

**CODE OF HEALTH REGULATIONS
TABLE OF CONTENTS**

| <u>SECTION</u> | <u>TITLE</u> | <u>PAGE</u> |
|--|--|--------------------|
| CHAPTER 1 - GENERAL PROVISIONS AND ADMINISTRATION | | |
| 1.1 | Name of Code and Purpose..... | 10 |
| 1.2 | Authority..... | 10 |
| 1.3 | Definitions..... | 10 |
| 1.4 | Administration and Enforcement..... | 10 |
| 1.4.1 | Health Director and Officials, Appointment and Duties..... | 10 |
| 1.4.2 | Interference with Health Officials and Employees Prohibited..... | 11 |
| 1.4.3 | Inspections..... | 11 |
| 1.4.4 | User Fees | 12 |
| 1.5 | Interpretation and Severability..... | 12 |
| 1.6 | Jurisdiction..... | 12 |
| 1.7 | Penalties and Remedies | 13 |
| 1.8 | Repeal of Regulations..... | 13 |
| 1.9 | Headings, Titles, and Catchlines..... | 14 |
| 1.10 | Maintenance of Code..... | 14 |
| CHAPTER II - ANIMAL CONTROL | | |
| 2.1 | Purpose..... | 17 |
| 2.2 | Authority..... | 17 |
| 2.3 | Definitions..... | 17 |
| 2.3.1 | Animal Control Officer..... | 17 |
| 2.3.2 | Dangerous Exotic Animal | 17 |
| 2.3.3 | Feral Cat..... | 17 |
| 2.3.4 | Health Director | 17 |
| 2.3.5 | Health Official | 18 |
| 2.3.6 | Nuisance Dog..... | 18 |
| 2.3.7 | Own or Possess..... | 18 |

| | | |
|-----------|--|----|
| 2.3.8 | Person..... | 18 |
| 2.3.9 | Rabies Compendium..... | 18 |
| 2.3.10 | Urban Service Area..... | 18 |
| 2.3.11 | Vicious Dog..... | 19 |
| 2.3.12 | Vicious and Nuisance Dog Advisory Board..... | 19 |
| | | |
| 2.4 | Animal Care..... | 19 |
| 2.4.1 | Duty of Animal Owners | 20 |
| 2.4.2 | Vicious Dogs | 20 |
| 2.4.2.1 | Procedure for Classification of Vicious and Nuisance Dogs | 20 |
| 2.4.2.1.1 | Complaint and Investigation | 20 |
| 2.4.2.1.2 | Vicious or Nuisance Dog Declaration | 21 |
| 2.4.2.1.3 | Appeals of Vicious or Nuisance Dog Declarations..... | 22 |
| 2.4.2.2 | Vicious Dog and Nuisance Dog Management and Control..... | 24 |
| 2.4.2.2.1 | Vicious and Nuisance Dog Permits | 24 |
| 2.4.2.2.2 | Vicious Dog and Nuisance Dog Confinement | 25 |
| 2.4.2.2.3 | Standards for Vicious Dog Kennels | 26 |
| 2.4.2.2.4 | Building Confinement of Vicious Dogs | 27 |
| 2.4.2.2.5 | Control of Vicious and Nuisance Dogs..... | 27 |
| 2.4.2.2.6 | Vicious Dog and Nuisance Dog Signage..... | 28 |
| 2.4.2.3 | Removal from the List of Vicious and Nuisance Dogs..... | 28 |
| 2.4.2.4 | Transfer of Ownership or Possession of a Vicious or Nuisance Dog | 29 |
| 2.4.2.5 | Destruction of Vicious Dogs | 29 |
| 2.4.3 | Vaccinations for Dogs and Cats | 31 |
| 2.4.4 | Confinement and Control of Dogs in Urban Service Areas | 31 |
| 2.4.5 | Confinement and Control of Dogs near Schools | 32 |
| 2.4.6 | Female Dog in Heat..... | 32 |
| 2.4.7 | Permitting Dogs to Bite or Attack Prohibited, Exceptions | 32 |
| 2.4.8 | Possession of Ferrets, Vaccinations | 33 |
| | | |
| 2.5 | Possession and Sale of Dangerous Exotic Animals; Registration and Permitting; Impoundment; Disposition..... | 33 |
| 2.5.1 | Permits, In General | 34 |
| 2.5.2 | Permit Administration..... | 35 |
| | | |
| 2.6 | Administration and Enforcement of Animal Control Reg..... | 36 |
| 2.6.1 | Health Director and Officials, Appointment and Duties | 36 |
| 2.6.2 | Animal Control Officers, Appointment and Duties | 37 |
| 2.6.3 | Animal Shelter, Establishment | 37 |
| 2.6.4 | Interference with Health Officials and Animal Control Officers Prohibited | 37 |
| 2.6.5 | Refusal to Deliver Animals to Animal Control Officers Prohibited..... | 37 |
| 2.6.6 | Removal of Animals from Animal Control Officers or Shelters Prohibited | 37 |

| | | |
|-------|--|----|
| 2.7 | Animal Impoundment..... | 37 |
| 2.7.1 | Impoundment, General | 38 |
| 2.7.2 | Dog and Cat Impoundment for Observation | 38 |
| 2.7.3 | Impoundment of Suspected Rabies Carrier | 38 |
| 2.7.4 | Redemption and Disposal of Impounded Animals | 38 |
| 2.7.5 | Impoundment for Observation, Disposition | 39 |
| 2.7.6 | Isolation and Quarantine | 40 |
| 2.8 | Jurisdiction..... | 40 |

| | |
|---|----|
| APPENDIX CHAPTER II ANIMAL CONTROL..... | 41 |
|---|----|

CHAPTER III - SMOKING IN GOVERNMENT BUILDINGS

| | | |
|-----|--|----|
| 3.1 | Purpose..... | 44 |
| 3.2 | Authority..... | 44 |
| 3.3 | Smoking in County Government Buildings Prohibited..... | 44 |
| 3.4 | Jurisdiction..... | 44 |

CHAPTER IV - SMALL ON-SITE WASTEWATER SYSTEMS

| | | |
|---------|--|----|
| 4.1 | Purpose..... | 45 |
| 4.2 | Authority..... | 45 |
| 4.3 | Definitions..... | 45 |
| 4.3.1 | Health Director..... | 45 |
| 4.3.2 | Health Official..... | 45 |
| 4.3.3 | Permit..... | 45 |
| 4.3.4 | Person..... | 46 |
| 4.3.5 | Small On-site Wastewater System..... | 46 |
| 4.3.6 | Construction | 46 |
| 4.3.7 | Modification..... | 46 |
| 4.4 | Small On-site Wastewater System Design and Construction Standards..... | 46 |
| 4.4.1 | Exceptions to Design and Construction Standards..... | 46 |
| 4.4.1.1 | Soil Scientist..... | 47 |
| 4.5 | Permit Required for Construction or Modification of Small On-site Wastewater Systems..... | 47 |
| 4.5.2 | Permit Application Processing Procedures..... | 48 |
| 4.5.3 | Compliance with Permit..... | 49 |

| | | |
|---------|---|----|
| 4.5.4 | Operation of Small On-site Wastewater System..... | 49 |
| 4.5.5 | Permit Modification..... | 49 |
| 4.5.6 | Waiver of Permit Modification | 50 |
| 4.5.7 | General Permit Conditions | 50 |
| 4.5.7.1 | Expiration of Permit | 50 |
| 4.5.7.2 | Transfer of Permit | 51 |
| 4.5.8 | Permit Denial | 51 |
| 4.5.8.1 | Denial Due to Violation of Design and/or Construction Standards..... | 51 |
| 4.5.8.2 | Denial Due to Violation of Applicable Building, Subdivision or Zoning Regulations..... | 52 |
| 4.5.8.3 | Denial Due to Location Within Reasonable Distance of Public Sanitary Sewer | 52 |
| 4.5.9 | Permit Suspension and Revocation..... | 53 |
| 4.6 | Health Director Oversight; Variances and Appeals | 54 |
| 4.7 | Certification of Small On-site Wastewater System Installers, Percolation Test Technicians and Inspectors | 55 |
| 4.7.1 | Certification Requirements for Installers..... | 55 |
| 4.7.2 | Requirements for Percolation Test Technician Certification..... | 56 |
| 4.7.3 | Homeowner Exemption for Installer Certification..... | 56 |
| 4.7.4 | Certification Requirements for Inspectors..... | 56 |
| 4.7.5 | Records and Reports..... | 57 |
| 4.7.6 | Revocation of Certification..... | 57 |
| 4.8 | Nonconforming Small On-site Wastewater Systems..... | 58 |
| 4.9 | Discharge of Wastewater Off Property Prohibited..... | 59 |
| 4.10 | Jurisdiction..... | 60 |
| 4.11 | Fees..... | 60 |

**CHAPTER V - REGULATION AND LICENSING OF TATOO ARTISTS AND
DERMAGRAPHIC TECHNICIANS AND RELATED BUSINESSES**

| | | |
|-------|----------------------------------|----|
| 5.1 | Purpose..... | 61 |
| 5.2 | Authority..... | 61 |
| 5.3 | Definitions..... | 61 |
| 5.3.1 | Health Director or Director..... | 61 |
| 5.3.2 | Operator..... | 61 |
| 5.3.3 | Patron..... | 61 |

| | | |
|--------|---|----|
| 5.3.4 | Person..... | 62 |
| 5.3.5 | Tattooing..... | 62 |
| 5.3.6 | Tattooing Establishment..... | 62 |
| 5.4 | Permit Required..... | 62 |
| 5.5 | Permit Issuance..... | 62 |
| 5.6 | Permit Suspension and Revocation | 63 |
| 5.6.1 | Permit Reinstatement After Suspension | 64 |
| 5.7 | Tattoo Administration Requirements | 65 |
| 5.7.1 | Minimum Age Requirements | 65 |
| 5.7.2 | Patron Notification | 65 |
| 5.7.3 | Skin Condition | 65 |
| 5.7.4 | Patron Sobriety | 66 |
| 5.7.5 | New Tattoo Care Patron Instructions | 66 |
| 5.7.6 | Tattoo Removal Prohibited | 66 |
| 5.8 | Tattoo Establishment Premises | 66 |
| 5.8.1 | Sanitation..... | 66 |
| 5.8.2 | Hygiene Facilities | 66 |
| 5.8.3 | Insects, Vermin and Litter | 67 |
| 5.8.4 | Lighting..... | 67 |
| 5.8.5 | Ventilation..... | 67 |
| 5.8.6 | Size..... | 67 |
| 5.8.7 | Inspection..... | 67 |
| 5.9 | Equipment | 67 |
| 5.9.1 | Instruments..... | 67 |
| 5.9.2 | Inks | 67 |
| 5.9.3 | Sanitation..... | 67 |
| 5.9.4 | Sterilization..... | 68 |
| 5.10 | Operator and Aseptic Technique Requirements | 68 |
| 5.10.1 | Vaccinations..... | 68 |
| 5.10.2 | Foods, Beverages and Smoking Prohibited | 68 |
| 5.10.3 | Diseases Prohibited..... | 69 |
| 5.10.4 | Tattoo Administration Procedures and Reporting Requirements..... | 69 |
| 5.11 | Jurisdiction..... | 69 |

CHAPTER VI - PUBLIC HEALTH HAZARDS AND NUISANCES

| | | |
|--------|---|----|
| 6.1 | Purposes..... | 71 |
| 6.2 | Authority..... | 71 |
| 6.3 | Definitions..... | 71 |
| 6.3.1 | Agricultural Property..... | 71 |
| 6.3.2 | Dismantled vehicle..... | 71 |
| 6.3.3 | Health Director..... | 71 |
| 6.3.4 | Health Official..... | 71 |
| 6.3.5 | Inoperable vehicle..... | 72 |
| 6.3.6 | Junk..... | 72 |
| 6.3.7 | Junk-Filled vehicle..... | 72 |
| 6.3.8 | Person..... | 72 |
| 6.3.9 | Public Health Hazard..... | 72 |
| 6.3.10 | Public Nuisance..... | 72 |
| 6.3.11 | Property Occupant..... | 73 |
| 6.3.12 | Trash..... | 73 |
| 6.3.13 | Unlicensed vehicle..... | 73 |
| 6.3.14 | Vehicle..... | 73 |
| 6.3.15 | Weeds..... | 73 |
| 6.4 | Jurisdiction..... | 73 |
| 6.5 | Solid Waste Storage..... | 74 |
| 6.5.1 | Temporary Storage..... | 74 |
| 6.5.2 | Composting..... | 74 |
| 6.6 | Public Health Hazards/Public Nuisances/Rat Harborages..... | 74 |
| 6.7 | Weeds and Rank or Noxious Plants..... | 74 |
| 6.8 | On Site Sewage Treatment and Disposal..... | 74 |
| 6.9 | Vehicle Nuisance; Exceptions..... | 75 |
| 6.10 | Abatement of Public Health Hazards and Public Nuisances..... | 75 |
| 6.10.1 | Determination of Public Health Hazards and Public Nuisances..... | 75 |
| 6.10.2 | Governmental Abatement of Public Health Hazards and Public Nuisances..... | 76 |
| 6.10.3 | Right of Appeal..... | 78 |

CHAPTER VII - COMMUNITY AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM

| | | |
|-------|---|----|
| 7.1 | Purpose..... | 79 |
| 7.2 | Applicability..... | 79 |
| 7.3 | Requirements and Procedures..... | 79 |
| 7.3.1 | Use of AEDs | 79 |
| 7.3.2 | Notification | 79 |
| 7.3.3 | Training..... | 80 |
| 7.3.4 | Standards for AED Maintenance | 80 |
| 7.3.5 | Quality Assurance Review | 80 |
| 7.3.6 | Consent to Quality Assurance Review | 81 |

CHAPTER VIII - REGULATIONS GOVERNING COMMUNICABLE DISEASES

| | | |
|-------|---|----|
| 8.1 | Purpose..... | 82 |
| 8.2 | Statutory Authority and Incorporation of Certain Regulations by Reference..... | 82 |
| 8.3 | Definitions..... | 82 |
| 8.3.1 | Health Director or Director..... | 82 |
| 8.3.2 | Health Department..... | 83 |
| 8.3.3 | Person..... | 83 |
| 8.4 | Compliance Required..... | 83 |
| 8.5 | Enforcement..... | 83 |
| 8.6 | Interpretation and Severability..... | 84 |
| 8.7 | Jurisdiction..... | 84 |
| 8.8 | Penalties and Remedies..... | 84 |

CHAPTER IX - FOOD CODE

| | | |
|-----|---|----|
| 9.1 | Purpose..... | 86 |
| 9.2 | Statutory Authority and Incorporation of Certain Regulations by Reference..... | 86 |
| 9.3 | Definitions..... | 86 |

| | | |
|-------|--|----|
| 9.3.1 | Health Director or Director..... | 86 |
| 9.3.2 | Regulatory Authority..... | 87 |
| 9.4 | Modifications to Food Code..... | 87 |
| 9.4.1 | Deletions to Code..... | 87 |
| 9.4.2 | Deletion and Substitution to Code..... | 87 |
| 9.5 | Compliance Required..... | 89 |
| 9.6 | Enforcement..... | 89 |
| 9.7 | Interpretation and Severability..... | 89 |
| 9.8 | Jurisdiction..... | 90 |
| 9.9 | Penalties and Remedies..... | 90 |
| 9.10 | Fees..... | 91 |

CHAPTER X - PRESCRIPTION DRUG MONITORING

| | | |
|-------|---|----|
| 10.1 | Purpose and Applicability..... | 92 |
| 10.2 | Statutory Authority..... | 92 |
| 10.3 | Definitions | 92 |
| 10.4 | Establishment of Monitoring Program..... | 93 |
| 10.5 | Responsibilities of Dispensers | 94 |
| 10.6 | Information a closed record..... | 96 |
| 10.7 | Use of Monitoring System Information by Dispensers not in Boone County | 96 |
| 10.8 | Persons Authorized to be Provided Dispensation Information..... | 97 |
| 10.9 | Obedience to Law Required | 98 |
| 10.10 | Revisions or Revocation of Chapter | 98 |
| 10.11 | Effective Date | 98 |