

**JEFFERSON COUNTY GENERAL HEALTH DISTRICT**  
**AKA:**  
**JEFFERSON COUNTY HEALTH DEPARTMENT**



**JEFFERSON COUNTY**  
**General Health District**  
— Prevent. Promote. Protect. —

*Board of Health*  
*By-Laws*  
*(adopted October 18, 2022)*

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**JEFFERSON COUNTY GENERAL HEALTH DISTRICT  
BOARD OF HEALTH  
BY-LAWS**

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**ARTICLE I - NAME**

Jefferson County General Health District, a general health district located in the County of Jefferson, Ohio, shall be known as the Jefferson County General Health District, hereinafter referred to as "the health department."

**ARTICLE II - MISSION STATEMENT**

The mission of the Board of Health is to provide oversight of public health programs necessary to protect and enhance the health of the citizens in Jefferson County.

**ARTICLE III - POWER AND DUTIES**

The powers and duties of the health department shall be vested in the Board of Health which is comprised of five (5) members. The Board of Health shall perform all acts expressly or impliedly required of it by the Ohio Revised Code and the Ohio Department of Health. The Board of Health may also regulate and adopt rules accordingly as provided in the Ohio Revised Code. The Board of Health may also hear appeals from public health orders issued by the district staff for extenuating circumstances, with a view to either affirm, grant extensions of time, provide waivers where allowable, or refer to the local legal authority for appropriate legal action.

**ARTICLE IV - MEMBERSHIP**

**SECTION 1. Members** are selected by the District Advisory Council which is made up of the chairman of each of the townships in the county, the mayors of each of the cities and villages and the chairman of the county commissioners. The District Advisory Council shall meet in March of each year and appoint a county resident to fill one of the seats to the Board of Health. A total of five (5) persons constitute the Board of Health. At least one (1) member of the Board must be a physician.

**SECTION 2. Terms of Office.** Each member of the Board of Health shall serve a five (5) year term with one of the members' term expiring each year on March 30. The District Advisory Council must approve all appointments and reappointments. A member may serve up to a total of four terms of office after the adoption of these bylaws on February 18, 2020.

**SECTION 3. Election of Officers.** The Board of Health shall select a President and Vice President from their membership at the first Board of Health meeting in April of each year. The office shall be held by a member for a period of not more than one year.

**SECTION 4. Appointment of Committees.** The Board of Health shall appoint Committees at the first Board of Health meeting in April of each year. Each committee shall be comprised of a Chair and another member with the Health Commissioner serving as an advisor on each Committee. The Standing Committees shall be: Clinical, Environmental, Personnel, Administration, Events, and additional Ad Hoc Committees may be formed at meetings other than the April meeting as needed and may be disbanded when the need no longer exists. Minutes should be taken at committee meetings and the Chair of the committees should provide monthly reports of the meetings and any activities. The minutes should then also be submitted to the record of the monthly Board of Health agenda and minutes.

**SECTION 5. Vacancy on the Board.** In the event that a vacancy occurs on the Board of Health, the District Advisory Council shall be convened and the vacant position filled in like manner as the original appointment for the unexpired term.

## **ARTICLE V - MEETINGS**

**SECTION 1. Regular Meetings.** The Board of Health regular meetings shall be held each month at the office of the health department. The Board of Health shall set the date and time of the regular meetings at the first Board of Health meeting in April of each year. Notice of the monthly meeting shall be mailed out to all Board of Health members at least two (2) business days in advance of the meeting. It shall be the responsibility of the Secretary of the Board (Health Commissioner) to see that these notices of the meetings are given and that minutes of the previous meeting are also mailed for the members review. The notice may be e-mailed. Notices of the regular meetings shall be provided to the local newspaper and may be posted on the website. Special and emergency meetings shall be posted on the website and may be published in the local newspaper. All types of the meetings shall be posted

The order of the agenda will be as follows:

- A. Call to Order
- B. Pledge of Allegiance
- C. Approval of Previous Minutes
- D. Approval of Current Month's Expenses
- E. Approval of Monthly Financial Statement
- F. Health Commissioner's Docket
  - Personnel
  - Travel Requests
  - Contracts/MOU
  - Adoption of Forms/Policies
  - Purchase Orders over \$5,000
- G. Health Commissioner's Report
- H. Medical Director's Report
- I. DON Report
- J. WIC Report
- K. Environmental Health Director's Report
- L. Accreditation Report
- M. PHEP Report
- N. Correspondence
- O. Committee Reports (if needed)
- P. Old Business
- Q. New Business

- R. Public Participation Period
- S. Executive Session (if needed)
- T. Adjourn

**SECTION 2. Special Meetings.** Special meetings of the Board of Health may be called by the President or a majority of the Board Members as often as deemed appropriate and necessary. The notice of the meeting shall be mailed out to all members at least 48 hours in advance of the meeting and shall state the purpose of the meeting. No other business may be considered at the special meeting.

**SECTION 3. Emergency Meeting.** In the event that an emergency exists and a meeting is required, the President, Vice President or Health Commissioner may advise the membership via telephone of the time and place of the meeting.

**SECTION 4. Quorum.** At any regular, special or emergency meeting of the Board of Health, the presence of at least three (3) members shall constitute a quorum.

**SECTION 5. Attendance Requirement.** All members of the Board of Health are expected to attend each meeting. Absences should be reported to the Health Commissioner prior to any meeting.

**SECTION 6. Public Participation at Board Meetings.** All meetings of the Board and Board-appointed committees are open to the public. This is a policy to permit the fair and orderly expression of public input in formulating specific direction for the Board of Health.

In order for the Board to fulfill its obligation to complete the planned agenda in an effective and efficient fashion, a maximum of 20 minutes of public participation may be permitted at each meeting.

Agendas are available to all those who attend Board meetings. The section on the agenda for public participation shall be indicated.

The presiding officer of the Board of Health shall administer the adopted rules of the Board for its conduct. Where his/her ruling is questioned in the governance of said rules, those specific issues may be over-ruled by a majority of those present and voting, in order to maintain a balance of order.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted *only* as indicated on the order of business in the by-laws of this Board.
- B. All persons wishing to participate in a public board meeting shall register their intent with the Health Commissioner or his/her designee, at least three (3) business in advance of the meeting and include:
  - 1. Name and address of the participant.

2. Group affiliation if and when appropriate.
  3. Topic to be addressed.
- C. Participants must be recognized by the presiding officer and must preface their comments by an announcement of their name and group affiliation if and when appropriate.
- D. Each statement made by a participant shall be limited to five (5) minutes.
- E. No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.
- F. If there is an issue the board is discussing which impacts upon a geographical location of the community, groups or organizations, etc., it will be the responsibility of the affected entity to appoint a spokesperson that best represents the interests of those impacted. The purpose is to eliminate redundancy and to accentuate the clarity of issues discussed.
- G. The presiding officer may:
1. Interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant.
  2. Request any individual to leave the meeting when that person does not observe reasonable decorum.
  3. Request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting.
  4. Call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action.

## **SECTION 7. Executive Sessions.**

Public health matters should be discussed and decisions made at public meetings of the Board (in accordance with the rationale for the creation of public governing bodies).

Some matters are more properly discussed by the Board in executive session. As permitted by law, such matters may involve:

- A. The appointment, employment, dismissal, discipline, promotion, demotion or compensation of an employee, official or student or the investigation of charges or complaints against such individual, unless an employee, official or student requests a public hearing (the Board will not hold an executive session for the discipline of one of

its members for conduct related to the performance of his/her official duties or for his/her removal from office);

- B. The purchase of property for public purposes or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair advantage to a person whose personal, private interest is adverse to the general public interest;
- C. Specialized details of security arrangements where disclosure of the matters discussed might reveal information that could be used for the purpose of committing, or avoiding prosecution for, a violation of the law;
- D. Matters required to be kept confidential by Federal law or State statutes;
- E. Preparing for, conducting or reviewing negotiations with public employees concerning their compensation or other terms and conditions of their employment; or
- F. In-person conferences with an attorney for the Board concerning disputes involving the Board that are the subject of pending or imminent court action.

Conferences with a member of the office of the State Auditor or an appointed certified public accountant for the purpose of an audit are not considered meetings subject to the Sunshine Law.

The Board meets in executive session only to discuss legally authorized matters. Executive sessions are held only as part of a regular or special meeting and only after a majority of the quorum determines, by a roll-call vote, to hold such a session.

When the Board holds an executive session for any of the reasons stated above, the motion and vote to hold the executive session shall state one or more of the purposes listed under such paragraph for which the executive session is to be held, but need not include the name of any person to be considered in the executive session. The minutes shall reflect the information described above.

In compliance with law, no official action may be taken in executive session. To take final action on any matter discussed, the Board reconvenes into public session.

The Board may invite staff members or others to attend executive sessions at its discretion.

Board members and any others invited to attend the executive session, shall not disclose or use, without appropriate authorization, any information acquired in the course of official duties or which has been clearly designated as confidential because of the status of proceedings or the circumstances under which the information was received.

## **ARTICLE VI - DUTIES OF OFFICERS**

### **SECTION 1. The President:**



- A. It shall be the duty of the President to preside at the meetings of the members of the Board of Health.
- B. Appoint all committees as necessary.
- C. Represent the Board at functions in which the Board of Health has an interest.
- D. Communicate to the Board of Health, the Health Commissioner and staff of the health department such matters and make suggestions as may promote and enhance the image and duties of the health department.
- E. Sign, execute and deliver in the name of the Board all documents required of his (her) signature.
- F. Perform other duties necessary to this office.

**SECTION 2. The Vice-President:**

- A. Provide the President any assistance requested.
- B. Serve as President in case of temporary absence or disability of the President and assume the presidency in case the President is unable to complete the term.
- C. Perform other duties as may be assigned by the Board of Health.

**SECTION 3. The Secretary:**

- A. Record all official action of the Board of Health and maintain records of the Board.
- B. Be responsible for all correspondence and notices pertaining to meetings.
- C. Perform such duties as may be assigned by the Board of Health.

**ARTICLE VII - METHOD OF VOTING**

All business shall be transacted by voice vote. When determined appropriate by the Board President, a Roll Call vote by voice shall be recorded in the minutes.

**ARTICLE VIII - HEALTH COMMISSIONER**

**SECTION 1. Requirements.** The Health Commissioner shall hold the proper credentials as provided for in Section 3709.11 of the Ohio Revised Code.

**SECTION 2. Duties.** The Health Commissioner shall serve as Chief Executive Officer of the Health Department and shall serve as Secretary to the Board of Health.

**SECTION 3. Compensation.** The Health Commissioner shall receive compensation and expenses as determined by the Board of Health and paid from the health funds.

**SECTION 4. Contract.** The Health Commissioner and the Board of Health shall enter into a contract which may not exceed five (5) years but may be renewed as agreed to by both parties.

**SECTION 5. Performance Evaluation.** The Health Commissioner shall have an annual performance evaluation by the Board of Health as prescribed in the Health Commissioner's contract.

## **ARTICLE IX - FISCAL YEAR**

The fiscal year of the Board of Health shall be a twelve (12) month period commencing January 1<sup>st</sup> and ending the last day of December.

## **ARTICLE X - PARLIAMENTARY AUTHORITY**

**SECTION 1. Robert's Rules of Order.** All meetings of the Board of Health shall be governed by the most recent edition of Robert's Rules of Order except where it is contrary to this Code of Regulations or any existing laws of the State of Ohio.

**SECTION 2. Health Commissioner's Docket.** There shall be placed upon each meeting agenda the item "Health Commissioner's Docket". The Docket is a list of actions taken or proposed by the Health Commissioner and presented to the Board for preapproval and/or consent after the fact. Said actions are normally part of the Health Commissioner's delegated duties per the terms of his/her employment contract or agreement with the Board. The Docket shall be used by the Board and enables the Board to vote on each section separately, items are noncontroversial without a lot of time or discussion needed.

## **ARTICLE XI - OUT-OF-COUNTY TRAVEL APPROVAL**

Ohio Revised Code 3709.17 directs the Board that when an employee must travel outside the district, the "employee shall be reimbursed for travel and per diem expenses incidental to such travel." It further directs that "No employee of a board shall be reimbursed for such travel unless prior approval has been granted by the board."

It shall be the policy of the Board that the travel outside of the district by an employee for the purpose of departmental related training, management, and continuing education will be prior approved by the Health Commissioner and these approval actions shall be reported on the Health Commissioner's Docket as described in Article X Section 2 of this "Code of Regulations".

It is further directed and clarified:

- A. When an employee of the Board is traveling out of district, and
- B. Said travel is in the normal course of providing department services; and

- C. The Board previously approved the Program to provide services in areas of Ohio, outside the Jefferson County General Health District's borders; then
- D. Prior approval for said travel is inherently approved by the Board; and
- E. Said travel need not be reported upon the docket.

**ARTICLE XII - BOARD MEMBER CODE OF ETHICS**

The Board believes public health should be conducted in an ethical manner. In addition to State law, the conduct of Board members should conform to the code of ethics recommended by the Ohio Association of Boards of Health which includes the following.

It is unethical for a Board member to:

- 1. Seek special privileges for personal gain;
- 2. Personally assume unauthorized authority;
- 3. Criticize employees publicly;
- 4. Disclose confidential information;
- 5. Place the interest of one group or community above the interest of the entire District;
- 6. Withhold facts from the Health Commissioner, particularly about the incompetency of an employee or;
- 7. Announce future action before the proposition has been discussed by the Board.

**ARTICLE XIII - BOARD MEMBER CONFLICT OF INTEREST**

The Board and individual members follow the letter and spirit of the law regarding conflicts of interest.

A Board member will not have any direct or indirect pecuniary interest in a contract with the Board; will not furnish for remuneration any labor, equipment or supplies to the Board; nor be employed by the Board in any capacity for compensation.

A Board member may have a private interest in a contract with the Board if all of the following apply:

- 1. The subject of the public contract is necessary supplies or services for the Board;
- 2. The supplies or services are unobtainable elsewhere for the same or lower cost, or are being furnished to the Board as part of a continuing course of dealing established prior to the Board member's becoming associated with the school district;
- 3. The treatment accorded the Board is either preferential to or the same as that accorded other customers or clients in similar transactions and;
- 3. The entire transaction is conducted at arm's length, with full knowledge by the Board of the interest of the Board member, member of his/her family, or his/her business associate, and the Board member takes no part in the deliberations or decision with respect to the public contract.

The law specifically forbids:

1. A Township Trustee or Administrator; County Commissioner or Administrator; School Board Member or Administrator; Village Mayor, Council, or Administrator; Sheriff, Marshall or Justice of the Peace; Prosecuting Attorney or a city attorney from serving on a board;
2. A member from being employed for compensation by a board;
3. A member from having, directly or indirectly, any pecuniary interest in any contract with a board;
4. A member from voting on a contract with a person as an employee if he is related to that person as father, mother, brother or sister;
5. A member from authorizing, or employing the authority or influence of his/her office to secure authorization of, any public contract in which he, a member of his/her family or his/her business associates have an interest;
6. A member from having an interest in the profits or benefits of a public contract entered into by, or for the use of, the Board and;
7. A member from occupying any position of profit during his term of office or within one year thereafter in the prosecution of a public contract authorized by him or a board of which he was a member at the time of authorization of that contract.

#### **ARTICLE XIV - BOARD MEMBER CONTINUING EDUCATION**

**Required Continuing Education:** As outlined in Ohio Administrative Code 3701-36-03 A (8), Annual completion of two hours of continuing education by each Board member is required. Continuing education credits shall pertain to ethics, public health principals, and a member's responsibilities. Credits may be earned in these topics at pertinent presentations that may occur prior to regularly scheduled board meetings throughout the calendar year or at other programs available for continuing education credit. Continuing education credits earned for the purpose of license renewal or certification by licensed health professionals serving on boards of health may be counted to fulfill the two-hour continuing education requirement.

#### **ARTICLE XV - AMENDMENTS**

These By-Laws may be amended by the affirmative vote of three (3) of the members of the Board of Health present and voting at any regular or special meeting of the Board provided that each member of the Board shall have been sent a copy of the proposed amendment not less than ten (10) days prior to the meeting. Any amendment adopted shall become effective immediately unless otherwise specified in the amendment.

Adopted by Board of Health: February 18, 2020;  
Amended by the Board of Health:

## **APPENDIX “A” - Ohio Revised Code - Selections**

### **Chapter 3707. BOARD OF HEALTH**

#### **3707.01 Powers of board - abatement of nuisances.**

The board of health of a city or general health district shall abate and remove all nuisances within its jurisdiction. It may, by order, compel the owners, agents, assignees, occupants, or tenants of any lot, property, building, or structure to abate and remove any nuisance therein, and prosecute such persons for neglect or refusal to obey such orders. Except in cities having a building department, or otherwise exercising the power to regulate the erection of buildings, the Board may regulate the location, construction, and repair of water closets, privies, cesspools, sinks, plumbing, and drains. In cities having such departments or exercising such power, the legislative authority, by ordinance, shall prescribe such rules and regulations as are approved by the board and shall provide for their enforcement.

The board may regulate the location, construction, and repair of yards, pens, and stables, and the use, emptying, and cleaning of such yards, pens, and stables and of water closets, privies, cesspools, sinks, plumbing, drains, or other places where offensive or dangerous substances or liquids are or may accumulate.

When a building, erection, excavation, premises, business, pursuit, matter, or thing, or the sewerage, drainage, plumbing, or ventilation thereof is, in the opinion of the Board, in a condition dangerous to life or health, and when a building or structure is occupied or rented for living or business purposes and sanitary plumbing and sewerage are feasible and necessary, but neglected or refused, the board may declare it a public nuisance and order it to be removed, abated, suspended, altered, or otherwise improved or purified by the owner, agent, or other person having control thereof or responsible for such condition, and may prosecute him for the refusal or neglect to obey such order. The Board may, by its officers and employees, remove, abate, suspend, alter, or otherwise improve or purify such nuisance and certify the costs and expense thereof to the county auditor, to be assessed against the property and thereby made a lien upon it and collected as other taxes.

Effective Date: 10-01-1953.

#### **3707.08 Isolation of persons exposed to communicable disease - placarding of premises.**

When a person known to have been exposed to a communicable disease declared quarantinable by the board of health of a city or general health district or the department of health is reported within its jurisdiction, the board shall at once restrict such person to his place of residence or other suitable place, prohibit entrance to or exit from such place without the board's written permission in such manner as to prevent effective contact with individuals not so exposed, and enforce such restrictive measures as are prescribed by the department.

When a person has, or is suspected of having, a communicable disease for which isolation is required by the board or the department, the board shall at once cause such person to be separated from susceptible persons in such places and under such circumstances as will prevent the conveyance of the infectious agents to susceptible persons, prohibit entrance to or exit from such places without the board's written permission, and enforce such restrictive measures as are prescribed by the department.

When persons have, or are exposed to, a communicable disease for which placarding of premises is required by the board or the department the board shall at once place in a conspicuous position on the premises where such a person is isolated or quarantined a placard having printed on it, in large letters, the name of the disease. No person shall remove, mar, deface, or destroy such placard, which shall remain in place until after the persons restricted have been released from isolation or quarantine.

Physicians attending a person affected with a communicable disease shall use such precautionary measures to prevent its spread as are required by the board or the department. No person isolated or quarantined by a board shall leave the premises to which he has been restricted without the written permission of such board until released from isolation or quarantine by it in accordance with the rules and regulations of the department.

Effective Date: 10-01-1953.

## **CHAPTER 3709: HEALTH DISTRICTS**

### **3709.01 Health districts.**

The state shall be divided into health districts. Each city constitutes a city health district.

The townships and villages in each county shall be combined into a general health district.

As provided for in sections 3709.051, 3709.07, and 3709.10 of the Revised Code, there may be a union of two or more general health districts, a union of two or more city health districts to form a single city health district, or a union of a general health district and one or more city health districts located within or partially within such general health district.

Amended by 132nd General Assembly File No. TBD, SB 229, §1, eff. 3/22/2020.

Amended by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Effective Date: 12-11-1967.

### **3709.02 Board of health of general health district - term - expenses - vacancies - quorum.**

(A) In each general health district there shall be a board of health consisting of five (5) members to be appointed as provided in section 3709.03 and 3709.41 of the Revised Code. The term of

office of the members shall be five years from the date of appointment, except that of those first appointed one shall serve for five years, one for four years, one for three years, one for two years, and one for one year, and thereafter one shall be appointed each year. This paragraph does not apply to a combined board of health created under section 3709.07 of the Revised Code.

(B) Each member of the Board shall be paid a sum not to exceed eighty dollars (\$80.00) a day for the member's attendance at each meeting of the Board. No member shall receive compensation for attendance at more than eighteen (18) meetings in any year.

(C) Each member of the Board shall receive travel expenses at rates established by the director of budget and management pursuant to section 126.31 of the Revised Code to cover the actual and necessary travel expenses incurred for travel to and from meetings that take place outside the county in which the member resides, except that any member may receive travel expenses for registration for any conference that takes place inside the county in which the member resides.

(D) A vacancy in the membership of the Board shall be filled in the same manner as an original appointment and shall be for the unexpired term. When a vacancy occurs in a position to be filled by the district advisory council, the council shall hold a special meeting pursuant to section 3709.03 of the Revised Code for the purpose of appointing a member to fill the vacancy.

(E) A majority of the members of the Board constitutes a quorum.

Effective Date: 11-21-2001

### **3709.09 Board of health to establish uniform system of fees; adoption of rules.**

(A) The board of health of a city or general health district may, by rule, establish a uniform system of fees to pay the costs of any services provided by the board.

The fee for issuance of a certified copy of a vital record or a certification of birth shall not be less than the fee prescribed for the same service under division (A)(1) of section 3705.24 of the Revised Code and shall include the fees required by division (B) of section 3705.24 and section 3109.14 of the Revised Code.

Fees for services provided by the board for purposes specified in sections 3701.344, 3711.10, 3718.06, 3729.07, 3730.03, and 3749.04 of the Revised Code shall be established in accordance with rules adopted under division (B) of this section. The district advisory council, in the case of a general health district, and the legislative authority of the city, in the case of a city health district, may disapprove any fee established by the board of health under this division, and any such fee, as disapproved, shall not be charged by the board of health.

(B) The director of health shall adopt rules under section 111.15 of the Revised Code that establish fee categories and a uniform methodology for use in calculating the costs of services provided for purposes specified in sections 3701.344, 3711.10, 3718.06, 3729.07, 3730.03, and 3749.04 of the Revised Code. In adopting the rules, the director shall consider recommendations

it receives from advisory boards established either by statute or the director for entities subject to the fees.

(C) Except when a board of health establishes a fee by adopting a rule as an emergency measure, the board of health shall hold a public hearing regarding each proposed fee for a service provided by the board for a purpose specified in section 3701.344, 3711.10, 3718.06, 3729.07, 3730.03, or 3749.04 of the Revised Code. If a public hearing is held, at least twenty days prior to the public hearing the board shall give written notice of the hearing to each entity affected by the proposed fee. The notice shall be mailed to the last known address of each entity and shall specify the date, time, and place of the hearing and the amount of the proposed fee.

(D) If payment of a fee established under this section is not received by the day on which payment is due, the board of health shall assess a penalty. The amount of the penalty shall be equal to twenty-five per cent of the applicable fee.

(E) All rules adopted by a board of health under this section shall be adopted, recorded, and certified as are ordinances of municipal corporations and the record thereof shall be given in all courts the same effect as is given such ordinances, but the advertisements of such rules shall be by publication in one newspaper of general circulation within the health district. Publication shall be made once a week for two consecutive weeks or as provided in section 7.16 of the Revised Code, and such rules shall take effect and be in force ten days from the date of the first publication.

Amended by 129th General Assembly File No.127, HB 487, §101.01, eff. 9/10/2012.

Amended by 129th General Assembly File No.28, HB 153, §101.01, eff. 9/29/2011.

Amended by 128th General Assembly File No.9, HB 1, §101.01, eff. 10/16/2009.

Effective Date: 06-26-2003; 10-13-2004; 05-06-2005; 2008 HB331 09-01-2008.

**3709.11 Organization of board of general health district - appointment of health commissioner - duties.**

Within thirty (30) days after the appointment of the members of the board of health in a general health district, they shall organize by selecting one of the members as president and another member as president pro tempore. The board shall appoint a health commissioner upon such terms, and for such period of time, not exceeding five (5) years, as may be prescribed by the board. The person appointed as commissioner shall be a licensed physician, licensed dentist, a licensed veterinarian, licensed podiatrist, licensed chiropractor, or the holder of a master's degree in public health or an equivalent master's degree in a related health field as determined by the members of the board of health in a general health district. He shall be secretary of the board, and shall devote such time to the duties of his office as may be fixed by contract with the board. Notice of such appointment shall be filed with the director of health. The commissioner shall be the executive officer of the board and shall carry out all orders of the board and of the department of health. He shall be charged with the enforcement of all sanitary laws and regulations in the district. The commissioner shall keep the public informed in regard to all matters affecting the health of the district. When the commissioner is not a physician, the board shall provide for adequate medical direction of all personal health and nursing services by the



employment of a licensed physician as medical director on either a full-time or part-time basis. The medical director shall be responsible to the board of health.

Effective Date: 05-03-1990.

**3709.15 Appointing sanitarians and nurses.**

The board of health of a city or general health district may appoint as many persons for sanitary duty as the public health and sanitary conditions of the district require, and such persons shall have general police powers and be known as “sanitarians.” The board may also appoint as many registered nurses for public health nurse duty as the public health and sanitary conditions of the district require, who shall be known as “public health nurses,” and where such are appointed, the board may appoint licensed practical nurses as defined by section 4723.15 of the Revised Code. The legislative authority of the city may determine the maximum number of sanitarians and public health nurses and licensed practical nurses to be appointed.

The board of health of a city or general health district may provide nursing care and other therapeutic and supportive care services to maintain an ill or infirm person in a place of residence used as such person’s home or elsewhere. The board shall charge and collect reasonable fees not to exceed the cost of service for such care from patients financially able to pay, or may accept payment for such services from persons or public or private agencies on behalf of the recipient, either directly or by contract with such persons or agencies. The fees shall be retained by the board and placed in a special fund to be known as the home health services fund, and shall be used by the board only for defraying the cost of personnel, equipment, supplies, rental of physical facilities including real property, utilities, and administrative costs in providing services under this section. The approval of the auditor of state referred to in section 5705.12 of the Revised Code shall not be required for the establishment of the fund.

The board, in addition, may contract with any individual or a public or private agency to furnish services authorized by this section on behalf of a city or general health district for such time and for such compensation as may be agreed upon by the board and the individual or agency. The compensation shall be paid by the board from the home health services fund, or from any other available fund of the board.

Effective Date: 07-01-1985

**3709.17 Travel expense outside district.**

When it is necessary for an employee of a board of health of a city or general health district to travel outside the district, such employee shall be reimbursed for travel and per diem expenses incidental to such travel. No employee of a board shall be reimbursed for such travel unless prior approval has been granted by the board.

Effective Date: 10-01-1953.

**3709.21 Orders and regulations of board of general health district.**

The board of health of a general health district may 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, or suppression of nuisances. Such board may require that no human, animal, or household wastes from sanitary installations within the district be discharged into a storm sewer, open ditch, or watercourse without a permit therefor having been secured from the board under such terms as the board requires. All orders and regulations not for the government of the board, but intended for the general public, shall be adopted, recorded, and certified as are ordinances of municipal corporations and the record thereof shall be given in all courts the same effect as is given such ordinances, but the advertisements of such orders and regulations shall be by publication in a newspaper of general circulation within the district. Publication shall be made once a week for two consecutive weeks or as provided in section 7.16 of the Revised Code, and such orders and regulations shall take effect and be in force ten days from the date of the first publication. In cases of emergency caused by epidemics of contagious or infectious diseases, or conditions or events endangering the public health, the board may declare such orders and regulations to be emergency measures, and such orders and regulations shall become effective immediately without such advertising, recording, and certifying.

Amended by 129th General Assembly File No.28, HB 153, §101.01, eff. 9/29/2011.

Effective Date: 10-01-1953.

**3709.211 Injunctive or other relief.**

When an order of the board of health of a city or general health district made pursuant to section 3709.20 or 3709.21 of the Revised Code is not complied with in whole or in part, the board may petition the court of common pleas for injunctive or other appropriate relief requiring all persons to whom such order of the board is directed to comply with such order. The court of the county in which such offense is alleged to be occurring may grant such injunctive or other appropriate relief as the equities of the case require.

Effective Date: 12-23-1971.

**3709.22 Duties of board of city or general health district.**

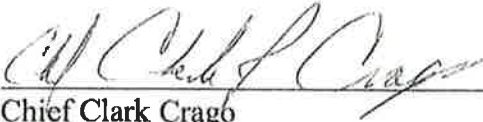
Each board of health of a city or general health district shall study and record the prevalence of disease within its district and provide for the prompt diagnosis and control of communicable diseases. The board may also provide for the medical and dental supervision of school children, for the free treatment of cases of venereal diseases, for the inspection of schools, public institutions, jails, workhouses, children's homes, infirmaries, and county homes, and other charitable, benevolent, and correctional institutions. The board may also provide for the inspection of dairies, stores, restaurants, hotels, and other places where food is manufactured, handled, stored, sold, or offered for sale, and for the medical inspection of persons employed therein. The board may also provide for the inspection and abatement of nuisances dangerous to public health or comfort, and may take such steps as are necessary to protect the public health and to prevent disease.


In the medical supervision of school children, as provided in this section, no medical or surgical treatments shall be administered to any minor school child except upon the written request of a

parent or guardian of such child. Any information regarding any diseased condition or defect found as a result of any school medical examination shall be communicated only to the parent or guardian of such child and if in writing shall be in a sealed envelope addressed to such parent or guardian.

Effective Date: 10-01-1953.

By-Laws Approved by the Board of Health on this 18th day of October, 2022.

  
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Chief Clark Crago  
Board President

  
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Andrew Henry  
Health Commissioner

