

**3745-500-35 Relationships among authorizing documents, rules, and the authority of the director and board of health.**

- (A) When direct conflict occurs between a requirement of Chapters 3745-500 to 3745-599 of the Administrative Code and an authorizing document approved prior to the establishment of that requirement in the rules, the owner or operator shall comply with the authorizing document until the obligation in the authorizing document ceases. After the obligation ceases, the owner or operator shall comply with the rules.
- (B) When a direct conflict occurs between a requirement of Chapters 3745-500 to 3745-599 of the Administrative Code and an order issued by the director, approved board of health, or court having competent jurisdiction prior to the establishment of that requirement in the rules, the owner or operator shall comply with the order until the order is terminated or until the obligation in the order ceases. After the obligation in the order has ceased, the owner or operator shall comply with the rules.
- (C) Nothing in Chapters 3745-500 to 3745-599 of the Administrative Code is intended nor shall be construed to limit or infringe upon any authority granted by statute to the director or a board of health, including but not limited to issuing orders, conducting inspections, and enforcing the standards and requirements of statutes and rules adopted thereunder.

Effective: 10/1/2018  
Five Year Review (FYR) Dates: 11/14/2017 and 11/14/2022

CERTIFIED ELECTRONICALLY

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Certification

08/20/2018

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Date

Promulgated Under: 119.03  
Statutory Authority: 3734.02, 3734.12  
Rule Amplifies: 3734.02, 3734.12  
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