for the purpose or use for which it was originally intended.
- 1.15 **Dwelling** means any enclosed space wholly or partly used or intended to be used for living, sleeping, cooking or eating; provided that temporary housing as hereinafter defined shall not be classified as a dwelling. Industrialized housing and modular construction which conform to the Ohio standards and used or intended for use for living, sleeping, cooking, and eating purposes shall be classified as dwellings.
- 1.16 **Dwelling Unit** means a room or group of rooms located within a dwelling forming a single habitable unit with facilities used or intended to be used by a single family for living, sleeping, cooking, or eating purposes.
- 1.17 **Egress** means an arrangement of exit facilities to assure a safe means of exit from buildings.
- 1.18 **Extermination** means the control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping, or by any other recognized and legal pest elimination method approved by the local or state authority having such administrative authority.
- 1.19 **Family** shall mean one or more individuals living together and sharing common living, sleeping, cooking and eating facilities. (See also Household).
- 1.20 **Flush Water Closet** means a toilet bowl which is flushed with water which has been supplied under pressure and equipped with a water sealed trap above the floor level.

- 1.21 **Garbage** means the animal and vegetable waste resulting from the handling, preparation, cooking, serving and nonconsumption of food.
- Explanation: - For comparison see definition of rubbish.
- 1.22 **Grade** means the finished ground level adjacent to the building.
- 1.23 **Guest** means an individual who shares a dwelling unit in a nonpermanent status for not more than thirty (30) days.
- 1.24 **Habitable Room** means a room or enclosed floor space arranged for living, cooking, eating, or sleeping purposes, but does not include a room used as a bathroom, water closet compartment, laundry, pantry, foyer, hallway, kitchenette or other accessory floor space.
- Explanation: - For comparison, see definition of Dwelling Unit.
- 1.25 **Health Commissioner** means the health commissioner of the health district or his authorized representative.
- 1.26 **Heated Water** means water heated to a temperature of not less than 120° F at the outlet.
- 1.27 **Heating Device** means all furnaces, unit heaters, domestic incinerators, cooking and heating stoves and ranges, and other similar devices.
- 1.28 **Household** means one or more individuals living together in a single dwelling unit and sharing common living, sleeping, cooking, and eating facilities. (See also Family).
- 1.29 **Infestation** means the presence within or around a dwelling of any insects, rodents, or other pests.
- 1.30 **Kitchen** means any room having a floor area of 60 square feet or more used for the storage of foods, preparation of foods and containing the following equipment: sink and/or other device for dishwashing, stove or other device for cooking, refrigerator or other mechanical device for cool storage of food, cabinets and/or shelves for storage of equipment and utensils, and counter or table for food preparation.
- 1.31 **Kitchenette** means a small kitchen or an alcove containing cooking facilities, which has a floor area of less than 60 square feet.
- 1.32 **Lead Paint** means any paint containing more lead than the level established by the U.S. Consumer Product Safety Commission as being the "safe" level of lead in residential paint and paint products.

- 1.33 **Meaning of Certain Words.** Whenever the words "dwelling," "dwelling unit," "rooming units," "premises," "structure" are used in the regulation they shall be construed as though they were followed by the words "or any part thereof." Words used in the singular include the plural, and the plural the singular, the masculine gender includes the feminine and the feminine the masculine.
- 1.34 **Multiple Dwelling** means any dwelling containing two (2) or more dwelling units.
- 1.35 **Occupant** means any individual living, sleeping, cooking, or eating in or having possession of a dwelling unit or a rooming unit; except that in dwelling units, a guest shall not be considered an occupant.
- 1.36 **Operator** means any person who has charge, care, control, or management of a building, or part thereof, in which dwelling units or rooming units are let.
- 1.37 **Ordinary Summer Conditions** means a temperature 10° F below the highest recorded temperature in the locality for the prior ten (10) year period.
- 1.38 **Ordinary Winter Conditions** means a temperature 15° F above the lowest recorded temperature in the locality for the prior ten (10) year period.
- 1.39 **Owner** means any person who, alone or jointly or severally with others:
- (a) shall have legal title to any premise, dwelling, or dwelling unit, with or without accompanying actual possession thereof, or
  - (b) shall have charge, care, or control of any premise, dwelling, or dwelling unit, as owner or agent of the owner, or an executor, administrator, 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 to the same extent as if he were the owner.
- 1.40 **Permissible Occupancy** means the maximum number of individuals permitted to reside in a dwelling unit, rooming unit, or dormitory.
- 1.41 **Person** means the state, any political subdivision, public or private corporation, partnership, firm, association, individual, or other entity recognized by law.
- 1.42 **Plumbing** includes the practice, materials, and fixtures used in the installation, maintenance, extension, and alteration of all piping, fixtures, appliances, and appurtenances in connection with any of the following: drainage systems, the vent systems, and the water-supply venting systems, within or adjacent to any building, structure, or conveyance; also the practice and materials used in the installation, maintenance, extension, or alteration of the storm-water, liquid-waste, or drainage and water-supply systems of any premises.

- 1.43 **Potable Water** means drinkable, safe from harmful bacteria and chemical impurities, and from an approved source.
- 1.44 **Premises** means a platted lot or part thereof or unplatted lot or parcel of land or plot of land, either occupied or unoccupied by any dwelling or non-dwelling structure, and includes any such building, accessory structure or other structure thereon.
- 1.45 **Privacy** means the existence of conditions which will permit an individual or individuals to carry out an activity commenced without interruption or interference, either by sight or sound by unwanted individuals.
- 1.46 **Properly Connected** means connected in accordance with all applicable laws and regulations of the Hancock County General Health District as from time to time enforced, or in a manner not constituting a hazard to life or health; provided, however, that the application of this definition shall not require the alteration or replacement of any connection in good working order and not constituting a hazard to life or health.
- 1.47 **Rat Harborage** means any condition or place where rats can live, nest, or seek shelter.
- 1.48 **Ratproofing** means a form of construction which will prevent the ingress or egress of rats to or from a given space or building, or from gaining access to water, or harborage. It consists of the closing and keeping closed of every opening in foundations, basements, cellars, exterior and interior walls, ground or first floors, roofs, sidewalk grating, sidewalk openings, and other methods, by the use of materials impervious to rat gnawing and other methods approved the Hancock County General Health District.
- 1.49 **Refuse** means all putrescible and non-putrescible solids (except body wastes) including garbage, rubbish, ashes, and dead animals.
- 1.50 **Refuse Container** means a watertight container that is constructed of metal, or other durable material impervious to rodents, that is capable of being serviced without creating insanitary conditions, or such other containers as have been approved by the Hancock County General Health District. Openings into the container such as covers and doors shall be tight fitting.
- 1.51 **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 purposes.
- 1.52 **Rubbish** means non-putrescible solid wastes (excluding ashes) consisting of either:
- (a) combustible wastes such as paper, cardboard, plastic containers, yard clippings, and wood; or
  - (b) noncombustible wastes such as tin cans, glass, and crockery.

- 1.53 **Safety** means the condition of being reasonably free from danger and hazards which may cause accidents or disease.
- 1.54 **Space Heater** means a self-contained, heating appliance of either the convection type or the radiant type and intended primarily to heat only a limited space or area such as one room or two adjoining rooms.
- 1.55 **Supplied** means paid for, furnished by, provided by, or under the control of the owner, operator, or agent.
- 1.56 **Temporary Housing** means any tent, trailer, mobile home or 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 utility system on the same premises for more than thirty (30) consecutive days.
- 1.57 **Toxic Substance** means any chemical product applied on the surface of or incorporated into any structural or decorative material which constitutes a potential hazard to human health at acute or chronic exposure levels.
- 1.58 **Variance** means a difference between that which is required or specified and that which is permitted.
- 1.59 **Undefined Words.** Words not specifically defined in this regulation shall have the common definition set forth in a standard dictionary.

## **Section II**

### **SANITATION STANDARDS - RESPONSIBILITIES OF AND OCCUPANTS**

- 2.01 No owner or other person shall occupy or let to another person any dwelling or dwelling unit unless it and the premises are clean, sanitary, fit for human occupancy, and complies with all applicable legal requirements of the State of Ohio and the Hancock County General Health District.
- 2.02 Every owner of a dwelling containing two or more dwelling units shall maintain in a clean and sanitary condition the shared or public area of the dwelling and premises thereof.
- 2.03 Every occupant of a dwelling or dwelling unit shall maintain in a clean and sanitary condition that part or those parts of the dwelling, dwelling unit, and premises thereof that he occupies and controls.

- 2.04 Every occupant of a dwelling or dwelling unit shall store and dispose of all his rubbish in a clean, sanitary, and safe manner.
- 2.05 Every occupant of a dwelling or dwelling unit shall store and dispose of all his garbage, refuse, and any other organic waste which might provide food for insects and/or rodents in a clean, sanitary, safe manner. All garbage cans and refuse containers shall be rat-proof, insect-proof, water tight, structurally strong to withstand handling stress, easily filled, emptied and cleaned; shall be provided with tight-fitting covers or similar closures; and shall be maintained at all times in a clean sanitary condition. Plastic bags may be used as garbage and refuse container liners, but shall not be used without the container for on-site storage of garbage or refuse.
- 2.05.01 Garbage and refuse cans in storage areas shall be placed on fixed platforms which are at least eighteen (18) inches above the ground, or on mobile or movable platforms.
- 2.06 The total capacity of all provided garbage and/or refuse cans and bulk storage containers shall be sufficient to meet the needs of the occupants of the dwelling.
- 2.07 Every owner of a dwelling containing three (3) or more dwelling units shall supply facilities or refuse containers for the sanitary and safe storage and/or disposal of rubbish and garbage. In the case of single or two (2) family dwellings it shall be the responsibility of each occupant to furnish such facilities or refuse containers.
- 2.08 The owner of a dwelling unit shall be responsible for providing and hanging all screens and double or storm doors and windows whenever the same are required under the provisions of the regulation or any rule adopted pursuant thereto, except where there is a written agreement between the owner and occupant. In the absence of such an agreement, maintenance or replacement of screens, storm doors and windows, once installed in any one (1) season becomes the responsibility of the occupant. The occupant's responsibility shall be exclusive to his or her dwelling unit.
- 2.09 Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of insects, and/or rats, on the premises; and every occupant of a dwelling unit in a dwelling containing more than one (1) dwelling unit shall be responsible for such extermination whenever his dwelling is the only one infested. Notwithstanding the foregoing provisions of this subsection, whenever infestation is caused by failure of the owner to maintain a dwelling in a ratproof or reasonable insect-proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two (2) or more of the dwelling units in any dwelling, or in the shared or public parts of any dwelling containing two (2) or more dwelling units, extermination thereof shall be the responsibility of the owner.
- 2.10 No occupant of a dwelling or dwelling unit shall accumulate rubbish, boxes, lumber, scrap

metal, or any other materials in such a manner that may provide a rat harborage in or about any dwelling or dwelling unit. Stored materials shall be stacked neatly in piles elevated at least eighteen (18) inches above the ground or floor.

- 2.11 No owner of a dwelling containing three (3) or more dwelling units shall accumulate or permit the accumulation of rubbish, boxes, lumber, scrap metal, junk or unlicensed vehicles, or any other materials in such a manner that may provide a rat harborage in or about the shared or public areas of a dwelling or its premises. Materials stored by the owner or permitted to be stored by the owner shall be stacked neatly in piles elevated at least eighteen (18) inches above the ground or floor.
- 2.12 No owner or occupant of a dwelling or dwelling unit shall store, place, or allow to accumulate any materials which may serve as food for rats in a site accessible to rats.
- 2.13 Every occupant of a dwelling unit shall keep all supplied fixtures and facilities therein in a clean, sanitary, and operable condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.
- 2.14 In every dwelling unit and/or rooming unit when the control of the supplied heat is the responsibility of a person other than the occupant, a temperature of at least 68° F shall be maintained in all habitable rooms, bathroom, and water closet compartments at a distance of thirty six (36) inches above the floor level.
  - 2.14.01 In every dwelling unit and/or rooming unit when the control of the supplied heat is the responsibility of a person other than the occupant, the heat shall be supplied when the indoor temperature within the dwelling unit reaches 68° F when measured from a distance of thirty six (36) inches from the floor.
- 2.15 Every owner of a dwelling or dwelling unit shall provide and maintain the dwelling or dwelling unit free from hazards to health due to the presence of toxic substances, e.g. lead-based paint, as determined by the Hancock County General Health District.
- 2.16 No owner or occupant shall apply a lead-based paint on any surface in any dwelling, dwelling unit, rooming house and/or rooming unit.

### **Section III**

#### **STANDARDS FOR BASIC EQUIPMENT AND FACILITIES**



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

- 3.01 Every dwelling unit shall have a room or portion of a room in which food may be prepared and/or cooked, which shall have adequate circulation area, and which shall be equipped with the following:

3.01.01 A kitchen sink in good working condition and properly connected to a water supply system which is approved by the Hancock County General Health District and which provides at all times an adequate amount of heated and unheated running water under pressure, and which is connected to a sewer system approved by the Hancock County General Health District.

3.01.02 A stove, or similar device, for cooking food, and a refrigerator, or similar device, for the safe storage of food at temperatures less than 45° F but more than 32° F under ordinary maximum summer conditions, which are properly installed with all necessary connections for safe, sanitary, and efficient operation; provided that such stove, refrigerator, and/or similar devices need not be installed when a dwelling unit is not occupied and when the occupant is expected to provide same on occupancy, and that sufficient space and adequate connections for the safe and efficient installation and of said stove, refrigerator and/or similar devices are provided.

- 3.02 Within every dwelling unit there shall be a non-habitable room which affords privacy to a person within said room and which is equipped with a flush water closet in good working condition. Said flush water closet shall be equipped with easily cleanable surfaces, be properly connected to a water system that at all times provides an adequate amount of running water under pressure to cause the water closet to be operated properly, and shall be properly connected to a sewer system which is approved by the Hancock County General Health District.

- 3.03 Within every dwelling unit there shall be a lavatory sink. Said lavatory sink may be in the same room as the flush water closet, or, if located in another room, the lavatory sink shall be located in close proximity to the door leading directly into the room in which said water closet is located. The lavatory sink shall be in good working condition and properly connected to a water supply system which is approved by the Hancock County General Health District and which provides at all times an adequate amount of heated and unheated running water under pressure, and which is properly connected to a sewer system approved by the Hancock County General Health District. Water inlets for lavatory sinks shall be located above the overflow rim of these fixtures.

- 3.04 Within every dwelling unit there shall be a room which affords privacy to a person within said room and which is equipped with a bathtub or shower in good working condition. Said

bathtub or shower may be in the same room as the flush water closet or in another room and shall be properly connected to a water supply system which is approved by the Hancock County General Health District and which provides at all times an adequate amount of heated and unheated water under pressure, and which is connected to a sewer system approved by the Hancock County General Health District. Water inlets for bathtubs shall be located above the overflow rim of these fixtures.

- 3.05 Every dwelling unit shall have at least two (2) means of egress leading to safe and open space at ground level. Every dwelling unit in a multiple dwelling shall have immediate access to two (2) or more approved means of egress leading to safe and open space at ground level, or as required by the laws of this State and this County. Bedrooms located below the fourth (4th) floor shall be provided with an exterior door or window of such dimensions as to be used as a means of emergency egress.

3.05.01 All exits, including exit stairways, are kept in a reasonable good state of repair. Floors, treads and risers must be sound and furnish a reasonably smooth surface. Risers of unequal height, broken tread noses, structurally unsafe surfaces, excessive warping, holes and cracks all constitute serious safety hazards. Doors must be readily openable from the inside as well as the outside.

3.05.02 Each exit is kept unobstructed at all times.

Explanation: one of the most serious hazards due to obstruction comes from children leaving toys on exit stairways or near exits. Another common source of hazard from the obstruction point of view is the practice of leaving brooms, mops, buckets, and similar materials near exits and in common hallways.

- 3.06 Structurally sound hand rails shall be provided on any steps containing four (4) risers or more. Porches, patios, and/or balconies located more than three (3) feet higher than the adjacent area shall have structurally sound protective guard or hand rails.

3.06.01 All handrails are not less than thirty (30) inches vertically above the nose of the stair tread and not less than forty-two (42) inches above stairway platforms.

Explanation: These height requirements insure that adults and children alike may find the handrails to use as supports even in the dark during emergency conditions.

- 3.07 Access to or egress from each dwelling unit shall be provided without passing through any other dwelling unit.
- 3.08 No person shall let to another for occupancy any dwelling or dwelling unit unless all exterior doors of the dwelling or dwelling unit are equipped with functioning locking devices capable of being locked and unlocked from either side of the door.

## **Section IV**

## **STANDARDS FOR LIGHT AND VENTILATION**

No person shall occupy as owner, occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the requirements of this section:

- 4.01 Every bathroom, water closet compartment, laundry, or habitable room shall be adequately ventilated.
- 4.02 Where there is usable electric service readily available to a dwelling unit, every dwelling unit and all public and common areas shall be supplied with electric service, outlets, and fixtures which shall be properly installed in accordance with the National Electric Code or applicable local or state electrical codes and shall be maintained in good and safe working condition. The minimum capacity of such services and the minimum number of outlets and fixtures shall be as follows:
  - 4.02.01 Every dwelling unit shall be supplied with at least 60 ampere service.
  - 4.02.02 Every habitable room shall contain at least two separate wall type duplex electric convenience outlets or one such duplex convenience outlet and one supplied wall or ceiling type electric light fixture. No duplex outlet shall serve more than two fixtures or appliances.
  - 4.02.03 Temporary wiring or extension cords shall not be used as permanent wiring.
  - 4.02.04 Every non-habitable room, including water closet compartments, bathrooms, laundry rooms, furnace rooms, and public halls shall contain at least one (1) supplied ceiling or wall-type electric light fixture.
  - 4.02.05 All electric lights and outlets in bathrooms shall be controlled by switches which are of such design as shall minimize the danger of electric shock, and such lights and outlets shall be installed and maintained in such condition as to minimize the danger of electrical shock.
- 4.03 Every public hall and stairway in every multiple dwelling shall be adequately lighted by natural or artificial light at all times, so as to provide in all parts thereof at least ten (10) footcandles of light at the tread or floor level. Every public hall and stairway in structures containing not more than two (2) dwelling units may be supplied with conveniently located light switches controlling an adequate lighting system which may be turned on when needed instead of full-time lighting.

### **Section V**

## **THERMAL STANDARDS**

No person shall occupy as owner, occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

- 5.01 Every dwelling shall have heating equipment appurtenances which are properly installed, and are maintained in safe and good working condition, and are capable of safely and adequately heating all habitable rooms, bathrooms, and water closet compartments in every dwelling unit located therein to a temperature of at least 68° F at a distance of thirty six (36) inches above floor level under ordinary winter conditions.
- 5.02 No owner or occupant shall install, operate or use a heating device, including hot water heating units, which employs the combustion of carbonaceous fuel, which is not vented to the outside of the structure in an approved manner, and which is not supplied with sufficient air to continuously support the combustion of the fuel. All heating devices shall be constructed, installed, and operated in such a manner as to minimize accidental burns.
  - 5.02.01 When heating devices for a dwelling unit are supplied by the owner or operator, the facilities are maintained in a good working condition and are capable of heating all habitable rooms, bathrooms, and toilet rooms within the dwelling to a temperature of at least 68° F.
  - 5.02.02 Heat ducts, steam pipes and hot water pipes in supplied central heating systems are free of leaks.
  - 5.02.03 Seals between sections of hot-air furnaces which are integral parts of central heating systems are tight enough to prevent the escape of noxious gases through the heat ducts.
  - 5.02.04 Space heaters, if portable type, do not operate by a combustion process.
  - 5.02.05 Space heaters, including wood stoves, which operate by a combustion process are properly vented to a chimney or duct leading to the outdoors.
  - 5.02.06 Coal-burning space heaters and wood stoves have a fire-resistant panel beneath them.
  - 5.02.07 Space heaters and wood stoves located within two (2) feet of a wall are adequately insulated to prevent over-heating of the wall.
  - 5.02.08 Space heaters and wood stoves with smoke pipes are equipped with guards approved by the National Fire Protection Association and made of a non-flammable material at the point where the pipe goes through a wall, ceiling, or partition to the point where it connects to the vent.
  - 5.02.09 Every dwelling unit not having supplied heating facilities contains a sufficient number of chimney outlets to permit the occupant to furnish and properly vent, all space heaters required to heat all habitable rooms, bathrooms, and toilet rooms within the unit.

## **Section VI**

### **GENERAL MAINTENANCE**

No person shall occupy as owner, occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

- 6.01 Every foundation, roof, floor, exterior and interior wall, ceiling, inside and outside stair, every porch and every appurtenance thereto, shall be safe to use and capable of supporting the loads that normal use may cause to be placed thereon; and shall be kept in sound condition and good repair. Every inside and outside stair or step shall have uniform risers and uniform treads.
- 6.02 Every foundation, roof and exterior wall, door, skylight and window shall be reasonably weather-tight and damp-free, and shall be kept in sound condition and good repair. Floors, interior walls and ceilings shall be sound and in good repair. All exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by paint which is not lead-based paint or by other protective covering or treatment. Walls shall be capable of affording privacy for the occupants.
- 6.03 Every premises shall be graded, drained, free of standing water, and maintained in a clean, sanitary, and safe condition.
- 6.04 Unless other provisions are made, gutters, leaders and downspouts shall be provided and maintained in good working condition to provide proper drainage of storm water.
- 6.05 Every window, exterior door and hatchway or similar device shall be so constructed to exclude insects during that portion of the year when there is a need for protection against mosquitoes, flies, and other flying insects.
  - 6.05.01 Every doorway used for ventilation and opening directly from a dwelling unit to outside space shall have supplied properly fitting screens having at least sixteen (16) mesh and with a self closing device.
  - 6.05.02 Every window or other device with openings to outdoor space, used for ventilation, shall be supplied with screens; except that such screens shall not be required (a) in rooms deemed by the Hancock County General Health District to be located high enough as to be free from such insects, and/or (b) in rooms located in areas of Hancock County which are deemed by the Hancock County General Health District to have so few insects as to render screens unnecessary.
- 6.06 Every dwelling, multiple dwelling, rooming house or accessory structure and the premises on which located shall be kept free of sources of breeding, harborage and infestation by insects, vermin or rodents. There shall be no evidence of insects, rodents or vermin within the structure or in the immediate vicinity of the structure.

- 6.06.01 All openings in the exterior walls, foundations, basements, ground or first floors and roofs which have a half-inch diameter or more opening shall be ratproofed in an approved manner if they are within forty-eight (48) inches of the existing exterior ground level immediately below such openings, or if they may be reached by rats from the ground by climbing unguarded pipes, wires, cornices, stairs, roofs, and other items such as trees or vines or by burrowing.
- 6.06.02 All windows located at or near ground level used or intended to be used for ventilation, all other openings located at or near ground level, and all exterior doorways which might provide an entry for rats, shall be supplied with adequate screens or such other devices as will effectively prevent the entrance of rats into the structure.
- 6.06.03 All sewers, pipes, drains or conduits and openings around such pipes and conduits shall be constructed to prevent the ingress or egress of rats to or from a building.
- 6.06.04 Materials stored outside the dwelling shall be stacked and elevated, so that there will be at least an eighteen (18) inch opening between the material and the ground level so as to prevent the creation of a rat harborage area. No stacking or piling of material shall take place against the exterior walls of the structure.
- 6.06.05 Any materials used for rat-proofing shall be acceptable to the Hancock County General Health District.
- 6.07 All fences shall be constructed of approved fencing material, shall be maintained in good condition and shall not create a harborage for rats. Wood materials shall be protected against decay by use of paint which is not lead-based paint or by other preservative material. Wherever any egress from the dwelling opens into the fenced area, there shall be a means of egress from the premises to any public way adjacent thereto.
- 6.08 Accessory structures present or provided by the owner, agent, or tenant occupant on the premises of a dwelling shall be structurally sound, and be maintained in good repair and free of insects and rats, or such structures shall be removed from the premises. The exterior of such structures shall be made weather resistant through the use of decay-resistant materials or the use of lead-free paint or other preservatives.
- 6.09 Every plumbing fixture and all water and waste pipes shall be properly installed and maintained in good sanitary working condition.
- 6.10 Every water closet compartment, bathroom and kitchen floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.
- 6.11 All plumbing, every chimney, flue, and smoke pipe, and every other facility, piece of

equipment, or utility which is present in a dwelling or dwelling unit, or which is required under this regulation, shall be constructed and installed in conformance with the appropriate statutes, ordinances and regulations of Hancock County and the State of Ohio.

- 6.12 All construction and materials, ways and means of egress, and installation and use of equipment shall conform with the appropriate statutes, ordinances and regulations dealing with fire protection of Hancock County and the State of Ohio.
- 6.13 Any occupant of a dwelling or dwelling unit who harbors and/or stables pets or other animals, within 50 feet of a dwelling occupied by others, shall keep the residential premises free of animal wastes accumulation. Animal wastes on such residential premises shall be stored, handled and disposed of so as not to create a nuisance.

## **Section VII**

### **DISCONTINUANCE OF UTILITIES**

- 7.01 No owner operator, or occupant shall cause any service, facility, equipment or utility which is required under this regulation to be removed from or shut off from or discontinued from any occupied dwelling or dwelling unit 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.

## **Section VIII**

### **OCCUPANCY**

No person shall occupy as owner, occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, unless there is compliance with the requirements of this section.

- 8.01 The maximum occupancy of any dwelling unit shall not exceed the lesser value of the following two requirements:

8.01.01 For the first occupant there shall be at least one hundred fifty (150) square feet of floor space and there shall be at least one hundred (100) square feet of floor space for every additional occupant thereof; the floor space to be calculated on the basis of total habitable room area;

8.01.02 A total number of persons shall be less than two (2) times the number of habitable rooms within the dwelling unit.

- 8.02 The ceiling height of any habitable room shall be at least 7' 6" except that in any habitable room under a sloping ceiling at least one half of the floor area shall have a ceiling height of at least 7' 6", and the floor area of that part of such a room where the ceiling height is less

than five (5) feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy.

- 8.03 No basement or cellar shall be used as a habitable room or dwelling unit unless the floors and walls are impervious to leakage of underground and surface runoff water, are effectively insulated against dampness, and have adequate facilities for lighting and ventilation as approved by the Health Commissioner.

## **Section IX**

### **INSPECTION OF DWELLINGS, DWELLING UNITS AND PREMISES**

- 9.01 The health commissioner is hereby authorized to make inspections to determine the condition of dwellings, dwelling units, rooming units, and premises located within the Hancock County General 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 or occupant of every dwelling, dwelling unit, and rooming unit, 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.
- 9.02 In the event the owner or occupant refuses to admit the health commissioner to the premises upon request, the health commissioner may make an application to the board of health, upon a showing that probable cause exists for the inspection, for an order directed to the owner or occupant, ordering the admission of the health commissioner for purposes of inspection and upon proper identification displayed by the health commissioner, he shall be admitted to the premises for purposes of such inspection.
- 9.03 Every occupant of a dwelling or dwelling unit shall give the owner thereof, or his agent or employee, access to any part of such 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 or with any lawful rule or regulation adopted or any lawful order issued pursuant to the provisions of this regulation.

## **Section X**

### **ENFORCEMENT - SERVICE OF NOTICES AND ORDERS**



- 10.01 Whenever the health commissioner determines that there is a violation of any provision of this regulation, he shall give notice of such violation to the owner or occupant, specifying the violation claimed and the provision of this regulation defining said violation. The notice shall also inform the owner or occupant of his right to a hearing before the health commissioner concerning the alleged violation of these regulations. The notice shall specify an appropriate or acceptable method of correction. The owner or occupant shall be allowed such time to correct the alleged violation as the health commissioner determines necessary, giving due consideration to the immediacy of the threat to health existing by reason of the alleged violation. The time allowed for the correction of such violation shall be stated in the notice.
- 10.02 The notice provided herein shall be served personally or by certified mail with return receipt requested. Service by Certified mail is deemed sufficient if mailed to the occupant at the address where the violation exists and if mailed to the owner at the tax mailing address shown on the books of the county auditor for the parcel of real estate where said violation exists. In the event no return receipt is received when service is attempted by certified mail, or personal service has not been made after diligent attempts, notice may be served by posting a copy of the notice of the violation upon the exterior of the building in a conspicuous place where the violation exists. A written report stating the manner in which said service was made shall be attached to a copy of the complaint and retained in the official records.
- 10.03 Any person aggrieved by any notice of the Hancock County General Health District issued in connection with any alleged violation of this regulation or by any order requiring repair or demolition may request, and shall be granted an administrative hearing on the matter before the Health Commissioner, provided that such person shall file, in the office of the Health Commissioner, a written petition requesting such hearing and setting forth the name, address, and phone number of the petitioner, and a brief statement of the grounds for such hearing and appeal from any order of the Health Commissioner. Petitions shall be filed within fourteen (14) days after the date the notice or order was served. Upon receipt of such petition, the Health Commissioner shall set a time and place for an administrative hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to show cause why such notice or order should be modified or withdrawn. The failure of the petitioner or his representative to appear and state his case at such hearing shall be grounds for dismissal of such petition.
- 10.04 After such hearing the health commissioner shall sustain, modify or withdraw the notice of alleged violation depending upon his findings as to whether the provisions of this regulation have been complied with.

Notice of the decision of the health commissioner shall be served upon the persons and in the

manner as provided in section 10.01 of this regulation. This notice shall also inform the owner or occupant of his right to appeal the decision of the health commissioner to the board of health in accordance with section 10.05 of this regulation.

- 10.05 Any person affected by the decision of the health commissioner as provided in section 10.04 of this regulation shall be entitled to appeal to the board of health. Written notice of the appeal must be filed with the secretary of the board of health within five days of the personal service, or signature by the addressee on the return receipt, or date of posting upon the premises. Said notice shall state the order appealed from and the address to which the hearing notice shall be mailed. The board of health shall hear the appeal at the next regular meeting of the board of health provided that no hearing shall be had sooner than five days from the date of the filing of said notice of appeal. Notice of the meeting before the board of health to hear said appeal shall be given to the appellant by regular mail at the address shown in his notice of appeal. Said appellant shall be entitled to appear personally and with counsel at said meeting of the board of health. The board of health may, in its discretion, continue the hearing on said appeal from time to time until said hearing is completed.

The board of health shall modify, withdraw, or sustain the order of the health commissioner made pursuant to section 10.04 of this regulation. The copy of the decision of the board of health shall be mailed to the appellant at the address shown in the notice of appeal and to his counsel of record.