

**KNOX COUNTY
DISTRICT BOARD OF HEALTH**

REGULATION 1601

**GOVERNING SOLID, INFECTIOUS AND HAZARDOUS WASTES
IN THE KNOX COUNTY GENERAL HEALTH DISTRICT**

SECTION 1601.01 DEFINITONS

As used in this Regulation, certain terms are defined as follows:

- (A) “Board” means the Board of Health of the Knox County General Health District.
- (B) “Composting” means the controlled biological decomposition of organic solid wastes under aerobic conditions. For purposes of Chapters 3745-27 and 3745-37 of the Ohio Administrative Code, composting shall be considered a form of solid waste disposal.
- (C) “Disposal” means the discharge, deposit, injection, dumping, spilling, leaking, emitting, or placing of any solid wastes or hazardous waste into or on any land, ground, or surface water or into the air, except if the disposition or placement constitutes storage or treatment.
- (D) “Facility” means any site, location, tract of land, installation, or building used for incineration, composting, sanitary land-filling, or other method of disposal of solid wastes; for the treatment of infectious wastes; or for the storage, treatment or, disposal of hazardous waste.
- (E) “Garbage” means any putrescible animal or vegetable wastes resulting from the handling, processing, preparation, cooking and serving of food.
- (F) “Hauler” means any person whom, for a consideration, collects and transports refuse, garbage, or other solid waste.
- (G) “Hazardous wastes” means that which is defined by the Section 3734.01 (J) of the Ohio Revised Code.
- (H) “Health Commissioner” means the health commissioner of the Knox County General Health District or his authorized representative.
- (I) “Health District” means the Knox County General Health District.
- (J) “Incinerator” means any equipment, machine, device, article, contrivance, structure, or part of a structure used to burn solid wastes.
- (K) “Infectious wastes” means that which is defined by the Section 3734.01 (R) of the Ohio Revised Code.

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- (L) “Legitimate Recycling Facility” means that which is defined by the Ohio Administrative Code Chapter 3745-27.
- (M) “Nuisance” means any condition or use of premises, building, structure, or exteriors, or any substance or materials, which are or may become noxious, offensive, injurious or dangerous to the public health or safety.
- (N) “Opening Burning” means the burning of solid wastes in an open area or burning of solid wastes in a type of chamber or vessel which is not approved in rules adopted by the Director of the Ohio Environmental Protection Agency.
- (O) “Open Dumping” means the depositing of solid wastes into a stream or body of water or onto the ground without compacting the wastes and covering with a suitable material to a depth prescribed by rules adopted by the Director of the Ohio Environmental Protection Agency pursuant to the Section 3734.03 of the Ohio Revised Code.
- (P) “Person” means any individual, firm, corporation, association, partnership, political subdivision or other entity.
- (Q) “Premises” means any land, buildings, or structures upon, or in which solid waste may be stored, placed, or accumulated.
- (R) “Refuse” means any and all putrescible and non-putrescible solid and semi-solid materials, including, but not limited to, garbage, ashes, and cinders; Bottles, cans, and other containers; and rubbish, such as paper, cardboard, rags, and household appliances and furnishings; and dead animals. Sewerage, sludge, chemical wastes, scrap metal, construction waste and other such materials shall not be considered refuse.
- (S) “Sanitary Landfill” means that which is defined by Section 3734.01 of the Ohio Revised Code.
- (T) “Solid Waste Transfer Facility” means that which is defined by Section 3734.01 (U) of the Ohio Revised Code.
- (U) “Solid Wastes” means such unwanted residual solid or semisolid material as results from industrial, commercial, agricultural, and community operations, excluding earth or material from construction, mining, or demolition operations, or other waste materials of the type that would normally be included in demolition debris, nontoxic fly ash and bottom ash, including at least ash that results from the combustion of coal and ash that results from the combustion of coal in combination with scrap tires where scrap tires comprise not more than fifty per cent of the input in any month, spent nontoxic foundry sand, and slag and other substances that are not harmful or inimical to public health, and includes, but is not limited to, garbage, scrap tires, combustible and non-combustible material, street dirt, and debris. “Solid Waste” does not include any material that is an infectious waste or a hazardous waste.

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SECTION 1601.02 STORAGE OF SOLID WASTE

- (A) No person shall allow or cause garbage, refuse, or other solid wastes to accumulate on any premises or throw any solid waste into any street, alley, road, lane or place or into any body of flowing or standing water or excavation within the Health District. Garbage, if stored outside, shall be stored in watertight plastic bags within approved containers with tightly fitting lids.
- (B) It shall be the duty of each person owning or operating a hotel, restaurant, lunch room, lunch counter, butcher shop, grocery or other place where garbage may accumulate, to provide and use approved containers of suitable size for the storage of such garbage and other solid wastes and to keep tightly fitting lids on the containers at all times. It shall be the duty of each householder to provide an approved container with a tightly fitting lid for the storage of the garbage and other solid wastes of the householder. Containers must be leak proof, rodent proof, and easily handled.
- (C) Rubbish, refuse, and other solid wastes shall be stored on premises in such a manner so as to prevent the harborage of rodents. Tin cans, waste paper, cartons and other such smaller rubbish items shall be stored in suitable containers. Rubbish, refuse, garbage and solid wastes shall be removed from the premises at least one time per week to prevent the accumulation of such rubbish, refuse, garbage and solid wastes from becoming a harborage, attractant, breeding place for rodents, or flies and other insects, or becoming a nuisance. Garbage, refuse and solid wastes placed at curbside for pickup shall not be placed at curbside more than twenty-four hours prior to the scheduled pickup by a registered hauler.

SECTION 1601.03 NUISANCE PROHIBITED

- (A) No person owning, leasing, occupying or having charge of any lot or premises shall maintain or keep any nuisance resulting from the improper storage or disposal of garbage, rubbish, refuse, or other solid wastes. This includes, but is not limited to, the keeping or deposition on, or the scattering over the premises of any of the following;
 - (1) Junk, debris, garbage, wastes, trash, putrescible animal and vegetable wastes resulting from the handling, processing, preparation, cooking or serving of food; rubbish, bottles, wire, oil, paper, cardboard, cartons, boxes, furniture, glass, cans, containers; abandoned, discarded or unused appliances, refrigerators, freezers, motor vehicles, or any parts thereof; used tires, combustible or non-combustible waste materials, rags, wood, rubber, leather, metals, mineral matter, plastics, and crockery.
 - (2) Any compost pile which is such a nature as to spread or harbor disease, emit noxious odors or harmful gas, attract or harbor rodents, vermin or other disease carrying pests, animals, or insects, provided that the presence of earthworms in a compost pile shall not constitute a nuisance.

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- (3) Keeping unsanitary matter on any premises. No person shall keep, or permit another to keep, upon any premises deleterious or septic material, unless such material is retained in containers or vessels which deny access to humans, flies or other insects, rodents and animals.
- (B) No person shall place or dispose of in any manner, upon any public property or upon the premises of another, any substance or material which is or may become noxious, offensive, injurious or dangerous to the public health or safety, or any garbage, refuse, rubbish or other solid wastes.
- (C) No person owning, leasing, occupying or having charge of any premises shall unlawfully obstruct, impede, divert, corrupt or render unwholesome or impure, any natural watercourse by the improper storage or disposal of solid wastes.

SECTION 1601.04 TRANSPORT OF SOLID, INFECTIOUS, AND HAZARDOUS WASTES

- (A) Garbage, refuse, rubbish and other solid wastes may only be transported or hauled within the Health District by the person responsible for generation of the waste, by the person on whose premises the solid wastes were generated, or by a person who has registered with the Board as a solid waste hauler pursuant to Board Regulation 1603.
- (B) All infectious and hazardous wastes shall be transported in accordance with Sections 3734.05 through 3734.22 of the Ohio Revised Code and rules adopted by the Director of the Ohio Environmental Protection Agency.

SECTION 1601.05 DISPOSAL OF SOLID, INFECTIOUS AND HAZARDOUS WASTES

- (A) All garbage, rubbish, refuse, and other solid wastes shall be properly disposed at a licensed solid waste transfer facility, a licensed sanitary landfill, or at an approved recycling center.
- (B) All infectious and hazardous wastes shall be collected, stored, transported, and disposed in accordance with Sections 3734.05 through 3734.22 of the Ohio Revised Code and rules adopted by the Director of the Ohio Environmental Protection Agency.
- (C) Open burning of garbage, refuse, rubbish and other solid wastes is prohibited.

SECTION 1601.06 FAILURE TO COMPLY; LIEN UPON PROPERTY

- (A) If the owner, lessee, agent or tenant having charge of, or responsibility for, the maintenance of any premises, lot or land fails to comply with a written notice of violation of this Regulation 1601, the Health Commissioner shall report such violation to the Board.

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- (B) Following a report from the Health Commissioner, the Board shall determine whether the alleged violation is true and whether it constitutes a public health nuisance. When it is determined that a public health nuisance exists, the Board shall issue orders to the owner, lessee, agent and tenant having charge of or responsibility for the maintenance of any premises, lot or land providing an additional period of time, not exceeding fifteen (15) days, for the abatement of the nuisance.
- (C) If the Board's orders are not complied with, the Board shall pursuant to Section 3709.02 of the Ohio Revised Code, issue a citation to the owner, lessee, agent and tenant who is not in compliance with the Board's order and shall set a hearing on the citation.
- (D) Following a hearing on the citation, pursuant to Section 3709.02 of the Ohio Revised Code, the Board may direct the Health Commissioner to secure the necessary labor and equipment to abate the nuisance by removal of the garbage, rubbish, refuse, or other solid wastes to a licensed solid waste transfer facility or to a licensed sanitary landfill and if the owner, lessee, agent or tenant fails to pay the costs incurred in the abatement of the nuisance within fifteen days from the receipt of the statement of costs, the Health Commissioner shall certify the costs to the County Auditor to be entered upon the tax duplicate and be a lien upon the lot or lands from and after the entrée and be collected as other taxes and returned to the Health District Solid Waste Fund.

SECTION 1601.07 EXCEPTIONS

This regulation 1601 shall not apply to land being used under township or municipal building or construction permit or license, or a conditional zoning permit or variance to operate a junk yard, scrap metal processing facility, or similar business, or a permit or license issued pursuant to the Ohio Revised Code Sections 4737.05 to 4737.12, or Chapter 6111 of the Ohio Administrative Code.

SECTION 1601.08 HEARING

The Board shall grant a hearing to any person affected or aggrieved by this Regulation 1601.

SECTION 1601.09 EFFECT OF PARTIAL INVALIDITY

Should any provision or part thereof of this Regulation 1601 be found unconstitutional, void or of no effect, the same shall not affect the legality and effect of the other provisions, or parts thereof, of this Regulation 1601.

SECTION 1601.10 EFFECTIVE DATE

This Regulation 1601 shall be effective immediately upon its adoption and shall replace any previous regulation governing solid, infectious and hazardous wastes adopted by the board.

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SECTION 1601.99 PENALTIES

- (A) Any person who violates any provision of this Regulation 1601 shall be in violation of Section 3709.21 or 3707.48 of the Ohio Revised Code and shall be subject to the penalties provided by Sections 3707.48, 3707.53 and 3707.99 of the Ohio Revised Code.

Adopted by the Board of Health of the Knox County General Health District on the 27th day of March, 1996.

s/ Edward Bowlus, D.V.M.

s/ Maurice Mullet, M.D.

Edward Bowlus, D.V.M.
President

Maurice Mullet, M.D.
Health Commissioner