

## CHAPTER 868

### Operation Inspection

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#### CROSS REFERENCES

Lien for unpaid sewage disposal system permit or inspection fee – ORC 3709.091  
Minimum and optimal achievable standards; sewage disposal – OAC 3701-36-13  
Operation inspection fee - see EHC 220.03(h)  
Orders and regulations of board of general health district – ORC 3709.21  
Powers of board; abatement of nuisances – ORC 3707.01  
Uniform system of fees; public health council rules – ORC 3709.09

**EHC** Environmental Health Code      **ORC** Ohio Revised Code      **OAC** Ohio Administrative Code

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#### **868.01 DEFINITIONS.**

- (a) “Property Owner” means any owner, leaseholder, or assignee of real property.
- (b) “Operation Inspection” means an inspection of a household sewage treatment system to determine if the operation of the system is malfunctioning or creating an identifiable nuisance. The operation inspection report will include findings, educational information, operation recommendations and necessary corrections.

#### **868.02 OPERATION INSPECTION FEE.**

- (a) The fee for the operation inspection shall be as set forth in Section 220.03 of the Administration Code. The fee shall not be levied more frequently than once within a two year period. The fee for the inspection will be billed to the property owner following the operation inspection.
- (b) All fees collected under this chapter shall be used for the purpose of administering the Household Sewage Treatment and Disposal Code program.

#### **868.03 APPLICATION.**

All household sewage treatment systems which are designed to discharge effluent or are otherwise discharging effluent onto the ground surface, an open or closed ditch, field tile, storm sewer, creek, stream or other body of water shall be subject to an operation inspection.

**868.04 RESPONSIBILITY FOR PROPER OPERATION AND MAINTENANCE.**

The property owner shall be responsible for the proper operation, maintenance and repairs of the household sewage treatment system. The reported inspection results do not constitute expressed or implied guarantee of future performance of the household sewage treatment system.

**868.05 INSPECTION REPORT.**

An inspection report shall be provided to the property owner within seven calendar days after the inspection. A household sewage treatment system identified as malfunctioning, failing or creating a nuisance, shall be issued orders requiring the system to be corrected.

**868.99 PENALTY.**

- (a) The Health Commissioner shall certify the amount of the unpaid Operation Inspection Fee and Penalty Fee to the County Auditor pursuant to ORC Sections 319.281 and 3709.091.
- (b) Whoever violates or fails to comply with any of the provisions of this Environmental Health Code shall be in violation of ORC 3707.48, 3709.20, 3709.21 or 3709.22, and subject to penalties provided in ORC 3707.99 and 3709.99.

*(Resolution 165-07, July 12, 2007)*