



POLICY AND PROCEDURE	
SUBJECT/TITLE:	Environmental Health Nuisance - Initiating and Implementing Progressive Enforcement
APPLICABILITY:	Environmental Health Division
CONTACT PERSON & DIVISION:	Director of Environmental Health
ORIGINAL DATE ADOPTED:	02/01/17
LATEST EFFECTIVE DATE:	02/01/17
REVIEW FREQUENCY:	5 Years
BOARD APPROVAL DATE:	N/A
REFERENCE NUMBER:	500-002-P

A. PURPOSE

The purpose of this document is to outline the guidelines and procedures on initiating and implementing progressive enforcement.

B. POLICY

These procedures will be implemented as outlined below by designated employees requesting corrective action against a property owner or tenant of a dwelling, multiple dwelling or commercial building. Assistance in complying with these procedures can be obtained from the Community Services Supervisor or the Director of Environmental Health.

C. BACKGROUND

N/A

D. GLOSSARY OF TERMS

N/A

E. PROCEDURES & STANDARD OPERATING GUIDELINES

The following guidelines and procedures should be followed when a violation of the Canton City Health Code has been committed. All possible situations would be difficult to predict. Therefore, this guidance and procedure document should be interpreted with some flexibility. Variation in the application of these guidelines and procedures should be discussed with the Director of Environmental Health, or other appropriate supervisor.

1. INITIAL ENFORCEMENT

- a. Once a complaint received and investigated by a sanitarian has proved to be valid and requires corrective action against the land owner or land occupant, a first notice of violation shall be sent to the proper party using the "Notice of Public Nuisance and Order to Abate Public Nuisance" form. The wording of this form shall appear much like the sample provided below.

2. SECOND ENFORCEMENT STEP

- a. After the sanitarian has re-inspected the property for a second time, in which case the property remains in non-compliance, the case shall be submitted to the Community Services Supervisor for further action. This step includes sending the violating party the "Second Notice of a Nuisance Condition". This letter shall be sent via regular mail. The wording of this form shall appear much like the sample provided below.

3. THIRD ENFORCEMENT STEP

- a. The sanitarian shall perform a third inspection of the property no later than 4 days after the "Second Order to Abate Nuisance Condition" has been mailed. If the property remains in violation of the



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Health Code, the sanitarian shall submit the case once again to the Community Services Supervisor for an Citation to Appear Before the Board of Health. The wording of this form shall appear much like the sample provided below.

4. FOURTH ENFORCEMENT STEP

- a. Only after the Board of Health issues a violation of the Health Code (via Board Order) and where the property remains in violation of the Health Code can criminal action be brought before the courts. The wording of this form shall appear much like the sample provided below. Criminal charges are not always necessary, discuss situation with supervision.

5. FINAL ENFORCEMENT STEP

- a. Once the Fourth Enforcement Step has been completed, abatement of the nuisance can commence. A request can be sent to the Canton Community Services Coordinator (Court employees). The wording of this form shall appear much like the sample provided below.

6. DOCUMENTATION

- a. All pictures, correspondence, activities and samples must be up to date and complete. All items will be on place on file per the Department Retention Policy.

F. CITATIONS & REFERENCES

Sections 201.02, 203.09, 203.10, 203.11, 203.12, 221.01, Canton City Health Code

Ohio Revised Code, Sections 3707.01, 3707.03, 3707.48

G. CONTRIBUTORS

The following staff contributed to the authorship of this document:

- 1. Mark Adams, Director of Environmental Health

H. APPENDICIES & ATTACHMENTS

N/A

I. REFERENCE FORMS

- 500-002-01-F_Order to Abate a Public Nuisance
- 500-002-02-F_2nd Order to Abate a Public Nuisance
- 500-002-03-F_Citation to Appear Before Board of Health
- 500-002-04-F_Board Order to Abate a Public Health Nuisance
- 500-002-05-F_Nuisance Clean Up Request Form
- 500-002-06-F_Emergency Order
- 500-002-07-F_Search Warrant Daytime TEMPLATE

J. REVISION & REVIEW HISTORY

Revision Date	Review Date	Author	Notes

K. APPROVAL

This document has been approved in accordance with the “800-001-P Standards for Writing and Approving PPSOGs” procedure as of the effective date listed above.



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