

CERTIFIED MAIL #: 7007 3020 0000 5478 1471

ORDER OF THE BOARD OF HEALTH AND REFERRAL FOR PROSECUTION

October 8, 2024

Toby J. Thunberg and Sally Henry
7428 Bevelhymer Road
New Albany, Ohio 43054

RE: 7428 Bevelhymer Road; New Albany, Ohio 43054
City of New Albany
Tax District #222, Parcel #001995

Dear Toby J. Thunberg and Sally Henry:

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 8, 2024, the Board of Health adopted Resolution 24-155, attached hereto and incorporated herein, ORDERING you to:

1. Install a correct Jet motor in the aeration tank in accordance with all provisions of Ohio Administrative Code Section 3701-29 "Sewage Treatment System Rules".

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 8, 2024. 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 General Health District

JM:nar

Enclosure

c: City of New Albany
Nathan Ralph, RS