

Ordinance No

MCDONALD COUNTY HEALTH DEPARTMENT  
PUBLIC HEALTH EMERGENCY RESPONSE REGULATION

A REGULATION RELATED TO FEE STRUCTURE FOR PUBLIC HEALTH EMERGENCY RESPONSE  
BY THE MCDONALD COUNTY HEALTH DEPARTMENT, MCDONALD COUNTY MISSOURI

WHEREAS, The Missouri Revised Statute Section 192.300 provides that the county commissions and the county health center board may make and promulgate orders, ordinances, rules or regulations, respectively as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but any orders, ordinances, rules or regulations shall not be in conflict with any rules or regulations authorized and made by the Department of Health and Senior Services in accordance with this chapter.

WHEREAS, Missouri Revised Statutes Chapter 192 Department of Health and Senior Services Section 192.300 authorizes the county commissions and the county and health center board to establish and collect fees for services performed by County Health Officers and employees; and

WHEREAS, McDonald County Health Department recommends the adoption of public health emergency response regulation with provisions relating to fees and exemptions thereto; and

WHEREAS, the McDonald County Health Department is charged with the duty of protecting the health of the residents of McDonald County through regulation and enforcement of health standards in the County; and

WHEREAS, adoption of this regulation will protect and benefit the health and welfare of the citizens of McDonald County

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES, MCDONALD COUNTY HEALTH DEPARTMENT OF MCDONALD COUNTY, MISSOURI AS FOLLOWS:

SECTION 1 Authority

Authority to regulate comes from State of Missouri by Section 192.300 states "The county commissions and the county health center boards of the several counties may make and promulgate orders, ordinances, rules or regulations, respectively as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but any orders, ordinances, rules or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter or by the department of social services under chapter 198."

SECTION 2 Definitions

As used in this document, unless the context clearly indicates otherwise, the following words and terms shall have the following meanings:

1 "Department", the McDonald County Health Department of Pineville, Missouri

2 "Commission" the McDonald County Commission

3 "County Health Officer" the administrator of the McDonald County Health Department or a designee of the administrator

4 "Board", the Board of Trustees of the County Health Department

5 "Imminent public health hazard", a condition which is likely to cause an immediate threat to life or a serious risk to the health, safety, and welfare of the public if immediate action is not taken;

6 "Person", any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, the state of Missouri or any department thereof, or any political subdivision of this state;

7 "Property owner", the person in whose name legal title to the business or real estate is recorded;

8 "Director" The director of Missouri Department of Health and Senior Services except when pertains to local regulation or ordinance then it will have the meaning of local health department administrator or designee of the administrator.

9 "Health Official" Any employee of the McDonald County Health Department

10 "Emergency" An unforeseen combination of circumstances or the resulting state that calls for immediate action

11 "Response" Something constituting a reply or a reaction

SECTION 3 Scope of Coverage and Jurisdiction

These regulations apply to all emergency response by any health official of the McDonald County Health Department within the area known as McDonald County, Missouri

SECTION 4 Powers and Authority of Health Official

The Health Official shall be permitted to enter all applicable properties deemed safe for entry for the purpose of inspection, observation, measurement, sampling and/or testing in accordance with the provisions of this regulation and the laws of the State of Missouri.

The Health Official shall have the duty to determine whether or not an imminent public health hazard exists. The Health Official shall have the power and duty to order, notify, instruct, advise, recommend any and all actions deemed necessary to ensure the safety, health and welfare of residents or property.

SECTION 5 Violation

Any business, corporation, individual person or property owner who creates, allows or ignores an imminent public health hazard as defined in this document is guilty of an infraction and prosecuted under the following SECTION 6 4 a.

SECTION 6 Fee Structure

1. McDonald County Emergency Response Regulation Fee Structure will be as follows:
  - Initial response by McDonald County Health Department-shall be no less than the calculated cost of 3 hours' time for each health official responding, whether they respond on-scene or off-scene.
2. For response lasting in excess of 3 hours, fees shall be no less than cost of 1 hours' time for each additional hour that a health official responds, whether they respond on-scene or off-scene.
3. All fees are due immediately upon receipt of invoice from the McDonald County Health Department
4. Any business, corporation, individual person or property owner failing to pay said fees will be prosecuted under the following
  - a. Any person who shall ignore notification will, as provided for in Missouri Revised Statutes Chapter 192 Department of Health and Senior Services Section 192.300, shall be guilty of misdemeanor as provided and shall be fined in an amount not to exceed One Thousand Dollars (\$1,000.00) for each violation. Each day in which any such violation does continue may be deemed a separate offense.

**EFFECTIVE DATE:** THIS REGULATION HAS BEEN ADOPTED BY THE BOARD AND SHALL BECOME IN FULL FORCE AND EFFECT FROM

PRESIDING COMMISSIONER W. H. Lent  
Signature

William H. Lent  
Print

DATE: 4-15-19