

**REGULATION 2-2023**

**REGULATION ADOPTING REVISED LOCAL FEES FOR  
PUBLIC SWIMMING POOLS, SPAS, AND SPECIAL USE POOLS**

The Board of Health of the Hamilton County General Health District met in a regular session on September 11, 2023, with the following members present:

Elizabeth A. Kelly, M.D., President	<u>Present</u>
Dan Meloy, Vice President	<u>          </u>
James Brett	<u>Present</u>
Tracey A. Puthoff, Esq.	<u>Present</u>
Mark A. Rippe	<u>Present</u>

Mr. Rippe moved for adoption of the following regulation:

**Regulation 2-2023, Adopting Revised Local Fees Pursuant to the Ohio Revised Code 3709.09, 3709.21, and 3749.04 for public swimming pools, spas, and special use pools.**

**WHEREAS**, the Board of Health of the Hamilton County General Health District has the authority pursuant to Ohio Revised Code 3709.09, 3709.21, and 3749.04 to establish a uniform system of fee services; and

**WHEREAS**, the Board of Health of the Hamilton County General Health District is mandated to provide services that protect the public health and prevent disease; and

**WHEREAS**, the Board of Health of the Hamilton County General Health District has determined that it is necessary to revise the local license fees for public swimming pools, spas, and special use pools pursuant to Ohio Revised Code 3749, and Ohio Administrative Code 3701-31; and

**WHEREAS**, any entity that would be affected by the revision to the fees for public swimming pools, spas, and special use pools were advised by the Board of Health of the Hamilton County General Health District at least twenty (20) days prior to the September 11, 2023 hearing; and

**NOW, THEREFORE BE IT RESOLVED**, the Board of Health of the Hamilton County General Health District hereby adopts Regulation 2-2023, revising the local fee schedule as follows for all public swimming pools, spas, and special use pools effective January 1, 2024:

Individual Public Swimming Pools	\$362.00
Spas	\$393.00
Special Use Pools	\$349.00

**State Fees** In addition to the local fee for a license, a state fee portion, pursuant to the Ohio Revised Code, will be added.

**Late Fees** If a payment of a fee is not received by the day on which payment is due, the board of health shall assess a penalty pursuant to the Ohio Revised Code.

**BE IT FURTHER RESOLVED**, that the Board of Health of the Hamilton County General Health District hereby finds by a vote of at least three-fourths of its members that this regulation be read only once and the requirement that it be read on three different days be dispensed with as provided by law; and

**BE IT FURTHER RESOLVED**, that any previous regulation, rule, or policy adopted by the Board of Health of the Hamilton County General Health District, that in any way conflicts with this regulation in part or in whole, is hereby rescinded and repealed in part or in whole to the extent of any conflict; and

**BE IT FURTHER RESOLVED**, that this Board of Health of the Hamilton County General Health District, that this regulation be published in one newspaper of general circulation within the Hamilton County General Health District once a week for two consecutive weeks and that the first publication take place no later than ten (10) days prior to the effective date of the Regulation; and

**BE IT FURTHER RESOLVED**, that this Board of Health of the Hamilton County General Health District find and determine that all formal actions relative to the passage of this regulation were taken in an open meeting of this Board and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with the applicable legal requirement, including s 121.22 of the Ohio Revised Code.

Mr. Brett seconded the Regulation, and upon roll call, the vote was as follows:

Elizabeth A. Kelly, M.D., President	<u>Yes</u>
Dan Meloy, Vice President	<u>          </u>
James Brett	<u>Yes</u>
Tracey A. Puthoff, Esq.	<u>Yes</u>
Mark A. Rippe	<u>Yes</u>

Board of Health of the Hamilton County General Health District

Elizabeth A. Kelly, M.D. 9-11-23  
Elizabeth A. Kelly, M.D., President Date

Attest: [Signature] 9/11/2023  
Greg Kesterman, Health Commissioner Date

This regulation was approved as to form by the office of the Hamilton County Prosecuting Attorney, Melissa A. Powers, Prosecutor.

By: On File 9/1/2023  
Nee Fong Chin Date  
Chief Assistant Prosecuting Attorney



**MELISSA A. POWERS**  
HAMILTON COUNTY PROSECUTING ATTORNEY

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September 1, 2023

Greg Kesterman  
Hamilton County Health Commissioner  
Hamilton County General Health District  
250 William Howard Taft Road, 2nd Floor  
Cincinnati, OH 45219

Re: Hamilton County Board of Health Regulations for Fee Changes

Dear Commissioner Kesterman:

I have reviewed the above referenced Hamilton County Board of Health Regulations for Fee Changes for Environmental Health Programs. I, now return the Regulations to you approved as to form.

If you have any questions, please feel free to contact me.

Sincerely,

Nee Fong Chin  
Chief Assistant Prosecuting Attorney