

RESOLUTION 14-XXX

December 9, 2014

RESOLUTION TO ADOPT STAFF RECOMMENDATIONS, ISSUE ORDERS FOR **NUISANCE ABATEMENTS**, AND REFER PERSONS OR **PROPERTIES** TO OR ADVISE THE FRANKLIN COUNTY PROSECUTING ATTORNEY OR APPROPRIATE MUNICIPAL LAW DIRECTOR(S) REGARDING PROSECUTION, INJUNCTIVE OR OTHER APPROPRIATE RELIEF

RESOLUTION TO AUTHORIZE THE HEALTH COMMISSIONER TO REFER FOR CRIMINAL PROSECUTION, TEMPORARY RESTRAINING ORDER OR INJUNCTIVE RELIEF ANY MATTER INVOLVING A VIOLATION OF REVISED CODE SECTION 3717.21 OR 3717.41

**WHEREAS**, a Board of Health of a general health district may make such orders and regulations as are necessary for its own government, for the public health, the prevention or restriction of disease, and the prevention, abatement, or suppression of nuisances; and

**WHEREAS**, a Board of Health of a general health district may issue orders to compel the person or government entity to obtain a food service operation or retail food establishment license, and prosecute such persons for neglect or refusal to obey such orders; and

**WHEREAS**, when a person or government entity is, in the opinion of a Board of Health, operating without a license, the board may issue a notice of violation and order it to cease and desist operations, and may prosecute the person or government entity for the refusal or neglect to obey such order; and

**WHEREAS**, Franklin County Public Health staff investigate and verify public health complaints to determine if owners and/or responsible parties are in violation of the Ohio Revised Code and Ohio Administrative Code; and

**WHEREAS**, staff have concluded their investigation and determined that owners and/or responsible parties of the properties listed below continue to be in violation of Ohio Revised Code section 3717.21 or 3717.41, and recommend that: the Board of Health issue orders to abate the violations; issue a citation pursuant to Revised Code section 3707.02; or refer the matter to the Franklin County Prosecutor or appropriate Municipal Law Director(s) for injunctive action and/or the filing of a criminal citation pursuant to Revised Code sections 3707.021 or 3709.211.

Now, therefore, upon motion of Board Member \_\_\_\_\_, seconded by Board Member \_\_\_\_\_,

BE IT RESOLVED BY THE BOARD OF HEALTH OF THE FRANKLIN COUNTY GENERAL HEALTH DISTRICT;

1. That the Board of Health adopts the staff recommendations regarding the condition of the properties described below as set forth in the notice(s) of violation issued to the owner(s) or responsible parties, if any, and authorizes the Health Commissioner, as the secretary of the Board of Health, to issue the ORDERS, attached hereto and incorporated by reference, for the abatement of the violations and/or conditions at the below listed properties:
2. That the Franklin County Board of Health adopts the staff recommendations regarding the condition of the properties described below, adopts the notices of violation issued to the owner or responsible party, if any, and authorizes the Health Commissioners, as secretary to the Board of Health, to issue ORDER(S), attached hereto and incorporated by reference, for the abatement of the violations and/or nuisance conditions at the property, and refer the below listed properties, owners or responsible persons, to the Franklin County Prosecuting Attorney or applicable Municipal Law Director for injunctive relief or prosecution:

3. That the Board of Health authorizes the Health Commissioner, as the Secretary of the Board of Health, to refer the above listed properties, owners or responsible persons, to the Franklin County Prosecuting Attorney or applicable Municipal Law Director for injunctive relief or prosecution in the event the Order is not complied with in whole or in part.
4. This resolution shall be in full force and effect from and immediately upon its adoption.

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Voting Aye Thereon:

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Board Members  
Franklin County Board of Health

Voting Nay Thereon:

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Board Members  
Franklin County Board of Health