



**CERTIFIED MAIL #: 7007 3020 0000 5478 1167**

## **ORDER OF THE BOARD OF HEALTH AND REFERRAL FOR PROSECUTION**

October 10, 2023

Larry H. Gregory  
5221 Smothers Road  
Westerville, Ohio 43081

RE: 5221 Smothers Road; Westerville, Ohio 43081  
Plain Township  
Tax District #220 Parcel #001812

Dear Larry H. Gregory:

Franklin County Public Health has inspected the non-discharging HSTS located at the above-referenced property. The tax and property records on file with the Franklin County Auditor's and/or Recorder's office identify you as the owner of the above-referenced property.

An inspection of the property indicated that the aforementioned property continues to be in violation of (Sewage Treatment System Rules) OAC Chapter 3701-29-13 (P) which state, in part: **"Devices critical to the performance of pretreatment components shall be maintained as manufacturer's original equipment matching the system configuration approved by the director"** and ORC 3718.011. On October 10, 2023, the Board of Health adopted Resolution 23-164, attached hereto and incorporated herein, ORDERING you to:

- 1) Replace the existing aerator motor with a Jet motor approved by the Ohio Department of Health.

**This Order applies to you, your heirs, successors and assigns (including any subsequent owner of the property). You shall comply with this Order by November 10, 2023.** A re-inspection will be performed to verify compliance on or thereafter. IF THESE VIOLATIONS ARE NOT CORRECTED, and this Order of the Board is neglected or disregarded, the Board has authorized me to issue a citation pursuant to Ohio Revised Code section 3707.02 and afford you an opportunity to appear before the Board and show cause why the Board should not abate the nuisance conditions (assessing the costs of any abatement as liens against the property). In addition, IF THESE VIOLATIONS ARE NOT CORRECTED, the Board

has authorized me to refer this matter to the Franklin County Prosecuting Attorney which may result in the filing of criminal charges or a request for injunctive relief in a civil lawsuit being filed in the Franklin County Municipal Court, Environmental Division. This Order may be appealed to the Board of Health by any person claiming to be aggrieved or adversely affected by requesting a hearing within seven (7) days of receipt of the Order. The request for a hearing shall be delivered to the Board of Health in writing and addressed to the attention of the Health Commissioner.

Sincerely,

Joe Mazzola, MPA  
Health Commissioner  
Franklin County Public Health

JM:nar

Enclosures

c: Plain Township Trustees  
Nathan A. Ralph, REHS