

CHAPTER 1648

Housing: Inspections

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CROSS REFERENCES

- Gas inspectors - see ORC 743.32
- Inspections of County institutions - see ORC 3709.26
- Inspection of buildings - see ORC 3781.03, 3781.06
- Piping system inspection - see ORC 4101.08 et seq.
- Right of entry generally - see EHC 210.03
- Administration, enforcement and penalty - see EHC 1644

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

1648.01 INSPECTION PLANS.

The Health Commissioner is hereby authorized and directed to develop and adopt plans for the inspection of dwelling units subject to the provisions of this Housing Code, including a plan for the systematic inspection of dwelling units contained within the Health District as may from time to time be designated by the Health Commissioner.

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

1648.02 NOTICE OF INTENT TO INSPECT.

Before making inspections and pursuant to a plan authorized in Section 1648.01, the Health Commissioner shall advise the property owners and other residents of the intent to inspect.

1648.03 ENFORCEMENT; INSPECTIONS AUTHORIZED.

The Health Commissioner shall enforce the provisions of this Housing Code and is hereby authorized and directed to make inspections pursuant to one or more of the plans for inspection authorized by Section 1648.01, or in response to a complaint that an alleged violation of any of the provisions of this Housing Code or of any applicable rule or regulation issued pursuant thereto may exist, or when the Health Commissioner has valid reason to believe that a violation

of any of the provisions of this Housing Code or any rule or regulation issued pursuant thereto has been or is being committed.

1648.04 AUTHORITY TO INSPECT DWELLINGS, UNITS AND ROOMS.

The Health Commissioner is hereby authorized to enter and inspect at any reasonable time all dwellings, dwelling units, rooming houses, rooming units, dormitories and dormitory rooms subject to the provisions of this Housing Code for the purpose of determining whether or not there is compliance with its provisions.

1648.05 AUTHORITY TO INSPECT SURROUNDING PREMISES.

The Health Commissioner is hereby authorized to inspect the premises surrounding dwellings, dwelling units, rooming houses, rooming units, dormitories and dormitory rooms subject to this Housing Code, for the purpose of determining whether or not there is compliance with its provisions.

1648.06 RIGHT OF ENTRY AND ACCESS.

(a) The owner, occupant or other person in charge of a dwelling, dwelling unit, rooming unit, rooming house, dormitory or dormitory room, upon presentation of proper identification by the Health Commissioner, shall give the Health Commissioner entry and free access to every part of the dwelling, dwelling unit, rooming unit, dormitory or dormitory room or to the premises surrounding any of these.

(b) If an owner, occupant or other person in charge of a dwelling, dwelling unit, rooming unit, rooming house, dormitory or dormitory room fails or refuses to permit free access and entry to the structure or premises under his control, or any part thereof, with respect to which an inspection authorized by this Housing Code is sought to be made, the Health Commissioner may, upon a showing that probable cause exists for the inspection and for the issuance of an order directing compliance with the inspection requirements of this chapter with respect to such dwelling, dwelling unit, rooming unit, rooming house, dormitory or dormitory room, petition and obtain such order from a court of competent jurisdiction.

(c) When required, the Health Commissioner shall obtain a warrant to inspect.

(d) No person shall fail or refuse to comply with an order or warrant issued pursuant to this section.

1648.07 CONFIDENTIALITY OF EVIDENCE.

The Health Commissioner shall keep confidential all evidence, exclusive of the inspection record, which it may discover or obtain in the course of an inspection made pursuant to this chapter and such evidence shall be considered privileged.

1648.99 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 137-76 adopted 10/12/76 and Resolution 190-77 adopted 11/18/77)