



Ohio Administrative Code Rule 164-1-19 Emergency projects.

Effective: September 18, 1989

(A) The director may approve financial assistance on an emergency basis, not to exceed the funding limits set forth in division (B)(2) of section 164.08 of the Revised Code, for any project adequately designed to rectify infrastructure conditions that pose an immediate threat to the health, safety, and welfare of the residents within the jurisdiction of the project applicant. With respect to such a project, the director may suspend any provision of Chapter 164-1 of the Administrative Code as necessary to deal with the emergency.

(B) In determining whether or not emergency assistance is necessary, the director shall consider the following factors:

- (1) The extent to which, if any, other existing infrastructure can be used by the applicant's residents in lieu of the infrastructure posing the threat;
 - (2) The capacity of the applicant to meet the emergency through the use of its own financial resources or through financial assistance programs operated by other federal, state, or local agencies;
 - (3) The degree to which the applicant is responsible for having created the emergency itself through neglect, inadequate maintenance, or failure to plan adequately for the evolution of hazardous infrastructure conditions that could reasonably have been predicted.
-