

IC 16-20-5

Chapter 5. Area Boards of Health

IC 16-20-5-1

Authority to establish; jurisdiction

Sec. 1. (a) If a multiple county sewer, water, wastewater, or similar district has been established under IC 13-26 or IC 13-3-2 (before its repeal), the affected counties may by concurrent resolution of each county executive establish an area board of health for the sole purposes of administering and enforcing, consistent with environmental management laws (as defined in IC 13-11-2-71), all state and local environmental statutes, rules, and ordinances relative to the maintenance of a high quality environmental level in the district.

(b) Area boards of health created under this chapter have jurisdiction with the boards identified in IC 13-11-2-18 and the department of environmental management within the uniform inspection and enforcement area established under section 5 of this chapter.

As added by P.L.2-1993, SEC.3. Amended by P.L.1-1996, SEC.74.

IC 16-20-5-2

Membership; term of office; vacancies

Sec. 2. (a) An area board of health consists of two (2) members from each participating county board of health, to be selected by the appropriate county executive. In addition, the health officer of each participating county and the county treasurer from the participating county with the highest population are members.

(b) Members serve for terms of two (2) years, beginning on the first day of the first month following the date of the establishment of the area board of health.

(c) Appointments to fill vacancies may be made by the county executive of the county where the vacancy exists.

As added by P.L.2-1993, SEC.3.

IC 16-20-5-3

Meetings

Sec. 3. An area board of health shall meet at the call of the chairman, with the first meeting to be held during the first month following the date of establishment of the board.

As added by P.L.2-1993, SEC.3.

IC 16-20-5-4

Officers

Sec. 4. At the first meeting and annually thereafter, the area board of health shall elect a chairman and a vice chairman. One (1) of the health officers shall be designated to serve as secretary. The county treasurer member serves as treasurer of the board.

As added by P.L.2-1993, SEC.3.

IC 16-20-5-5

Boundaries; hearings; notice

Sec. 5. (a) An area board of health and the trustees of the multiple county sewer, water, wastewater, or similar district shall jointly establish boundary lines, which may not exceed the boundaries of the district, for a special uniform inspection and enforcement area.

(b) The area board of health shall publish notice of a hearing regarding the establishment of the area in at least two (2) newspapers of general circulation in each member county. The notice must inform the public of the public's right to appear and provide evidence on the matter.

As added by P.L.2-1993, SEC.3.

IC 16-20-5-6

Powers and duties

Sec. 6. To carry out the purposes of this chapter, the area board of health may do the following:

- (1) Adopt and enforce ordinances consistent with state law.
- (2) Employ qualified individuals or utilize existing qualified employees to perform inspection and enforcement duties.
- (3) Accept financial or in kind assistance from the state department, the department of environmental management, or any other source.
- (4) Collect fees.
- (5) Issue permits, after written agreement of the department of environmental management has been obtained.
- (6) Enter into contracts.
- (7) Adopt rules under IC 4-22-2 necessary to establish administrative policies and procedures.

As added by P.L.2-1993, SEC.3.

IC 16-20-5-7

Annual budget; proration of costs; payment of expenses

Sec. 7. (a) An area board of health shall prepare an annual budget and submit the budget to the county fiscal body of each participating county for review and approval.

(b) Each county fiscal body shall appropriate that county's proportionate share of the costs to be incurred by the area board of health. Each county's proportionate share shall be based on that county's percentage of the population of the entire district.

(c) Money appropriated by each participating county shall be remitted to the treasurer of the area board of health. Transfer of funds from each participating county shall be made by claim allowed by the appropriate county executive. Expenses of the area board of health shall be paid only after claims have been allowed by the area board of health.

As added by P.L.2-1993, SEC.3.

IC 16-20-5-8

Fees and fines; collection; records

Sec. 8. Fees and fines collected by the area board of health shall be collected by a person designated by the area board of health. Accurate records shall be kept of all fees and fines collected.
As added by P.L.2-1993, SEC.3.