

**OAKLAND COUNTY HEALTH DIVISION
SANITARY CODE**

**ARTICLE I
GENERAL PROVISIONS**

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**ARTICLE I
GENERAL PROVISIONS**

SECTION 1 - TITLE

The rules and regulations contained herein together with duly enacted amendments thereto shall be known as the Sanitary Code of the Oakland County Health Division.

SECTION 2 - DEFINITIONS

When used in the said Sanitary Code, unless otherwise expressly stated:

GENERAL DEFINITIONS

When not inconsistent with the context, words used in the present tense include the future, words in singular number include the plural number, and words in the plural number include the singular number. The word “shall” is always mandatory, and not merely directory. Words and terms not defined herein shall be interpreted in the manner of their common usage.

Jurisdiction (MCL 333.1101 et. seq.) The local governing entity of a county shall provide for a county health department and appoint a county board of health

A local health department shall continually and diligently endeavor to prevent disease, prolong life, and promote the public health through organized programs, including prevention and control of environmental health hazards; prevention and control of diseases; prevention and control of health problems of particularly vulnerable population groups; development of health care facilities and health services delivery systems; and regulation of health care facilities and health services delivery systems to the extent provided by law.

- 2.1 Health Division - The term “Health Division” shall mean the Oakland County Health Division.
- 2.2 Health Officer - The Term “Health Officer” shall mean the Manager of the Oakland County Health Division, and/or his/her authorized representative.
- 2.3 Sanitary Code - “Sanitary Code” shall mean and comprise the rules and regulations formulated, promulgated and adopted by the Oakland County Board of Commissioners.
- 2.4 Person - the term “Person” shall mean natural persons, individuals, firms, partnerships, corporations, companies, societies and associations, and every agent, officer, or employee of any thereof.

SECTION 3 - REGULATIONS

The Health Officer is hereby authorized and empowered to make and promulgate all reasonable rules and regulations necessary to enforce the provisions of this code.

SECTION 4 - HANDLING OF FEES

All fees collected by the Health Officer shall be receipted for and be deposited with the Treasurer of Oakland County to the credit of the Health Division.

SECTION 5 - PENALTY

Any person, firm or corporation who violates a regulation is guilty of a misdemeanor punishable by imprisonment for not more than ninety (90) days, or a fine of not more than two hundred and fifty dollars (\$250.00) per day, or both. Each day that the violation continues is considered a separate violation.

SECTION 6 - UNCONSTITUTIONALITY CLAUSE

If any section subsection, sentence, clause or phrase of these regulations is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of these regulations.

SECTION 7 - INTERFERENCE WITH NOTICES

No person shall remove, mutilate or conceal any notice or placard of the Health Division posted in or on any premises or public place except by permission of the Health Officer or an authorized representative thereof.

SECTION 8 - SPECIAL PROVISIONS

The regulations of this Code are supplemental to the regulations, rules and orders of the Michigan Department of Community Health, Michigan Department of Agriculture, Michigan Department of Environmental Quality, the Public Health Code, and other laws of the State of Michigan relating to public health and shall as to matters to which it refers supersede all local ordinances heretofore or hereafter enacted inconsistent therewith.

SECTION 9 - INSPECTION AND INVESTIGATION GENERALLY

- 9.1 To assure compliance with the Sanitary Code, the Health Division may inspect, investigate, or authorize an inspection or investigation being made of any matter, thing, premise, place, person, record, vehicle, incident, or event and if any violation of the Sanitary Code exists on any such premises, any permit granted by the Health Officer may be suspended forthwith.

- 9.2 No person shall refuse to permit any officer or employee of the Health Division fully and freely to inspect any and all premises and no person shall molest or resist any officer or employee of the Health Division in the discharge of his duty.

SECTION 10 - ISSUANCE OF LICENSES

Nothing herein contained shall be construed to restrict or abrogate the authority of any municipality in Oakland County to adopt and enforce additional ordinances or to enforce existing ordinances relating to the regulation, control, or issuance of licenses or the renewal or revocation thereof, or to charge and collect a fee therefore; provided, that whenever inspection relating to health or sanitation is required no such municipality shall issue or renew such license without first having obtained written approval from the Health Division indicating compliance with the provisions of the Sanitary Code.

SECTION 11 - PUBLICATION OF RULES AND REGULATIONS

All rules and regulations adopted by the County Board of Health, other than emergency measures, shall be published at least once in a legally qualified newspaper of general circulation in the County of Oakland, State of Michigan, not less than once each week for three (3) successive weeks.

SECTION 12 - EFFECTIVE DATE OF RULES AND REGULATIONS

All rules and regulations shall become effective on the 30th day after the first publication unless the rule or regulation prescribes a later date.