



## **General Requirements for Sanitation**

A resolution, pursuant to ORC 3709.21, establishing a regulation of the Ashtabula County General Health District, Board of Health defining and regulating general sanitation requirements, authorizing the issuance of permits, and/or licenses, establishing and collecting fees for said permits and/or licenses, and providing for penalties for violations.

Be it ordered by the Board of Health of the Ashtabula County General Health District:

### **Section 1.0 Definitions**

- 1.1 **"Board of Health"** means the board of health of the General Health District of Ashtabula County.
- 1.2 **"Health Commissioner"** means the health commissioner of the Ashtabula County General Health District or his authorized representative.
- 1.3 **"Nuisance"** means a condition that is dangerous to the public's health, welfare, or safety, or interferes with the rights or interests of another person or entity.
- 1.4 **"Person"** means an individual, corporation, business trust, estate, trust, partnership, and association as set forth in section [1.59](#) of the Ohio Revised Code and also includes any state, any political subdivision of a state, and any department, division, board, commission, agency, or instrumentality of a state or political subdivision.
- 1.5 **"Road Frontage"** means road frontage located on a dedicated, accepted and publicly maintained roadway.
- 1.6 **"Sewage"** means liquid waste containing animal or vegetable matter in suspension or solution that originates from humans and human activities. Sewage includes liquids containing household chemicals in solution commonly discharged from a residence or from commercial, institutional, or other similar facilities.

### **Section 2.0 Nuisances**

- 2.1 The Board of Health may declare a condition believed to be dangerous to life or health a public health nuisance.
- 2.2 Where a nuisance is found in any building or upon the ground or premises within the Ashtabula County General Health District, an order in writing shall be given by the Board of Health to the owner or occupant of such a building or premises to abate such nuisance. The time to comply with the order shall be specified in such order.
- 2.3 In case of neglect or refusal to abate the nuisance in accordance with such order, the Board of Health may cause said owner, occupant, or offender to be prosecuted as provided by law, abate the nuisance itself in accordance with ORC 3707.02 and assess the costs (including material and labor) as a lien upon the property to be paid as other taxes are paid, or seek injunctive relief against the party.

### **Section 3.0 Manure**

3.1 No person shall place or deposit manure, produced in the keeping of an animal or animals of any kind in any street, alley, road, open excavation, ditch, stream, or body of water.

3.2 This 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 Ashtabula County Board of Health.

### **Section 4.0 Household Sewage Treatment Systems**

4.1 For purposes of Section 4 of this resolution: The date the lot is created shall be the date the deed or plat creating said lot is recorded with the Ashtabula County Recorder's office.

4.2 Each township or village will determine the acreage and road frontage requirements for their respective areas. If a township or village has no zoning and/or regulations in place, then the following requirements will be used to determine if a lot is suitable to build.

a. For lots created before November 1, 2004: No person shall install a home sewage treatment system unless said lot has at least 40,000 square feet of suitable area.

b. For lots created on or after November 1, 2004: No person shall install a home sewage treatment system unless the said lot has at least two (2) acres of suitable area and two hundred (200) feet of road frontage.

4.3 Regardless of any lot being approved under Section 4.2, all lots must meet all required lot site criteria contained in Chapter 3701-29 of the Ohio Administrative Code (OAC), or such other section of the OAC that governs home sewage treatment systems in order for a home sewage treatment system permit to be obtained.

### **Section 5.0 Variance**

5.1 The Board of Health may grant a variance from the requirements of this resolution 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 the regulation or be otherwise contrary to the public interest.

### **Section 6.0 Penalties**

6.1 Whoever violates any provision of this resolution or any order of the Board of Health or whoever interferes with the execution of a regulation or order of that nature by the Board of Health or person authorized by the Board of Health, shall be fined not more than \$10,000 or imprisoned not more than 90 days, or both. No person shall be imprisoned for the first offense, and the prosecutions shall always be as and for a first

offense unless the affidavit upon which the prosecutions instituted contains the allegation that the offense is a second or repeated offense.

6.2 Nothing herein contained shall prevent the Board of Health from taking such other lawful action as is necessary to prevent or remedy any violation.

**Section 7.0 Conflict**

7.1 In any case where a provision or section of this resolution is found to be in conflict with any zoning, building, fire, safety, health, or other regulation adopted for the promotion of public health, safety, and the general welfare, the most restrictive, or that imposing the higher standard shall govern.

**Section 8.0 Effect of Partial Invalidity**

8.1 If any section, subsection, paragraph, sentence, clause, or phrase of this resolution shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this resolution, which shall remain in full force in effect; and to this end the provisions or section of this resolution are hereby declared to be severable.

**Section 9.0 Date of Effectiveness and Repeal**

9.1 This resolution shall be in full force and effect June 1, 2025.

9.2 The adoption of this resolution shall repeal the 2004 resolution titled “General Requirements for Sanitation” and the amendment in 2016.

Signed: \_\_\_\_\_

Dr. Harlan Waid Jr., President  
Ashtabula County Board of Health

Signed: \_\_\_\_\_

Jay Becker, M.P.H., Secretary  
Ashtabula County Board of Health