

**RESOLUTION ADOPTING  
BOARD OF HEALTH REGULATION 24  
REGULATING TRANSIENT ACCOMODATIONS**

**A RESOLUTION** of the Board of Health of Tuscarawas County to adopt new Board of Health Regulation 24 Regulating Transient Accommodations.

**WHEREAS**, the Board of Health of Tuscarawas County has the authority, pursuant to Ohio Revised Code Section 3709.20 and Section 3709.21, to adopt regulations for the public health, the prevention or restriction of disease, and the prevention, abatement or suppression of nuisances; and

**WHEREAS**, proper cleanliness and sanitary practices in transient accommodations are important in preventing the spread of disease and parasites; and

**WHEREAS**, by requiring transient accommodations to obtain permits and undergo inspections, the Board of Health will ensure that all such facilities are operated in a safe, clean manner; and

**WHEREAS**, the Board of Health of Tuscarawas County has determined it necessary to adopt new Board of Health Regulation 24 Regulating Transient Accommodations to establish minimum standards of sanitation and safety for transient accommodations to protect and promote the health and welfare of guests and employees of such facilities and the general public; now, therefore,

**BE IT RESOLVED**, by the Board of Health of Tuscarawas County, State of Ohio:

SECTION 1. That new Board of Health Regulation 24 is adopted to read as follows:

**Regulating Transient Accommodations**

**Section 24-1 – Definitions**

The following definitions shall apply in the interpretation and enforcement of this regulation.

- (A) *Accessory sleeping quarters for transients* shall mean a space or building which is an accessory to occupancy and which is used as sleeping quarters.
- (B) *Apartment hotel* shall mean a building containing Six (6) or more apartments any of which is occupied by transients.
- (C) *Approved* shall mean acceptable to the appropriate regulatory authority based on a determination of conformity with principles, practices, and generally recognized standards that protect public health.
- (D) *Bathing facilities* shall consist of a bathtub and/or shower.
- (E) *Board of Health* shall mean the Tuscarawas County Health Department.

- (F) *Connecting baths* shall consist of bathing facilities that are shared between two individual private guest rooms that are rented.
- (G) *Employee* shall mean any person working in a transient accommodation.
- (H) *Extended stay hotel* shall mean any structure consisting of one or more buildings with more than five (5) dwelling units with provisions for living, eating, cooking, sanitation, and sleeping, that is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where temporary residence is offered for pay to persons for a minimum stay of more than thirty (30) days and a maximum stay of one (1) year within the dwelling units at the structure, that is approved pursuant to a valid certificate of occupancy issued by the building official having jurisdiction as having all of the required dwelling unit features, and for which such valid certificate of occupancy indicates the specific rooms within the structure that can be used as dwelling units, and that is approved by the fire marshal for extended stay purposes.
- (I) *Family* shall mean one (1) adult occupant, or one (1) or more nonpaying guests.
- (J) *Food service operation or retail food establishment* shall be defined as per the Ohio Revised Code Chapter 3717.
- (K) *Guest* shall mean any person who is in the building under consideration for the purpose of sleeping, and any person who rents therein a room which has sleeping facilities.
- (L) *Guest room* when referring to transient accommodations shall mean a habitable room within a dwelling unit which is used or intended to be used primarily for the purpose of sleeping and may include bath and toilet facilities or any kitchen or dining areas.
- (M) *Health Commissioner* shall mean the Health Commissioner of the Tuscarawas County Health Department or his/her authorized representative, including the administrator, supervisory personnel, sanitarians, and public health nurses.
- (N) *Hotel and Motel* shall mean every structure kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations are offered for pay to transient guests, in which six (6) or more rooms are used for the accommodation of such guests, such sleeping accommodations being conducted in the same building or other structure kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations are offered for pay to transient guests; or any structure consisting of one or more buildings containing any combination of more than five (5) guestrooms that are each approved by the building code official having jurisdiction and the fire marshal as meeting the requirements for transient sleeping rooms or extended stay dwelling units, or as having features of such sleeping rooms and dwelling units within the same room, and such structure is specifically constructed, kept, used, maintained, and held out to the public to a place where transient sleeping accommodations or temporary residence is offered for pay to persons, but such structure does not

otherwise meet the definition of transient hotel or extended stay hotel as defined in the section.

- (O) *Laundered* shall mean to wash in water and detergent then tumble dry within a hot air dryer machine
- (P) *Laundry facilities* shall consist of washing machines, dryers, linen storage areas, folding tables, work space, and shelving located at the transient accommodation for the purpose of laundering.
- (Q) *Linens* shall mean any item such as, but not limited to, sheets, mattress pads, towels, tablecloths, cloth napkin, and work garments.
- (R) *Multi-use utensils* shall mean any utensil or item that can be used more than once which shall include, but not be limited to, ice buckets, drinking glasses, pitchers, cups, coffee pots and other equipment coming into contact with water, beverages, or solid food during storage, transportation, serving, or normal use of drinking water or beverages, or eating food.
- (S) *Operator* shall mean any person who has charge, care, or control of the transient accommodations.
- (T) *Permit* shall mean a license to operate a transient accommodation issued by the Board of Health.
- (U) *Private baths* shall consist of bathing facilities that are for the guests' use in the room or suite of rooms.
- (V) *Private toilet facilities* shall mean those toilet facilities that are for the guests' use in the room or suite of rooms.
- (W) *Public toilet facilities* shall mean those toilet facilities that are available to the general public.
- (X) *Rooming house* shall mean any dwelling, or that part of any dwelling containing one (1) or more rooming units, in which space is let by the owner or operator to three (3) or more persons who are not family or owner for living or sleeping but not for cooking or eating purposes; or a building where within the principle structure a minimum of three (3) and a maximum of five (5) rooms are provided for single occupancy, and where meals may be provided from a central kitchen facility, but in no case is cooking permitted or dining facilities provided within the tenant's room. Any building containing more than five (5) tenant rooms shall be deemed a hotel, and does not include adult care facilities, adult family homes, child and adult group homes, or community alternative homes.
- (Y) *Single-use item* shall mean any utensil or item designed and constructed to be used once and discarded, such as, but not limited to, cups, plastic utensils, paper napkins, bar soap, and shampoo.
- (Z) *Soiled laundry* shall mean bedding and linens that are not clean.
- (AA) *Stained* shall mean discolored, soiled, or spotted.
- (BB) *Suite of rooms* shall mean two (2) or more rooms which are arranged to be used as a unit and each room of which is accessible from within the unit without the use of a public exit way.
- (CC) *Transient* shall mean an individual who resides in the same building for a period of less than thirty (30) days.

- (DD) *Transient accommodations* shall mean any structure consisting of one (1) or more buildings, with more than five (5) sleeping rooms that is specifically constructed, kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations are offered for pay to transient guests for a period of thirty (30) days or less, including, but not limited to, such a structure denoted as a hotel, motel, motor hotel, lodge, rooming house or motor lodge and for a period of more than thirty (30) days, including but not limited to, such structure denoted as an extended stay hotel.
- (EE) *Vegetation* when referring to a transient accommodation's landscape shall mean any plant life or total plant cover.

## **Section 24-2 – Permits**

- (A) No person, directly or indirectly shall construct, operate, or maintain a transient accommodation in the Tuscarawas County Health Department District without first obtaining a permit from the Health Commissioner.
- (B) Any person who is contemplating the construction, alteration, or conversion of occupancy or use of a transient accommodation or any portion or facility thereof, or to convert a property for use or occupancy as a transient accommodation shall give notice in writing to the Health Commissioner at least forty-five (45) days before the beginning of such construction, alteration, or conversion.
- (C) The Health Commissioner shall issue a permit to operate to each operator of a transient accommodation who applies for a permit, upon compliance by the applicant with the provisions of these regulations.
- (D) During the month of January each year, except as here in after provided every operator of a transient accommodation during any part of the license year shall apply for a license for that year from the Tuscarawas County Health Department. All licenses shall be applied and paid for prior to February first of each year.
- (E) Fees for issuing and renewing transient accommodations operations licenses determined by the Tuscarawas County Health Department in accordance with section 21 of the Board of Health regulations may be levied upon each transient accommodations operation. These fees shall be solely for paying the expenses of the administration and enforcement of the Board of Health regulation 21.
- (F) If a license fee as prescribed under this paragraph is not filed with the licensor or postmarked on or before the date it is due, a late fee of fifty dollars shall be imposed and paid.
- (G) A permit to operate a transient accommodation shall be valid for the calendar year for which it is issued, provided that such permit shall be renewed before July 1 of the following year. The permit shall not be transferable or assignable and shall automatically become invalid upon change of operator or upon suspension or revocation.

- (H) A permit must be conspicuously posted at all times at the transient accommodation for which it was issued.
- (I) In the event of an intended change of operator of a transient accommodation, the new operator shall make written application for a permit to operate to the Health Commissioner at least ten (10) days before the proposed change is effected.
- (J) Only those persons who comply with the provisions of these regulations shall be entitled to receive and retain a permit to operate a transient accommodation.
- (K) In the event of an intended change of use for a transient accommodation, the operator shall first obtain approval from, including but not limited to, the zoning department having jurisdiction, state fire marshal's office, building department having jurisdiction, and the Tuscarawas County Health Department.

### **Section 24-3 – Application for Permit to Operate**

- (A) Application for a permit to operate shall be made to the Health Commissioner in writing, signed by the applicant, and shall contain such information as may be requested by the Health Commissioner to determine whether the proposed or existing transient accommodation will comply with the provisions of this regulation
- (B) Application for a permit to operate a transient accommodation or the renewal thereof shall be made annually to the Health Commissioner, or at least ten (10) days before the proposed commencement of the operation of the transient accommodation.

### **Section 24-4 – Permit Fee**

The Board of Health may establish a fee for the application and issuance of permits required by this regulation. Such fee shall not exceed the administration, issuance, and inspection costs to the Tuscarawas County Health Department associated with such application.

### **Section 24-5 – Permit Revocation or Suspension**

- (A) A permit to operate a transient accommodation may be suspended or revoked by the Health Commissioner upon violation by the permit holder of any terms or requirements of this regulation.
- (B) In the case of a proposal to deny, suspend, or revoke a transient accommodation permit the licensor shall provide written notice of the proposed action and the cause for action. The notice shall describe the procedure for appealing the proposed denial, suspension, or revocation.

- (C) In the case of a suspension of a license issued for a violation presenting an immediate danger to the public health, the licensor shall provide the license holder with a written notice of the action, the cause for the action, and the effective date of the action. The written notice shall specify the procedure for appealing the suspension and shall list the address to which a hearing request shall be sent or delivered. The license holder may appeal the suspension by mailing or hand-delivering a written request for hearing to the address specified in the notice. If a hearing is requested, it shall be heard not later than five (5) business days after the request is received by the licensor. At the hearing, the license holder shall have the opportunity to present its case orally or in writing and to confront and cross-examine witnesses. The license holder may be represented by counsel and may review the case record before the hearing. At the hearing, the licensor shall determine whether the immediate danger to the public health continues to exist. If the licensor conducts the hearing, the licensor may immediately render a decision denying, suspending, or revoking a license, or render a decision removing or continuing a license suspension.

#### **Section 24-6 – Inspections**

- (A) The Health Commissioner is hereby authorized and directed to make inspections to determine the condition of transient accommodations and premises located within the Tuscarawas County Health Department District in order that the Health Commissioner may perform their duty of safeguarding the health and safety of transients and of the general public. For the purpose of making such inspections, the Health Commissioner and/or their designee, is hereby authorized to enter, examine and survey at all reasonable times all transient accommodations and premises. The person in charge there of shall grant the Health commissioner free access to such transient accommodations and its premises at all reasonable times for the purpose of such inspection, examination, or survey. Every transient shall give the owner of such transient accommodations, or his agent or employee, access to any part of such transient accommodations, or its premises, at all reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this regulation or any lawful rule or regulation adopted or any lawful order issued pursuant to the provisions of this regulation.
- (B) The Health Commissioner and/or their designee shall have the authority to inspect and examine the register containing a record of all persons using the facilities at the transient accommodation.

#### **Section 24-7 – Plan Review**

- (A) No person shall construct, extensively alter, or equip a transient accommodation until plans have been submitted to and approved by the Health Commissioner.
- (B) The Health Commissioner shall act upon such plans within forty-five (45) days of receipt.
- (C) Plans and specifications shall clearly show and describe the:
  - (1) Total area to be used as a transient accommodation;
  - (2) General layout of the accommodation showing location of building, guest rooms, toilet facilities, solid waste storage, water supply, bathing facilities, laundry facilities, furniture within guest rooms, and lighting;
  - (3) Entrances and exits;
  - (4) Method and plans for drainage of surface and storm water;
  - (5) Water supply location and development;
  - (6) Sewage disposal methods;
  - (7) Methods of solid waste collection, storage, and disposal;
  - (8) Guest rooms including size and construction data, heating, lighting, ventilation, cooking and eating facilities, and beds and bedding;
  - (9) Identification of food equipment and drink machines, make and model number (including ice machines) shall be provided before installation, and shall be approved by a recognized food equipment testing agency.

## **Section 24-8 – Minimum Sanitation Standards**

### **(A) CONSTRUCTION AND DEVELOPMENT**

- (1) The exterior premises at a transient accommodation site shall be well graded and drained and so located that its drainage will not create a nuisance or a hazard to health.
- (2) If public sewer connection is not available to the site, the site shall be suitable as to area, topography, and soil conditions so that a proper sewage disposal system can be provided as required by the Ohio Revised Code and Ohio Administrative Code

### **(B) EXTERIOR PREMISES**

- (1) Exterior premises shall be kept free of accumulations of refuse, garbage, rubbish, and debris.
- (2) Driveways, parking lots, and walkways shall be adequately lighted and maintained in a safe and sanitary condition.
- (3) Immediate surrounding and premises shall be kept clean and free from growth of nuisance vegetation, discarded materials, and in sanitary conditions.

### **(C) HOUSING AND STRUCTURE**

- (1) A transient accommodation shall comply with any state and/or local code applicable to the establishment.

- (2) Every transient accommodation building and every part of such building shall be maintained in a state of good repair.
- (3) Floors, walls and ceilings shall be of sound construction and shall be maintained clean and in good repair.
- (4) Adequate and safe hand railings shall be provided for all stairways, porches, and balconies.
- (5) The floors, walls, ceilings, and fixtures in both private and public toilet and bathing facilities shall be constructed of cleanable, non-absorbent materials.
- (6) A sufficient number of bathrooms, mop sinks, service sinks, and hand sinks shall be provided at all transient accommodations according to local and state building and plumbing code.
- (7) All equipment, fixtures, furniture, and furnishings shall be kept clean and maintained in good repair, including but not limited to windows, draperies, curtain, and carpets within individual units, corridors, stairways, or other areas occupied or used by guests.
- (8) Floor and wall-mounted furnishings shall be easily moved to allow for cleaning and pest monitoring or mounted in such a manner as to allow for monitoring for pests and for cleaning around or under such furnishings.
- (9) No guest room shall contain less than one hundred (100) square feet of floor space excluding toilet and/or bathing facility, and shall have a ceiling height of at least eight (8) feet measured from finished floor to finished ceiling.
- (10) All rooms shall have sufficient ventilation to keep them free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes. Ventilation systems shall be installed and operated according to code, and when vented to the outside shall not create an unsightly, harmful, or unlawful discharge.
- (11) All transient accommodations shall have sufficient natural and/or artificial lighting to provide for cleaning purposes, safety and normal comfort of guests (recommended 10 to 20 foot candles thirty (30) inches off the floor).
- (12) All transient accommodations used during periods requiring artificial heat shall be provided with a safe and adequate source of heat capable of maintaining room temperature of not less than 70 °F (21 °C) during the time of occupancy.

#### (D) WATER SUPPLY

- (1) A safe water supply must be provided and maintained according to the Ohio Revised Code and Ohio Administrative Code
- (2) Drinking fountains, if provided, shall be constructed of impervious materials, have an angle-jet nozzle protected by a non-oxidizing guard above the overflow rim of the bowl, and shall be equipped with a pressure regulating valve.

- (3) Ice provided for guests shall be produced, stored, and dispensed in a sanitary manner, and shall be protected from becoming contaminated. All open bin type ice machines where guests could come into direct contact with the ice shall be replaced with a non-direct contact type machine (i.e. prepackaged; dispensed through a protected chute, etc.) when the existing machine becomes un-useable. This rule is not applicable to ice makers within a refrigerator in the guest rooms.
- (4) A back siphonage or backflow prevention device installed on a water supply system shall meet American Society of Sanitary Engineering Standards and Table 609 of Rule 4101:2-61-09 of the Ohio Administrative Code for construction, installation, maintenance, inspection, and testing for that specific application and type of device.

#### (E) EQUIPMENT AND UTENSILS

- (1) All multi-use utensils and food contact surfaces provided for use to guests shall be constructed, maintained, and washed as per Ohio Administrative Code 3717.
- (2) After placement in a guest room, cleaned and sanitized equipment, utensils or single-use items shall be individually wrapped or stored on a clean surface in an inverted position on in a manner that prevents contamination of the food contact surfaces.
- (3) Single-use items shall not be reused.
- (4) A single-use plastic deposable liner may be used in ice buckets in guest rooms.

#### (F) SEWAGE DISPOSAL

- (1) Sewage shall be discharged into a public sewer system whenever available.
- (2) In the event that a public sewer system is not available, sewage shall be disposed of in an approved on-site sewage disposal system. In the event the on-site sewage system fails or creates a public health nuisance, or a public sewer system becomes available, connection to the public sewer system may be required by the Health Commissioner.

#### (G) TOILET AND HAND WASHING FACILITIES

- (1) Both private and public toilet facilities in transient accommodations shall be constructed, located, and maintained so as to prevent any nuisance or public health hazard and shall be kept clean and in good repair.
- (2) Flush type toilets, lavatory facilities with hot and cold running water under pressure, and bathing facilities shall be provided at all transient accommodations, and such facilities shall be easily accessible and available to guests at all times.
- (3) All toilet and hand washing facilities, public and private, shall be properly provisioned with soap, and approved means of hand drying

and toilet tissue. This paragraph does not prohibit the use of multi-use towel provided:

- (a) The multi-use towels are for use within the guest room only; and
  - (b) The multi-use towels shall be changed before renting the room to a different guest.
- (4) At least one (1) hand washing facility shall be provided and conveniently located for use by employees, and meet the requirements specified under paragraph (G)(3) of this rule.
  - (5) All transient accommodations shall provide private toilet and bathing facilities except where existing central toilet facilities are being utilized prior to the effective date of these regulations.

#### (H) SOLID WASTE DISPOSAL

- (1) Outdoor solid waste receptacles shall be corrosion resistant, easily cleanable, and pest-proof. Containers shall have tight-fitting lids/doors, which are to remain closed during times when the container is not in use. In those containers that have drains, drain plugs shall remain in place at all times, except for cleaning.
- (2) At least one (1) indoor waste receptacle shall be provided for each transient accommodation guest room.
- (3) Outdoor solid waste receptacles shall be large enough to store the garbage that accumulates on the premises.
- (4) Areas surrounding outdoor waste receptacles shall be maintained clean and in good repair.
- (5) Outdoor solid waste receptacles shall be cleaned as frequently as necessary to prevent nuisance.
- (6) All waste receptacles used in transient accommodations shall be maintained clean and in good repair.
- (7) All waste receptacles shall be collected daily from guest rooms and other areas frequently used by guests. The trash shall be stored in larger containers before being taken to outdoor waste receptacles only if the container is of sound construction and easily cleanable.
- (8) Solid waste shall be collected from the transient accommodation at least once per week or as frequently as needed. The trash shall be collected, transferred and disposed of in a safe and sanitary manner. The transient accommodation shall follow all local refuse collection regulations that may apply.

#### (I) LAUNDRY FACILITIES

- (1) Laundry facilities, if provided, shall be kept clean and in good repair and of a sufficient capacity to handle all the laundering needs of the transient accommodation.
- (2) Laundry facilities operated in conjunction with, or utilized by a transient accommodation shall:

- (a) Provide mechanical washing machine connected to a water supply system capable of supplying hot water; and
  - (b) Provide a hot air tumble dryer.
- (3) Areas for handling, transporting, and storing of soiled laundry shall be kept separate from clean laundry.
- (4) All containers for transporting or storage of soiled and clean laundry shall be of impervious, cleanable construction, or otherwise protected so as to be maintained in a sanitary condition.
- (5) All clean linens shall be stored off the floor and in an approved manner.
- (6) All dryers shall be properly vented according to state and/or local building code.
- (7) Separate laundry facilities may be provided for the use of guests if these are located in a different room or area separate from the main laundry facilities.
- (8) The use of the main laundry facilities shall be restricted to the washing and drying of linens, towels, bedding covers, blankets, pillow cases, pillows, shower curtains, and drapes necessary to the transient accommodations. The following exceptions apply:
  - (a) If the transient accommodation offers laundry services to the guests then the guests' laundry must be washed and dried separately from the above mentioned items and at a separate time; and
  - (b) If the transient accommodation washes staff uniforms, aprons, or other clothing or laundered items necessary to the operation, then these like items shall be washed and dried separately from above mentioned items.

(J) BEDDING AND LINEN

- (1) All bedding including mattresses, mattress covers, mattress pads, quilts, blankets, pillows, sheets, pillow slips or spreads for the use of guests shall be kept clean and shall not be used after becoming stained or worn.
- (2) Each bed, bunk, cot, and other sleeping place shall be provided with a pillow, a suitable pillow case and zippered pillow cover per pillow, a top and bottom sheet, mattress pad or cover, an a bedspread and or blanket.
- (3) Sheets pillow cases, towels, and bath mats shall be changed out and/or laundered between guests.
- (4) Sheets used by the same guest for more than one (1) day shall be changed at least twice a week or more often if needed, or upon guest request.
- (5) Mattress pads, pillow covers, blankets, and bed spreads shall be laundered every two weeks or more often as necessary to be maintained clean.

(K) HOUSEKEEPING AND SAFETY

- (1) Janitors closets, supply carts, mops, pails, brushes, and other cleaning equipment shall be kept clean and in a state of good repair or shall be replaced as needed.
- (2) All janitors' closets shall be kept locked when not in use.
- (3) All original containers of chemicals must bear the manufacturer's label. All working containers of chemicals must be identified with the common name of the chemical contents. All MSDS sheets must be in a commonly known, central location.
- (4) Cleaners used in cleaning bathtubs, showers, lavatories, urinals, and toilet seats shall be comprised of fungicidal or bactericidal contents and shall be capable of disinfecting surfaces.
- (5) All chemicals shall be handled and stored so as to prevent contamination of clothing, utensils and linens. Manufacturers' recommendations must be followed for application of chemicals.
- (6) Housekeeping carts shall be so arranged that clean replacement supplies, clean linens and cleaned and sanitized equipment and utensils shall be protected from soiled items being removed from each room and other sources of contamination.
- (7) Housekeeping carts shall be maintained clean and in good repair.

(L) INSECT AND RODENT CONTROL

- (1) The premises of all transient accommodations shall be kept free of insects, rodents, and other vermin.
- (2) Any person, firm, or company performing pest control operations to control insects, rodents, or other vermin shall be licensed, as provided under Section 921.01 to 921.28 of the Ohio Revised Code.
- (3) Effective measures intended to minimize the presence, harborage, or breeding of rodents, flies, cockroaches, bed bugs, pests, and other insects on the premise shall be utilized.
- (4) All outer openings shall be protected to prevent access to insects, rodents, and other pests by providing tight-fitting outer doors and sealing off all cracks and crevices as deemed necessary.

(M) PLUMBING

- (1) All plumbing installed in or on the transient accommodation site shall conform to all state and local plumbing code requirements.
- (2) Tempered water of at least 85°F (29°C), or at a temperature specified by local and/or state plumbing code, shall be provided at each bathtub, shower, and hand sink within the transient accommodation.
- (3) Hot water at a temperature required by local and/or state plumbing code shall be provided for purposes of laundering and ware washing.

(N) SWIMMING FACILITIES

- (1) All swimming pools, bathing beaches, and wading pools of transient accommodations shall comply with Section 3701.31-01 to 3701.31-10 of the Ohio Administrative Code.
- (2) Towels provided by the transient accommodation for guest use within the swimming facilities shall be laundered after being used by the guest.

**(O) FOOD SERVICE OPERATIONS, RETAIL FOOD ESTABLISHMENTS,  
OR VENDING OPERATIONS**

- (1) All food service and vending operations which are part of or operated in conjunction with a transient accommodation shall be in compliance with the Section 3717 of the Ohio Administrative Code.

**(P) PETS**

- (1) The operator of a transient accommodation shall establish and enforce rules designed to prohibit or control pets within a transient accommodation. No guest shall allow his/her pet to run at large.
- (2) The operator of a transient accommodation shall be responsible for cleaning and/or removing or any nuisance created by a pet, if the owner does not take such responsibility.
- (3) The operator of a transient accommodation that allows pets shall designate some rooms as non-pet rooms for the use of guests with animal allergies.

**(Q) SMOKING**

- (1) All transient accommodations that allow smoking on premises shall be in compliance with Section 3701-52 of the Ohio Administrative Code.

**Section 24-9 – Variances**

- (A) The Health commissioner shall grant a hearing to a person and may authorize, in specific cases, such variance from the requirements of this regulation as will not be contrary to the public interest, and where the person shows that because of practical difficulties or other special conditions the application of this regulation will cause unusual and unnecessary hardship. However, no variance shall be granted that will defeat the spirit and general intent of this regulation, or otherwise not be in the public interest.
- (B) Any person objecting to the decision of the Health commissioner pursuant hereto shall have the right to appeal such decision to the Board of Health.

**Section 24-10 – Invalidity**

- (A) Should any section, paragraph, sentence, clause, or phrase of this regulation be declared unconstitutional or invalid for any reason, the remainder of such regulation shall not be affected thereby.

**Section 24-11 – Penalties**

(A) Violation of any provision of this regulation is prohibited by Section 3709.99 of the Ohio Revised Code and is subject to the penalties therein.

SECTION 2. That this Resolution shall be an emergency measure necessary for the preservation of the public peace, health, safety and general welfare and shall be effective immediately. The reason for the emergency is the immediate need to provide minimum standards of sanitation and safety for transient accommodations to protect and promote the health and welfare of guests and employees of such facilities and the general public.

**ADOPTING BOARD OF HEALTH REGULATION 24-12  
FEE SCHEDULE FOR TRANSIENT ACCOMMODATIONS**

**A RESOLUTION** of the Board of Health of Tuscarawas County adopting Board of Health Regulation 24-12 Fees Schedule for Transient Accommodations.

**WHEREAS**, the Board of Health of Tuscarawas County has the authority, pursuant to Ohio Revised Code Section 3709.20 and Section 3709.21, to adopt regulations for the public health, the prevention or restriction of disease, and the prevention, abatement or suppression of nuisances; and

**WHEREAS**, proper cleanliness and sanitary practices in transient accommodations are important in preventing the spread of disease and parasites; and

**WHEREAS**, by requiring transient accommodations to obtain permits and undergo inspections, the Board of Health will ensure that all such facilities are operated in a safe, clean manner; and

**WHEREAS**, the Board of Health of Tuscarawas County has determined it necessary to adopt new Board of Health Regulation 24-12 Regulating Transient Accommodations to establish minimum standards of sanitation and safety for transient accommodations to protect and promote the health and welfare of guests and employees of such facilities and the general public; and

**WHEREAS**, pursuant to Board of Health Regulation 24, the Board of Health of Tuscarawas County shall establish a fee for implementing and inspecting transient accommodations, Board of Health Regulation 24, and

**WHEREAS**, the fee for inspection of a Transient Accommodation shall be established by the Board of Health, pursuant to Board of Health Regulation 24 and Ohio Revised Code 3709.09, now, therefore

**BE IT RESOLVED**, by the Board of Health of Tuscarawas County, State of Ohio:

SECTION 1. That new Board of Health Regulation 24-12 is adopted to read as follows:

**Section 24-12 - Fee Schedule for Transient Accommodations**

The cost of a license for a transient accommodation as defined in 24 of the Board of Health Regulations shall be determined according to Section 24 of the Board of Health Regulations, and shall be determined as follows:

- (A) Transient Accommodations
  - (1) Up to and including 100 guest rooms \$200

(2) Each additional guest room over 100, \$5.00

(B) Any such fee or portion of such fee retained by the Board of Health shall be paid into a special fund and used only for the purpose of administering and enforcing Board of Health Regulation 24.

(C) If a license fee is not received by the Board of Health on or before the date it is due, a penalty of Fifty dollars (\$50) shall be imposed and paid as provided in Board of Health Regulation 24.

SECTION 2. That this Resolution shall be an emergency measure necessary for the preservation of the public peace, health, safety and general welfare and shall be effective immediately. The reason for the emergency is the immediate need to provide a fee schedule that will allow the Board of Health to begin issuing permits for Transient Accommodations.