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POLICY AND PROCEDURE	
SUBJECT/TITLE:	Policy and Procedures for Condemnation by Board of Health and Emergency Condemnation
APPLICABILITY:	SCHD ENVIRONMENTAL SANITARIANS
ORIGINALLY PREPARED BY:	Melissa Spears, R.S. 6-18-2019
REVISION PREPARED BY:	
EFFECTIVE DATE:	6-18-19
REVIEW FREQUENCY:	3 years
REFERENCE NUMBER:	E- 5

Purpose:

To ensure that adequate housing standards are maintained in order to meet the requirements of Chapter 3707.01 of the Ohio Revised Code.

Policy:

This policy describes the standard operating procedures for the condemnation of structures that are a risk to the health and safety of the citizens of Scioto County.

Legal Authority:

Ohio Revised Code Chapters 3707.01

Procedure:

- 1) Inspections: The Health Commissioner or their authorized representative shall enter the dwelling, dwelling unit or premises to perform the required inspection. If the owner, occupant or other person in charge of the dwelling, dwelling unit or premises fails or refuses to permit access or entry the Health Commissioner or their authorized representative may petition and obtain a court order to inspect the dwelling, dwelling unit or premises from the Portsmouth Municipal Court. If violations of the building are deemed harmful or dangerous to human habitation, a Notice of Violation letter will be issued with the required date of correction. If the violations are not corrected by the required date and the Health Commissioner or their designee deems the dwelling, dwelling unit or premises to be unsafe for occupancy, condemnation procedures may begin.
- 2) Condemnation of Premises: If the owner or the person responsible for the



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maintenance of the dwelling, dwelling unit or premises does not correct the violation(s) in the allotted time give in the Notice of Violation Letter, the Health Commissioner or their designee may condemn and placard the dwelling, dwelling unit or premises as unfit for human habitation.

- a) The occupant of the dwelling, dwelling unit or premises that is in violation must be served with the Notice to Occupants Form.
 - b) The occupant may request and be granted a hearing before the Health Commissioner, provided the request for such a hearing is made within the time limit stated in the Notice of Violation Letter.
 - c) After such hearing, the Health Commissioner shall sustain, modify or withdraw the alleged violation(s). Notice of the Health Commissioner's findings shall be served by certified mail.
 - d) Any person(s) affected by the decision of the Health Commissioner may appeal the decision of the Health Commissioner to the Board of Health. Written notice of the appeal must be filed with the Health Commissioner within five (5) days after the affected person has been served by certified mail. A hearing will be scheduled at the next, regular Board of Health Meeting.
 - e) Once the appeals process has been exhausted or no more appeals have been made, the dwelling, dwelling unit or premises shall be placarded with an approved condemnation placard. At that time, the dwelling, dwelling unit or premises shall not be occupied until all the violations have been corrected and the dwelling, dwelling unit or structure is fit of habitation.
- 3) **Emergency Condemnation:** Whenever the Health Commissioner or their designee finds that an emergency exists that requires immediate action to protect the public health, the Health Commissioner or their designee, may without advance notice or hearing issue an order stating the existence of such an emergency and take the necessary action to meet the emergency. Any person to whom such an order is directed shall immediately comply but shall be advised in writing that, within ten (10) days they may petition the Health Commissioner for a hearing and shall be afforded a hearing within three (3) working days from the date of request.

The Health Commissioner may continue the emergency order if the findings from the hearing did not change.



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Board Approval:



Laura Miller,
Board President

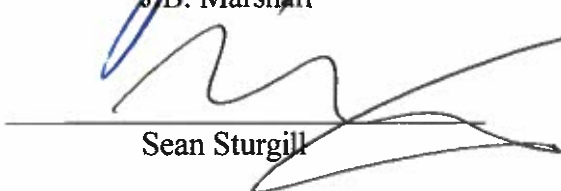
Dr. Jerod Walker



J.B. Marshall



Christy Sherman



Sean Sturgill



Dr. Michael Martin,
Health Commissioner