

## Public Health Nuisances

A public health nuisance is a legally actionable condition that violates Ohio's rules and regulations and has the potential to threaten the public health of a community. A Board of Health must assure all public health nuisances are removed within its jurisdiction and is given the power to compel the owners, occupants or tenants of any lot, property, building, or structure to do so. They may also prosecute such persons for neglect or refusal to obey such orders. The Meigs County Health Department investigates numerous public health nuisance complaints each year. In 2021 there were 111 public health nuisance complaints investigated by the health department. These complaints involved a wide range of public health concerns such as improper disposal of garbage or solid waste, faulty septic systems, accumulation of scrap tires, improper food handling, unsanitary conditions at a public place, bedbugs, cockroaches, mosquitos, rats, stagnant swimming pools, open dumping of trash or demolition debris, open burning of solid waste, improper disposal of used oil or other hazardous wastes, unsanitary conditions caused by pets, and buildings with poor indoor environments and mold.

In most cases of a public health nuisance complaint, a person must submit the complaint in writing before an investigation can be conducted. These forms may be submitted anonymously. All complaints have the potential to be settled in court so having documentation of the complaint is very important. Complaint forms can be picked up in the health department office or may be downloaded from the health department website. Ohio's 'sunshine laws' allow the public to view any or all public records including written complaints filed with the department after the investigation is resolved.

Once a complaint is received, an investigation will be conducted by an Environmental Health Specialist to determine if a "public health nuisance" does exist. Sometimes the nature of the complaint does not come under the authority of the health department. For example, the nuisances regarding high weeds or grass, junk automobiles, vacant houses or buildings, scrap metal recycling, or landlord/tenant disputes cannot be prosecuted by the board of health; however, other government agencies may have that authority. Communities with zoning ordinances and regulations address specific property conditions desired within the area. Most villages have zoning ordinances and regularly inspect unsanitary or unsightly property conditions within the limits of the villages. The health department routinely works together with village code enforcement departments to ensure the health, safety and general welfare of the public.

When a public health nuisance is confirmed, a reasonable time must be given to the person to correct the problem. A written notification ordering the abatement of the nuisance is sent to all parties involved. When an order is neglected or ignored, the board of health may decide to cause the prosecution of all persons offending, or to perform, by its officers and employees, what the offending parties should have done and assess the cost to the property taxes. Prior to any action taken by the board the offending person has the right to public hearing to show just cause why the board should not proceed with any legal action. Nuisances that have escalated to legal action are resolved in court where potential fines and jail time could be assessed.

It is the mission of the health department to preserve, promote, and protect the health and well-being of Meigs County citizens. We appreciate when property owners do their part in helping us with our mission. For more information contact the Meigs County Health Department at 740-992-6626.

By Steve Swatzel, RS., Director of Environmental Health