



Ohio Administrative Code Rule 3701-30-11 Refusal to comply.

Effective: July 5, 2009

(A) If the owner and manager of a residential unit, child care facility or school does not comply with a lead hazard control order, the director shall issue a non-compliance order prohibiting the owner and manager from using the residential unit, child care facility or school as a residential unit, child care facility or school. The non-compliance order shall remain in effect until the director receives evidence that the residential unit, child care facility or school has passed a clearance examination.

(B) When the owner and manager receives a non-compliance order prohibiting the use of the residential unit, child care facility or school the owner or manager shall take appropriate measures to notify each occupant of the residential unit(s), parent, guardian, or custodian of each child attending the child care facility or school to vacate the residential unit, child care facility or school until the residential unit, child care facility or school passes a clearance examination. This notification must be received by the occupant, parent, guardian, or custodian no less than ten days prior to vacating the residential unit, child care facility or school.

(C) The director shall post a sign on one or more entrances to the residential unit, child care facility, or school that serves to warn the public and states the following information:

(1) A warning that the residential unit, child care facility or school has a lead hazard; and

(2) A declaration that the residential unit, child care facility or school is unsafe for human occupation, especially for children under six years of age and pregnant women.

(3) Pursuant to section 3742.99 of the Revised Code, removal of the sign is punishable by a fine and/or imprisonment. Each day of violation is a separate offense.

(D) The sign shall remain posted until the director determines the lead hazards have been sufficiently controlled and the lead hazard control order is lifted.