

## CHAPTER 1220

### Animal Nuisances; Refuse Storage

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#### CROSS REFERENCES

Feeding garbage to swine or poultry - see ORC 942  
Disposal of dead animals - see ORC 3767.16  
Dogs - see ORC 955  
Offenses relating to domestic animals - see ORC 959  
Abatement of nuisances by Board of Health - see ORC 3707.01 et seq.  
Noxious odors from places where animals are kept or fed; undesirable accumulations - see ORC 3767.13  
Stable wastes; catch basins - see OAC 4101:2-51-531  
General provisions - see EHC 210  
Sewage disposal nuisances - see EHC 816.05  
Unsanitary household sewage disposal systems - see EHC 848.05  
Solid waste haulers; disposal; transfer stations - see EHC 1020, 1030 & 1040  
Aviaries - see EHC 1240  
Extermination of insects and rats - see EHC 1652.08  
Accumulations of rubbish, boxes, lumber, etc. - see EHC 1652.09 et seq.  
Rat harborages - see EHC 1652.11, 1668.05 & 1668.06

**EHC** Environmental Health Code    **ORC** Ohio Revised Code    **OAC** Ohio Administrative Code

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#### 1220. 01 DEFINITIONS.

As used in this chapter:

(a) "Garbage" means putrescible animal and vegetable waste resulting from the handling, processing, preparation, cooking or serving of food and includes dead animals or fish, butcher's offal or other waste material, combustible or noncombustible waste, any other vegetable or animal refuse.

(b) "Rubbish" means combustible and noncombustible waste material, except garbage, such as paper, rags, cartons, boxes, wood, excelsior, rubber, leather, plastic materials, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust. The word includes the residue from the burning of wood, coal, coke and other combustible materials.

(c) "Refuse" means all organic and inorganic waste of a community, including garbage, rubbish, ashes and dead animals, but does not include human body waste.  
(Resolution 190-77 adopted 11/18/77)

## 1220.02 STORAGE OF GARBAGE AND WASTE MATERIAL.

(a) No person shall allow garbage to accumulate on any premises or throw garbage into any street, alley, road, lane or place or into any body of flowing or standing water or excavation within the Health District. Garbage shall be stored in approved containers with tightly fitting lids. 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 wastes and to keep tightly fitting lids on the containers at all times. Likewise, it shall be the duty of each householder to provide an approved container with a tightly fitting lid for the storage of the garbage of the householder.

(b) Rubbish 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. Lumber and tree trimmings shall be stored on platforms to keep the lumber and tree trimmings at least eighteen inches above ground level. Rubbish shall be removed from the premises at such intervals to prevent the accumulation of such rubbish from becoming a harborage, attractant or breeding place for rodents or flies or becoming a nuisance.  
(Resolution 190-77 adopted 11/18/77)

## 1220.03 FEEDING COLLECTED GARBAGE TO HOGS.

No person shall transport, deliver or deposit collected garbage, for the purpose of feeding the same in part or in whole to hogs, into or within the territory under the jurisdiction of the Board of Health.

For the purpose of this section "collected garbage" means garbage collected by one or more individuals, corporations or service departments of municipalities, by contract or otherwise, from any other person, residence or business place for the purpose of feeding such garbage to hogs within the jurisdiction of the Board of Health. This section shall not be construed to prohibit individual farmers or other persons from feeding their own garbage to their own hogs.  
(Resolution adopted 6/1/39)

## 1220.04 DISPOSAL OF DEAD ANIMALS.

No person shall place or deposit, or permit to be placed or deposited, the carcass of a dead animal in any street, alley, road, open excavation, abandoned well or cistern, ditch, stream or body of water, or onto the surface of the ground, or in any other place or manner deemed improper by the Health Commissioner. The owner or occupant of the land on which the carcass of a dead animal is found shall promptly provide for its proper removal and disposal.

The carcass shall be disposed of in a manner to avoid the creation of a nuisance or the pollution of a public or private water supply, by burning in a crematory suitable for the purpose, by reduction in a plant operating under license of the Ohio Department of Agriculture or by burial under at least three feet of earth cover at a point not within a municipal corporation and not less than 500 feet from any public or private water supply, building of human occupancy, road, stream or body of water.  
(Resolution adopted 11/17/45)

#### 1220.05 MANURE.

Manure from any stable, hog pen, chicken house or other enclosure, and from all private premises within 100 feet of a house of human occupancy, except that of the owner where any animal or fowl is kept, shall be removed at least once each month and at such intervals as the Board of Health may deem necessary. In no case shall the manure be allowed to accumulate until it becomes a nuisance, and in no event or circumstance shall manure, garbage or refuse be thrown or deposited in any alley, street, lane or public place or suffered to remain there. (Resolution adopted 11/17/45)

#### 1220.06 KEEPING OF CERTAIN ANIMALS; SALE OF ARTIFICIALLY COLORED FOWL AND SALE OF TURTLES.

(a) No person shall keep a hog or mink in the Health District unless the building in which these animals are housed is at least 300 feet from any building used for human habitation or occupancy, other than the residence of the owner of these animals, and at least 100 feet from any reservoir, public way, street or road. No person shall keep a chicken or other fowl, a horse, cow or other animal, except hogs and mink, unless the building or fenced enclosure in which such animal or fowl is kept is at least 100 feet from any building used for human habitation or occupancy, other than the residence of the owner of such animal or fowl. In no instance shall the keeping of animals or fowl be allowed to become a public nuisance and this section shall not be enforced against property zoned as agricultural use pursuant to Ohio R.C. 929.02, on the basis of distance alone. This subsection shall not apply to the keeping of dogs or cats. (Resolution 206-94 adopted ??/94)

(b) No person shall sell, offer for sale or give away as a pet or novelty any artificially colored, sprayed, painted or dyed baby chick, duckling, gosling, turkey or other fowl, or sell or offer for sale any baby chick, duckling, gosling, turkey or other fowl in lots of less than six. (Resolution 90 adopted 7/17/62)

(c) No person shall sell, offer for sale or give away as a pet or novelty any turtle from a group of turtles found to be shedding salmonella bacteria into the water in which they are kept. Samples of the water in which turtles are kept may be sampled periodically or upon notification by any person of possible illness due to contact with such turtles. If, upon examination of the sampled turtle water, salmonella bacteria are found, the turtle and the turtle water shall be disposed of in a manner acceptable to the Health Commissioner. (Resolution 190-77 adopted 11/18/77)

#### 1220.07 RODENT CONTROL.

- (a) No owner or occupant of any premises within the Health District shall maintain the premises in a vermin or rat-infested condition.
- (b) No building or structure shall be erected, repaired, altered or extended unless provision is made for ratproofing such structure according to the following specifications, which are determined to be minimum requirements:
  - (1) Screens shall be installed on all basement windows which are subject to being kept open.
  - (2) Slotted caps shall be installed over all sewer outlets.

(3) Any other precaution that may be deemed necessary to secure the building from rodents shall be taken.

(c) It shall be the duty of the Health Commissioner, or his duly authorized representative, to cause an inspection of any premises in the Health District which he has good reason to believe is not in a ratproof condition.

(d) If such premises are found to be vermin or rat-infested, or not in a ratproof condition, a notice in writing, bearing the date of issue and signed by the Health Commissioner, or his duly authorized representative, shall be served upon such owner or occupant. The notice shall state the condition of such premises, the required corrections, and the time for compliance.

(e) After the owner or occupant of any such premises has been notified by the Health Commissioner or his duly authorized representative that such premises are vermin or rat-infested or are not in a ratproof condition, it shall be the duty of such owner or occupant to take appropriate measures to remedy the condition in accordance with the notice.

(Resolution 190-77 adopted 11/18/77)

#### 1220.08 NUISANCES.

(a) No person shall throw, place or deposit or permit any person under his control or employment to throw, place or deposit any putrid substance, night soil, filth of any kind, garbage, rubbish, refuse pile, old lumber or other rat harborage, or any unwholesome material, in or upon any private lot or public ground within the Health district without the consent of the Board of Health or its authorized representative.

(b) Where a nuisance is found in any building or upon any ground or premises within the General Health District, notice in writing shall be given by the Board of Health, or its duly authorized representative, to the owner or occupant of such building or premises to abate such nuisance. The time for complying with the order shall be specified in such notice. If the owner or occupant neglects or refuses to abate the nuisance in accordance with such notice, the Board shall cause such owner or occupant to be prosecuted as provided by law.

(Resolution 13 adopted 5/22/58)

#### 1220.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this Environmental Health Code shall be in violation of ORC 3707.48, 3709.20, 3709.21 or 3709.22, and subject to penalties provided in ORC 3707.99 and 3709.99.

(Resolution 190-77 adopted 11/18/77)