REGULATION 1-2026

ADOPTION OF HAMILTON COUNTY GENERAL HEALTH DISTRICT HOUSING AND ENVIRONMENTAL SANITATION REGULATION 1-2026

The Board of Health of the Hamilton County General Health District met in regular session on March 9, 2026, with the following members present:

Dan Meloy, President	Present
Elizabeth A. Kelly, M.D., Vice President	Present
Eric Knapp	Present
Max Miller	Present
Tracey A. Puthoff, Esq.	Present

Ms. Puthoff moved for adoption of the following regulation:

Regulation 1-2026 adoption of Hamilton County General Health District Housing and Environmental Sanitation Regulation.

WHEREAS, the Board of Health of the Hamilton County General Health District has the authority, pursuant to Ohio Revised Code Section 3709.21, 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 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 has determined the need to adopt Regulation 1-2026 governing housing standards, environmental sanitation, and waste collection vehicle registration within the District; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Health of the Hamilton County General Health District adopts Housing and Environmental Sanitation Regulation 1-2026, in effect and enforceable April 1, 2026; and

BE IT FURTHER RESOLVED that the existing waste collection vehicle registration fee of twenty dollars ($20.00), previously established under Environmental Sanitation Regulation 11-47 and subsequent amendments, is hereby adopted within and reauthorized by this Regulation.

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this regulation in part or in whole is rescinded and repealed in part or in whole to the extent of any conflict; and

BE IT FURTHER RESOLVED by this Board of Health of the Hamilton County General Health District that the 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 the Board of Health of the Hamilton County General Health District finds and determines that all formal actions relative to the passage of this regulation were taken in an open meeting of the 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.

Dr. Kelly seconded the regulation, upon roll call, the vote was as follows:

Dan Meloy, President	Yes
Elizabeth A. Kelly, M.D., Vice President	Yes
Eric Knapp	Yes
Max Miller	Yes
Tracey A. Puthoff, Esq.	Yes

Board of Health of the Hamilton County General Health District

Dan Meloy, President — Date: 03/05/2026

Attest: Greg Kesterman, Health Commissioner — Date: March 9, 2026

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

By: Nee Fong Chin, Chief Assistant Prosecuting Attorney — Date: March 9, 2026

CONNIE PILLICH
HAMILTON COUNTY PROSECUTING ATTORNEY

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946-3042

February 24, 2026

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

Re: Regulation 1-2026: Adoption of Hamilton County General Health District Housing and Environmental Sanitation Regulation 1-2026

Dear Commissioner Kesterman:

I have reviewed the above Regulation 1-2026: Adoption of Hamilton County General Health District Housing and Environmental Sanitation Regulation 1-2026. I now approve the Regulation as to form.

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

Sincerely,

Nee Fong Chin
Chief Assistant Prosecuting Attorney

HAMILTON COUNTY
PUBLIC HEALTH

PREVENT. PROMOTE. PROTECT.

HAMILTON COUNTY GENERAL HEALTH DISTRICT HOUSING AND ENVIRONMENTAL SANITATION REGULATION 1-2026

REGULATIONS GOVERNING HOUSING STANDARDS, ENVIRONMENTAL SANITATION, AND WASTE COLLECTION VEHICLE REGISTRATION WITHIN THE HAMILTON COUNTY GENERAL HEALTH DISTRICT

Hamilton County General Health District
250 William Howard Taft Road, 2nd Floor
Cincinnati, Ohio 45219

Effective April 1, 2026

INTENT: This Regulation aims to safeguard public health, safety, and the environment by enforcing preventative measures and addressing public health concerns in housing, sanitation, occupancy, and nuisance control. The goal is to maintain safe and sanitary living conditions while minimizing public health risks.

SCOPE: This Regulation establishes definitions; sets minimum standards for the operation and maintenance of housing, sanitation, occupancy, and prevention and abatement of public health nuisances; and provides for enforcement of violations of this Regulation.

Section 3709.21 of the Ohio Revised Code gives the Board of Health of a general health district the authority to adopt regulations for the public health, the prevention or restriction of disease, and the prevention, abatement or suppression of nuisances.

Section 1.0 – Definitions

1.1 **Accessory Structure** - a structure either attached to or detached from a dwelling and serves the principal use of the dwelling. "Accessory structure" includes, but is not limited to, a garage, shed, porch, or screened-in patio.

1.2 **Basement** - a portion of a building located partly underground but having less than half its clear floor-to-ceiling height below the average grade of the adjoining ground.

1.3 **Board of Health** - the Board of Health of the Hamilton County General Health District.

1.4 **Crawl Space** - a shallow unfinished space beneath the first floor or under the roof of a building, especially for access to plumbing or electrical wiring.

1.5 **Dwelling** - any building which is wholly or partly used or intended to be used for living or sleeping by human occupants. Dwelling includes single family residences, dwelling units, multi-family residences, and rooming houses, but not temporary housing.

1.6 **Dwelling Unit** - a building or the part of a building that is used as a home, residence, or sleeping place by one person who maintains a household or by two or more people who maintain a common household.

1.7 **Egress** - a way to travel, including the system of corridors, stairways, exterior stairways, fire escapes, and rooms connecting each dwelling unit or rooming unit with the exterior of the building at ground level. Egress shall be no less than 36 inches wide where applicable. In existing dwellings lawfully constructed prior to the adoption of this code, the egress width may be less than 36 inches but shall be maintained at not less than the width provided at original construction and kept free of obstructions.

1.8 **Emergency** - a situation that poses an imminent threat to public health, including, but not limited to, lack of electric, potable water, gas or sewer service, severe infestations of insects, rodents, or other animals, severe accumulation of solid waste, severe accumulation of animal and/or human waste, and/or no safe means of egress.

1.9 **Habitable Room** - a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, toilets, laundries, pantries, foyers, closets, and storage spaces and any other room designated by the Health Commissioner or her/his designee.

1.10 **Health Commissioner** - the Health Commissioner of the Hamilton County General Health District or her/his designee.

1.11 **Infestation** - an unusually large presence of insects, rodents, or other disease promoting pests.

1.12 **Kitchen** - an area dedicated to cooking with a sink and cooking equipment.

1.13 **Landlord** - the owner, lessor, or sublessor of residential premises, the agent of the owner, lessor, or sublessor, or any person authorized by the owner, lessor, or sublessor to manage the premises or to receive rent from a tenant under a rental agreement.

1.14 **Multi-Family Residence** - any dwelling containing two or more dwelling units.

1.15 **OAC** - Ohio Administrative Code.

1.16 **Plumbing Code** - Chapter 4101:3 of the OAC and applicable local plumbing regulations.

1.17 **ORC** - Ohio Revised Code.

1.18 **Occupant** - any person lawfully living in a dwelling, regardless of tenancy status.

1.19 **Owner** - any person or entity who, alone or jointly with others, has legal title to any dwelling, with or without accompanying actual possession thereof. Any such person representing the actual owner shall be bound to comply with the provisions of this regulation.

1.20 **Premises** - a lot, plot, or parcel of land including the buildings, or accessory structures thereon.

1.21 **Plumbing** - the system of pipes, tanks, fittings, and other apparatus required for the potable water supply, heating, and sanitation in a building, together with all connections to potable water, sewer, or gas lines.

1.22 **Rooming House** - a dwelling with multiple rooms rented individually, in which the tenants share a bathroom and/or a kitchen.

1.23 **Solid Waste** - "Solid Wastes" as defined in Chapter 3734.01 (E) of the ORC.

1.24 **Supplied** - paid for, furnished, or provided by or under the control of the owner, landlord, or owner's designee.

1.25 **Temporary Housing** -

a) Recreational Vehicles as defined in ORC 4501.01 when occupied for periods of less than thirty (30) days.
b) A camp as defined in ORC 3729.
c) Any other structure used for human shelter which is designed to be transportable, and which is not attached to the ground, to another structure, or to any utilities system on the same premises for more than thirty (30) consecutive days.

1.26 **Tenant** - a person who, by written or oral rental agreement, has exclusive possession of a dwelling unit or room (including subtenants).

Section 2.0 – Right of Entry for Inspection and Repair

2.1 The Health Commissioner or his/her designee is hereby authorized to conduct inspections to determine the condition of all dwellings and premises located within the Hamilton County General Health District to safeguard the health and safety of the occupants of dwellings, the public, and the environment.

2.2 The owner or occupant of a dwelling shall give the Health Commissioner or his/her designee free access to such dwelling and its premises at all reasonable times for the purposes of inspection, examination, and survey.

2.3 Except during an emergency, the owner shall provide tenants with reasonable notice of entry in accordance with ORC 5321.

Section 3.0 – Enforcement

3.1 Except as defined in Section 3.6 of this regulation, whenever the Health Commissioner or his/her designee, determines there has been a violation of any provision of this regulation, a written notice shall be issued to the owner the property, landlord, and/or person(s) responsible.

3.2 The notice(s) of violation shall:

a) Be put in writing,
b) Include a statement of the reasons why it is being issued,
c) Allow a reasonable time frame for abatement, and be served to the owner of the property, landlord, and/or person(s) responsible. The notice shall be served:
   i. By certified mail,
   ii. Posted conspicuously at the dwelling or property, or
   iii. By any other means by which confirmation of receipt can be made.

3.3 Any person affected by any notice of violation may request and shall be granted a hearing before the Health Commissioner or a designated hearing officer.

3.4 After such a hearing, the Health Commissioner or hearing officer shall sustain, modify, or withdraw the notice depending upon its findings as to whether the provisions of the regulations have been complied with.

3.5 Whenever the Health Commissioner or his/her designee finds that an emergency exists which requires immediate action to protect the public health, notice(s) of violation may be given verbally to the owner of the property, landlord, and/or person (s) responsible to take immediate action to abate the violations. Notwithstanding the other provisions of this regulation, such an order shall be effective immediately. Within one (1) business day of a verbal notice of violation for emergency conditions, a notice of violation shall be provided in writing and posted at the dwelling unit or property.

Section 4.0 – Sanitation Standards

4.1 *Responsibilities of owners and tenants*

a) No owner shall occupy or allow occupancy of any vacant dwelling unit unless it is clean, sanitary, and fit for human occupancy.
b) Every owner of a multi-family residence shall be responsible for maintaining shared or public areas in a clean and sanitary manner.
c) Every occupant shall maintain the portion of the dwelling or dwelling unit under his/her control in a clean and sanitary condition. In the event of a pest infestation, the occupant(s) is/are responsible for ensuring the dwelling unit is prepared for pest control

services in accordance with instructions provided by the licensed pest control operator hired to address the infestation.

4.2 *Basic Design Requirements*

a) Every dwelling shall have a safe, unobstructed means of egress leading to a safe and open outdoor space.
b) Every habitable room shall have at least one window which can be easily opened, or such other device as will adequately ventilate the room.
c) Every bathroom shall be lighted and ventilated.
d) Every bathroom floor shall be constructed and maintained to be smooth and easily cleanable.
e) No basement shall be used as a habitable room or dwelling unit unless the floors and walls are impervious to water leaks, and the space is adequately lit and ventilated by a window.
f) No crawl space shall be used or considered as a habitable room or dwelling unit.
g) Every owner provided system, fixture, appliance, piece of equipment, or utility shall be constructed, installed or operated to function safely and effectively and shall be maintained in satisfactory working condition.

4.3 *Water and Sewage*

a) Every dwelling and dwelling unit shall be supplied with a potable water supply from an approved source.
b) There shall be adequate potable water supply and pressure at all water outlets per the Ohio Plumbing Code and applicable local plumbing regulations.
c) All plumbing shall be properly installed per the Ohio Plumbing Code and applicable local plumbing regulations. All plumbing shall be maintained in good working condition, free from defects, leaks, and obstructions.
d) Every dwelling unit shall contain a kitchen sink which is properly connected to an approved potable water supply and sewer system.
e) Every dwelling unit shall contain a room which affords privacy to a person within such room, and which is equipped with a flush toilet, a sink, and a bathtub or shower, connected to an approved potable water supply and an approved sewage treatment system or sewer system.
f) Every sink, bathtub, and shower shall be connected to potable hot and cold-water supply lines per the Ohio Plumbing Code and applicable local plumbing regulations.
g) The hot water supply lines shall be connected to a water heater capable of providing adequate hot water per the Ohio Plumbing Code and applicable local plumbing regulations.

4.4 *Utilities*

a) No owner, landlord, or tenant shall cause disruption in electrical, gas, water, or sewer service, unless it is turned off on a temporary basis for repairs.
b) Every dwelling and dwelling unit shall have heating facilities which are properly installed and maintained in good working condition.
c) Heat shall be supplied continuously to a temperature of 68° Fahrenheit or greater from November 1 through March 31. In addition, heat shall be required outside this time

frame in the event of extreme weather conditions. All supplied heat shall be in compliance with applicable local fire and building codes.

4.5 *Water Leaks and Intrusions*

a) Every habitable room shall be free of water intrusion and water damage. Where excessive water intrusion and/or damage exists, corrective measures shall be required to relieve water intrusion and/or repair damage.
b) Every window and exterior door shall be free of water intrusions and reasonably weather-tight.
c) Every basement shall be reasonably free of water intrusions.

4.6 *Solid Waste*

a) Every dwelling and dwelling unit shall have adequate solid waste storage containers.
b) Outdoor solid waste storage containers shall be covered, in good repair, and without leaks.
c) All solid waste shall be disposed of in an approved manner.

4.7 *Insects and Rodents*

a) Windows that are kept open to the outside shall be screened to prevent insect and animal intrusions.
b) Exterior property areas and accessory structures shall be free from health, fire, and safety hazards, insect, rodent, and/or disease promoting pest harborage, and conditions which might create a public health nuisance.
c) The interior of every structure used for human habitation shall be free from insect, rodent, or disease promoting pest infestation and/or nuisance animal intrusion.
d) Feeding animals outside is prohibited when a public health nuisance is created.
e) All pesticide applications shall be performed in accordance with Ohio and Federal law.

4.8 *Pets and Pet Waste*

a) In single-family residence, pet waste shall be collected and disposed of often enough to prevent creating a public health nuisance.
b) In multi-family residences, pet waste shall be collected and disposed of after each pet waste deposit.
c) All animal feeding stations shall be sanitary and maintained so as to not create a public health nuisance.

4.9 *Additional Requirements for Rooming Houses*

a) At least one flush toilet, sink, and bathtub or shower shall be provided for every 10 people residing within a rooming house.
b) If a kitchen is provided, it should be maintained clean, sanitary, with working appliances, and with surfaces that are smooth and easily cleanable.

Section 5.0 – Designation of Unfit Dwellings and Legal Procedure of Condemnation

5.1 Any dwelling found to have any of the following defects shall be condemned as unfit for human habitation and shall be designated and placarded by the Health Commissioner or his/her designee:

a) One which is damaged, decayed, dilapidated, unsanitary, unsafe, or infested by insects, rodents, and/or other disease promoting pests so that it creates a serious hazard to the health or safety of the occupants, the public, or the environment.
b) One which lacks ventilation or sanitation facilities adequate to protect the health or safety of the occupants, the public, or the environment.
c) One which because of its general condition or location is unsanitary, or otherwise dangerous to the health or safety of the occupants, the public, or the environment.

5.2 Any dwelling condemned as unfit for human habitation, and so designated and placarded by the Health Commissioner or his/her designee, shall be vacated within a period of time as ordered by the Health Commissioner or his/her designee.

5.3 The home or dwelling shall remain vacant until a follow-up inspection is performed and cited violations are abated.

5.4 Any person by any notice of an alleged violation under Section 5 may request and shall be granted a hearing before the Health Commissioner or a designated hearing officer provided the request for such hearing is made within the number of days specified in the notice.

5.5 After such a hearing, the Health Commissioner or designated hearing officer shall sustain, modify, or withdraw the notice, depending upon his/her findings as to whether the provisions of the regulations have been complied with.

5.6 The proceedings at such hearing, including the findings and decision of the Health Commissioner or designated hearing officer, is to be summarized, reduced to writing, and entered as a matter of public record in the office of the Health Commissioner. Such record shall also include a copy of every notice or order issued in connection with the matter. Any person aggrieved by the decision of the Health Commissioner or designated hearing officer may seek relief from the Court of Common Pleas, Hamilton County, Ohio.

Section 6.0 – Waste Collection Vehicle Registration Requirements

6.1 *Vehicle Registration Terms and Fees*

a) To prevent the creation of public health nuisance conditions and storm water pollution, no person, firm, or corporation shall engage in the business of collecting solid waste for compensation within the jurisdiction of the Hamilton County General Health District without first applying for Waste Collection Vehicle Registration issued by the Board of Health. Registration shall be required for haulers of solid waste determined to have the potential to release liquids that may impact surface water and/or create a nuisance. Registration is optional for all other haulers of solid waste.
b) Waste Collection Vehicle Registrations are not transferable and remain valid for one (1) year ending December 31 of each year. If an initial application for registration is made on or after October 1, the initial registration will expire on December 31 of the following year.
c) An annual Waste Collection Vehicle Registration fee shall be paid for each vehicle used in the collection of solid waste. The amount of the fee shall be established by the Board of Health and shall accompany each Application for Waste Collection Vehicle Registration.

6.2 *Application for Waste Collection Vehicle Registration*

a) Applications for Waste Collection Vehicle Registration shall be made in writing on forms provided by the Board of Health.

6.3 *Issuance and Conditions of Waste Collection Vehicle Registration*

a) Waste Collection Vehicle Registrations shall be issued upon review and approval by the Board of Health, provided that the applicant meets all applicable health, sanitation, and safety requirements.

6.4 *Inspections*

a) The Board of Health may conduct periodic inspections of vehicles or conveyances used in the collection of solid waste. Inspections of vehicles or conveyances, both registered and unregistered, may be conducted to ensure compliance with this regulation and other applicable laws and regulations. Inspection is for the purpose of ensuring that collection vehicles or conveyances will not cause nuisance conditions or storm water pollution during collection or transport of solid waste.

b) Waste Collection Vehicle Registration holders shall provide, during normal business hours, reasonable access to all vehicles, containers, and records related to waste collection and transport upon request by the Board of Health.

c) Waste Collection Vehicles and associated containers shall be operated and maintained in a manner which allows collection and transport of solid waste without causing or creating nuisance conditions or storm water pollution, including, but not limited to littering, leakage, insect or rodent harborage, and odors.

   (1) The sides and bottom of all Waste Collection Vehicles and associated containers shall be in proper operating condition and shall be able to contain the material to which it may be subjected.

   (2) All doors, hatches or gates shall close securely to prevent the accidental discharge of waste and liquids.

   (3) Waste Collection Vehicles with a powered mechanical compaction system or similar device shall be designed and operated to prevent public health nuisances or littering during operation.

6.6 *Suspension or Revocation of Waste Collection Vehicle Registration*

a) The Board of Health may suspend or revoke any Waste Collection Vehicle Registration at any time for failure to comply with this regulation, any other Board of Health regulation, or other applicable laws governing the collection, transport, or disposal of waste materials.

b) Revocation or suspension may also occur upon evidence of unsanitary practices, unsafe equipment, or improper disposal methods.

c) Any person by any notice of an alleged violation under Section 6 may request and shall be granted a hearing before the Health Commissioner or a designated hearing officer provided the request for such hearing is made within the number of days specified in the notice.

d) After such a hearing, the Health Commissioner or designated hearing officer shall sustain, modify, or withdraw the notice, depending upon his/her findings as to whether the provisions of the regulations have been complied with.

e) The proceedings at such hearing, including the findings and decision of the Health Commissioner or designated hearing officer, is to be summarized, reduced to writing, and entered as a matter of public record in the office of the Health Commissioner. Such record shall also include a copy of every notice or order issued in connection with the matter. Any person aggrieved by the decision of the Health Commissioner or designated hearing officer may seek relief from the Court of Common Pleas, Hamilton County, Ohio.

Section 7.0 – Penalties

7.1 Violation of any provision of this regulation is prohibited by Section 3707.48 of the ORC and subject to the penalties provided by Section 3707.99 of the ORC.

7.2 Each and every violation shall constitute a separate offense and each day's continued violation shall constitute a separate offense.

7.3 The Health Commissioner may grant a hearing to a person and authorize, in specific cases, such variance from the requirements of these regulations as will not be contrary to the public interest, where the person shows that because of practical difficulties or other special conditions his/her application will cause unusual and unnecessary hardship. However, no variance shall be granted that will defeat the spirit and general intent of these regulations, or otherwise not be in the public interest.

Section 8.0 – Repeal and Date of Effect

8.1 All regulations and parts of regulations in conflict with this regulation are hereby repealed and this regulation shall be in full force immediately upon its adoption, as provided by law.

Section 9.0 – Effect of Partial Invalidity

9.1 Should any part of this regulation be declared unconstitutional for any reason, the remainder of this regulation shall not be affected thereby.

CONNIE PILLICH
HAMILTON COUNTY PROSECUTING ATTORNEY

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WRITER'S DIRECT DIAL NUMBER
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February 3, 2026

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

Re: Amended Hamilton County General Health District Housing and Environmental Sanitation Regulation #2026

Dear Commissioner Kesterman:

I have reviewed the above Amended Hamilton County General Health District Housing and Environmental Sanitation Regulation #2026 regarding the addition of Section 6.0 Waste Collection Vehicle Registration Requirements. I now approve the Amended Regulation as to form.

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

Sincerely,

Nee Fong Chin
Chief Assistant Prosecuting Attorney