



Tioga County Public Health Department

Health & Human Services Building | 1062 State Route 38, Owego, NY 13827

Phone: 607-687-8600 | Fax: 607-223-7030 | ph.tiogacountyny.gov
Heather Vroman, MEd., Public Health Director



HEALTH & HUMAN SERVICES COMMITTEE – PUBLIC HEALTH

TUESDAY, SEPTEMBER 3, 2024

8:30 A.M.

FINANCIAL:

- 2024 Updates

OLD BUSINESS:

- None

NEW BUSINESS:

- Agency Report August 2024

PERSONNEL:

- None

RESOLUTIONS:

- Amend Budget & Appropriate Funds (CHSC)
- Authorization to Accept Juul Settlement Funds and Amend Budget and Appropriate Funds
- Create (1) Full-Time Public Health Emergency Preparedness Coordinator
- Amend Tioga County Sanitary Code

PROCLAMATIONS:

- None

ADJOURNMENT:



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Heather Vroman, MEd., Public Health Director



INTERNAL MEMO

TO: William H. Standinger, III; Chair, HHS Committee
FROM: Heather Vroman, MEd.; Public Health Director
CC: Marte Sauerbrey; Chair, Tioga County Legislature
DATE: September 3, 2024
RE: Health & Human Services Meeting September 3, 2024

Attached are Public Health's materials for the Health & Human Services Committee meeting.

- Financial:
 - 2024 Updates
- Agency Report August 2024
- Resolutions:
 - Amend Budget & Appropriate Funds (CHSC)
 - Authorization to Accept Juul Settlement Funds and Amend Budget and Appropriate Funds
 - Create (1) Full-Time Public Health Emergency Preparedness Coordinator
 - Amend Tioga County Sanitary Code
- Proclamation:
 - None



TIOGA COUNTY, NEW YORK

Tioga County YEAR-TO-DATE BUDGET REPORT

FOR 2024 08

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
A General Fund							
A2960 Handicapped Education							
A2960 416050 Fees - Handicapped	-605,000	0	-605,000	-181,087.95	.00	-423,912.05	29.9%*
A2960 434600 State Aid-Handicap	-2,018,000	0	-2,018,000	-797,385.28	.00	-1,220,614.72	39.5%*
A2960 540590 Services Rendered	3,200,000	0	3,200,000	1,503,536.01	563,499.99	1,132,964.00	64.6%
A2960 540620 Software Expense	6,300	0	6,300	.00	.00	6,300.00	.0%
A2960 540710 Transport/Handicap	850,000	0	850,000	458,235.24	119,385.96	272,378.80	68.0%
TOTAL Handicapped Education	1,433,300	0	1,433,300	983,298.02	682,885.95	-232,883.97	116.2%
A4011 Public Health Administration							
A4011 427010 Refunds of Prior Y	0	0	0	-10,144.60	.00	10,144.60	100.0%
A4011 434010 State Aid-Public H	-821,197	-11,579	-832,776	-211,156.75	.00	-621,619.25	25.4%*
A4011 434890 HWB1 State Aid- Oth	0	-10,385	-10,385	-1,614.75	.00	-8,770.50	15.5%*
A4011 444010 MRC Federal Aid-Pub	0	-12,100	-12,100	.00	.00	-12,100.00	.0%*
A4011 444010 SPHIW Federal Aid-P	0	-114,114	-114,114	.00	.00	-114,114.26	.0%*
A4011 510010 Full Time	1,509,285	0	1,509,285	776,919.04	.00	732,365.96	51.5%
A4011 510020 Part Time/Temporar	177,920	0	177,920	49,526.28	.00	128,393.87	27.8%
A4011 510030 overtime Pay Only	0	0	0	834.30	.00	-834.30	100.0%*
A4011 510050 All Other(On call,	22,810	0	22,810	17,065.59	.00	5,744.41	74.8%
A4011 510050 HWB1 All Other-On C	0	4,500	4,500	1,500.00	.00	3,000.00	33.3%
A4011 510050 SPHIW All Other-SPH	0	88,351	88,351	81,860.00	.00	6,491.00	92.7%
A4011 520090 Computer	15,000	0	15,000	6,964.47	37.50	7,998.03	46.7%
A4011 520130 Equipment (Not Car	3,000	0	3,000	.00	.00	3,000.00	.0%
A4011 520130 SPHIW Equipment (No	0	2,000	2,000	.00	.00	2,000.00	.0%
A4011 520200 Office Equipment	2,000	0	2,000	458.00	.00	1,542.00	22.9%
A4011 530100 Data Processing	85,984	0	85,984	46,562.60	.00	39,421.40	54.2%
A4011 530300 Legal	12,557	0	12,557	6,814.64	.00	5,742.36	54.3%
A4011 530551 Maintenance in Lie	88,380	0	88,380	44,835.00	.00	43,545.00	50.7%
A4011 540010 Advertising	15,000	0	15,000	798.63	.00	14,201.37	5.3%
A4011 540040 Books	1,500	0	1,500	885.12	.00	614.88	59.0%
A4011 540070 Car Maintenance	4,458	0	4,458	3,642.91	10.00	805.09	81.9%
A4011 540120 Consulting Fees	17,000	0	17,000	2,900.00	.00	14,100.00	17.1%
A4011 540180 Dues	3,405	0	3,405	3,389.14	.00	15.86	99.5%
A4011 540190 Education Reimburs	3,000	0	3,000	706.50	.00	2,293.50	23.6%
A4011 540210 Garbage Disposal	1,200	0	1,200	395.64	204.36	600.00	50.0%



TIOGA COUNTY, NEW YORK

Tioga County YEAR-TO-DATE BUDGET REPORT

FOR 2024 08

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
A4011 540220 Automobile Fuel	1,500	0	1,500	272.58	.00	1,227.42	18.2%
A4011 540270 Insurance-Liabilit	30,013	8,128	38,141	38,141.04	.00	.00	100.0%
A4011 540320 Leased/Service Equ	5,000	0	5,000	1,558.22	883.41	2,558.37	48.8%
A4011 540330 Legal Fees	50	0	50	.00	.00	50.00	.0%
A4011 540340 Literature	50	0	50	.00	.00	50.00	.0%
A4011 540360 Meals/Food	1,800	0	1,800	1,348.06	.00	451.94	74.9%
A4011 540390 Mileage Expense	15	0	15	.00	.00	15.00	.0%
A4011 540420 Office Supplies	7,232	0	7,232	3,131.00	.00	4,101.00	43.3%
A4011 540480 Postage	1,200	0	1,200	729.53	.00	470.47	60.8%
A4011 540485 Printing/Paper	3,000	0	3,000	1,300.25	.00	1,699.75	43.3%
A4011 540487 Program Expense	16,000	11,579	27,579	5,339.51	159.65	22,079.84	19.9%
A4011 540487 MRC Program Expense	0	12,100	12,100	.00	.00	12,100.00	.0%
A4011 540487 SPHIW Program Expen	0	17,501	17,501	2,091.29	.00	15,409.97	11.9%
A4011 540540 Reimbursements	250	0	250	.00	.00	250.00	.0%
A4011 540581 Security Systems &	25,000	0	25,000	15,584.37	.00	9,415.63	62.3%
A4011 540620 Software Expense	10,552	0	10,552	4,075.12	1,500.00	4,976.88	52.8%
A4011 540660 Telephone	7,505	0	7,505	1,989.36	143.43	5,372.21	28.4%
A4011 540733 Training/All other	5,000	0	5,000	2,020.28	.00	2,979.72	40.4%
A4011 581088 State Retirement F	170,652	42,599	213,251	106,695.42	.00	106,555.28	50.0%
A4011 583088 Social Security Fr	127,948	3,364	131,313	63,734.88	.00	67,577.84	48.5%
A4011 583088 HWB1 Social Securit	0	574	574	114.75	.00	459.00	20.0%
A4011 583088 SPHIW Social Securi	0	6,262	6,262	6,262.29	.00	-.29	100.0%*
A4011 584088 Workers Compensati	0	38,243	38,243	19,149.69	.00	19,092.87	50.1%
A4011 585088 Unemployment Insur	0	2,835	2,835	2,835.00	.00	.00	100.0%
A4011 585588 Disability Insuran	0	2,170	2,170	991.80	.00	1,177.80	45.7%
A4011 586088 Health Insurance F	121,772	479,207	600,979	314,750.23	.00	286,229.11	52.4%
A4011 588988 EAP Fringe	459	48	507	252.34	.00	254.54	49.8%
TOTAL Public Health Administration	1,676,300	571,282	2,247,582	1,415,508.77	2,938.35	829,135.37	63.1%
A4044 Early Intervention							
A4044 416107 Early Intervention	-60,000	0	-60,000	-11,279.30	.00	-48,720.70	18.8%*
A4044 434023 State Aid- Early I	-139,540	0	-139,540	-45,693.38	.00	-93,846.62	32.7%*
A4044 434601 State Aid- Handica	-16,800	0	-16,800	-17,400.00	.00	600.00	103.6%
A4044 520090 Computer	0	3,000	3,000	2,342.00	658.00	.00	100.0%
A4044 520130 Equipment (Not Car	3,000	-3,000	0	.00	.00	.00	.0%
A4044 540010 Advertising	100	0	100	.00	.00	100.00	.0%
A4044 540180 Dues	4,300	0	4,300	2,362.50	.00	1,937.50	54.9%
A4044 540190 Education Reimburs	10	0	10	.00	.00	10.00	.0%
A4044 540220 Automobile Fuel	1,500	0	1,500	394.20	.00	1,105.80	26.3%
A4044 540444 Permits, Fees, Ins	553	0	553	.00	.00	553.00	.0%



TIOGA COUNTY, NEW YORK

Tioga County YEAR-TO-DATE BUDGET REPORT

FOR 2024 08

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
A4044 540480 Postage	1,400	0	1,400	446.38	.00	953.62	31.9%
A4044 540485 Printing/Paper	1,000	0	1,000	260.75	.00	739.25	26.1%
A4044 540487 Program Expense	208,000	0	208,000	83,055.96	.00	124,944.04	39.9%
A4044 540590 Services Rendered	4,000	0	4,000	1,300.00	2,500.00	200.00	95.0%
A4044 540620 Software Expense	8,000	0	8,000	4,491.90	1,996.00	1,512.10	81.1%
A4044 540640 Supplies (Not Offi	7,500	0	7,500	1,203.71	.00	6,296.29	16.0%
A4044 540660 Telephone	1,717	0	1,717	637.76	.00	1,079.24	37.1%
A4044 540670 Therapeutic	4,000	0	4,000	.00	.00	4,000.00	.0%
A4044 540710 Transport/Handicap	2,200	0	2,200	.00	.00	2,200.00	.0%
A4044 540733 Training/All Other	2,500	0	2,500	736.00	92.00	1,672.00	33.1%
TOTAL Early Intervention	33,440	0	33,440	22,858.48	5,246.00	5,335.52	84.0%
A4053 Community Health							
A4053 416101 Community Health C	-1,200	0	-1,200	-100.00	.00	-1,100.00	8.3%*
A4053 422800 Grants -Non State	0	-208,365	-208,365	-74,179.20	.00	-134,185.60	35.6%*
A4053 422800 ASAP Health Service	0	-50,000	-50,000	.00	.00	-50,000.00	.0%*
A4053 422800 CFCS Health Service	0	-2,253	-2,253	.00	.00	-2,253.21	.0%*
A4053 422800 CHSC Health Service	0	-60,000	-60,000	.00	.00	-60,000.00	.0%*
A4053 422800 CPIA Health Service	0	-10,000	-10,000	.00	.00	-10,000.00	.0%*
A4053 422800 TICK Health Service	0	-3,000	-3,000	-3,000.00	.00	.00	100.0%
A4053 427010 Refunds Of Prior Y	0	0	0	-5,119.01	.00	5,119.01	100.0%
A4053 434011 State Aid-Communit	-294,231	0	-294,231	-163,169.57	.00	-131,061.43	55.5%*
A4053 520130 Equipment (Not Car	2,500	0	2,500	1,834.59	.00	665.41	73.4%
A4053 520190 Nursing Equipment	1,000	0	1,000	.00	.00	1,000.00	.0%
A4053 540010 Advertising	45,000	0	45,000	11,418.00	11,913.50	21,668.50	51.8%
A4053 540080 Clinic Supplies	15,500	0	15,500	3,202.80	86.29	12,210.91	21.2%
A4053 540140 Contracting Servic	50,000	0	50,000	9,153.06	4,634.00	36,212.94	27.6%
A4053 540180 Dues	75	0	75	.00	.00	75.00	.0%
A4053 540220 Automobile Fuel	605	0	605	322.82	.00	282.18	53.4%
A4053 540370 Medical Expense	5,000	0	5,000	169.00	.00	4,831.00	3.4%
A4053 540440 Other Awards	300	0	300	.00	.00	300.00	.0%
A4053 540444 Permits, Fees, Ins	553	0	553	200.00	.00	353.00	36.2%
A4053 540480 Postage	2,900	0	2,900	329.75	.00	2,570.25	11.4%
A4053 540485 Printing/Paper	11,900	0	11,900	1,672.35	.00	10,227.65	14.1%
A4053 540487 Program Expense	4,000	0	4,000	.00	.00	4,000.00	.0%
A4053 540487 ASAP Program Expens	0	191,846	191,846	15,738.29	7,500.00	168,607.50	12.1%
A4053 540487 TICK Program Expens	0	3,000	3,000	2,999.00	.00	1.00	100.0%
A4053 540590 Services Rendered	3,560	0	3,560	262.75	.00	3,297.25	7.4%
A4053 540595 Services Rendered(C	1,500	0	1,500	.00	.00	1,500.00	.0%
A4053 540640 Supplies (Not Offi	15,000	66,519	81,519	73,411.42	248.04	7,859.55	90.4%



TIOGA COUNTY, NEW YORK

Tioga County YEAR-TO-DATE BUDGET REPORT

FOR 2024 08

	ORIGINAL APPROP	TRANFRS/ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
A4053 540640 CFCs Supplies (Not	0	2,253	2,253	920.83	195.10	1,137.28	49.5%
A4053 540640 CHSC Supplies (Not	0	60,000	60,000	.00	.00	60,000.00	.0%
A4053 540640 CPIA Supplies (Not	0	10,000	10,000	.00	.00	10,000.00	.0%
A4053 540660 Telephone	3,425	0	3,425	1,713.82	.00	1,711.18	50.0%
A4053 540733 Training/All other	10,500	0	10,500	2,172.00	30.00	8,298.00	21.0%
TOTAL Community Health	-122,113	0	-122,113	-120,047.30	24,606.93	-26,672.63	78.2%
A4064 Dental Health							
A4064 416102 Dental Van Fees	-130,000	0	-130,000	-67,965.69	.00	-62,034.31	52.3%*
A4064 520130 Equipment (Not Car	10,000	0	10,000	5,423.67	3,860.83	715.50	92.8%
A4064 540010 Advertising	1,500	0	1,500	1,331.23	.00	168.77	88.7%
A4064 540070 Car Maintenance	5,000	0	5,000	2,754.88	.00	2,245.12	55.1%
A4064 540080 Clinic Supplies	22,000	0	22,000	9,069.49	.00	12,930.51	41.2%
A4064 540220 Automobile Fuel	800	0	800	69.48	.00	730.52	8.7%
A4064 540444 Permits, Fees, Ins	553	0	553	.00	.00	553.00	.0%
A4064 540480 Postage	1,000	0	1,000	280.12	.00	719.88	28.0%
A4064 540485 Printing/Paper	300	300	600	368.40	.00	231.60	61.4%
A4064 540487 Program Expense	10,000	0	10,000	3,684.15	405.00	5,910.85	40.9%
A4064 540620 Software Expense	1,000	0	1,000	.00	.00	1,000.00	.0%
A4064 540640 Supplies (Not Offi	500	0	500	.00	.00	500.00	.0%
A4064 540660 Telephone	1,250	0	1,250	615.44	306.80	327.76	73.8%
A4064 540733 Training/All other	1,500	-300	1,200	590.00	152.00	458.00	61.8%
TOTAL Dental Health	-74,597	0	-74,597	-43,778.83	4,724.63	-35,542.80	52.4%
A4090 Environmental Health							
A4090 416010 Public Health Fees	-116,750	0	-116,750	-64,414.00	.00	-52,336.00	55.2%*
A4090 434500 WELL State Aid-Publ	0	-36,795	-36,795	-7,152.95	.00	-29,642.16	19.4%*
A4090 434640 State Aid-Environm	-243,667	0	-243,667	-126,979.82	.00	-116,687.18	52.1%*
A4090 520130 Equipment (Not Car	2,000	0	2,000	.00	.00	2,000.00	.0%
A4090 540010 Advertising	700	0	700	350.00	.00	350.00	50.0%
A4090 540040 Books	10	0	10	.00	.00	10.00	.0%
A4090 540080 Clinic Supplies	7,500	0	7,500	2,954.03	.00	4,545.97	39.4%
A4090 540140 Contracting Servic	40,000	0	40,000	14,340.00	9,660.00	16,000.00	60.0%
A4090 540180 Dues	400	88	488	263.00	225.00	.00	100.0%
A4090 540220 Automobile Fuel	5,000	0	5,000	2,070.25	.00	2,929.75	41.4%
A4090 540330 Legal Fees	2,500	0	2,500	.00	.00	2,500.00	.0%



TIOGA COUNTY, NEW YORK

Tioga County YEAR-TO-DATE BUDGET REPORT

FOR 2024 08

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A4090 540360 Meals/Food	20	0	20	.00	.00	20.00	.0%
A4090 540390 Mileage Expense	20	0	20	.00	.00	20.00	.0%
A4090 540480 Postage	1,600	0	1,600	615.22	.00	984.78	38.5%
A4090 540485 Printing/Paper	100	0	100	83.79	.00	16.21	83.8%
A4090 540487 Program Expense	44,000	0	44,000	26,838.03	2,190.23	14,971.74	66.0%
A4090 540590 Services Rendered	3,000	0	3,000	1,137.42	.00	1,862.58	37.9%
A4090 540595 WELL Services Rende	0	36,795	36,795	7,592.58	4,028.94	25,173.59	31.6%
A4090 540640 Supplies (Not Offi	11,750	-3,588	8,162	1,985.76	402.50	5,773.74	29.3%
A4090 540660 Telephone	3,321	0	3,321	1,692.53	.00	1,628.47	51.0%
A4090 540733 Training/All other	1,000	3,500	4,500	3,041.04	.00	1,458.96	67.6%
TOTAL Environmental Health	-237,496	0	-237,496	-135,583.12	16,506.67	-118,419.55	50.1%
A6610 Sealer Of weights And Measures							
A6610 419620 Sealer of weights	-10,500	0	-10,500	-3,460.00	.00	-7,040.00	33.0%*
A6610 435890 State Aid-Octane T	-600	0	-600	.00	.00	-600.00	.0%*
A6610 510020 Part Time/Temporar	17,225	0	17,225	10,519.04	.00	6,705.96	61.1%
A6610 520130 Equipment (Not Car	500	0	500	.00	.00	500.00	.0%
A6610 540040 Books	250	0	250	.00	.00	250.00	.0%
A6610 540180 Dues	25	0	25	25.00	.00	.00	100.0%
A6610 540220 Automobile Fuel	520	0	520	131.85	.00	388.15	25.4%
A6610 540480 Postage	100	0	100	.00	.00	100.00	.0%
A6610 540590 Services Rendered	100	0	100	.00	.00	100.00	.0%
A6610 540640 Supplies (Not offi	135	0	135	.00	.00	135.00	.0%
A6610 540733 Training/All other	50	0	50	.00	.00	50.00	.0%
A6610 583088 Social Security Fr	0	1,085	1,085	852.16	.00	233.21	78.5%
A6610 584088 Workers Compensati	0	1,120	1,120	781.32	.00	339.16	69.7%
A6610 588988 Eap Fringe	0	15	15	10.37	.00	4.37	70.4%
TOTAL Sealer of weights And Measures	7,805	2,221	10,026	8,859.74	.00	1,165.85	88.4%
TOTAL General Fund	2,716,639	573,503	3,290,142	2,131,115.76	736,908.53	422,117.79	87.2%
TOTAL REVENUES	-4,457,485	-518,592	-4,976,077	-1,791,302.25	.00	-3,184,774.38	
TOTAL EXPENSES	7,174,124	1,092,095	8,266,219	3,922,418.01	736,908.53	3,606,892.17	

H Capital Fund

H4011 Public Health Administration

H4011 434010 State Aid-Public H	-21,600	-38,737	-60,337	.00	.00	-60,337.29	.0%*
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Tioga County
YEAR-TO-DATE BUDGET REPORT

FOR 2024 08

Table with 9 columns: H, Capital Fund, ORIGINAL APPROP, TRANFRS/ADJSTMTS, REVISED BUDGET, YTD ACTUAL, ENCUMBRANCES, AVAILABLE BUDGET, PCT USE/COL. Rows include H4011 520060 Car/Truck, H4011 520130 Equipment (Not Car), and various totals for Public Health Administration, Capital Fund, Revenues, Expenses, and Grand Total.

** END OF REPORT - Generated by McCann, Denis **



Tioga County Public Health Department

Health & Human Services Building | 1062 State Route 38, Owego, NY 13827

Phone: 607-687-8600 | Fax: 607-223-7030 | ph.tiogacountyny.gov

Heather Vroman, MEd., Public Health Director



AGENCY REPORT

July 25 -August 21, 2024

Highlights

- Louise Dorsey, Public Health Nurse was nominated as Team Member of the 2nd Quarter!
- Staff attended various tabling events/outreach events including the Catholic Charities' Back-to-School Event at Tioga Center, Toothbrush Fun at the Berkshire Library, 2024 Lyme Conference hosted by Southern Tier Lyme Support, Inc., and of course at the Tioga County Fair!
- Conducted Quarter 2 program record audit and presented findings to our Medical Consultant. We continue to see improvements in documentation thanks to an emphasis on improved procedures, updated forms and staff education.
- All Public Health staff were FIT Tested to ensure proper fitting of N95 masks; to be prepared in an emergency situation.
- At August's Public Health All Staff Meeting, we heard from representatives from 211 Susquehanna River Region about their helpline collective resource database. Admin Directors also put together a presentation discussing the ins and outs of internal processes.

Health Education

- We continue our efforts in improving and building our Medical Reserve Corps (MRC). One of our MRC leaders attended a 2-day conference to learn strategies to help grow our MRC. We completed Volunteer Management Plan and created an orientation video for Medical Reserve Corps Volunteers.
- Advocacy, Support and Prevention (ASAP) Coalition staff met individually with each coalition Sector Representative to build relationships and learn the needs of coalition members. The Drug Free Communities report was finalized and submitted to the CDC. Staff were trained in "Reach Collaboration," the new data collection base for the new evaluator. ASAP held its monthly meeting where Tioga County Sheriff's Investigator Delmage shared information about current drug trends in the area.
- Staff partnered with Tobacco Free Broome Tioga and attended the Village of Spencer and Village of Owego trustee meetings to discuss smoke free policies.
- Refilled Public Access Narcan (PAN) Boxes for the Candor Library, 56 Main Street and the Open Door Mission.
- Met with new staff at CASA-Trinity to learn about the programming they will be doing in the schools in the upcoming school year.
- Presented our Tick Smart Tioga project to NYSACHO. This project consisted of targeted outreach on tickborne illness prevention to populations with the highest rates of tickborne illness in Tioga County.
- Presented to DSS Child Protective Services Unit on Lead Poisoning Prevention Program.
- Hosted a Child Safety Seat check at the Health & Human Services Building. Five seats were checked for proper installation.
- Disseminating lots of messaging on Back-To-School Immunizations.

Environmental Health

- Director of Environmental Health attended Tioga County Water Quality Coordinating Committee meeting where he shared information about the Wellhead Program and mentioned that we still have fire safety equipment from the Healthy Neighborhoods Program. He also attended the Waverly Water Systems Project meeting and spoke about water sampling requirements for new water extensions.

- With the recent Listeria outbreak of Boars Head sliced meat products, Environmental Health contacted Tioga County food establishments, and we made multiple Facebook posts to keep the community informed.
- Met with staff from the Town of Owego to discuss the proposed Tractor Supply plans.
- Completed “Sign checks” for tobacco retailers in Tioga County. These checks ensure that the retailers post signs regarding the prohibited sale of tobacco products to minors.

Patient Services (EI, Dental, Clinic)

- The Dental Van is working with Tioga County Veterans Services Agency to try and provide dental services to Tioga County Veterans.
- Investigated two cases of pertussis in Tioga County and disseminated a press release advising the community of common symptoms and precautions.
- Early Intervention staff members attended a 2-day conference learning about New York State Department of Health’s new EI Hub documentation system which will be implemented and will replace the current system (NYEIS).
- Early Intervention service coordinators have been busy working with families that have children transitioning from EI to the Committee of Preschool Special Education (CPSE). We continue to have a shortage of providers, specifically physical therapy and speech therapy, in all areas of the county.

Administrative Services

- Completed annual review and policy revisions for the School-Based Health Clinic Dental Policy Manual.
- All staff completed annual review of Public Health trainings.
- As part of Strategic planning efforts to bolster our community partnerships Deputy PHD met with Owego Rotary Club and PHD met with Kiwanis to present Public Health updates and current initiatives.
- Admin services team members have been tackling Early Intervention insurance denials to assist in reimbursement for service coordination activities.

Ongoing Support/Partnerships

- | | |
|-------------------------------------------------------------------|----------------------------------------------------------|
| - Allies in Substance Abuse Prevention Coalition | - Safe Harbor Committee |
| - Child Fatality Review Team | - S2AY Pivotal Partners Finger Lakes |
| - Family Enrichment Network (Head Start) | - Team Tioga |
| - Lourdes PACT Advisory Board | - Tioga County Board of Health |
| - Mothers and Babies Perinatal Network | - Tioga County Commissioner’s Advisory Council |
| - New York State Association of County Health Officials (NYSACHO) | - Tioga County Council of Governments |
| - New York State Association for Rural Health (NYSARH) | - Tioga County Immunization Coalition |
| - New York State Association of Counties (NYSAC) | - Tioga County Local Emergency Planning Committee (LEPC) |
| - Racker Center | - Tioga County Mental Health Sub-Committee |
| - Rural Economic and Partnership (REAP) | - Tioga County Non-Profit Network |
| - Rural Health Network | - Tioga Opportunities |

Attachments:

1. Financial Snapshot, YTD thru 7/2024.
2. Photographs: Public Health Staff at Tioga County Fair, August 2024
3. Article: Public Health Advisory Issued for Tioga County: Cases of Whooping Cough Reported,” Tioga County Courier, August 7, 2024.
4. Flyer: “What the Health!?,” August 2024.
5. Bulletin Board: “Keep Your Water Clean,” Health & Human Services Building, Owego, August 2024.
6. Billboards: “Don’t Wait to Vaccinate!” August 2024.
7. Data Spreadsheet July 25- August 21, 2024.

Financial Snapshot
Year-to-date through July 2024*1

	Budget 2024	Actual YTD 2024	Percentage of 2024 Budget
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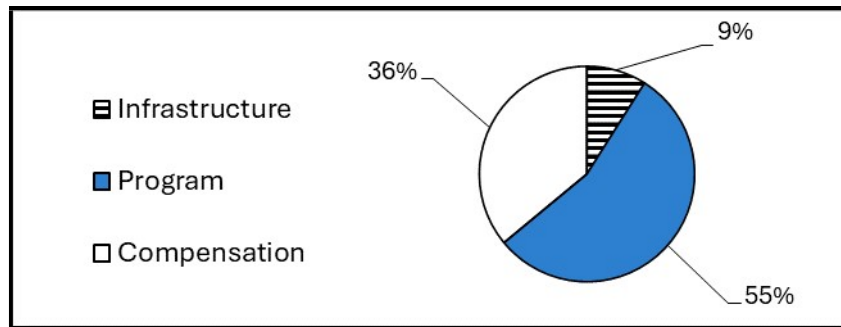
REVENUES

Fees	1,257,068	395,710	31 %
State/Federal	3,779,346	1,279,144	34 %
Local	3,397,408	1,859,130	55 %
TOTAL	8,433,822	3,533,984	42 %

EXPENSES

Compensation	2,818,444	1,273,417	45 %
Program Expense	5,088,313	1,947,248	38 %
Core Infrastructure	527,065	313,319	59 %
TOTAL	8,433,822	3,533,984	42 %

Allocation of Expenses
Year-to-date through July 2024



***Notes:**

1. Most of January & February revenue are adjusted back to prior year as payments during this time are for services performed in the prior year. State Aid reimbursement is reported a couple months after each quarter ends.



Public Health Staff at Tioga County Fair, August 2024

Public health advisory issued for Tioga County: Cases of whooping cough reported

Tioga County Public Health is advising the public that multiple cases of pertussis (also known as whooping cough) have been reported in Tioga County, N.Y. According to a news release from the department, pertussis is a highly contagious bacterial infection affecting the respiratory system that is spread through droplets when a person coughs or sneezes. Residents are advised to do the following:

Review the listed symptoms, make sure your family is up to date on their pertussis vaccination (also known as Tdap for adults or DTaP for children), and contact your healthcare provider if you have concerns about yourself or someone else in your household showing signs of the virus. Symptoms usually appear between five and 10 days after exposure to pertussis.

Early symptoms: Stage 1 — Early symptoms can last for one to two weeks and usually include:

- Runny or stuffed-up nose
- Low-grade fever (less than 100.4°F)
- Mild, occasional cough (babies do not do this)
- Apnea (life-threatening pauses in breathing) and
- Cyanosis (turning blue or purple) in babies and young children.

In its early stages, whooping cough appears to be nothing more than the common cold. Therefore, doctors often do not suspect or diagnose it until the more severe symptoms appear.

Later symptoms: Stage 2 — One to two weeks after the first symptoms start, people with

whooping cough may develop rapid, violent, and uncontrolled coughing fits. These coughing fits usually last one to six weeks but can last for up to 10 weeks. Coughing fits generally get worse and become more common as the illness continues.

Coughing fits can cause people to:

- Make a high-pitched “whoop”

sound when they are finally able to inhale at the end of a coughing fit

- Vomit during or after coughing fits

- Feel very tired after the fit, but usually seem well in-between fits

- Struggle to breathe

Because whooping cough can be extremely dangerous for young children and those with a weakened immune system, those who are experiencing symptoms

continued on page 2

are advised to stay home from school or work and avoid close contact with those around you. Cups, utensils, and other personal items should not be shared with others during this time.

Make sure you and your family members are up to date on your whooping cough vaccines. While these vaccines are effective, they are not perfect. Symptoms are usually more mild for those who become infected but are vaccinated.

These vaccinations are especially important for pregnant women who should receive the vaccine during her third trimester (of all pregnancies) to help protect her baby during its first few months of life.

If you think you or your child has whooping cough or if you have further questions, please contact your health care provider or one of our Public Health Nurses at (607) 687-8600. For more information, please visit <https://www.cdc.gov/pertussis/>.

Tioga Co. Courier, Aug. 7, 2024



What the Health!?

August 2024

Be A Happier "You" in the Workplace!

- Personalize your workspace.
- Practice mindfulness.
- Focus on your strengths.
- Stop comparing yourself to others.
- Show gratitude toward team members.
- Talk it out with a trusted coworker.
- Accept rather than judge feelings.
- Get outdoors and take a walk.
- Do things for others.
- Find the humor & laugh it out.
- Keep learning new skills.
- Slow down and self-reflect.



Don't Wait to Vaccinate! 🌈

♥ Schedule Back-to-School Immunizations Now!

Upcoming Events in Tioga County:

Tuesday, August 6 - 10:

Tioga County Fair

All Day!

Tioga County Fair Grounds

Monday, August 12:

Back to School Party

10:00am - 12:00pm

Tioga Central School

Thursday, August 8:

Car Seat Check Event

2:00pm - 4:00pm

Waverly Police Department

Thursday, August 29:

Rabies Vaccination Clinic

5:30pm - 7:30pm

Rawley Park in Richford
Pre-Registration Required

Friday, August 9:

Car Seat Check Event

9:00am - 11:00am

Waverly Police Department

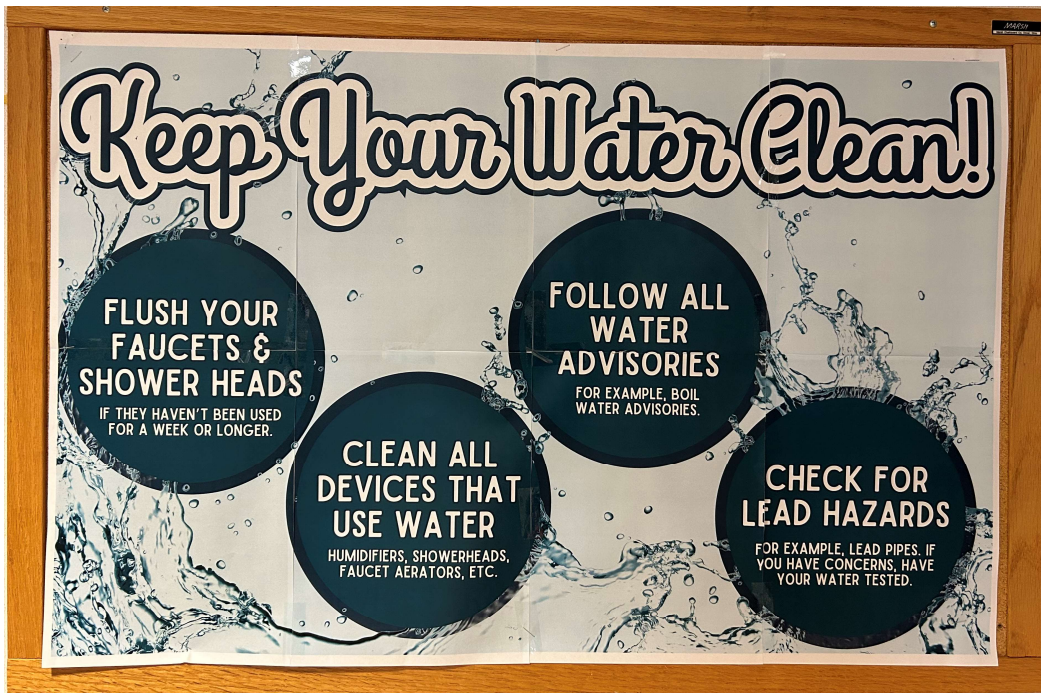
*Replacement seats available

Thursday, August 29:

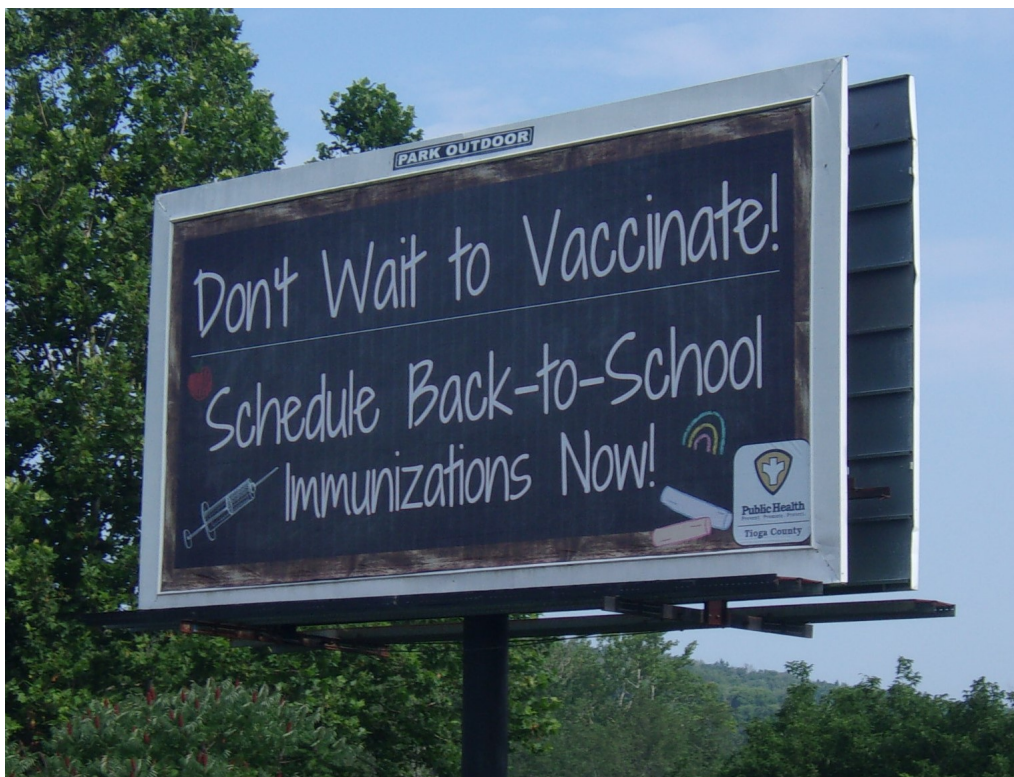
Overdose Awareness Vigil

6:30pm - 8:30pm

Draper Park in Owego



Bulletin Board: Health & Human Services Building, August 2024



Billboard Design, Various locations, August 2024

DATA SPREADSHEET

July 25-August 21, 2024

<u>PUBLIC HEALTH ACTIVITIES</u>	<u>Y-E 2022</u>	<u>Y-E 2023</u>	<u>Jul-24</u>	<u>Aug-24</u>	<u>Y-T-D</u>
Community Health					
Communicable Disease	885	2438	178	160	2155
- General Infectious Diseases (Campylobacterious, Salmonellosis, etc.)	N/A	61	6	2	260
- Zoonotic Diseases (Anaplasmosis, Lyme, etc.)	220	375	64	16	257
- Vaccine-Preventable Diseases (COVID-19, Influenza, etc.)	400	1897	98	136	1558
- Hepatitis	89	15	2	1	11
- PPD Test Administered	0	6	0	0	1
Child Passenger Safety Seats Inspected	40	47	5	8	39
- Child Seats FAILED Inspection	31	36	5	3	32
Immunizations total child and adult	35	62	1	0	14
Children Lead Tested (6 years and under)	712	913	71	57	554
Newly Identified Children with Elevated Blood Lead Levels	N/A	22	0	0	6
Current Children with EBLL Caseload	N/A	N/A	34	34	N/A
- Welcome Baby Packets Mailed	N/A	77	28	34	215
People Trained w/ Narcan	1	145	0	0	11
Opioid Overdose Reporting Forms received	3	3	1	0	4
Dental					
New Clients	340	311	30	20	198
Dental Screenings	1120	1141	89	74	722
- Clients with Low Decay Risk	265	374	32	32	286
-Clients with Moderate Decay Risk	496	419	22	15	161
- Clients with High Decay Risk	347	344	38	27	280
Extractions	100	102	19	16	101
Children Services					
Early Intervention Referrals	148	206	15	14	120
- Early Intervention CURRENT Caseload *Monthly total	N/A	N/A	31	29	N/A
- EI children waiting for service(s)	N/A	N/A	2	1	N/A
Preschool					
- Children in tuition-based program	N/A	N/A	28	33	N/A
- Children receiving transportation services under Serafini contract	N/A	N/A	21	20	N/A
- Children receiving transportation by parents	N/A	N/A	7	13	N/A
Child Find					
- Current Children being served	17	N/A	16	15	N/A

Environmental Health					
Animal bite investigations	153	198	31	29	173
- Individuals requiring Rabies Series (N)	7	2	2	5	38
Rabies Clinics	7	8	1	0	6
Food Establishment Inspections	151	247	13	14	141
Temporary Food Inspections	57	66	2	19	50
Clean Indoor Air Act Complaints (Smoking)	6	0	0	0	1
Mobile Home Park Inspections	12	37	0	4	18
Swimming Pool Inspections	18	11	2	1	7
Tanning Inspections	0	1	0	0	0
ATUPA Checks (Underage Tobacco Sales)	70	108	3	0	75
- ATUPA Violations	2	3	0	0	2
Wellhead Replacement Projects in Progress	N/A	N/A	7	8	
Wellhead Replacement Projects Completed	N/A	N/A	4	3	28
Temporary Residence Inspections (Hotels, motels, campgrounds)	2	12	1	0	3
Children's Camp Inspections	8	7	6	2	13
Agriculture Fairground Inspections	2	2	1	1	2
Nuisance Complaints	16	7	3	4	12
Enforcement Actions	29	72	1	2	27
Weights & Measures					
Inspection Sites	123	110	22	17	129
-Devices Inspected	475	604	52	16	201
Training Hrs/Equipment Maintenance	24	27	2	2	34

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -24 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Resolution No. 219-24 amended the budget and appropriated funding for the Tioga County Public Health's Creating Healthy Schools and Communities (CHSC) program; and

WHEREAS: Tioga County Public Health has been awarded an additional amount of funding toward this program; and

WHEREAS: Similar to the initial award, the funding will pass through Broome County to Tioga County Public Health; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From:			
A4053 422800-CHSC	Health Services-Other Gov		\$ 11,400
To:			
A4053 540640-CHSC	Supplies (Not Office)		\$ 11,400

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$11,400 will be carried forward into the New Year.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -24 AUTHORIZATION TO ACCEPT JUUL
SETTLEMENT FUNDS AND AMEND BUDGET
AND APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County has been allocated funds from the Juul Settlement;
and

WHEREAS: The intent and purpose of the funds are preventing youth and
young adults from initiating vaping, supporting Community/school anti-
vaping programs, cessation, enforcing vaping laws/regulations and
surveillance; and

WHEREAS: Tioga County Public Health will receive these funds and lead
the efforts of the County toward the purpose of the funding; and

WHEREAS: Authorization to accept funding, amending budget and
appropriating said funds requires Legislative approval; and

WHEREAS: The amount of the funding is \$323,674.26; and

WHEREAS: There will be no additional County cost for receiving these funds
(i.e. cash match); therefore be it

RESOLVED: That Tioga County Public Health is authorized to accept the
Juul Settlement funds for Tioga County; and be it further

RESOLVED: That budget be amended and funds appropriated as follows:

From:

A4053 434011-JUUL State Aid: Primary & Preventative \$323,674.26

To:

A4053 540487-JUUL Program Expense \$ 323,674.26

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$323,674.26 will
be carried forward into the New Year.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -24 CREATE ONE (1) FULL-TIME
PUBLIC HEALTH EMERGENCY
PREPAREDNESS COORDINATOR
PUBLIC HEALTH

WHEREAS: Legislative approval is required to create and fill a new position; and

WHEREAS: The Public Health Director has determined there is need to create a Management/Confidential (M/C) position of Public Health Emergency Preparedness Coordinator; and

WHEREAS: The Public Health Director has worked in conjunction with the Personnel Office in creating the position description and to determine the appropriate classification for said title; therefore be it

RESOLVED: That one (1) full-time M/C position of Public Health Emergency Preparedness Coordinator (M/C \$51,924 – \$61,924) be created effective September 23, 2024.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -24 AMEND TIOGA COUNTY SANITARY CODE
PUBLIC HEALTH

WHEREAS: The Tioga County Sanitary Code assists Tioga County Public Health Division of Environmental Health in upholding rules and regulations to protect the health and well-being of our community; and

WHEREAS: This document has not been reviewed since its establishment in May 2001; and

WHEREAS: Tioga County Public Health under advisement by Tioga County Board of Health, with consultation from the Tioga County Attorney, has determined a need to amend the May 2001 document to be up to date with current practice and align with New York State Sanitary Code regulations; and

WHEREAS: Tioga County Board of Health has reviewed and approved proposed amendments as of August 5, 2024; and

WHEREAS: The amended Tioga County Sanitary Code requires Legislative approval prior to filing with the New York State Department of Health Center for Environmental Health and the Tioga County Clerk's Office; therefore be it

RESOLVED: That the Tioga County Sanitary Code is hereby amended as follows:

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ARTICLE I

Short Title; General Definitions; General Provisions

Section 1. Short Title

The rules and regulations herein contained together with any and all amendments thereto shall constitute and comprise the Sanitary Code of the Tioga County Health District and be known and may be cited as the Tioga County Sanitary Code.

Section 2. General Definitions

Whenever used in this Code, unless otherwise expressly stated or unless the context or subject matter requires different meaning, the following terms shall have the respective meanings hereafter set forth or indicated.

1. **Animal Waste** shall mean the accumulated feces and urine from any animal, the feces of fowl, embryos, blood, and any other offal, solids or fluids resulting from the raising or slaughtering of these animals or fowl, including used bedding.

2. **Board** shall mean the Board of Health of the Tioga County Health District.
3. **Sanitary Code** shall mean and comprise the rules and regulations now or hereafter formulated, promulgated and adopted by the Board of Health of the Tioga County Health District pursuant to Section Three Hundred and Forty-seven (347) of the Public Health Law.
4. **Commissioner** shall mean the Commissioner or the Director of Public Health of the Tioga County Health Department, or his duly authorized representative.
5. **County** shall mean the County of Tioga County.
6. **Department** shall mean the Department of Health of the Tioga County Health District.
7. **Dwelling Unit** shall mean any room or group of rooms located within a dwelling and forming a single (habitable) unit with facilities which are used or intended to be used for living, sleeping, cooking, or eating.
8. **Food Service Establishment** shall mean any place in which food is prepared for a public service, including all eating and drinking establishments whether fixed or mobile, temporary or permanent except common carriers in interstate service.
9. **Health District** shall mean the Tioga County Health District (the area of Tioga County) established pursuant to the provisions of Section Three Hundred and Forty (340) of the Public Health Law.
10. **Offensive Material** shall mean any sewage or human fecal matter or the contents of holding tanks, cesspools, septic tanks and chemical toilets in either liquid or solid state.
11. **Permit** shall mean a written license and/or authorization to carry on a specified activity or activities as regulated by this Code, the State Sanitary Code or the Public Health Law, and includes any written approval issued by the Commissioner or his duly designated representative.
12. **Permittee** shall mean a person who holds a valid permit issued by the Commissioner, the State Department of Health or the State Department of Environmental Conservation.

13. **Person** shall mean an individual, group of individuals, partnership, firm, corporation, association, county, city, town or village or improvement district, and include the plural as well as the singular.
14. **Public Health Council** shall mean the Public Health Council of the State of New York as described in Sections Two Hundred and Twenty (220) through Two Hundred and Twenty-Five (225) of the Public Health Law.
15. **Public Health Law** shall mean the Public Health Law of the State of New York constituting Chapter Forty-five of the consolidated laws.
16. **Public Place** shall mean any place or premises, wherein the general public is or may be an invitee, regardless of whether or not such place is owned, maintained or operated by a private organization or agency, but shall not be construed as conferring jurisdiction over a State or Federal agency.
17. **Rubbish** shall mean solid or liquid waste material, including but not limited to: paper and paper products, rags, trees or leaves, needles and branches therefrom, vines, lawn and garden debris, furniture, cans, crockery, plastics, cartons, chemicals, paint, greases, sludges, oils and other petroleum products, wood, sawdust, demolition materials, tires and automobiles and other vehicles and parts for junk, salvage or disposal. Rubbish shall not consist of garbage or other putrescible material, incinerator residue, street sweepings, dead animals, offal, hazardous substances or offensive materials.
18. **Refuse** shall mean all putrescible and non-putrescible solid wastes including garbage, rubbish, ashes, incinerator residue, street cleanings, dead animals, offal and solid commercial and industrial wastes.
19. **State** shall mean the State of New York.
20. **State Sanitary Code** shall mean the rules and regulations promulgated under Section Two Hundred and Twenty-five (225) of the Public Health Law by the Public Health Council of the State of New York and designated as the State Sanitary Code.

Section 3. Applicability; Legal Effect

1. The provisions of this Code shall be in force throughout the Health District.
2. The provisions of this Code shall have the force and effect of law.
3. It shall be the duty of the Board and the Commissioner of the Health District, existing pursuant to law, to enforce every provision of this Code.

4. Nothing herein contained shall be construed to restrict the power of any city, town or village to adopt and enforce additional or existing ordinances relating to health and sanitation, provided that such ordinances are not inconsistent with the provisions of the Public Health Law, the State Sanitary Code or this Code.

Section 4. Legal Presumptions; Evidence; Reports as Evidence

1. As provided by Section Three Hundred and Forty-eight (348) of the Public Health Law, certified copies of this Code shall be received in evidence in all courts and proceedings in the State.
2. As provided by Section Three Hundred and Forty-seven (347) of the Public Health Law, every rule, regulation, order and direction adopted by the Board shall state the date on which it takes effect and a copy thereof signed by the Commissioner shall be filed as a public record in the Department, in the State Department of Health and in the Office of the Clerk of Tioga County and shall be published in such a manner as the Board may from time to time determine. No such rule, regulation, order or direction shall be effective prior to filing as a public record in the State Department of Health.
3. As provided by Section Ten (10) of the Public Health Law written reports of State and local health officers, inspectors, investigators, nurses and other representatives of State and local health officers on questions of fact pertaining to, concerning or arising under and in connection with complaints, alleged violations, investigations, proceedings, actions, authority and orders, related to the enforcement of this Code, the Public Health law, the State Sanitary Code or any local health regulation shall be presumptive evidence of the facts so stated therein, and shall be received as such in all courts and places.

Section 5. Construction

1. This Code is intended to be consistent with the applicable Federal and State Law and shall be construed, whenever necessary, to achieve such consistency.
2. This Code shall be liberally construed for the protection of health and safety in the Health District.

Section 6. Separability of Provisions

In the event that any provision of this Code is declared unconstitutional or invalid, or the application thereof to any person or circumstance is held invalid, the applicability of such provision to other persons and circumstances and the constitutionality or validity of every other provision of the Code shall not be affected thereby.

Section 7. Meaning of Certain Words

Words used in the singular include the plural and the plural the singular, the masculine gender includes the feminine and the feminine the masculine.

ARTICLE II Administration and Enforcement

Section 1. The Board of Health; Officers; Meetings

1. The Board shall meet in accordance with the by-laws.
2. The president, or other presiding officer of the Board may call special meetings thereof when in his judgment, the protection, preservation or improvement of the public health of the Health District or any part thereof requires it. *The president or other presiding officer of the Board must call a special meeting at the written request of the majority of the Board.*
3. A majority of the membership of the Board shall constitute a quorum at any regular or special meeting of the Board and not less than a majority of the total number of the Board may perform and exercise the powers of the Board.
4. The Board shall elect a president from among its members who shall serve as presiding officer of the Board.
5. The Board shall elect a vice-president from among its members who shall serve as presiding officer of the Board in the absence of the president.
6. The Board may adopt by-laws for the proper conduct of its affairs, election of officers and appointment and appointment of committees, not inconsistent with law.

Section 2. The Board of Health; Quasi-Judicial Powers

1. As provided by Section Three Hundred and Nine (309) of the Public Health Law, the Board may:
 - a. Issue subpoenas which shall be regulated by the State Civil Practice Law and Rules;

- b. Compel the attendance of witnesses;
- c. Administer oaths to witnesses and compel them to testify;
- d. By resolution, designate one of its members to sign and issue subpoenas;
- e. Appoint one or more hearing officers as shall be necessary to carry out its functions and duties. The Hearing Officer shall have the same powers possessed by the Board to hold and conduct hearings. The Hearing Officer shall function under the supervision of the Board and shall make findings of fact and recommendations to the Board;
- f. Issue warrants to any peace officer of any municipality in the Health District to apprehend and remove such person or persons as cannot otherwise be subjected to its orders or regulations;
- g. Issue warrants to the Sheriff of the County to bring to its aid the power of the County whenever it shall be necessary to do so;
- h. Prescribe and impose penalties for the violation of or failure to comply with any of its orders or regulations, or the provisions of the State Sanitary Code not exceeding two thousand dollars (\$2,000) for a single violation or failure, to be sued for, and recovered by it in any court of competent jurisdiction;
- i. Make, without publication thereof, such orders and regulations for the suppression of nuisances and concerning all other matters in its judgment detrimental to the public health in special or individual cases, not of general application, and serve copies thereof upon the owner or occupant of any premises whereon such nuisances or other matters may exist, or upon which may exist the cause of other nuisances to other premises, or cause the same to be conspicuously posted thereon; and
- j. Maintain actions in any court of competent jurisdiction to restrain by injunction violators of their orders, rules and regulations of the Board, or otherwise to enforce such orders and regulations.

Section 3. The Commissioner; General Powers

1. As provided by Section Three Hundred and Twenty-four (324) of the Public Health Law, the Commissioner shall:

- a. Make an annual sanitary survey and maintain sanitary supervision over the territory within the Health District;
- b. Make a sanitary inspection periodically of all places of public assemblage, and report thereon to those responsible for the maintenance of such places of public assemblage;
- c. Promote the spread of information as to the cause, nature and prevention of prevalent diseases, and the preservation and improvement of health;
- d. Take such steps as may be necessary to secure prompt and full reports by physicians and veterinarians of reportable diseases;
- e. Take such steps as may be necessary to secure prompt and completed registration of births and deaths;
- f. Attend conferences called by the State Commissioner of Health or his authorized representative;
- g. Enforce within the Health District the provisions of the Public Health Law, State Sanitary Code, and this Code.

Section 4. Inspections; General

1. The Commissioner may, during their regular business hours, inspect any premises, matter or thing subject to the provisions of this Code.
2. The Commissioner may, during their regular business hours, inspect any record required to be kept pursuant to the Public Health Law, State Sanitary Code, or this Code.
3. All premises covered by the regulation of this Sanitary Code shall be subject to inspection by the Commissioner or his official representative, and if any violation of the Sanitary Code exists on the premises any permit granted by the Commissioner may be suspended.

Section 5. Inspections; Interference

1. No person shall interfere with, obstruct or refuse to allow any employee or authorized representative of the Department to enter upon and inspect any premises, place or thing within the jurisdiction of the Department, in the discharge of his official duties or Department business.

2. No person shall interfere with, obstruct or refuse to allow the examination of any occupant of any premises, place or thing by an employee or authorized representative of the Department, in the discharge of his official duties.
3. No person shall interfere with or resist any employee or authorized representative of the Department in the discharge of his official duties.

Section 6. Inspections; Taking Samples

The Commissioner may take and remove any substance or thing or any necessary part or portion thereof from any premises or place as a sample for investigation or evidence when in the opinion of the Commissioner such substance or thing may be dangerous or detrimental to the public health.

Section 7. Notices; Posting; Destroying

1. Notices shall be in the English language, provided, however, if the Department is of the opinion that the person or persons to whom the required warning, notice or instructional sign is addressed may not understand the English language, the Department may require that such warning, notice or sign shall appear legibly in English and other designated foreign languages.
2. No person shall remove, mutilate, conceal, obstruct or tear down any notice or placard of the Department posted in or on any premises or public place pursuant to the requirements of the Public Health Law, State Sanitary Code or this Code, except by written permission of the Commissioner.

Section 8. Service of Notice

Unless otherwise expressly provided by the Public Health Law, by any other provision of this Code, or by the State Sanitary Code, service of notice of hearing shall *be made by registered or certified mail or by personal service*. 1. Where service, whether by personal service or by registered or certified mail, is made upon an infant, incompetent, partnership, corporation, governmental subdivision, board or commission, it shall be made upon the person or persons designated to receive personal service as prescribed by Article Three (3) of the State Civil Practice Law and Rules.

Section 9. Hearings

1. The Board may cause to be held a formal hearing on any application, complaint, circumstances, or alleged violation of the health laws and regulations under the jurisdiction of its Department.
 - a. Unless otherwise provided in the Public Health Law or State Sanitary Code, such hearings shall be on fifteen (15) days notice to the person or persons concerned and shall be set down for a day certain.

- b. The notice of the hearing shall set forth:
 - (1) The time and place of the hearing;
 - (2) The purpose of the hearing;
 - (3) Charges and violations complained of, if any, with specific reference to the provisions and sections of the Public Health Law, State Sanitary Code and this Code involved;
 - (4) the right to present evidence;
 - (5) the right to examine and cross-examine witnesses; and,
 - (6) the right to be represented by counsel.
2.
 - a. On the return day of the hearing, the Hearing Officer shall note the appearances of the persons attending the hearing.
 - b. Witnesses shall be sworn and testimony shall be recorded.
3. The Hearing Officer shall thereafter prepare findings of fact and conclusions. *The Hearing Officer shall make recommendation for corrective actions to be required as well as penalties to be assessed. After considering the Hearing Officers recommendation the Board shall make a formal order of final corrective actions and penalties to be required. Any requirements or penalties assessed shall be at the sole discretion of the Board. The Board shall not be bound by recommendations of the Hearing Officer.*
4. The order provided for in Subdivision 4 of this Section shall be filed in the Department and copy thereof be served on all respondents.
5. Nothing herein contained shall preclude the Department from taking any action other than the formal hearing provided for, as may be prescribed by law; nor shall the Department be precluded from taking such other action by virtue of the order made pursuant to this Section.

Section 10. Hearings; Appearances

1. At any hearing conducted pursuant to this Code, any party to the proceedings may appear personally and with *or without* counsel and shall be given the opportunity to produce evidence and witnesses and to cross-examine witnesses.
2. At any hearing conducted pursuant to this Code, if any party shall appear without counsel, the Hearing Officer shall advise such party of his right to counsel; and that if he desires to proceed without counsel, that he may call witnesses, cross-examine witnesses, and produce evidence in his behalf. *Counsel representing the party appearing before the Hearing Counsel shall be at their own expense.*
3. Appearances shall be noted on the official record of hearings.

Section 11. Investigations; Hearings; Adjournments

1. The Hearing Officer may grant adjournments upon request of any party to the proceedings, provided that an adjournment shall not be for an indefinite period of time, but shall be set down for a day certain.
2. If an adjournment is requested in advance of the hearing date, such request shall be submitted to the Hearing Officer in writing, and specify the reason for such request.
3. In considering an application for adjournment of a hearing, the Hearing Officer shall consider whether the purpose of the hearing will be affected or defeated by the granting of such adjournment.

Section 12. Investigations; Hearings; Subpoenas

The Board or any member of the Board designated by resolution of the Board for such purpose, shall *allow* subpoenas to *be issued at the request of any party*. *The serving of subpoenas and any connected expense shall be at the expense of the party issuing the subpoena.*

Section 13. Investigations; Hearings; Procedure

1. The Hearing Officer shall not be bound by the rules of evidence in the conduct of a hearing, but determination shall be founded upon sufficient legal evidence to sustain it.
2. Upon the conclusion of a hearing, the Board shall take such action upon such findings and determinations as it deems proper, and shall execute an order carrying such findings and determinations into effect.
3. The action of the Board may include the assessment of civil penalties in accordance with the Public Health Law.
4. An order of suspension or revocation of any permit or license may contain such provisions as to renewal or reinstatement as the Board shall direct.
5. The Board may direct a re-hearing or require the taking of additional evidence, and may rescind or affirm a prior determination after such rehearing.
6. *Records of* a formal hearing shall be made available to all parties through Tioga County Freedom of Information Law (FOIL).

Section 14. Post-Hearing Procedures

1. The Commissioner shall cause to be served upon the respondents copies of findings of fact, conclusions and orders made as a result of a formal hearing.
2. Service of findings of fact, conclusions and orders shall be made in the manner prescribed for the service of notice of hearings.

Section 15. Enforcement; Violations; Criminal Penalties

As provided by Section Three Hundred and Forty-eight (348) of the Public Health Law, the provisions of this Code shall have the force and effect of law and any non-conformance or non-compliance with any provision thereof shall constitute a violation punishable on conviction for a first offense by a fine not exceeding two hundred fifty dollars (\$250) or imprisonment for not exceeding fifteen (15) days, or both; and for a second or subsequent offense by a fine not exceeding five hundred dollars (\$500) or by imprisonment for not exceeding fifteen (15) days, or both.

Section 16. State Sanitary Code; Violations; Penalties

As provided for by Section Two Hundred and Twenty-nine (229) of the Public Health Law, the provisions of the State Sanitary Code shall have the force and effect of law and the non-compliance or non-conformance with any provision thereof shall constitute a violation punishable on conviction for a first offense by a fine not exceeding two hundred fifty dollars (\$250) or by imprisonment for not exceeding fifteen (15) days, or both; and for a second or subsequent offense by a fine not exceeding five hundred dollars (\$500) or by imprisonment for not exceeding fifteen (15) days, or both.

Section 17. Willful Violation of Health Laws

As provided by Section Twelve-b (12-b) of the Public Health Law, a person who willfully violates or refuses to comply with any lawful order or regulation prescribed by the Board or Commissioner, is guilty of a misdemeanor; except however, that where such order or regulation applies to a tenant with respect to his own dwelling unit or to an owner occupied one or two family dwelling, such person is guilty of an offense for the first violation punishable by a fine not to exceed fifty dollars (\$50) and for a second or subsequent violation is guilty of a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500) or by imprisonment not to exceed six (6) months or by both such fine and imprisonment.

Section 18. Violations of Public Health Laws or Regulations; Penalties and Injunctions

1. As provided by Section Twelve (12) of the Public Health Law, any person who violates, disobeys or disregards any term or provision of the Public Health Law or of any lawful notice, order or regulation pursuant thereto for which a civil penalty is not otherwise expressly prescribed by law, shall be liable to the people of the State for a civil penalty not to exceed two thousand dollars (\$2,000) for every violation.

2. The penalty provided for in Subdivision 1 of this Section may be recovered by an action brought by the State Commissioner of Health in any court of competent jurisdiction.
3. *As provided by subdivision (f) of section 309 of the Public Health Law, any person who violates, disobeys, or disregards the terms of any order or regulation of the State Sanitary Code or of the Board, shall be subject to the imposition of a civil penalty, not exceeding two thousand dollars (\$2,000) for each violation or failure, to be sued for and recovered by it in any court of competent jurisdiction.*
4. Nothing in this Section contained shall be construed to alter or repeal any existing provisions of the law declaring such violations or any of them to be misdemeanors or felonies or prescribing the penalties therefor.

Section 19. Enforcement; Violations; Other Than by Prosecution

1. The Department may seek to obtain the voluntary compliance with this Code, the State Sanitary Code or the Public Health Law by way of notice, warning or educational means. *The Department may seek compliance or correction through any legal means or other remedy as provided for in New York State law.*
2. This Section shall not be construed to require that such non-compulsory methods must be employed or attempted before proceeding by way of compulsory or other legally prescribed procedures.

ARTICLE III

Permits and Licenses: Generally

Section 1. Permits and Licenses; Application

1. Application for a permit or for renewal of a permit shall be made on forms furnished by the Department and shall contain all information called for by said forms.
2. Application for a permit or for the renewal of a permit shall be accompanied by such other information, evidence or documentation as the Department may require or as may be provided by the Code.
3. In addition to the information specifically required to be submitted to the Department, or if no specific information is required for certain permits, the Department may require the following information;
 - a. The name, age, residence and business address of the applicant, and if the applicant is a partnership or other group, of each member

of such partnership or group; and, if the applicant is a corporation, or each officer of the corporation; and

- b. Information concerning the applicant, its individual members or officers, relating to education, training and experience, moral character, physical health, and history of prior criminal conviction, including violations and offenses, other than motor vehicle offenses.
4. Application for a permit or for the renewal of a permit shall be made by and signed by;
 - a. In the case of an individual who is to be the permittee, by the individual or his representative duly authorized in writing; or,
 - b. In the case of a partnership, by a general partner or a representative of the partnership duly authorized in writing; or,
 - c. In the case of an un-incorporated association or group, who shall submit a certified copy of a resolution of the governing board or executive committee of such association or group authorizing the making of such application; or,
 - d. In the case of a corporation, by a duly authorized officer or representative of the corporation, who shall submit a certified copy of a resolution of the board of directors of the corporation, authorizing the making of such application; or,
 - e. In the case of a municipality, other than the County, by the executive officer, or representative duly authorized in writing.
 5. Every individual applicant for a permit or for renewal of a permit shall be eighteen years of age or over.
 6. Application for a permit or renewal of a permit constitute an agreement that the permittee assumes responsibility for the operation, conduct and maintenance of the activity authorized by the permit, in accordance with the provisions of this Code and conditions required by the permit, and to inspections pertaining thereto.

Section 2. Permits and Licenses; Posting; Expiration

1. Every permit shall expire one year from the date of issuance unless otherwise stated in the permit and may be extended by the Department in writing for a specific limited time for cause.

2. Every permittee shall apply for renewal of a permit not later than thirty (30) days prior to the expiration date of such permit; unless otherwise required by the Code, the State Sanitary Code, or the Public Health Law.
3. A permittee shall comply with the conditions contained in the permit and the provisions and requirements of this Code, the State Sanitary Code, and the Public Health Law under which such permit was issued.
4. Every permit shall be kept on the premises designated or covered by the permit and shall be posted in a conspicuous place on such premises in such a manner as to be clearly visible to the public. It shall be available for inspection at all times by the Department.
5. Permits shall remain the property of the Department and shall be surrendered to a duly authorized representative of the Department on demand upon the expiration thereof or when suspended or revoked as herein provided.

Section 3. Permits and Licenses; Not Transferable

1. Except as may be otherwise provided in this Code a permit issued to a particular permittee or for a designated purpose, place or vehicle, shall not be valid for use by any other person or for any other purpose, place or vehicle.
2. Any attempted or purported transfer of a permit to a person not designated as the permittee therein, or for a purpose or place not authorized by such permit shall be cause to revoke such permit.
3. The Department may approve, in writing, the continuation of an activity authorized by a permit by a partnership, or by a sole remaining individual or group thereof, if the partnership or group originally authorized by such permit has been reorganized, provided that such change of organization has been duly recorded with the Department within ten (10) days after such change of organization.

Section 4. Permits and Licenses; Suspension and Revocation

1. The Board may suspend or revoke a permit which was issued by the Department for violation or non-conformance with the conditions or requirements or provisions of this Code, the State Sanitary Code or the Public Health Law under which such permit was issued.
2. The Board may suspend or revoke a permit for cause after due notice and hearing.

Section 5. Permits and Licenses; Refusal to Issue

1. Except as may be otherwise provided in the Public Health Law, the State Sanitary Code or this Code:

- a. The Department may refuse to issue a permit or a renewal thereof when the application therefor is incomplete or not accompanied by the required fee, or outstanding penalties, if any.
- b. The Department may refuse to issue a permit or renewal thereof when the applicant fails to provide any information required by the Department.
- c. The Department may refuse to issue a permit or renewal thereof if the application or investigation thereof indicates to the Department that the activity or premises to be covered by the permit applied for does not meet the requirements of the Code, the State Sanitary Code or the Public Health Law or other provisions of law; or that, the maintenance, conduct or operation of such activity or premises does not meet the requirements or provisions of law or may result in a public health hazard.
- d. The Department may refuse to issue a permit or renewal thereof or a certificate of approval for any activity, operation or premises that, in the opinion of the Department, may result in a condition which may be dangerous or harmful to health and life, or that fails to meet the requirements of the Public Health Law, the State Sanitary Code or this Code.
- e. Except upon express authorization of the Board, no permit shall be issued to a person who within the previous six (6) months has had such permit revoked.
- f. Approval of an application for a permit or renewal thereof shall be denied for any sufficient or competent reason, including but not limited to any of the following:
 - (1) the proposed construction, location, purpose, business or other act is in violation of any of the provisions of the Public Health Law, the State Sanitary Code, this Code or any local municipal law, ordinance or regulation; and or,
 - (2) inaccurate, incomplete, false or misleading information stated in the application, including any plans, drawings, specifications or other data submitted in support thereof; and or,

- (3) failure to correct existing violations or regulations pertaining to any particular place, vehicle or business after service of written notice thereof, whether or not related to the pending application; and or,
- (4) competency to perform not shown to the satisfaction of the Commissioner.

Section 6. Permits and Licenses; Denial; Suspension; Revocations; Forfeiture; Effective Date

1. Except as may otherwise be ordered by the Board or by the Commissioner, the denial of a permit or certificate of approval or the suspension or revocation of a permit or certificate of approval, shall become final upon notice thereof to the applicant or permittee concerned.
2. Service of a notice of denial or refusal to issue a permit or certificate of approval shall be made in the manner provided in the Code for the service of a notice of hearing.
3. A permit or written approval shall terminate and be considered forfeit and shall become null and void upon service of written notice and after a hearing under any of the following circumstances:
 - a. That the process of construction or the operation involved reveals conditions otherwise than as indicated in the approved plans, drawings, specifications and application; or,
 - b. That the construction or operation involved is a violation of any ordinance or regulation of any duly constituted government authority or any political subdivision thereof; or,
 - c. That the construction or operation involved is otherwise than in accordance with standards, rules and regulations pertaining to such construction or operation or the conditions of a permit or written approval pursuant to the provisions of the Public Health Law, the State Sanitary Code or this Code; or,
 - d. That no action has been taken under such permit or written approval within the period specified in the permit or written approval or if no period is specified, within a period of one (1) year following the date of issuance thereof, or within a period beyond which the purpose, need or usefulness of the permit or written approval no longer exists.

Section 7. Permits and Licenses; Denial; Appeal

1. Unless otherwise provided in the Public Health Law or State Sanitary Code, whenever the Department refuses to issue a permit or a renewal thereof or a certificate of approval and no hearing has been had in the matter, the applicant may appeal such action to the Board by serving a notice of appeal in writing in the Department addressed to the Commissioner or the Board within ten (10) days following the service of notice of denial or refusal to issue the permit or certificate of approval.
2. The notice of appeal shall contain:
 - a. The full name of the applicant, permittee or party affected; and,
 - b. The type of permit or renewal thereof or certificate of approval for which the application was made or the nature of the action complained of; and,
 - c. The place of business listed in the application to which the appeal relates; and,
 - d. A statement that the applicant or permittee or other party affected appeals to the Board to review the action of the Department; and,
 - e. The signature of the applicant, permittee or party affected, or, if the permittee or party affected is not an individual the signature and title of a partner or other individual of the partnership or group, or of an officer of a corporate applicant, permittee or party affected.
3. Unless otherwise provided in the Public Health Law, within three (3) days following service of the notice of appeal, or simultaneous with service, the applicant, permittee or party affected shall submit a memorandum addressed to the Commissioner or to the Board containing his objection to the action of the Department.
4. The applicant can have a hearing unless the Board feels there is no need for this except as may be otherwise prescribed by the Public Health Law or State Sanitary Code, the Board may affirm the action of the Department or it may set the matter down for a hearing upon notice as provided in in this Sanitary Code.

ARTICLE IV

Food Service Establishments

Section 1. Requirements

Part 14 of the State Sanitary Code establishes the regulations for food service establishments in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

Section 2. Permit Required

1. It shall be unlawful for any person to operate a food service establishment in the County unless such person possesses a valid permit issued by the Commissioner, pursuant to this Article, to operate such food service establishment.
2. Only persons who comply with the requirements of Part 14 of the State Sanitary Code shall be entitled to receive and retain such permit to operate a food service establishment.
3. Permits to operate a food service establishment, except for temporary food service establishments as defined in Part 14 of the State Sanitary Code, shall be issued annually, and will expire one (1) year from the date of issuance, except as otherwise stipulated on the permit.
4. A permit to operate a food service establishment may be suspended or revoked by the Commissioner pursuant to Part 14 of the State Sanitary Code upon violation by the holder of any of the requirements of said Part 14 of the State Sanitary Code.

ARTICLE V

Swimming Pools, Spray Grounds, Bathing Beaches and Spa Pools

Section 1. Applicability

The requirements of this Article shall not apply to a private swimming pool, bathing beach or other bathing facility owned and/or operated by an individual solely for the use of his family and friends.

Section 2. Requirements

Part 6 of the State Sanitary Code establishes the regulations for swimming pools, spray grounds, bathing beaches and spa pools in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

Section 3. Safety Plan

Operators of swimming pools, spray grounds, bathing beaches and spa pools must develop, update and implement a written safety plan, consisting of procedures for daily bather supervision, injury prevention, reacting to emergencies, injuries and other incidents, providing first aid and summoning help.

The safety plan shall be approved by the permit-issuing official and kept on file at the facility. Approval will be granted when all the components of this section are addressed so as to protect the health and safety of the bathers, and the plan sets forth procedures to ensure compliance with Subpart 6-1 of the State Sanitary Code.

ARTICLE VI

Temporary Residences, Mass Gatherings, Children's Camps, Campgrounds, and Migrant Farmworker Housing

Section 1. Requirements

1. Part 7 of the State Sanitary Code establishes the regulations for temporary residences, mass gatherings, children's camps, and campgrounds in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.
2. Part 15 of the State Sanitary Code establishes the regulations for Migrant Farmworker housing in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

ARTICLE VII

Mobile Home Parks

Section 1. Requirements

Part 17 of the State Sanitary Code establishes the regulations for Mobile Home Parks in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

ARTICLE VIII

Lead Poisoning Control

Section 1. Requirements

Subpart 67-2 of the State Sanitary Code establishes the regulations for Lead Poisoning Control-Environmental Assessment and Abatement in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

ARTICLE IX
Realty Subdivisions

Section 1. Requirements

Part 74 of the State Sanitary Code establishes the regulations for realty subdivisions in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

ARTICLE X
Tanning Facilities

Section 1. Requirements

Part 72 of the State Sanitary Code establishes the regulations for tanning facilities in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

ARTICLE XI
Clean Indoor Air Act and Adolescent Tobacco Use Prevention Act
(ATUPA)

Section 1. Requirements

1. Article 13-E, Section 1399 of the Public Health Law establishes the regulations for the Clean Indoor Air Act in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.
2. Article 13-F, Section 1399 of the Public Health Law establishes the regulations for the Adolescent Tobacco Use Prevention Act (ATUPA) in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

ARTICLE XII
Public Water Systems

Section 1. Requirements

Part 5 of the State Sanitary Code establishes the regulations for public water systems in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

Section 2. Water Dispensing

No person or persons shall serve, provide or make available or accessible for others, drinking water which is not potable or from a supply which is not adequately protected and maintained.

Section 3. Ice for Human Consumption

1. Places manufacturing ice for use for human consumption shall meet the requirements of this article.
2. Protection from contamination: All ice intended for off-premises consumption shall be packaged and handled at all times so as to prevent contamination.
3. Labeling: All packaged ice offered for sale or use in the Tioga County Health District for human consumption, shall be labeled with the name of the producer and the words "Ice for human consumption."

ARTICLE XIII

Public Health Nuisances

Section 1. Definitions

Public Health Nuisance shall mean a condition or act which is or may become a detriment or menace to *public health or interfere with the free use of property so as to cause discomfiture affecting the health of the community* or persons in the neighborhood.

Section 2. Nuisances; Commissioners Duty to Investigate

The Commissioner shall receive and examine into all complaints made by any inhabitants of the Health District concerning nuisances or causes of danger or injury to life and health in the Health District and may request such complaints be made in writing.

Section 3. Nuisances; Investigations; Reports

1. A designated representative of the Board and/or the Commissioner may enter upon or within any place or premises where nuisances or conditions dangerous to life and health, or which are the causes of nuisances elsewhere, are known or believed to exist to inspect or examine same.
2. The owners, agents or occupants of any place or premises shall permit sanitary examinations and inspections to be made pursuant to the provisions of this Article and Title One (1) of Article Thirteen (13) of the Public Health Law.

3. The Commissioner shall furnish the Board and the owners, agents and occupants of the place or premises on which conditions exist with a written statement of the results and conclusions of an examination or inspection conducted pursuant to this Article.
4. The Commissioner shall, if the condition is declared not to be a nuisance or condition dangerous to health or if no action is taken, forward the original or copies of all reports to the State Commissioner of Health within the time specified in Section 8.4 of the State Sanitary Code.

Section 4. Nuisances; Abatement and Suppression

1. The Board and/or the Commissioner shall order the suppression and removal of all nuisances and conditions detrimental to life and health found to exist within the Health District.
2. The Board and/or the Commissioner may, if the owner, agent or occupant of any place or premises whereon any nuisance or condition deemed to be detrimental to the public health exists, or causes the existence of such nuisance or condition elsewhere, fails to comply with any such order, enter upon the place or premises to remove or suppress such nuisance, condition or matter to which said order relates.
3. The expense of such removal and abatement shall be paid and may be collected in the manner prescribed in the Sections 1306 and 1307 of the Public Health Law.

Section 5. Unsanitary Buildings

1. Whenever any building or part thereof shall become unsanitary or any dwelling shall become unsanitary as to be unfit for human habitation or in the event occupancy of a building or dwelling shall cause an unsanitary condition on or adjacent to the premises thereof so as to constitute a nuisance, the inspections, investigations, notice to owners and others, the hearing and orders shall be performed as under the Nuisances Article of this Sanitary Code.
2. Upon failure of said owners to comply with said order, the Commissioner may issue a further order to be affixed conspicuously upon such building or dwelling and served upon the occupant or lessee thereof and upon the owner thereof or his agent requiring all persons to vacate such building or dwelling and to discontinue its use at such time as shall be stated in said order and until such time as the building or dwelling shall be placed in a sanitary habitable condition and the nuisance abated. Upon failure of such building or dwelling to be vacated within the time specified the Board of

Health may issue a warrant to the Sheriff directing that such building or dwelling shall be vacated, and the Sheriff shall forthwith execute such warrant pursuant to law.

Section 6. Animal Waste

1. Animal or fowl excreta may be used on a farm as fertilizer on the farm where produced.
2. Animal or fowl excreta shall not be deposited, accumulated or piled within 50 feet of the residence or well of another property owner, nor in or within the same distance of any stream, watercourse, or body of water that borders or crosses another's property. Animal or fowl excreta shall not be deposited, accumulated or piled in any place or in any manner which would allow it to pollute any body of water, stream, intermittent stream, or watercourse.
3. Animal waste shall not be accumulated, piled or deposited in any manner which may create a nuisance detrimental to health.

ARTICLE XIV Refuse Disposal Control

Section 1. Requirements

The purpose of this Article is to protect public health and the environment by avoiding public health nuisances and public health hazards caused by refuse accumulation, collection and disposal.

1. Garbage shall be accumulated in closed, durable, non-absorbent watertight containers. The interior of reusable containers shall be kept clean by thorough washing and draining as needed.
2. On every premise there shall be adequate containers to accumulate refuse and so placed and maintained as to not create a nuisance.

ARTICLE XV Air Pollution Control

Section 1. Open Fires

1. No person shall burn any rubbish in any open fire except in conformity with the provisions of this Article.
2. No person shall burn, cause, suffer, allow or permit burning in an open fire of:
 - a. Garbage;

b. Rubbish, except:

- (1) Rubbish resulting from residential activity, outside of a boundary of 1/8 mile of the periphery of any city or village,
- (2) Rubbish resulting from farming activity,
- (3) Downed tree limbs and branches (also called brush) that are less than 6 inches in diameter and 8 feet in length, including branches with attached leaves; ONLY when in accordance with the burn ban dates.

3. The following types of open burning shall not be considered violations:

- a. Fires in outdoor grills and outdoor fireplaces for the purpose of preparing food.
- b. Campfires and fires used solely for recreation purposes. However, the burning of leaves and lawn and garden debris shall not be considered recreational burning.
- c. Fire-training exercises sponsored by an agency or fire recognized by the Tioga County Department of Emergency Services.

ARTICLE XVI

Fees

Section 1. Fees Generally

1. In all cases where a fee has been established for a permit or registration by this Article said fee shall be paid to the County of Tioga upon submittal of an application for a permit, registration or operating certificate or renewal of a permit, registration or an operating certificate.
2. Those fees which are required by State Law, the State Sanitary Code, or any other State rule and regulation are not specifically included in this Article.
3. If a permit issued by the Department covers two or more operations for which a fee would be required singly, except as specifically stated in this Article the fee for such permit shall be the sum of the fees for all operations covered by said permit.

ARTICLE XVII
Severability

If any clause, sentence, phrase, paragraph, subdivision, section, rule or part of this Sanitary Code shall be adjudged by any court or agency of competent jurisdiction to be invalid, such judgement shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase, paragraph, subdivision, section, rule or part thereof directly involved in the controversy in which such judgement shall have been rendered.

ARTICLE XVIII
Effective Date

60 days after New York State Department of Health Office of Public Health Center for Environmental Health approved and filed with the Tioga County Clerk.