

**Emergency Resolution D-2007**

**Declaring an Emergency and Adopting Household Sewage Code Regulation 529,  
pursuant to the Ohio Revised Code, Sections 3707, 3709, and 3718.**

The Board of Health of the Hamilton County General Health District met in a regular session on July 16, 2007, with the following members present:

Mark Rippe, President	_____
Thomas A. Chatham, Vice President	_____
Kenneth G. Amend, M.D.	_____
Jim Brett	_____
Tracey A. Puthoff	_____

\_\_\_\_\_ moved for adoption of the following resolution:

**Emergency Resolution D-2007, Declaring an Emergency and adopting Household Sewage Code Regulation 529, pursuant to the Ohio Revised Code, Sections 3707, 3709, and 3718.**

**WHEREAS**, the Board of Health of the Hamilton County General Health District has the authority pursuant to Ohio Revised Code Sections 3707, 3709, and 3718 to make such Orders and Regulations as are necessary for its own government, for the public health, the prevention or restriction of disease, and the prevention abatement and suppression of nuisances; and

**WHEREAS**, the Board of Health of the Hamilton County General Health District is mandated to adopt such rules and regulations as it deems necessary for the public health, the prevention or restriction of disease, and the prevention, abatement and suppression of nuisances; and

**WHEREAS**, the Board of Health of the Hamilton County General Health District finds that an emergency exists due to the State of Ohio suspending the 2007 Household Sewage Rules; and

**WHEREAS**, the Board of Health of the Hamilton County General Health District has determined the need to adopt its own local sewage rule, *Household Sewage Code Regulation 529*, which regulates household sewage treatment systems in order to prevent disease, contamination, and public health nuisances; and

**WHEREAS**, the Board of Health of the Hamilton County General Health District has considered the economic impact of adopting *Household Sewage Regulation 529*, the impact on the cost of Household Sewage Systems, available technology, and the nature and economics of the available alternatives to adopting the more stringent standards in Household Sewage Regulation 529; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Health of the Hamilton County General Health District adopts *Household Sewage Code Regulation 529*, attached hereto, and that it becomes part of the record of the local Regulations of the Board of Health of the Hamilton County General Health District.

**BE IT FURTHER RESOLVED**, that Hamilton County General Health District, *Household Sewage Code Regulation 529*, is in effect and enforceable immediately upon passage; and

**BE IT FURTHER RESOLVED**, that the Hamilton County General Health District, Household Sewage Code Regulation 529 supersedes any and all prior Hamilton County General Health District household sewage regulations, rules, or policies that in any way conflicts in part or in whole with Regulation 529;and

**BE IT FURTHER RESOLVED**, that the Board of Health of the Hamilton County General Health District hereby declares this action an emergency for the immediate preservation of public peace, health, and safety in order to prevent a danger to the public health due to the actions of the State of Ohio in suspending the statewide household sewage rules on July 1, 2007; 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 Sections 121.22 of the Ohio Revised Code.

\_\_\_\_\_ seconded the Resolution, and upon roll call, the vote was as follows:

Mark Rippe, President	_____
Thomas Chatham, Vice President	_____
Kenneth G. Amend, M.D.	_____
Jim Brett	_____
Tracey A. Puthoff	_____

Board of Health of the Hamilton County General Health District

\_\_\_\_\_  
Mark Rippe, President

ATTEST: \_\_\_\_\_ Date: \_\_\_\_\_  
Timothy I. Ingram, Health Commissioner  
Secretary to the Board

This regulation was approved as to form by the office of the Hamilton County Prosecuting Attorney, Joseph Deters, Prosecutor.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Nee Fong Chin  
Chief Assistant Prosecuting Attorney