



## **Environmental Complaint Guidelines and Protocols**

As stated under KRS 212.210:

### **Powers and duties of the Cabinet for Health and Family Services and local health boards.**

(1) The Cabinet for Health and Family Services and the local boards of health may examine into all nuisances, sources of filth, and causes of sickness that may, in their opinion, be injurious to the health of the inhabitants in any county in this state, or in any vessel within any harbor or port in any county in this state. Whenever any such nuisance, source of filth, or cause of sickness is found to exist on any private property, or in any vessel within any port or harbor in any county in this state, or upon any watercourse in this state, the Cabinet for Health and Family Services or the local board of health may order, in writing, the owner or occupant thereof, at his own expense, to remove the same within twenty-four (24) hours, or within such reasonable time thereafter as the board may order.

(2) If drinking water used by school children is found to be dangerous to their health, the local board of health or Cabinet for Health and Family Services may order that a supply of pure water be furnished at the expense of the county or city board of education.

(3) If in the opinion of the local board of health or Cabinet for Health and Family Services a school building is constructed in violation of law and is found to be unsanitary or unsafe for the housing of children, the local board of health or Cabinet for Health and Family Services may institute an action in the Circuit Court of the county where the building is situated, and the court, after due hearing and verifying the facts, may order a safe and sanitary school building to be erected within a reasonable time by the county or city board of education in accordance with the laws of the state governing the erection of schoolhouses and the control of disease, and the rules and regulations of the Cabinet for Health and Family Services.

(4) Any local board of health shall, for the purpose of controlling and eradicating rats and other unsanitary nuisances, require the owner or possessor of any building designed for human habitation and containing two (2) or more apartment units, to provide, where a specific area has been designated for the depositing of refuse on the premises, waste receptacles approved by the board. The board may further require that the design, construction, and maintenance of the area in which the waste receptacles are kept meet reasonable standards set by the board.

Effective: June 20, 2005 History: Amended 2005 Ky. Acts ch. 99, sec. 402, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 353, effective July 15, 1998. -- Amended 1974 Ky. Acts ch. 74, Art. VI, sec. 107(3). -- Amended 1970 Ky. Acts ch. 281, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2054a14, 2057.

**Restaurants/Retail Food:** Take called in complaint- Environmentalist prioritizes complaint- Respond to complaint within 24-48 hours- complete a follow-up inspection- record in EHMIS system.

**Onsite Sewage:** Take called in complaint- Environmentalist prioritizes complaint- Respond to complaint within 24-48 hours- Conduct a site visit- Send notice to correct and allot for specified amount of time to correct issues- Wait for response from owner- If no response, send another notice to correct with an allotted lesser amount of time to correct issues- Wait for response- If no response, hand over to the county attorney.

**Rats/Bats/Birds/Mosquitos/Weeds:** Take called in complaint- Environmentalist prioritizes complaint- Respond within 24-48 hours- If deemed imminent health hazard then send 'notice to correct' if it is residential- If the complaint is commercial or naturally occurring, respond with appropriate advisements or referrals.

**Rabies:** Take called in/faxed in animal bite informational sheet- Conduct initial investigation- Call owner and person who was bitten- Conduct site visit to see animal- follow Rabies protocol/flowchart.

**Mold:** Take called in complaint- Environmentalist prioritizes complaint- respond within 24-48 hours with appropriate referrals.

**Bedbugs:** Take called in complaint- Environmentalist prioritizes complaint- Respond within 24-48 hours- If residential, respond with appropriate referral- If permitted facility, conduct site visit to investigate- If live bedbugs or evidence seen, respond with appropriate referral and allot an amount of time to correct issues- conduct site visit to make sure issue has been fixed after allotted amount of time has passed- if issues continue and no action is taken, follow states protocol for shutting down facility until issue is corrected.

**Trash:** Take called in complaint- Environmentalist prioritizes complaint- respond within 24-48 hours with appropriate referrals.

**Dilapidated Housing:** Take called in complaint- Environmentalist prioritizes complaint- respond within 24-48 hours with appropriate referral- if deemed imminent health hazard, hand over to county attorney.

**Motels/Hotels:** Take called in complaint- Environmentalist prioritizes complaint- Respond within 24-48 hours- complete follow-up inspection- record in EHMIS system.

**Tattoo's/Body Piercing:** Take called in complaint- Environmentalist prioritizes complaint- Respond within 24-48 hours- complete follow-up inspection- record in EHMIS system.

**Schools:** Take called in complaint- Environmentalist prioritizes complaint- Respond within 24-48 hours- complete follow-up inspection- record in EHMIS system.

**Trailer Parks:** Take called in complaint- Environmentalist prioritizes complaint- Respond within 24-48 hours- complete follow-up inspection- record in EHMIS system.

**Youth Camps:** Take called in complaint- Environmentalist prioritizes complaint- Respond within 24-48 hours- complete follow-up inspection- record in EHMIS system.

**Beach/ Public Swimming Areas:** Take called in complaint- Environmentalist prioritizes complaint- Respond within 24-48 hours- complete follow-up inspection- record in EHMIS system.

**Tanning Bed Facilities:** Take called in complaint- Environmentalist prioritizes complaint- Respond within 24-48 hours- complete follow-up inspection- respond with appropriate referrals and “notice to correct” if issues are present.

**\*\*Note\*\***

**All permitted establishments can be shut down immediately if imminent health hazard is present.**

**Forms commonly used for complaints:**

- \*DFS 305 Notice to Abate Nuisance
- \*DFS 312 Notice to Remedy Insanitary Conditions
- \*DFS 210 Notice to Correct Violations

**Any or all complaints can be deemed hazardous or detrimental to a person’s/community’s health and be reprioritized over higher priority complaints at any given time as they are received.**

<b>HIGH PRIORITY</b>	*Rabies *Onsite Sewage *Restaurants/ Retail Food	<b>MODERATE PRIORITY</b>	*Schools *Trailer Parks *Tattoo’s/Body Piercing *Hotels/Motels *Youth Camps *Beach/Public Swimming Areas	<b>LOW PRIORITY</b>	*Rats/Bats/Birds/ Mosquitos/Weeds *Mold *Bedbugs *Trash *Dilapidated Housing *Tanning Bed Facilities
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