

NUISANCE COMPLAINT POLICY

One of the many responsibilities of the Board of Health under the Ohio Revised Code is: "...The Board of health of a city or general health district shall abate and remove all nuisances within its jurisdiction..." (Section 3707.01, O.R.C.) Each year the Preble County General Health District receives between 50 and 80 complaints from residents or visitors to the county. The health district responds to each complaint. Nuisance problems that are the responsibility of the health district range from complaints of water, soil or air pollution to unsanitary or unhealthful housing. A majority of these problems are solid waste related: improper storage or disposal of trash, garbage, discarded domestic goods, or unkempt "junky" yards. Some complaints are dismissed as groundless, as neither a public concern nor health related, others fall under the jurisdiction of another agency or are determined to be a private nuisance.

When we receive a complaint, we send it to an inspector or to the agency with authority and responsibility if other than the health district. The inspector makes a review and writes down their findings. In cases where the public health nuisance poses neither a serious nor immediate health hazard, a nuisance notice may be left at the house. Where the situation raises a concern to the health, safety or well being of the public, orders may be mailed to all parties including the occupant, owner, or others who are involved in breaking the sanitation laws or rules. The notice includes information about the rules or laws broken, the action that needs to be taken and the date and time the correction is to be finished. A follow-up inspection is made to decide whether the corrective action has been finished and are adequate to fix the problem.

When a public health nuisance condition continues against the orders from the Board of Health, the department may condemn the property and send the problem to the city law director or county prosecutor for presentation to the court. In rare cases, the board of health may get involved to remove the nuisance situation and attach any expenses as a bill against the property. Patience and cooperation between the health department, attorneys and the courts generally result in the nuisance being removed.