

THE COMBINED ALLEN COUNTY GENERAL HEALTH DISTRICT

TELEPHONE 228-4457 - P. O. BOX 1503 - 405 EAST MARKET ST.

LIMA, OHIO 45802

Private Water System Regulation

WHEREAS, the Public Health Council of the Ohio Department of Health made and amended rules providing uniform standards and procedures for the design, construction, inspection, installation, development, maintenance and abandonment of private water systems to be of general application throughout the state; and

WHEREAS, said private Water System Rules are contained in Chapter 3701-28 of the Ohio Administrative Code, with amendments effective January 1, 1984; and

WHEREAS, amended Rule 3701-28-06, Ohio Administrative Code allows the Board of Health to establish fees for the purpose of administering and enforcing the requirements of Chapter 3701-28; and

WHEREAS, adequate funding of the program is crucial to its effectiveness in protecting the public health and safety; and

WHEREAS, due to recent changes in the law regarding such funding it is necessary to adopt revisions to this regulation as an emergency to enable this Board to establish its fees in accordance with such laws for the immediate preservation of the public health.

NOW THEREFORE, BE IT RESOLVED by the Board of Health of the Combined Allen County General Health District, that Chapter 3701-28, Ohio Administrative Code, is hereby adopted by incorporation by reference as if fully rewritten herein, together with the following regulations as authorized by Section 3709.21 of the Ohio Revised Code.

Section 1.0 Definitions

1.1 The definitions of terms, as defined in the Ohio Administration Code, Section 3701-28, shall be applied with the same meaning in this regulation.
(Amended 11/9/90, effective 1/1/91)

Section 2.0 Fees

2.1 Any fees for application, license, permit, registration, inspection, sampling, or other fee for services rendered by the Board under this regulation shall be in accordance with the uniform system of fees as established by the Board of Health and as the same is amended from time to time, the applicable portions of which are hereby incorporated by reference. (Amended 11/9/90, effective 1/1/91)

Section 3.0 Relief From Personal Liability

3.1 The Health Commissioner or any person charged with the enforcement of any provisions of the Private Water System Regulation shall not be personally liable while acting for the Board of Health of the Combined Allen County General Health District and within the scope of that persons authority is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his official duties.
(Amended 11/9/90, effective 1/1/91)

Section 4.0 Appeals

4.1 Any person adversely affected by this regulation shall have such rights of appeal as granted by law or applicable regulation.
(Amended 11/9/90, effective 1/1/91)

Section 5.0 Severability

5.1 If any provision of this regulation or its application to any person or circumstance shall to any extent be invalid or unenforceable the remaining provisions of the regulation shall not be affected thereby.

Section 6.0 Penalties

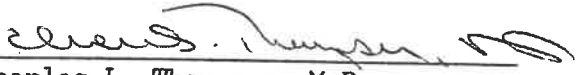
6.1 Any person who violates any provision of this regulation is subject to penalties provided by Section 3709.99 of the Ohio Revised Code.

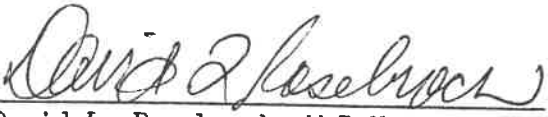
Section 7.0 Effective Date

7.1 Be it further resolved that the amendments to this regulation are declared to be an emergency for immediate preservation of the public health and shall take effect the 1st day of January 1991.

Adopted 12/9/83

Amended 11/9/90


Charles L. Thompson, M.D.
President


David L. Rosebrock, M.P.H.
Secretary