## AGENDA ITEM

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This agenda will be kept continually current and will be available for public inspection within the Lincoln-Lancaster County Health Department during normal working hours. A copy of the Open Meetings Law is posted at the meeting site.

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public’s access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact Geri Rorabaugh at the Lincoln-Lancaster County Health Department at 402 441-8093 as soon as possible before the scheduled meeting date in order to make your request.
TO: Board of Health Members, Media and Interested Parties

FROM: James Michael Bowers, President

SUBJECT: Meeting Notice and Tentative Agenda

DATE: April 26, 2022

5:00 PM, Tuesday, May 10, 2022
Room 2135
3131 O Street
Lincoln, NE 68510

The tentative agenda is as follows:

I. CALL TO ORDER – Bowers
   A. Roll Call

II. APPROVAL OF AGENDA – Bowers

III. APPROVAL OF MINUTES – Bowers
   A. Regular Meeting – April 12, 2022

IV. PUBLIC SESSION

Those wishing to speak on items relating to other Board of Health business not on the agenda may speak during the public session portion of the agenda. Each speaker is limited to five (5) minutes. Time limits may be extended or reasonably decreased at the discretion of the Board President. The public session period will be limited to one (1) hour.

V. DEPARTMENT REPORTS
   A. Health Director Update – Lopez
VI. CURRENT BUSINESS – Action Items

A. Proposed Revisions to Lincoln Municipal Code Title 6 – Animal Control Regulations – Steve Beal
B. Review and Update of Nuisance and Solid Waste Complaints, Policy 244.30 – Brock Hanisch

VII. CURRENT BUSINESS – Information Items

A. FDA Standards Update/2021 Standards Report– Justin Daniel

VIII. FUTURE BUSINESS

A. Request for Information/Topics for Future Agenda

IX. ANNOUNCEMENTS

Next Regular Meeting – June 14, 2022 - 5:00 PM

X. ADJOURNMENT

This agenda will be kept continually current and will be available for public inspection within the Lincoln-Lancaster County Health Department during normal working hours. A copy of the Open Meetings Law is posted at the meeting site.

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Lincoln-Lancaster County Health Department  
Board of Health  
April 12, 2022

I. ROLL CALL

The meeting of the Board of Health was called to order at 5:03 PM by James Michael Bowers at the Lincoln-Lancaster County Health Department. Members present: Stacie Bleicher, James Michael Bowers, Sean Flowerday, Jay Jarvis, Dustin Loy, Jacqueline Miller, Tom Randa, Jasmine Kingsley, Rick Tast (ex-officio), John Ward (ex-officio); TJ McDowell (ex-officio) arrived at 5:12 PM.

Members absent: Katie Garcia, and Candace Berens (ex-officio).

Staff present: Patricia Lopez, Gwendy Meginnis, Kerry Kernen, Scott Holmes, David Humm, Raju Kakarlapudi, Renae Rief, Brock Hanisch, Chris Schroeder, Ben Davy, Steve Beal, Jesse Davy, and Geri Rorabaugh.

Mr. Bowers welcomed Geri Rorabaugh to the Health Department and asked her to briefly introduce herself. Ms. Rorabaugh indicated she began her new role as Administrative Officer for the Health Department in late February. She has served in varying capacities in City government over the past 37+ years, and previously worked at the Health Department from 1997-2011 providing support to the Access Medicaid Program as well as the Community Services Division. Ms. Rorabaugh spent the past seven years working with the Planning Department and serving as the clerk for the Lincoln-Lancaster County Planning Commission.

II. APPROVAL OF AGENDA

Mr. Bowers asked if there were any corrections to the agenda. No corrections were requested.

Motion: Moved by Dr. Miller to approve the agenda as printed. Second by Mr. Flowerday. Motion carried by an 8-0 roll call vote.

III. APPROVAL OF MINUTES

Mr. Bowers asked if there were any corrections to the minutes. No corrections were requested.

Motion: Moved by Dr. Loy that the February 8, 2022, minutes be approved as printed. Second by Dr. Miller. Motion carried by an 8-0 roll call vote.
IV. PUBLIC SESSION

No one came forward.

V. DEPARTMENT REPORTS

A. Health Director Update

Director Lopez provided a brief COVID update, reporting that over 11 weeks there has been a continuous decline in cases; however, there was a slight uptick last week. Hospitalizations are ranging between 12 and 19 per day but no one is on a vent today. Ms. Lopez reported that a press release is going out today relative to two large vaccination clinics that will be held at Pinnacle Bank Arena for the second boosters—these are scheduled for April 26 and 27. The second booster is also available at local pharmacies. Staff are working to contact individuals who are eligible for their 2nd booster. In addition, it was noted that a release went out to local physicians about the oral antivirals that are available, noting that there are three CVS “test-to-treat” sites; physician orders are required.

Data shows that 67 percent of the total population is vaccinated with an estimated 60 percent of those eligible receiving their first booster. In response to a question of Mr. Flowerday relative to eligibility for the first booster, Lopez indicated that the first booster is available for everyone, and the second booster is available for individuals 50 and older and 12 years and older if immunosuppression conditions exist. Mr. Flowerday also asked if there is an estimated timeline when we may expect to see an increase in cases as a result of the latest variant. Director Lopez indicated that they continue to watch for this activity, but they do not have an estimated timeline.

Next, Director Lopez referenced the monthly reports included in the Board’s packet and noted that the Animal Control Advisory Committee recently met and approved recommended revisions to Title 6 of the Lincoln Municipal Code, which will be forwarded to the City Council for consideration.

Lopez noted that the department has served more than 400 refugees since October—most are refugees from Afghanistan. Staff is working with Catholic Social Services and Lutheran Family Services to address some issues that have been identified to assist in more effective service to refugee clients.

Director Lopez noted that WIC has experienced their highest caseload since FY2018, and noted the UNL Dietetic interns, who have been absent during the pandemic, are now returning. In addition, some residents from the Lincoln Family Medicine Program are doing an orientation on the WIC Clinic.
In terms of Dental Clinic Services provided in February, 62 percent of clients served are children and the total number of racial/ethnic and white non-English speaking clients is 77 percent of the clients served. The College of Dentistry dental students and dental hygiene students are also returning.

TJ McDowell arrived at 5:12 p.m. Director Lopez welcomed and introduced TJ McDowell, Mayoral Aide, as an ex-officio member of the Board of Health. Mr. McDowell indicated he also serves on the Mayor’s Multi-Cultural Advisory Committee.

B. Minority Health Summit

Health Promotion & Outreach Division Manager, Dave Humm, and Public Health Epidemiology Supervisor, Raju Kakarlapudi, provided an update on the Minority Health Summit held in March. Mr. Humm indicated that state funding through the minority health initiative was used to conduct a minority health assessment this past year which was presented at the Minority Health Summit. The purpose of the summit was to prioritize the health issues identified by the Equity Health Assessment and incorporate into the Community Health Assessment.

Raju Kakarlapudi reported that they have conducted 12 community conversations in 6 different languages. From the information gathered, they prioritized the health needs from each group, which identified mental health, access to care, and chronic disease as the primary concerns through the Minority Health Summit. As part of the Minority Health Summit, the 30 participants reprioritized needs and established goals for the top 3 priority areas, including: (1) provide mental health awareness and help increase access to affordable support services that are culturally and linguistically appropriate; (2) reduce barriers to access to affordable healthcare; and (3) increase chronic disease prevention, education and screening that is affordable and culturally sensitive. It was noted that staff worked closely with the community cultural centers to conduct the community conversations and provide the Minority Health Summit.

Next, Mr. Humm indicated that this information will be submitted to the NDHHS Office of Health Disparities and Health Equity with a goal of receiving funding for the next two years to address the targeted action strategies, including: decreasing stigma, addressing cultural respect, ensuring/improving CLAS standard services, establishing peer-led and peer support services, and supporting activities that are community driven.

Director Lopez indicated that community conversations are still being held and the information from the Minority Health Plan will be included as part of the Lancaster Community Health Assessment (CHA). The Community Health Summit is scheduled for May 19, 2022, at Innovation Campus. All Board of Health members will receive an invitation to the summit. It is anticipated that they will have between 250 and 300 participants who will assist with developing the Community Health Improvement Plan.
for the next three years. This is a collaborative effort involving both hospitals-CHI St. Elizabeth and Bryan Health, both of which have been involved in the entire process.

Mr. Kakarlapudi explained the process that will be used to collect information for the May 19 event. Each registrant will receive a weekly email of a module consisting of a 10-minute video to view and then they will be asked to complete a quick survey in terms of individual thoughts on priorities, how to address priorities, etc. Based on the feedback, they will prioritize topics to discuss at the Community Health Summit and, in turn, assist with developing a Community Health Improvement Plan based on the priorities, and then identify strategies and action steps relative to achieving established goals and objectives. Director Lopez indicated she is very proud of the team that is involved in this process. It was noted that although the Health Department takes the lead in developing the plan, community partners along with the Health Department, are engaged in implementing the strategies.

Mr. Randa commended staff for doing a wonderful job facilitating the Minority Health Summit. Over the last two years, cultural centers have been working closely with the Health Department to assess the needs in their communities.

C. Legislative Review

Director Lopez provided a legislative update and reported that she testified on LB859 requiring city-county health departments to obtain approval for directed health measures this bill did not move on. LB956 relates to public health data and assessment specifically the creation of a general standard for release of data. DHHS had several issues that they were trying to address and eventually reached consensus, but it was too late. LB1011 is the appropriations budget bill. It is anticipated that LLCHD will receive approximately $257,000 next year, which is in addition to the $166,000 we received this year; these funds will be used in part to fund the health equity position. LB1014 appropriates approximately $10 million in ARPA funds for local public health; it is anticipated that LLCHD will receive approximately $550,000.

Director Lopez thanked the Board for their support during this legislative session and thanked Commissioner Flowerday for his work and support, particularly associated with LB859.

VII. CURRENT BUSINESS (Action Items)

A. Proposed revisions to Food Safety Program Policy 222.30 – Routine Food Establishment Inspections

Environmental Health Supervisor, Justin Daniel, reported that Environmental Public Health routinely reviews policies relative to the Food Safety Program to ensure their
practices are current as well as overall compliance with the State of Nebraska and City of Lincoln Food Codes. The proposed revisions to the Food Safety Program were reviewed by the Food Advisory Committee on March 30, 2022, and they recommended approval of all requested changes associated with Policies 222.30, 222.85, and 222.04.

Mr. Daniel indicated the proposed revisions to Food Safety Program Policy 222.30 include:
- language clean-up to Sections I-III.
- Section IV was deleted and replaced with a statement that routine food establishment inspections are conducted as standardized per policy 222.01, Food Safety Program Quality Improvement and Standardization.
- Language was changed to allow the inspection report to be provided to the person in charge by either printed or electronic copy.
- Language was changed stating the LLCHD will email an inspection report to the business owner email on record.

Staff recommends that the Board of Health approve the proposed revisions to Policy 222.30 - Routine Food Establishment Inspections.

Motion: Moved by Mr. Flowerday. Second by Dr. Miller. Motion carried by an 8-0 roll call vote.

B. Proposed revisions to Food Safety Program Policy 222.85 – Food Advisory Committee

Environmental Health Supervisor, Justin Daniel, stated that the Food Advisory Committee is made up of a minimum of 12 individuals – 8 industry representatives and 4 providing general representation. This Committee is charged with advising the Lincoln-Lancaster County Board of Health regarding the effective regulation of the food industry as a means to protect the health of the public. This input is incorporated into program policies and codes to support the Food Safety Program goal of reducing foodborne illnesses. Mr. Daniel reported that the revisions to this policy are minimal as reflect:
- A name change, as the Nebraska Restaurant Association has changed its name to the Nebraska Hospitality Association;
- Section 5 of the Bylaws was changed so that meetings are not limited to being held at the health department; and
- The signature line for the Board of Health President has been removed.

Staff recommends that the Board of Health approve the proposed revisions to Policy 222.85 – Food Advisory Committee.
Motion: Moved by Dr. Miller. Seconded by Mr. Randa. Motion carried by an 8-0 roll call vote.

C. Proposed revisions to Food Safety Program Policy 22204 – Enforcement Hearings, Administrative Meetings and Inspection Report Appeals

Next, Environmental Health Supervisor, Justin Daniel, explained that the Lincoln Municipal Code gives the Health Director the authority to hold enforcement hearings with food establishment permit holders or a designated person in charge. Mr. Daniel noted that the Food Safety Program Supervisor or Environmental Public Health Division Manager may hold an administrative meeting with the permit holder or designee as a step in progressive enforcement to solve compliance issues. Mr. Daniel noted that this policy was completely rewritten to be consistent with current code language and program procedures. Following is a summary of the most significant modifications:
- Language was changed throughout the policy from Administrative Hearing to Enforcement Hearing to provide for consistency with the Code;
- Specific procedures for Enforcement Hearings were removed from the policy and instead referenced were included to the Lincoln Food Code, Section 8.20.290, Enforcement Hearings;
- Notification proceedings are referenced in the policy via Lincoln Food Code, Section 8.20.320, Notice, Service;
- New language was added on Administrative Meetings and Inspection Report Appeals.

Staff recommends that the Board of Health approve the proposed modifications to Policy 222.04 – Enforcement Hearings, Administrative Meetings and Inspection Report Appeals.

Motion: Moved by Ms. Kingsley. Seconded by Dr. Loy. Motion carried by an 8-0 roll call vote.

D. Proposed revisions to Environmental Public Health Program Policy 211.01 – After Action Reviews for HazMat Incidents

Next, Environmental Health Supervisor, Brock Hanisch, explained that proposed changes to this HazMat Policy are recommended by staff as a result of a recent after-action review that took place following a hazmat incident last month – they are generally clean-up in nature and intended to provide clearer guidance in accordance with NEMS and ICS debriefing processes. It was noted that Lincoln Fire and Rescue (LFR) utilizes a similar after-action review process, and these revisions will align the department’s process with LFR’s process. The exchange of knowledge and experience among responders allows for constructive post-incident review and future planning during similar events.
In response to a question of Mr. Bowers, Mr. Hanisch indicated that these recommended changes are the result of a specific incident whereby some issues were identified in terms of needing to be more proficient in the performing of the after-action review for safety and continued quality improvement. Changes to this policy are minimal and were reviewed after a recent HazMat incident whereby this policy was followed. Mr. Hanisch noted this policy was reviewed by all LLCD Emergency Response/HazMat Team members and recommended for approval.

Staff recommends that the Board of Health approve the proposed revisions to Policy 211.01 – After Action Reviews for HazMat Incidents.

Motion: Moved by Mr. Flowerday. Seconded by Dr. Miller. Motion carried by an 8-0 roll call vote.

VII. CURRENT BUSINESS (Information Items)

A. Lead Program – Holmes, Kernen, Kakarlapudi

Lincoln-Lancaster County Health staff, Kerry Kernen, Raju Kakarlapudi, and Ben Davy provided a presentation on LLCHD’s Lead Prevention Program. Mr. Kakarlapudi reported that lead testing is generally done for children between 0 and 72 months of age. He referenced a PowerPoint presentation showing blood lead testing data for children in the age group of 1 to 6 years olds. When the data is mapped, the majority of children with the higher lead levels are identified as living in the core of the city, identified by census tracts.

Ms. Kernen, Community Health Services Division Manager, provided an overview of the Lead Prevention Program, as it relates to case management. They receive funds from the Nebraska Department of Health and Human Services since 2017. They are following cases where children have been identified as having a blood lead level of 5 micrograms per deciliters and anything over this level. They work with the families to look at their housing situation and other risk factors, and ensure they are connected to a primarily care provider. Initially, this follow up was done by a public health nurse but has since been transitioned to the lab staff due to COVID. Last fall, they have transitioned back to a public health nurse function, because it is very important to get out to the home in working with the environmental health component and to ensure that “wrap around services” are provided by following up and ensuring that they are closing the loop for the referral. Since last fall, they have received 106 cases, and they actively have 45 cases that a public health nurse is following, which impacts the environmental health component as well —it is expected that the numbers will be much larger this year. As part of the case management, they provide a lot of information and education and work closely with the families on referrals to other programs, i.e. WIC, SNAP, transportation, housing, etc. In addition, they offer a
home assessment over the phone or email to get a better sense of the home environment – this may involve several homes such as a childcare provider, grandparent’s home.

Moving forward, Ms. Kernen reported even though this is 5-year program and a newer initiative by the State, they really want to expand the program within Lancaster County and the Lincoln community. There was a change implemented last fall where the blood lead level has been shifted from 5 to 3.5 micrograms per deciliter for case management based on data the past few years identifying a large percent of children testing having these lower levels of lead present; therefore, we need to identify these children early to ensure they have access to services in place quickly. She has had conversations with the WIC Program, and since children between the ages of 1 and 4 receive a hemoglobin check twice a year and they are already coming in, they will be offered lead testing with the existing finger poke. LLCHD will also be offering lead testing through the public health clinic through our lab services. Case management will be offered for any child with a lead level of 3.5 or greater. They will conduct a home visit for levels of 10 and above. If the level is lower than 10 but the public health nurse identifies that the family may be in need of other services, they will also conduct a home visit. They are working very closely with environmental health and conducting home visits together.

Ben Davy, Senior Environmental Health Specialist, is the lead leader for the department, and is working closely with CHS staff. Mr. Davy reported in 2021 the city received a $3.4 million grant from HUD of which $3 million will be used to address lead abatement issues in the homes and $400,000 will target health and safety risk components. They are collaborating with the City Urban Development Department as part of the lead program. This is a 3-year grant, and they will be working with 165 homes in the target area addressing one house per week. Due to HUD funding limitations, they will focus on lead abatement measures, i.e. removing windows that have lead on them and provide for stabilization approaches such as removing chipping and flaking paint and repainting. HUD requires that the homes be built prior to 1978 and have a child age 5 or younger living there or visiting for 6 or more hours per week or 60 or more hours per year. Mr. Davy provided a timeline of the program activity since June 2021, beginning with the certification and training process, hiring personnel, etc. They conducted the first home visit in December 2021. They are currently working in five homes – a couple multi-unit facilities and a large 40-unit apartment complex. Once the application is completed, they conduct income verification before conducting the lead inspection assessment. Once they complete the abatement, they conduct clearance testing to ensure there are no lead risks left in the home. Over the next few months, they will doing community outreach to get the word out. Mr. Davy stated that HUD requires a lot of documentation for reporting. The department has purchased software, which should help in efficiencies and reduce the costs associated with this requirement. It is
expensive to address lead; in order to address the community-wide lead issues, they will need to look for broader resources.

In response to a question of Mr. Flowerday relating to an estimate of the total number of homes with lead, Mr. Kakarlapudi stated that it difficult to estimate. Dr. Loy asked if the red area identified on the data map represents about 10 percent of homes that were tested to have lead, Mr. Kakarlapudi indicated that this is correct.

Mr. Davy indicated that in order for the program to succeed, they need to collaborate with community partners.

Mr. Randa asked how a situation where an individual who lives in a multi-unit structure qualifies but others in the structure do not. Mr. Davy indicated that per HUD rules, a certain percentage of a complex has to meet the low- to moderate-income levels. The owners have a fairly good idea if the tenants would meet those income guidelines.

Ms. Kernan provided a copy of a draft resolution and explained that the staff would like the Board to review and consider this for an action item at the May meeting. The resolution includes many factual lead components, including health, funding opportunities, reference to the 10 essential public health services, etc. She indicated that if there is interest of a few board members, they could review the language and/or have staff address any questions, staff would be willing to meet either in person or via Zoom. Director Lopez stated that in order to get the Board’s review/input on critical issues/matters such as this, they would like to implement a resolution process that would show the support of the board that could be shared with the public as well as the County Board and City Council.

Director Lopez reported that available funds were used to purchase some lab equipment and will be looking for additional resources to allow for additional lead testing. Another key area involves working with local care providers to make them more aware and building and moving the program forward. As Ms. Kernen stated, there is no safe level of lead and has a direct impact on early childhood development—these efforts will help in preventing lifelong learning disabilities.

VIII. FUTURE BUSINESS

No topics were provided.

IX. ANNOUNCEMENTS

Next Meeting – May 10, 2022 at 5:00 PM.
X. **ADJOURNMENT**

**Motion:** Moved by Mr. Flowerday that the meeting adjourn. Second by Dr. Miller. Motion carried by a 8-0 roll call vote. The meeting was adjourned at 6:18 PM.

Geri Rorabaugh  
Recording Secretary

Mr. James Michael Bowers  
President
REVISED
Proposed Changes and Additions to LMC Title 6

6.02 DEFINITIONS:

NEW: Bite shall mean a wound, puncture or laceration caused by the animal’s teeth breaking the skin.

NEW: Attack shall mean an animal, while running at-large, that causes any injury by physical contact; a bite that doesn’t result in a breakage or puncture of the skin.

NEW: Home Observation

Home observation shall mean any dog or animal otherwise subject to being placed under the care and observation of the Director or a licensed veterinarian which is allowed to remain with the owner pursuant to established procedures of the Director.

6.04 Animals Generally

Edit: 6.04.350 Selling or Giving Away Animals:

Need to add new language section (b) “It shall be unlawful for any person to sell, or display with intent to sell, or offer for sale, barter, give away, any puppy or kitten under the age of 8 weeks in or upon any street, sidewalk, public building, public park, or other public place.

NEW: 6.08.235 Home Observation Allowed

If a dog or other animal subject to observation pursuant to 6.08.230 has a current license and is current on vaccination against rabies, the Director may allow that dog or animal to remain with the owner for the duration of the observation period. The owner shall abide by all criteria established by the Director for home observation including, but not limited to, participation in and documentation of a post observation examination of the dog or other animal by a licensed veterinarian.

NEW 6.12.210 Home Observation Allowed

If a cat or other animal subject to observation pursuant to 6.12.200 has a current license and is current on vaccination against rabies, the Director may allow that cat or animal to remain with the owner for the duration of the observation period. The owner shall abide by all criteria established by the Director for home observation including, but not limited to, participation in and documentation of a post observation examination of the cat or other animal by a licensed veterinarian.

Approved by Animal Control Advisory Committee on April 11, 2022
POLICY STATEMENT:
To protect and promote the public’s health, all nuisance and solid waste complaints will be investigated and resolved in a timely manner. The mitigation of nuisance conditions in our community will reduce public health risks by preventing illness and disease caused by improper waste management.

PROCEDURE:
As shown in the attached flow charts (Exhibit 1), all complaints will be recorded, given a case number, and assigned to an Environmental Health Specialist (EHS) for further action. At a minimum, all complaints will require a physical address or a detailed explanation of the location and a description of the offending conditions. All investigation reports will include any notes and photographs taken of observations of site conditions.

In general, all solid waste complaints will be handled in the following manner:

1. A complaint is received, documented, and assigned to an Environmental Health Specialist for investigation. If the complaint is within Lincoln or the 3-mile limit, then:
   
   A. A letter (Exhibit 2) stating the alleged violations that need to be corrected is sent to the owner of the property, the occupant of a rental property, both parties, or a registered agent. The letter includes a return postcard (Exhibit 3), to be completed by the receiving party, to document his/her their effort to correct the offending conditions. The recipient is allowed 5 days from the date of mailing to correct the violations and/or return the postcard.
   
   B. An electronic version of the notification letter may also be sent to the receiving party(ies) upon request.
   
   C. If the postcard is returned indicating that the alleged violations don’t not exist or have been corrected, the Environmental Health Specialist EHS can:
      
      i. Close the case or,
      
      ii. Conduct an inspection of the property to confirm that there are no violations prior to closing the case.
D. If the postcard is not returned, or if additional complaints on the property are received, the Environmental Health Specialist (EHS) will conduct an inspection of the property to document conditions. Inspection will occur six days after the mailing of the letter.

E. If the inspection of the property confirms that no violations exist, the Environmental Health Specialist (EHS) will document the findings and close the case.

F. If the inspection of the property confirms that violations exist, the Environmental Health Specialist (EHS) will document the conditions in writing and with photographs, and do one or more of the following:

i. If no contact is made with the owner/occupant at the time of inspection, the Environmental Health Specialist (EHS) will send a certified letter (Exhibit 4) to the owner/occupant stating what violations were identified and what corrections need to be made to achieve compliance. The Environmental Health Specialist will allow 5 days from the date of mailing for compliance and then conduct a follow-up inspection of the property on or after the 6th day but no later than 10th day.

ii. If contact is made with the owner/occupant at the time of inspection, the Environmental Health Specialist (EHS) will fill out an Official Notice (Exhibit 5) stating what violations were identified and a compliance date and leave a copy with the owner/occupant. A copy of the Official Notice will be scanned into the case record. The Case Number should be written in at the top of the Official Notice before scanning it into the case record.

(a) The Environmental Health Specialist (EHS) will send a certified letter to the owner/occupant that includes all the violations noted on the Official Notice, what corrections need to be made to achieve compliance, and the compliance date. The Environmental Health Specialist (EHS) will conduct a follow-up inspection of the property on or after the 6th day but no later than the 10th day.

G. If the follow-up inspection of the property confirms uncorrected and/or new violations, the Environmental Health Specialist (EHS) will document the conditions in writing and with photographs and do one or more of the following:

i. Complete a Nuisance Abatement Authorization Form (Exhibit 6), schedule an abatement with the City contractor, and meet the City contractor on-site to direct and document the abatement activities.

ii. In the case of a tire self-abatement, complete a Staff Nuisance Abatement Authorization Form (Exhibit 7), perform abatement of four or less tires, and document the abatement activities.

iii. Consult with the Solid Waste Supervisor about sending Law letter (Exhibit 8) to owner/occupant and/or referring the case to the City Attorney for further action.

2. When a complaint is received that is outside Lincoln's 3-mile limit, the procedures are the same as previously discussed except:
A. If the complaint is in or within the village/city 1-mile limit of a village/city, the complainant will be directed to file a complaint with the appropriate Village Clerk or City Administrator and request an investigation in accordance with the inter-local agreement.

B. Upon receiving a complaint from the Village Clerk/official city representative, the Environmental Health Specialist (EHS) will conduct an inspection of the property to document conditions.

C. Following visual assessment of site conditions, the Environmental Health Specialist (EHS) will prepare a report for the Village Clerk/official city representative and testify on his/her behalf in court, as necessary. Any abatements must follow the village’s/city’s procedures.
Exhibit 1

Complaint Intake & Routing

- **Complaint by Telephone**
- **Complaint by Walk-In**
- **Complaint by Referral**
- **Complaint by SeeClickFix**

If known to be an existing open case, search for case and mark as additional call, add any additional data there.

Existing open case?

- **yes**
  - Modify existing case
  - Exit

- **no**
  - **Complaint Case Initialized in Electronic Database System (EDS)**
  - SubType choice is required on initialization and determines data entry screens. See C003AA for allegations in each SubType
  - **C003AA Complaint Checkbox List**

Air Quality
- **yes**
  - SubType AIR_QUAL
    - Go to AIR_QUAL

Body Art
- **yes**
  - SubType BODY_ART
    - Go to BODY_ART

Childcare
- **yes**
  - SubType CHILD
    - Go to CHILD

Illegal Dumping
- **yes**
  - SubType DUMPING
    - Go to DUMPING

Food
- **yes**
  - SubType FOOD
    - Go to FOOD

Graffiti
- **yes**
  - SubType GRAFFITI
    - Go to GRAFFITI

Water/ Sewage
- **no**
  - **Solid Waste**
    - Go to SOLID WASTE
  - **Other Waste**
    - Go to OTHER WASTE

Noise
- **no**
  - Go to NOISE

Housing
- **no**
  - Go to HOUSING

HAZMAT
- **no**
  - Go to HAZMAT
Environmental Public Health

Complaint S_WASTE Initial Process

From Routing page

In City & 3-mile Limits
  yes
  Data entry using EDS
  Smart Choice Form. Select allegations on screen.

Email generated to Inspector using Inspection Area

Insp wants Card?
  yes
  Print Complaint Card H_C_400 and route to Inspector's mailbox

  no
  Print County Assessor's (online) property info sheet
  Compare Property Owner info with EDS. Correct EDS (Owner tab) if different.

Owner Occupied?
  yes
  Print OCCUPANT Letter (H_C_SW_NUISANCE_IST_AND_2ND_LETTER_SIG)

  no
  Print Owner Letter (H_C_SW_NUISANCE_IST_AND_2ND_LETTER_SIG)

Complete pre-stamped response card and insert with letter and pamphlet in envelope

Generate mailing label from EDS, attach and route to mail room for mailing

Scan response card, return envelope, or certified receipts into case

PROPERTY OWNER

Wait for return of response card

OCCUPANT

Go to Non 3-mile page

CASE DETAIL:
Description (type, amount, time...)
Address
Owner/Business info
Location
Caller's Info
Inspection Area
From initial investigation page

After Certified letter is sent. Inspector waits for 6 days to do follow-up visit.

Wait 6 days

Investigation conducted in field. Conditions/findings noted on H_C_400 card

Closed case

Return to office. Enter findings in EDS Workflow and ASI Screen. Change status to CLOSED

Return to office. Enter findings in EDS Workflow

Transfer digital photos from camera to F:\FILES\ENV\Photos\Waste Management\SO_ID\WasteYYYY\InspLastName\Address\folder)

Go to Abatement Page

Change status to Mitigate and follow abate procedure

Abate?

Abate?

Return to office. Enter findings in EDS Workflow Change status to CLOSED

Refer to Law Dept?

From Abatement Procedure page

Solid Waste Supervisor determines referral to Law Dept.

Go to Arraignment Page

No
From initial investigators

Research property history to determine if this is second offense in 1 year timeframe

Second Offense

No → Note In case and wait for second case → Exit

Yes → File Arraignment

Go to Arraignment page
Environmental Public Health  

Complaint S  Waste Non-3-Mile  

Complaints_S_WASTE__only__update__022wed  
Edited: 4/20/2022

Flowchart:

- **From S_WASTE Investigation page**
  - **Determine jurisdiction**
    - **County**
    - **Village**
      - **Village or City 1-mile**
        - **Determine source of complaint**
          - **Official**
          - **Citizen/ Official**
            - **Notify the Official and document findings in case and CLOSE case.**
          - **Citizen**
            - **Notify Citizen that they must notify Board or City per Inter-Local**

- **Inspect property**
  - **Allegations verified?**
    - **yes**
      - **Notify OWNER and OCCUPANT if not own/occ by letter using word processor and add response card**
      - **Wait 6 days (garbage) or 15 days (other)**
      - **Inspect property**
      - **Take photos**
        - **yes**
          - **Conditions still exist?**
            - **no**
              - **Notify OWNER and OCCUPANT, if not own/occ by certified letter using word processor (include photos) and add response card**
              - **Inspect property**
              - **Scan response card, return envelope, or certified receipts into case OnBase**
              - **File Arraignment**
                - **County**
                - **Village**
                - **Follow Village Enforcement Procedure**
      - **Conditions still exist?**
        - **yes**
          - **Response Card (non EDS)**
          - **Yes**
            - **Returned?**
              - **Waiting for return of response card**

- **Response Card (non EDS)**
  - **Returned?**
    - **Yes**
      - **Scan response card, return envelope, or certified receipts into case OnBase**
      - **File Arraignment**
        - **County**
        - **Village**
        - **Follow Village Enforcement Procedure**
      - **Go to village enforcement page**

- **Go to Arraignment page**
From Follow-up Invest. page

**Tires Only?**

- Inspector initiates a Nuisance Abatement Authorization Form (AAF), a triplicate NCR form, and route to Office Manager (OM)
  - OM assigns Number to case from Nuisance Abatement Log and notes in log and on form and routes to Health Director (HD)
  - HD or designee sings abatement and routes to Inspector
  - Inspector schedules abatement with clean-up contractor and they need at abatement site. Photos taken before abatement.
  - Clean-up contractor abates site and signs AAF. Inspector takes photos after abatement.
  - Return completed AAF with before and after photo page(s) to OM who calculates abatement costs and creates payment voucher to pay contractor
  - Copy of AAF is scanned into case
  - Yellow copy AAF is sent with payment to contractor
  - White copy AAF is sent to Register of Deeds for Special Assessment to property
  - Wait until Sept 1 to send 1 year’s cases
  - Pink copies AAF are sent to City Clerk for Council Vote to accept Special Assessments to property

**More than 4 tires?**

- Inspector initiates a Staff Nuisance Abatement Authorization Form (SAAF), a triplicate NCR form, and route to Office Manager (OM)
  - OM assigns Number to case from Nuisance Abatement Log and notes in log and on form and routes to Health Director (HD)
  - HD or designee sings abatement and routes to Inspector
  - Inspector takes pre abatement photos, picks up tires using our designated vehicle post abatement photos.
  - Inspector transports tires to tire disposal site and receives invoice
  - Return completed case card with before and after photo page(s) and tire disposal site invoice to OM who calculates abatement costs.
  - Copy of SAAF is scanned into case
  - White copy of SAAF is sent to Register of Deeds for Special Assessment to property

Exit
From Non 3-mile

Village and Cities outside of Lincoln handle Enforcement differently so is case by case not suitable for flowcharting at this point in time.
From Non 3-mile

From Follow-up

From Garbage Service

Status is moved to LEGAL.
Law Referral process is not set-up in computer other than multiple components such as case reports and photos are assembled into a single document going to law for referral. Copies of Law Referral documents and case disposition are stored in EDS case.

Gather documents from the file.
Run Crystal Report H_ALL_SC02 Single Case Detail.

Use a previous filed arraignment report copy as an electronic template to create the new referral to Law.

Have Office Support staff create a red folder with a Routing Slip for Referral form attached to the outside of the folder.

Submit draft documents to program supervisor for review. Make any suggested modifications as directed by the program supervisor.

Program supervisor submits the report to the EPH program manager for review.

After all modifications are made give the report to support staff for routing to the Health Director, HD, for signature.

When the HD returns the report to EPH, support staff routes to mail room for mailing to the City Law Department.

The signed owners letter is mailed.

Wait for disposition of case from Law Department then make entries into case record.
4/29/2022

OWNER
9999 S 99TH ST
LINCOLN, NE 68500

Nuisance Complaint on the Property Located at:
1234 N 56TH ST
LINCOLN, NE 68500

The Lincoln-Lancaster County Health Department received a complaint on your property, which is a potential violation of the Lincoln Municipal Code Chapters 8.02, 8.26, 8.32, 5.41, or 21.05. Potential nuisance condition violations reported are listed on the following page with corrective actions which need to be taken.

If the alleged nuisance conditions exist and are not removed in the time frame given, the Health Department may abate the conditions and assess all costs against your property. Abatement costs are typically $300.00 to $1000.00. In addition, charges may be filed against you in County Court.

Enclosed is a postage paid response card. Please complete and return the card. If you have any questions, please call 402-441-8002.

Sincerely,

[Signature]

Harry Heafy, REHS
Environmental Health Specialist
Environmental Public Health Division

Enclosures
cc: Occupant
cc: File Case Number HC22000002
Nuisance Conditions Reported:

1 - Garbage (Not in cans with lids)  

As the property owner, you are responsible for keeping your property free of garbage, junk and nuisance conditions. The owner of every dwelling in the city shall provide for the collection and removal of solid waste by a licensed waste hauler at least once a week. A dwelling unit containing more than two dwelling units shall provide a minimum of twice per week service. The owner, agent or manager having charge of a commercial/industrial business must have a minimum of twice per week service. If garbage is not removed within 24 hours the Health Department may abate the conditions and assess all costs against your property. Clean-up costs are typically $300.00 to $1000.00. In addition, charges may be filed against you in County court.

CORRECTIVE ACTION: Provide containers with tight fitting lids.

2 - No Garbage Service  

As the property owner, you are responsible for keeping your property free of nuisance conditions. The owner of every dwelling unit in the city shall provide for the collection and removal of solid waste by a licensed waste hauler at least once a week. The owner of a dwelling unit with more than two units must have a minimum of twice per week service. The owner or manager of a commercial or industrial business shall provide for the collection and disposal of all solid waste generated by said business. Solid waste must be removed not less than twice per week. Provide garbage service from a licensed waste hauler within 2 days of the mailing of this letter. If garbage is not removed within 24 hours the Health Department may abate the conditions and assess all costs against your property. Clean-up costs are typically $300.00 to $1000.00. In addition, charges may be filed against you in County court.

CORRECTIVE ACTION: Provide garbage service. Owners are responsible for providing service to rental property.
4/29/2022

OCCUPANT
1234 N 56TH ST
LINCOLN, NE 68500

Environmental Public Health Division

Nuisance Complaint on the Property Located at:
1234 N 56TH ST
LINCOLN, NE 68500

The Lincoln-Lancaster County Health Department received a complaint on your property, which is a potential violation of the Lincoln Municipal Code Chapters 8.02, 8.26, 8.32, 5.41, or 21.05. Potential nuisance condition violations are listed on the following page with corrective actions which need to be taken.

If the alleged nuisance conditions exist and are not removed in the time frame given, the Health Department may abate the conditions and assess all costs against your property. Abatement costs are typically $300.00 to $1000.00. In addition, charges may be filed against you in County Court.

Enclosed is a postage paid response card. Please complete and return the card. If you have any questions, please call 402-441-8002.

As the occupant of a rental unit, you are responsible for keeping your property free of garbage, junk and nuisance conditions. Unless otherwise specified all other allegations must be corrected within 15 days.

Sincerely,

[Signature]

Harry Heafer, REHS
Environmental Health Specialist
Environmental Public Health Division

Enclosures
cc: Owner
cc: File Case Number HC22000002
Nuisance Conditions Reported:

1 - Garbage (Not in cans with lids)  Reported Date:

You must keep your property free of garbage, junk and nuisance conditions. The owner of every dwelling in the city shall provide for the collection and removal of solid waste by a licensed waste hauler at least once a week. A dwelling unit containing more than two dwelling units shall provide a minimum of twice per week service. Accumulation of garbage must be removed within 24 hours. If garbage is not removed within 24 hours the Health Department may abate the conditions and assess all costs against your property. Clean-up costs are typically $300.00 to $1000.00. In addition, charges may be filed against you in County court.

CORRECTIVE ACTION: Provide containers with tight fitting lids.

2 - No Garbage Service  Reported Date:

You must keep your property free of nuisance conditions. The owner of every dwelling unit in the city shall provide for the collection and removal of solid waste by a licensed waste hauler at least once a week. A dwelling unit with more than two units must have a minimum of twice per week service. If garbage is not removed within 24 hours the Health Department may abate the conditions and assess all costs against your property. Clean-up costs are typically $300.00 to $1000.00. If the garbage service is not provided within 2 days, charges may be filed against you in County court.

CORRECTIVE ACTION: Provide garbage service. Owners are responsible for providing service to rental property.
Lincoln-Lancaster County Health Department - (402) 441-8002

Please check the appropriate box:

☐ The conditions have been corrected. I took the following actions:

____________________________________________________________________________________

____________________________________________________________________________________

☐ The alleged condition does not exist on my property.

Please provide your phone number or e-mail address so we may contact you if we have questions:

____________________________________________________________________________________

Complaint Address: ________________________________________________________________

Please call us if you have any questions – (402) 441-8002

Lincoln-Lancaster County Health Department – (402) 441-8002

OWNERS OF RENTAL PROPERTY SHALL PROVIDE GARBAGE SERVICE

Please check the appropriate box:

☐ The conditions have been corrected.

My garbage hauler is ____________________________ and I have garbage picked up on Sun Mon Tue Wed Thu Fri Sat (circle day(s) of service, tri-plex or larger must have a minimum of 2x/week service)

I took the following actions: __________________________________________________________

____________________________________________________________________________________

☐ The alleged condition does not exist on referenced property.

Please provide your phone number or e-mail address so we may contact you if we have questions:

____________________________________________________________________________________

Complaint Address: ________________________________________________________________

Please call us if you have any questions – (402) 441-8002
4/29/2022

OWNER
9999 S 99TH ST
LINCOLN, NE 68500

Nuisance Complaint on the Property Located at:
1234 N 56TH ST
LINCOLN, NE 68500

The Lincoln-Lancaster County Health Department investigated a complaint on your property, and found violations of Lincoln Municipal Code Chapters 8.02, 8.26, 8.32, 5.41, or 21.05. Nuisance condition violations identified are listed on the following page with corrective actions which need to be taken.

If the alleged nuisance conditions exist and are not removed in the time frame give, the Health Department may abate the conditions and assess all costs against your property. Abatement costs are typically $300.00 to $1000.00. In addition, charges may be filed against you in County Court.

Enclosed is a postage paid response card. Please complete and return the card. If you have any questions, please call 402-441-8002.

Sincerely,

[Signature]
Harry Heafner, REHS
Environmental Health Specialist
Environmental Public Health Division

Enclosures
cc: Occupant
cc: File Case Number HC22000002
## Nuisance Conditions Reported:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>Reported Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Garbage (Not in cans with lids)</td>
<td></td>
</tr>
</tbody>
</table>

As the property owner, you are responsible for keeping your property free of garbage, junk and nuisance conditions. The owner of every dwelling in the city shall provide for the collection and removal of solid waste by a licensed waste hauler at least once a week. A dwelling unit containing more than two dwelling units shall provide a minimum of twice per week service. The owner, agent or manager having charge of a commercial/industrial business must have a minimum of twice per week service. If garbage is not removed within 24 hours the Health Department may abate the conditions and assess all costs against your property. Clean-up costs are typically $300.00 to $1000.00. In addition, charges may be filed against you in County court.

**CORRECTIVE ACTION:** Provide containers with tight fitting lids.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>Reported Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>No Garbage Service</td>
<td></td>
</tr>
</tbody>
</table>

As the property owner, you are responsible for keeping your property free of nuisance conditions. The owner of every dwelling unit in the city shall provide for the collection and removal of solid waste by a licensed waste hauler at least once a week. The owner of a dwelling unit with more than two units must have a minimum of twice per week service. The owner or manager of a commercial or industrial business shall provide for the collection and disposal of all solid waste generated by said business. Solid waste must be removed not less than twice per week. Provide garbage service from a licensed waste hauler within 2 days of the mailing of this letter. If garbage is not removed within 24 hours the Health Department may abate the conditions and assess all costs against your property. Clean-up costs are typically $300.00 to $1000.00. In addition, charges may be filed against you in County court.

**CORRECTIVE ACTION:** Provide garbage service. Owners are responsible for providing service to rental property.
4/29/2022

OCCUPANT
1234 N 56TH ST
LINCOLN, NE 68500

Environmental Public Health Division

Nuisance Complaint on the Property Located at:
1234 N 56TH ST
LINCOLN, NE 68500

The Lincoln-Lancaster County Health Department investigated a complaint on your property, and found violations of Lincoln Municipal Code Chapters 8.02, 8.26, 8.32, 5.41, or 21.05. Nuisance condition violations identified are listed on the following page with corrective actions which need to be taken.

If the alleged nuisance conditions exist and are not removed in the time frame give, the Health Department may abate the conditions and assess all costs against your property. Abatement costs are typically $300.00 to $1000.00. In addition, charges may be filed against you in County Court.

Enclosed is a postage paid response card. Please complete and return the card. If you have any questions, please call 402-441-8002.

As the occupant of a rental unit, you are responsible for keeping your property free of garbage, junk and nuisance conditions. Unless otherwise specified all other allegations must be corrected within 15 days.

Sincerely,

[Signature]

Harry Heaffer, REHS
Environmental Health Specialist
Environmental Public Health Division

Enclosures
cc: Owner
cc: File Case Number HC220000002
Nuisance Conditions Reported:

1 - Garbage (Not in cans with lids)  Reported Date:

You must keep your property free of garbage, junk and nuisance conditions. The owner of every dwelling in the city shall provide for the collection and removal of solid waste by a licensed waste hauler at least once a week. A dwelling unit containing more than two dwelling units shall provide a minimum of twice per week service. Accumulation of garbage must be removed within 24 hours. If garbage is not removed within 24 hours the Health Department may abate the conditions and assess all costs against your property. Clean-up costs are typically $300.00 to $1000.00. In addition, charges may be filed against you in County court.

CORRECTIVE ACTION: Provide containers with tight fitting lids.

2 - No Garbage Service  Reported Date:

You must keep your property free of nuisance conditions. The owner of every dwelling unit in the city shall provide for the collection and removal of solid waste by a licensed waste hauler at least once a week. A dwelling unit with more than two units must have a minimum of twice per week service. If garbage is not removed within 24 hours the Health Department may abate the conditions and assess all costs against your property. Clean-up costs are typically $300.00 to $1000.00. If the garbage service is not provided within 2 days, charges may be filed against you in County court.

CORRECTIVE ACTION: Provide garbage service. Owners are responsible for providing service to rental property.
Lincoln-Lancaster County Health Department
3131 O Street, Lincoln, NE 68510
402-441-8040
OFFICIAL NOTICE

Name: ________________________________
Address: ________________________________
City/State/Zip: ________________________________
Date: ____________________ Time: ______________ AM PM
Location: ________________________________

You are hereby notified that you are violating sections of City/County Health Codes as indicated below:

☐ Failure to store garbage in approved containers with lids.
☐ Permitting accumulation of junk, trash and refuse.
☐ Keeping of hazardous vehicle(s).
☐ Keeping of salvage material.
☐ Maintaining a health or safety hazard.
☐ Littering.
☐ Permitting accumulation or release of offensive substances.
☐ Conditions attractive to rodents and insects.
☐ Depositing solid waste at a non-approved site.
☐ Improper use, storage, handling or disposal of a hazardous material.
☐ Improper disposal of special waste.
☐ Inadequate containment of vehicle load.
☐ Other ________________________________

☐ WARNING The conditions must be corrected within ________________ Failure to correct said conditions will result in referral to the City or County Attorney. Charges may be brought against you in County Court, District 3.

☐ ABATEMENT If conditions are not corrected within five days, the Health Department will abate (remove) the violation and all costs will be assessed to the property.

☐ VIOLATION This matter is being referred to the City or County Attorney. Charges may be brought against you in County Court, District 3. The Attorney’s Office will advise you of your court appearance date.

I acknowledge receipt of this notice and agree to correct this situation within the time given.

______________________________
Enviromental Health Specialist

______________________________
Solid Waste Official Notice Rev. 4-21

Phone Number
Lincoln-Lancaster County Health Department
Nuisance Abatement Authorization

Authorization Number
Location of Premises
Legal Description

I, as Health Director, have found that:

☐ The owner (or his/her authorized agent) of the premises stated above has failed to comply with a five (5) day nuisance abatement notice served in person or via certified mail on ___/___/_____.

☐ The tenant or occupant of said premises has failed to comply with a five (5) day nuisance abatement notice served in person or via certified mail on ___/___/_____.

Therefore, by virtue of the authority vested in me by Lincoln Municipal Code Chapter 8.26.030, I hereby authorize a refuse hauler to remove the offensive substances constituting a declared public nuisance existing on the premises stated above.

__________________________  ______________________
Health Director                  Date

By the authority granted in Nuisance Abatement Authorization No. ___________________ issued on ___/___/_____, by the Director of the Lincoln-Lancaster County Health Department, and for a fee of $ _________ to be paid by the Department, representatives of ______________________ cleared the premises at ______________________ of the conditions constituting a public nuisance on ___/___/_____.

Licensed Refuse Hauler

__________________________
Name of Hauler Representative (print)

__________________________
Signature

__________________________
Health Department Representative

__________________________
Signature

STATE OF NEBRASKA

} ss.
County of Lancaster

Before me, a notary public qualified for said County, personally came ______________________, known to me to be the identical persons who signed the foregoing Nuisance Abatement Authorization, and acknowledged the execution thereof to be a voluntary act and deed.

WITNESS MY HAND AND NOTORIAL SEAL THIS _______ DAY OF ______________________, _______

__________________________
NOTARY PUBLIC

Assessment Costs: $ ____________ (These costs are approximate and are subject to change.) This form shall serve as notification of a pending assessment against the property.

White - Health Department      Pink - City Clerk     Yellow - Refuse Hauler
Lincoln-Lancaster County Health Department
Staff Nuisance Abatement Authorization

Authorization Number
Location of Premises
Legal Description

I, as Health Director, have found that:

☐ The owner (or his/her authorized agent) of the premises stated above has failed to comply with a five (5) day nuisance abatement notice served in person or via certified mail on ___/___/____.
☐ The tenant or occupant of said premises has failed to comply with a five (5) day nuisance abatement notice served in person or via certified mail on ___/___/____.

Therefore, by virtue of the authority vested in me by Lincoln Municipal Code Chapter 8.26.030, I hereby authorize LLCHD Staff to abate the conditions constituting a declared public nuisance existing on the premises stated above.

______________________________  ______________________
Health Director                        Date

By the authority granted in Nuisance Abatement Authorization No. ______________ issued on ___/___/____ by the Director of the Lincoln-Lancaster County Health Department, LLCHD Staff cleared the premises at __________________________ of the conditions constituting a public nuisance on ___/___/____.

______________________________
Health Department Representative
Signature

STATE OF NEBRASKA )
)ss.
County of Lancaster )

Before me, a notary public qualified for said County, personally came __________________________, known to me to be the identical persons who signed the foregoing Nuisance Abatement Authorization, and acknowledged the execution thereof to be a voluntary act and deed.

WITNESS MY HAND AND NOTORIAL SEAL THIS _______ DAY OF __________________________

______________________________
NOTARY PUBLIC

Assessment Costs: $__________ (These costs are approximate and are subject to change.) This form shall serve as notification of a pending assessment against the property.

White - Health Department       Pink - City Clerk
DATE:

OWNER
9999 S 99TH ST
LINCOLN, NE 68500

Environmental Public Health Division

NUISANCE CODE VIOLATION AT

1234 N 56TH ST
LINCOLN, NE 68500

Dear Owner,

This office has been contacted by the Lincoln-Lancaster County Health Department regarding your failure to correct a nuisance code violation which was brought to your attention by written notice from Health Inspector Harry Heafer on 4/1/2022 and on 4/15/2022. As of today, the violation remains uncorrected.

To avoid having this case referred to the City Attorney's Office Prosecution Division, this office requests that you immediately contact Inspector Harry Heafer at 402-441-8040 between the hours of 8:00 AM to 4:00 PM and schedule a time when a reinspection can be made to confirm the violation has been corrected. If this inspection is not arranged for and made within five calendar days from the date of this letter, the Health Department will refer this case to the Prosecution Division with a recommendation that they file a criminal complaint.

Sincerely yours,

Jessica Kerkhofs
City Attorney’s Office

JK:JB:HH:lc

cc: File Case Number HC22000002
DATE:

OWNER
9999 S 99TH ST
LINCOLN, NE 68500

Environmental Public Health Division

NUISANCE CODE VIOLATION AT

1234 N 56TH ST
LINCOLN, NE 68500

Dear Owner,

This office has been contacted by the Lincoln-Lancaster County Health Department regarding your failure to correct a nuisance code violation which was brought to your attention by written notice from Health Inspector Harry Heafer on 4/1/2022 and on 4/15/2022. As of today, the violation remains uncorrected.

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Sincerely yours,

Jessica Kerkhofs
City Attorney's Office

JK:JB:HH:lc

cc: File Case Number HC22000002
DATE:

OCCUPANT
1234 N 56TH ST
LINCOLN, NE 68500

Environmental Public Health Division

NUISANCE CODE VIOLATION AT

1234 N 56TH ST
LINCOLN, NE 68500

Dear Occupant,

This office has been contacted by the Lincoln-Lancaster County Health Department regarding your failure to correct a nuisance code violation which was brought to your attention by written notice from Health Inspector Harry Heafer on 4/1/2022 and on 4/15/2022. As of today, the violation remains uncorrected.

To avoid having this case referred to the City Attorney’s Office Prosecution Division, this office requests that you immediately contact Inspector Harry Heafer at 402-441-8040 between the hours of 8:00 AM to 4:00 PM and schedule a time when a reinspection can be made to confirm the violation has been corrected. If this inspection is not arranged for and made within five calendar days from the date of this letter, the Health Department will refer this case to the Prosecution Division with a recommendation that they file a criminal complaint.

Sincerely yours,

Jessica Kerkhofs
City Attorney’s Office

JK:JB:HH:lc

cc: File Case Number HC22000002
DATE:

OCCUPANT
1234 N 56TH ST
LINCOLN, NE 68500

Environmental Public Health Division

NUISANCE CODE VIOLATION AT

1234 N 56TH ST
LINCOLN, NE 68500

Dear Occupant,

This office has been contacted by the Lincoln-Lancaster County Health Department regarding your failure to correct a nuisance code violation which was brought to your attention by written notice from Health Inspector Harry Heafer on 4/1/2022 and on 4/15/2022. As of today, the violation remains uncorrected.

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Sincerely yours,

Jessica Kerkhofs
City Attorney’s Office

JK:JB:HH:lc

cc: File Case Number HC22000002
POLICY STATEMENT:
To protect and promote the public’s health, all nuisance and solid waste complaints will be investigated and resolved in a timely manner. The mitigation of nuisance conditions in our community will reduce public health risks by preventing illness and disease caused by improper waste management.

PROCEDURE:
As shown in the attached flow charts (Exhibit 1), all complaints will be recorded, given a case number, and assigned to an Environmental Health Specialist (EHS) for further action. At a minimum, all complaints will require a physical address or a detailed explanation of the location and a description of the offending conditions. All investigation reports will include any notes and photographs taken of observations of site conditions.

In general, all solid waste complaints will be handled in the following manner:

1. A complaint is received, documented, and assigned to an Environmental Health Specialist for investigation. If the complaint is within Lincoln or the 3-mile limit, then:
   
   A. A letter (Exhibit 2) stating the alleged violations that need to be corrected is sent to the owner of the property, the occupant of a rental property, both parties, or a registered agent. The letter includes a return postcard (Exhibit 3), to be completed by the receiving party, to document his/her their effort to correct the offending conditions. The recipient is allowed 5 days from the date of mailing to correct the violations and/or return the postcard.

   B. An electronic version of the notification letter may also be sent to the receiving party(ies) upon request.

   C. If the postcard is returned indicating that the alleged violations don’t not exist or have been corrected, the Environmental Health Specialist EHS can:
      
      i. Close the case or,
      
      ii. Conduct an inspection of the property to confirm that there are no violations prior to closing the case.
D. If the postcard is not returned, or if additional complaints on the property are received, the Environmental Health Specialist EHS will conduct an inspection of the property to document conditions. Inspection will occur six days after the mailing of the letter.

E. If the inspection of the property confirms that no violations exist, the Environmental Health Specialist EHS will document the findings and close the case.

F. If the inspection of the property confirms that violations exist, the Environmental Health Specialist EHS will document the conditions in writing and with photographs, and do one or more of the following:

i. If no contact is made with the owner/occupant at the time of inspection, the Environmental Health Specialist EHS will send a certified letter (Exhibit 4) to the owner/occupant stating what violations were identified and what corrections need to be made to achieve compliance. The Environmental Health Specialist will allow 5 days from the date of mailing for compliance and then conduct a follow-up inspection of the property on or after the 6th day but no later than 10th day.

ii. If contact is made with the owner/occupant at the time of inspection, the Environmental Health Specialist EHS will fill out an Official Notice (Exhibit 5) stating what violations were identified and a compliance date and leave a copy with the owner/occupant. A copy of the Official Notice will be scanned into the case record. The Case Number should be written in at the top of the Official Notice before scanning it into the case record.

(a) The Environmental Health Specialist EHS will send a certified letter to the owner/occupant that includes all the violations noted on the Official Notice, what corrections need to be made to achieve compliance, and the compliance date. The Environmental Health Specialist EHS will conduct a follow-up inspection of the property on, or after the 6th day but no later than the 10th day.

G. If the follow-up inspection of the property confirms uncorrected and/or new violations, the Environmental Health Specialist EHS will document the conditions in writing and with photographs and do one or more of the following:

i. Complete a Nuisance Abatement Authorization Form (Exhibit 6), schedule an abatement with the City contractor, and meet the City contractor on-site to direct and document the abatement activities.

ii. In the case of a tire self-abatement, complete a Staff Nuisance Abatement Authorization Form (Exhibit 7), perform abatement of four or less tires, and document the abatement activities.

iii. Consult with the Solid Waste Supervisor about sending Law letter (Exhibit 8) to owner/occupant and/or referring the case to the City Attorney for further action.

2. When a complaint is received that is outside Lincoln’s the City of Lincoln’s 3-mile limit, the procedures are the same as previously discussed except:
A. If the complaint is in or within the village/city 1-mile limit of a village/city, the complainant will be directed to file a complaint with the appropriate Village Clerk or City Administrator and request an investigation in accordance with the inter-local agreement.

B. Upon receiving a complaint from the Village Clerk/official city representative, the Environmental Health Specialist EHS will conduct an inspection of the property to document conditions.

C. Following visual assessment of site conditions, the Environmental Health Specialist EHS will prepare a report for the Village Clerk/official city representative and testify on his/her behalf in court, as necessary. Any abatements must follow the village’s/city’s procedures.
Exhibit 1

Complaint Intake & Routing

- Complaint by Telephone
- Complaint by Walk-In
- Complaint by Referral
- Complaint by SeeClickFix

If known to be an existing open case, search for case and mark as additional call, add any additional data there.

- Existing open case? no → Complaint Case Initialized in Electronic Database System (EDS)
- Existing open case? yes → Modify existing case

Note: Initial Intake implies that this complaint is something we do in EPH and that we have jurisdiction where it happened. That information needs to be discovered as early as possible in the process. In general, if any work is expended on this determination, the case is closed and notation of out of jurisdiction is noted in the comments. If a case is entered that should not have been started, a request for DELETE is made.

- C003AA Complaint Checkbox List

Air Quality no → Body Art no → Childcare no → Illegal Dumping no → Food no → Graffiti

- SubType AIR_QUAL
- SubType BODY_ART
- SubType CHILD
- SubType DUMPING
- SubType FOOD
- SubType GRAFFITI

Go to AIR_QUAL
Go to BODY_ART
Go to CHILD
Go to DUMPING
Go to FOOD
Go to GRAFFITI

- Water/Wastewater no → Solid Waste no → Other Waste

- SubType WATER/SEWAGE
- SubType SOLID WASTE
- SubType OTHER WASTE

Go to WATER/SEWAGE
Go to SOLID WASTE
Go to OTHER WASTE

- Noise no → Housing no → HAZMAT

Go to NOISE
Go to HOUSING
Go to HAZMAT
From initial investigators

Research property history to determine if this is second offense in 1 year timeframe

Second Offense

No

Note in case and wait for second case

Exit

Yes

File Arraignment

Go to Arraignment page
From Non 3-mile

Village and Cities outside of Lincoln handle Enforcement differently so is case by case not suitable for flowcharting at this point in time.
Status is moved to LEGAL.
Law Referral process is not set up in computer other than multiple components such as case reports and photos are assembled into a single document going to law for referral. Copies of Law Referral documents and case disposition are stored in EDS case.

Gather documents from the file.
Run Crystal Report H_ALL_SC02 Single Case Detail.

Use a previous filed arraignment report copy as an electronic template to create the new referral to Law.

Have Office Support staff create a red folder with a Routing Slip for Referral form attached to the outside of the folder.

Submit draft documents to program supervisor for review. Make any suggested modifications as directed by the program supervisor.

Program supervisor submits the report to the EPH program manager for review.

After all modifications are made give the report to support staff for routing to the Health Director, HD, for signature.

When the HD returns the report to EPH, support staff routes to mail room for mailing to the City Law Department.

The signed owner’s letter is mailed.

Wait for disposition of case from Law Department then make entries into case record.
4/29/2022

OWNER
9999 S 99TH ST
LINCOLN, NE 68500

Nuisance Complaint on the Property Located at:
1234 N 56TH ST
LINCOLN, NE 68500

The Lincoln-Lancaster County Health Department received a complaint on your property, which is a potential violation of the Lincoln Municipal Code Chapters 8.02, 8.26, 8.32, 5.41, or 21.05. Potential nuisance condition violations reported are listed on the following page with corrective actions which need to be taken.

If the alleged nuisance conditions exist and are not removed in the time frame given, the Health Department may abate the conditions and assess all costs against your property. Abatement costs are typically $300.00 to $1000.00. In addition, charges may be filed against you in County Court.

Enclosed is a postage paid response card. Please complete and return the card. If you have any questions, please call 402-441-8002.

Sincerely,

Harry Heafner, REHS
Environmental Health Specialist
Environmental Public Health Division

Enclosures
cc: Occupant
cc: File Case Number HC22000002
Nuisance Conditions Reported:

1 - Garbage (Not in cans with lids)  

As the property owner, you are responsible for keeping your property free of garbage, junk and nuisance conditions. The owner of every dwelling in the city shall provide for the collection and removal of solid waste by a licensed waste hauler at least once a week. A dwelling unit containing more than two dwelling units shall provide a minimum of twice per week service. The owner, agent or manager having charge of a commercial/industrial business must have a minimum of twice per week service. If garbage is not removed within 24 hours the Health Department may abate the conditions and assess all costs against your property. Clean-up costs are typically $300.00 to $1000.00. In addition, charges may be filed against you in County court.

CORRECTIVE ACTION: Provide containers with tight fitting lids.

2 - No Garbage Service  

As the property owner, you are responsible for keeping your property free of nuisance conditions. The owner of every dwelling unit in the city shall provide for the collection and removal of solid waste by a licensed waste hauler at least once a week. The owner of a dwelling unit with more than two units must have a minimum of twice per week service. The owner or manager of a commercial or industrial business shall provide for the collection and disposal of all solid waste generated by said business. Solid waste must be removed not less than twice per week. Provide garbage service from a licensed waste hauler within 2 days of the mailing of this letter. If garbage is not removed within 24 hours the Health Department may abate the conditions and assess all costs against your property. Clean-up costs are typically $300.00 to $1000.00. In addition, charges may be filed against you in County court.

CORRECTIVE ACTION: Provide garbage service. Owners are responsible for providing service to rental property.
4/29/2022

OCCUPANT
1234 N 56TH ST
LINCOLN, NE 68500

Environmental Public Health Division

Nuisance Complaint on the Property Located at:
1234 N 56TH ST
LINCOLN, NE 68500

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Enclosed is a postage paid response card. Please complete and return the card. If you have any questions, please call 402-441-8002.

As the occupant of a rental unit, you are responsible for keeping your property free of garbage, junk and nuisance conditions. Unless otherwise specified all other allegations must be corrected within 15 days.

Sincerely,

[Signature]

Harry Heafer, REHS
Environmental Health Specialist
Environmental Public Health Division

Enclosures
cc: Owner
cc: File Case Number HC22000002
# Nuisance Conditions Reported:

<table>
<thead>
<tr>
<th></th>
<th>Garbage (Not in cans with lids)</th>
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<td><strong>CORRECTIVE ACTION:</strong> Provide garbage service. Owners are responsible for providing service to rental property.</td>
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Lincoln-Lancaster County Health Department - (402) 441-8002

Please check the appropriate box:

☐ The conditions have been corrected. I took the following actions:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

☐ The alleged condition does not exist on my property.

Please provide your phone number or e-mail address so we may contact you if we have questions:

________________________________________________________________________

Complaint Address: __________________________________________

Please call us if you have any questions – (402) 441-8002

---

Lincoln-Lancaster County Health Department - (402) 441-8002

OWNERS OF RENTAL PROPERTY SHALL PROVIDE GARBAGE SERVICE

Please check the appropriate box:

☐ The conditions have been corrected.

My garbage hauler is ____________________________ and I have garbage picked up on Sun M T W Th F Sat (circle day(s) of service; tri-plex or larger must have a minimum of 2x/week service)

I took the following actions: _____________________________________________________________

________________________________________________________________________

☐ The alleged condition does not exist on referenced property.

Please provide your phone number or e-mail address so we may contact you if we have questions:

________________________________________________________________________

Complaint Address: __________________________________________

Please call us if you have any questions – (402) 441-8002
4/29/2022

OWNER
9999 S 99TH ST
LINCOLN, NE 68500

Nuisance Complaint on the Property Located at:
1234 N 56TH ST
LINCOLN, NE 68500

The Lincoln-Lancaster County Health Department investigated a complaint on your property, and found violations of Lincoln Municipal Code Chapters 8.02, 8.26, 8.32, 5.41, or 21.05. Nuisance condition violations identified are listed on the following page with corrective actions which need to be taken.

If the alleged nuisance conditions exist and are not removed in the time frame given, the Health Department may abate the conditions and assess all costs against your property. Abatement costs are typically $300.00 to $1000.00. In addition, charges may be filed against you in County Court.

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Sincerely,

Harry Hafer, REHS
Environmental Health Specialist
Environmental Public Health Division

Enclosures
cc: Occupant
cc: File Case Number HC22000002
Nuisance Conditions Reported:

1 - Garbage (Not in cans with lids)  Reported Date:

As the property owner, you are responsible for keeping your property free of garbage, junk and nuisance conditions. The owner of every dwelling in the city shall provide for the collection and removal of solid waste by a licensed waste hauler at least once a week. A dwelling unit containing more than two dwelling units shall provide a minimum of twice per week service. The owner, agent or manager having charge of a commercial/industrial business must have a minimum of twice per week service. If garbage is not removed within 24 hours the Health Department may abate the conditions and assess all costs against your property. Clean-up costs are typically $300.00 to $1000.00. In addition, charges may be filed against you in County court.

CORRECTIVE ACTION: Provide containers with tight fitting lids.

2 - No Garbage Service  Reported Date:

As the property owner, you are responsible for keeping your property free of nuisance conditions. The owner of every dwelling unit in the city shall provide for the collection and removal of solid waste by a licensed waste hauler at least once a week. The owner of a dwelling unit with more than two units must have a minimum of twice per week service. The owner or manager of a commercial or industrial business shall provide for the collection and disposal of all solid waste generated by said business. Solid waste must be removed not less than twice per week. Provide garbage service from a licensed waste hauler within 2 days of the mailing of this letter. If garbage is not removed within 24 hours the Health Department may abate the conditions and assess all costs against your property. Clean-up costs are typically $300.00 to $1000.00. In addition, charges may be filed against you in County court.

CORRECTIVE ACTION: Provide garbage service. Owners are responsible for providing service to rental property.
4/29/2022

OCCUPANT
1234 N 56TH ST
LINCOLN, NE 68500

Environmental Public Health Division

Nuisance Complaint on the Property Located at:
1234 N 56TH ST
LINCOLN, NE 68500

The Lincoln-Lancaster County Health Department investigated a complaint on your property, and found violations of Lincoln Municipal Code Chapters 8.02, 8.26, 8.32, 5.41, or 21.05. Nuisance condition violations identified are listed on the following page with corrective actions which need to be taken.

If the alleged nuisance conditions exist and are not removed in the time frame given, the Health Department may abate the conditions and assess all costs against your property. Abatement costs are typically $300.00 to $1000.00. In addition, charges may be filed against you in County Court.

Enclosed is a postage paid response card. Please complete and return the card. If you have any questions, please call 402-441-8002.

As the occupant of a rental unit, you are responsible for keeping your property free of garbage, junk and nuisance conditions. Unless otherwise specified all other allegations must be corrected within 15 days.

Sincerely,

[Signature]

Harry Heafner, REHS
Environmental Health Specialist
Environmental Public Health Division

Enclosures

cc: Owner
cc: File Case Number HC220000002
## Nuisance Conditions Reported:

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**CORRECTIVE ACTION:** Provide garbage service. Owners are responsible for providing service to rental property.
LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
3131 O Street, Lincoln, NE 68510
402-441-8040
OFFICIAL NOTICE

Name: _______________________________________
Address: _______________________________________
City/State/Zip: _______________________________________
Date: ___________________________ Time: ___________________ AM PM
Location: _______________________________________

YOU ARE HEREBY NOTIFIED THAT YOU ARE VIOLATING SECTIONS OF
CITY/COUNTY HEALTH CODES AS INDICATED BELOW:

☐ Failure to store garbage in approved containers with lids.
☐ Permitting accumulation of junk, trash and refuse.
☐ Keeping of hazardous vehicle(s).
☐ Keeping of salvage material.
☐ Maintaining a health or safety hazard.
☐ Littering.
☐ Permitting accumulation or release of offensive substances.
☐ Conditions attractive to rodents and insects.
☐ Depositing solid waste at a non-approved site.
☐ Improper use, storage, handling or disposal of a hazardous material.
☐ Improper disposal of special waste.
☐ Inadequate containment of vehicle load.
☐ Other _______________________________________

☐ WARNING The conditions must be corrected within ___________________________. Failure to correct said conditions will result in referral to the City or County Attorney. Charges may be brought against you in County Court, District 3.

☐ ABATEMENT If conditions are not corrected within five days, the Health Department will abate (remove) the violation and all costs will be assessed to the property.

☐ VIOLATION This matter is being referred to the City or County Attorney. Charges may be brought against you in County Court, District 3. The Attorney's Office will advise you of your court appearance date.

I acknowledge receipt of this notice and agree to correct this situation within the time given.

[Signature]

Environmental Health Specialist

Phone Number

Solid Waste Official Notice Rev. 4-21
Lincoln-Lancaster County Health Department  
Nuisance Abatement Authorization

Authorization Number

Location of Premises

Legal Description

I, as Health Director, have found that:

☐ The owner (or his/her authorized agent) of the premises stated above has failed to comply with a five (5) day nuisance abatement notice served in person or via certified mail on ___/____/____.

☐ The tenant or occupant of said premises has failed to comply with a five (5) day nuisance abatement notice served in person or via certified mail on ___/____/____.

Therefore, by virtue of the authority vested in me by Lincoln Municipal Code Chapter 8.26.030, I hereby authorize a refuse hauler to remove the offensive substances constituting a declared public nuisance existing on the premises stated above.

_____________________________  _________________________  ___/____/____
Health Director                  Date

By the authority granted in Nuisance Abatement Authorization No. ___________ issued on ___/____/____ by the Director of the Lincoln-Lancaster County Health Department, and for a fee of $ ___________ to be paid by the Department, representatives of ___________ cleared the premises at ___________ of the conditions constituting a public nuisance on ___/____/____.

Licensed Refuse Hauler

Name of Hauler Representative (print) __________________________  Signature __________________________

Health Department Representative

Signature __________________________

STATE OF NEBRASKA  )
)ss.
County of Lancaster  )

Before me, a notary public qualified for said County, personally came __________________________, known to me to be the identical persons who signed the foregoing Nuisance Abatement Authorization, and acknowledged the execution thereof to be a voluntary act and deed.

WITNESS MY HAND AND NOTORIAL SEAL THIS _____ DAY OF __________, __________

_____________________________  NOTARY PUBLIC

Assessment Costs: $ ___________ (These costs are approximate and are subject to change.) This form shall serve as notification of a pending assessment against the property.

White - Health Department      Pink - City Clerk      Yellow - Refuse Hauler
Lincoln-Lancaster County Health Department
Staff Nuisance Abatement Authorization

Authorization Number
Location of Premises
Legal Description

I, as Health Director, have found that:

☐ The owner (or his/her authorized agent) of the premises stated above has failed to comply with a five (5) day nuisance abatement notice served in person or via certified mail on ___/___/____.
☐ The tenant or occupant of said premises has failed to comply with a five (5) day nuisance abatement notice served in person or via certified mail on ___/___/____.

Therefore, by virtue of the authority vested in me by Lincoln Municipal Code Chapter 8.26.030, I hereby authorize LLCHD Staff to abate the conditions constituting a declared public nuisance existing on the premises stated above.

_________________________  ______________________
Health Director                     Date

_________________________
Health Department Representative
Signature

STATE OF NEBRASKA                )
)ss.
County of Lancaster            )

Before me, a notary public qualified for said County, personally came ______________________, known to me to be the identical persons who signed the foregoing Nuisance Abatement Authorization, and acknowledged the execution thereof to be a voluntary act and deed.

WITNESS MY HAND AND NOTORIAL SEAL THIS _______ DAY OF __________________________

_________________________
NOTARY PUBLIC

Assessment Costs: $____________ (These costs are approximate and are subject to change.) This form shall serve as notification of a pending assessment against the property.

White - Health Department       Pink - City Clerk
DATE:

OWNER
9999 S 99TH ST
LINCOLN, NE 68500

Environmental Public Health Division

NUISANCE CODE VIOLATION AT

1234 N 56TH ST
LINCOLN, NE 68500

Dear Owner,

This office has been contacted by the Lincoln-Lancaster County Health Department regarding your failure to correct a nuisance code violation which was brought to your attention by written notice from Health Inspector Harry Heafer on 4/1/2022 and on 4/15/2022. As of today, the violation remains uncorrected.

To avoid having this case referred to the City Attorney’s Office Prosecution Division, this office requests that you immediately contact Inspector Harry Heafer at 402-441-8040 between the hours of 8:00 AM to 4:00 PM and schedule a time when a reinspection can be made to confirm the violation has been corrected. If this inspection is not arranged for and made within five calendar days from the date of this letter, the Health Department will refer this case to the Prosecution Division with a recommendation that they file a criminal complaint.

Sincerely yours,

Jessica Kerkhofs
City Attorney’s Office

JK:JB:HH:lc

cc: File Case Number HC22000002
DATE:

OWNER
9999 S 99TH ST
LINCOLN, NE 68500

Environmental Public Health Division

NUISANCE CODE VIOLATION AT

1234 N 56TH ST
LINCOLN, NE 68500

Dear Owner,

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Sincerely yours,

Jessica Kerkhofs
City Attorney’s Office

JK:JB:HH:lc

cc: File Case Number HC22000002
DATE:

OCCUPANT
1234 N 56TH ST
LINCOLN, NE 68500

Environmental Public Health Division

NUISANCE CODE VIOLATION AT

1234 N 56TH ST
LINCOLN, NE 68500

Dear Occupant,

This office has been contacted by the Lincoln-Lancaster County Health Department regarding your failure to correct a nuisance code violation which was brought to your attention by written notice from Health Inspector Harry Heafer on 4/1/2022 and on 4/15/2022. As of today, the violation remains uncorrected.

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Sincerely yours,

Jessica Kerkhofs
City Attorney's Office

JK:JB:HH:lc

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DATE:

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1234 N 56TH ST
LINCOLN, NE 68500

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Sincerely yours,

Jessica Kerkhofs
City Attorney’s Office

JK:JB:HH:lc

cc: File Case Number HC22000002
FDA Voluntary National
Retail Food Regulatory Program Standards
2021 Report for
Lincoln Lancaster County Health Department (LLCHD)

Justin Daniel, REHS, CPFS
Environmental Health Supervisor
Disease Prevention Program

January 25, 2022

Executive Summary

The Food and Drug Administration (FDA) Retail Program Standards serve as a guide to the design and management of a retail food regulatory program and provide a means of recognition for those programs that meet these standards. Program managers and administrators may establish additional requirements to meet individual program needs.

The Retail Program Standards are designed to help food regulatory programs enhance the services they provide to the public. When applied in the intended manner, the Program Standards should:

- Identify program areas where an agency can have the greatest impact on retail food safety
- Promote wider application of effective risk-factor intervention strategies
- Assist in identifying program areas most in need of additional attention
- Provide information needed to justify maintenance or increase in program budgets
- Lead to innovations in program implementation and administration
- Improve industry and consumer confidence in food protection programs by enhancing uniformity within and between regulatory agencies

The Retail Program Standards apply to the operation and management of a retail food regulatory program that is focused on the reduction of risk factors known to cause or contribute to foodborne illness and to the promotion of active managerial control of these risk factors. The results of a self-assessment against the Standards may be used to evaluate the effectiveness of food safety interventions implemented within a jurisdiction. The Standards also provide a procedure for establishing a database on the occurrence of risk factors that may be used to track the results of regulatory and industry efforts over time.

LLCHD has worked on FDA Standards since 2001. LLCHD currently meets Standards 2, 3, 4, 5, 7, and 9. Although LLCHD is no longer in compliance with Standard 1, we believe compliance will be achieved upon the next Nebraska Food Code revision. FDA and the Conference for Food Protection continue to support the Standards. With support from the Board of Health and our Food Advisory Committee, LLCHD continues to pursue the goal of achieving compliance with all nine Standards. The Standards provide a framework for ongoing quality improvement and goals for the Food Safety Program that enhanced our vision for safe food in Lincoln and Lancaster County.
Standard 1 - Regulatory Foundation

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<tr>
<th>Self-Assessment</th>
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<th>Auditing Agency</th>
</tr>
</thead>
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<tr>
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<td>10/15/2021 - Out</td>
<td>NDA</td>
</tr>
<tr>
<td>11/4/2021 – Out- Program SA</td>
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This standard applies to the regulatory foundation used by a retail food program. Regulatory foundation includes any statute, regulation, rule, ordinance, or other prevailing set of regulatory requirements that governs the operation of a retail food establishment. The regulatory foundation must be at least as stringent as the most recent FDA Food Codes for: public health interventions that control risk factors known to contribute to foodborne illness; good retail practices, and; compliance and enforcement.

The current Nebraska Food Code is based on the 2017 FDA Food Code. The AFDO – FDA grant for working on the Standards award included the fourth self-evaluation and verification audit of Standard 1 in 2021. LLCHD’s self-assessment on September 22, 2021, determined that we were no longer in compliance with Standard 1. Standard 1 requires that the jurisdiction’s third verification audit indicate that the agency’s regulatory requirements meet all 11 of the FDA Food Code Interventions and Risk Factor Controls. Standard 1 requires that food must be held at 41 F or lower. Nebraska Food Code, which LLCHD adopts by reference, allows food to be held at 45 F for equipment that was installed prior to March 8th, 2012. LLCHD has begun communication with key stakeholders from the Nebraska Restaurant Association, Nebraska Grocery Industry Association, and others on the Nebraska Food Industry Review Board. There was no opposition from other industry or regulatory partners on updating the Nebraska Food Code to fully adopt the 41 degree requirement as stated in the FDA Model Food Code when this was discussed at the Food Industry Review Board meeting on July 15, 2021. The intent is to update the Nebraska Food Code when it is up for modification, which will likely be the next legislative session in 2023. If that change is made at that time, LLCHD will fully comply with this standard. If this is not successful, or if the Board of Health recommends, LLCHD could update the local ordinance to require food to be held at 41 F or lower.
## Standard 2 - Trained Regulatory Staff

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<th>Self-Assessment</th>
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<tr>
<td>11/4/2021 – Program SA</td>
<td>2/8/2022</td>
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The food program inspection staff must have the knowledge, skills, and ability to adequately perform their required duties and must follow a 5-step training and standardization process to achieve the required level of competency. The training process for new staff is defined in Standard 2. This includes completing 25 joint inspections observing and learning from the Food Team Training and Standardizing Coordinator or other standardized team members, followed by 25 independent inspections that the trainee conducts while being observed by a standardized team member. Trainees work through the required FDA ORA-U online training courses during this time. After trainees conduct inspections for a minimum of six months, they are standardized by the Training and Standardization Coordinator.

Staff receive and record training in accordance with Policy 222.05 - Food Safety Program Staff Training. The policy identifies the training for field staff and establishes a record keeping system for all training. The record system includes individual training records and an annual review by the Food Program Training and Standardization Coordinator. During the most recent verification audit, the auditor identified training that was added to the required Standard 2 curriculum after some “senior” staff were hired. These staff were identified and completed the required or missing training to meet the standard. Due to the COVID-19 Pandemic, all staff training for CEU’s was held virtually. Staff training included the Nebraska Environmental Health Association’s Annual Conference and FDA Food Safety Conference. LLCHD applied for and received an Association of Food and Drug Officials (AFDO) - FDA grant of $2,500 to cover expenses for ten Food Team members to participate in a HACCP Verification and Special processes online training provided by NC State University Extension.

## Standard 3 - Inspection Program Based on HACCP Principles

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<tr>
<td>11/4/2021 - Program SA</td>
<td>3/9/2022</td>
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The inspection program must focus on the status of risk factors for foodborne illness, determine and document compliance, and target immediate- and long-term correction of out-of-control risk factors through active managerial control.
LLCHD meets Standard 3 based on our food establishment inspection report form, inspection policies, inspection intervals based on risk, food code variance requests policy, and the HACCP (Hazard Analysis and Critical Control Points) plan review policy.

LLCHD uses a digital inspection reporting system, “InspecTab”. This system uses the FDA risk factor form and includes information verifying food manager and food handler permit compliance. Electronic inspection data is used for reports including the online rating dial used on the Food Safety Program website. LLCHD is in the process of implementing a new Risk Factor Page to identify two recently added Risk Factors of “Certified Food Protection Manager” and “Procedures for Responding to Vomiting and Diarrheal Events.” LLCHD addresses these risk factors in its local food code LMC 8.20 Lincoln Food Code. InspecTab includes the violation terminology of priority, priority foundation, and core designations, and the inspection form documents actual observation using the convention IN (in compliance), OUT (out of compliance), NA (not applicable), and NO (not observed).

LLCHD inspection report data is sent electronically to the Nebraska Department of Agriculture.

**Standard 4 – Uniform Inspection Program**

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<td>5/1/2013</td>
<td>6/20/2013</td>
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Standard 4 requires the LLCHD food safety program to have a quality assurance program to ensure uniformity among regulatory staff in the interpretation and application of laws, regulations, policies, and procedures. The program must implement an on-going quality assurance program that evaluates inspection uniformity to ensure inspection quality, inspection frequency and uniformity among the regulatory staff.

The Training and Standardization Coordinator standardizes each member of the Food Safety field staff on inspection procedures and interpretations in accordance with LLCHD policy and NDA contract. The Training and Standardization Coordinator is standardized by NDA. All Registered Environmental Health Specialists are standardized every two years, and all Environmental Health Specialists I are standardized annually.

**Standard 5 – Foodborne Illness and Defense Preparedness and Response**

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<tr>
<td>11/4/2021- Program SA</td>
<td>Audit from 10/25/2021 allowed per Justin Asberry</td>
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FDA Standard 5 requires the food safety program to have an established system to detect, collect, investigate and respond to complaints and emergencies that involve foodborne illness, injury, and intentional and unintentional food contamination.

LLCHD investigates all complaints and outbreaks associated with any potential foodborne illness. An Epidemiological (EPI) Team approach is used by LLCHD.

Accomplishing compliance with Standard 5 the Food Safety Program maintains a surveillance process for reviewing records for possible trends in food or establishments relative to foodborne illness. Foodborne illness reports are discussed by the food team during its monthly team meeting. If any trends are identified, additional resources are allocated to investigate. Guidance is provided by the Council to Improve Foodborne Outbreak Response (CIFOR) Guidelines for Foodborne Disease Outbreak Response Third Edition published in 2020.

LLCHD assigns all foodborne illness complaints to a lead EPI Environmental Health Specialist. The lead EPI Environmental Health Specialist work is also assigned as the Food Safety Consultant to best identify and resolve risk factors that contribute to foodborne illnesses. This has proved to be a good fit for our program needs.

The AFDO – FDA grant for working on the Standards award included the third self-evaluation and verification audit of Standard 5 in 2021.

### Standard 6 Compliance and Enforcement

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<td>6/11/2018 - Out</td>
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<td>Program SA</td>
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Standard 6 requires the food safety program to demonstrate credible follow-up for each violation noted during an inspection, with particular emphasis being placed on risk factors that most often contribute to foodborne illness and Food Code interventions intended to prevent foodborne illness. The resolution of out-of-compliance risk factors and/or Food Code interventions must be documented in each establishment record.

This standard requires policies for enforcement activities. Current LLCHD policies meet Standard 6 requirements. LLCHD has adequate inspection history using the risk factor inspection form to conduct the required verification for this standard. The Food Safety Program requires a “Plan of Action” form to be submitted by the establishment operator whenever a Notice of Violation or Food Enforcement Notice has been issued.
To meet Standard #6, LLCHD must demonstrate adequate follow-up and resolution for at least 80% of the sampled establishments on risk factor violations that most often contribute to foodborne illness. These violations include:

- Food from Unsafe Sources
- Poor Personal Hygiene
- Inadequate Cooking
- Improper Holding/Time and Temperature
- Contaminated Equipment/Protection from Contamination

Acceptable resolutions include immediate corrective action, issuance of a Notice of Violation (NOV) or Food Enforcement Notice (FEN) supplemented with an Action Plan that is returned to LLCHD, or a follow-up inspection that documents the risk factor violation being corrected.

This Standard was first self-audited in June of 2015. During that audit, LLCHD showed 61% of risk factor violations had adequate follow up. To improve our compliance, emphasis was placed on immediate corrective action and the use of an action plan for these violations to be returned to LLCHD. LLCHD’s Action Plans were modified so that all “Priority Item Violations” would automatically print out when a NOV or FEN was issued and the managers could document a corrective action and return the Action Plan to LLCHD.

A self-audit in summer of 2018 showed significant improvement, with 76% of risk factor violations having adequate follow up. On further analysis, staff determined that some Risk Factor Violations are classified as “Priority Foundation”, not “Priority” and adequate follow up was not being accomplished on these violations. Two examples include soiled food contact surfaces and improper date marking of leftover foods. Since these risk factor violations alone may not be reason enough for the issuance of an NOV or FEN, an action plan was not being automatically generated. The Food Safety Team has discussed this shortcoming and quality improvement changes have been made to reinforce the need for immediate corrective action on Priority and Priority Foundation Violations. Immediate corrective action must be documented as required by Standard 6.

### Standard 7 – Industry and Community Relations

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<td>1/28/2022</td>
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Standard 7 requires the food safety program to solicit a broad spectrum of input from industry and the community, communicate sound public health food safety principles, and foster and recognize community initiatives focused on the reduction of foodborne disease risk factors.
LLCHD continues to meet requirements for Standard 7. This standard lists two sections that must be met:
Industry and Consumer Interaction; and
Educational Outreach.

Compliance includes having a Board of Health, a Food Advisory Committee, ongoing consumer education projects with the University of Nebraska-Lincoln, UNL Extension, Food Manager and Food Handler Permit requirements, Food Protection Manager renewal classes, annual Farmers Market Trainings, Infuse Consultation Program, Take 20! Information, and a LLCHD Food Safety Program website that includes a food inspection ratings dial and a 3 year inspection history for the public.

The Food Advisory Committee provides input and guidance on Food Safety Program policies, proposed Lincoln Food Code revisions, and the Annual FDA Program Standards Report.

LLCHD is currently contracting with UNL’s Food Science and Technology Department to host and provide LLCHD’s online foodhandler training program. In 2019, this training was updated to be compatible with mobile devices. The UNL hosted online program provides the public 24/7 access to food handler training, testing and permitting. In FY2020 and FY2021, 12,337 and 11,893 food employees were trained in safe food handling and obtained their food handler permits through this online training program.

Due to the COVID-19 Pandemic, Food Protection Manager Permit renewal classes have been presented via zoom by Senior EHS Mary Murrieta and assisted by EHS II Matt Husk. These classes are well received by food protection managers as a review of important food safety issues and updates. In person food handler classes resumed in 2021, but attendance is limited to 20 to minimize COVID-19 exposures. Two Prep/Cook classes are offered in Spanish and one Prep/Cook class is offered in English per month. LLCHD continues to collaborate with UNL to enhance the online foodhandler training. LLCHD staff are currently working to translate the training material into the Spanish language.

The LLCHD Food Safety Program web page provides the public with food establishment inspection report information and meets the demand for the public information requests. Each open establishment is statistically rated as above average (top 16%), average (middle 68%) and below average (bottom 16%) for the most recent inspection, and for the average of their inspections completed in the past 3 years. Averages are calculated based on FDA establishment categories (i.e. fast food, full service, large retail store, small retail store, bar, school, etc.). Specific violations and enforcement notice details are provided. Our system of rating establishment inspections as compared to three years of inspections of like facilities has gotten national recognition from FDA, the Conference for Food Protection, and the National Environmental Health Association.

LLCHD’s Food Safety Program website includes links to the online training for food handlers and alcohol server/sellers. Other resources and guidance documents are available for assisting the food industry with educational information needed.
Standard 8 – Program Support and Resources

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Standard 8 requires the food safety program to have resources (budget, staff, equipment, etc.) necessary to support an inspection and surveillance system that is designed to reduce risk factors and other factors known to contribute to foodborne illness and to comply with the FDA Retail Program Standards.

FDA Standard 8 recommends that each full time equivalent (FTE) food inspector have a workload of “280 to 320” inspections per year. The term “inspection” includes routine inspections, re-inspections, complaint investigations, compliance follow up inspections, risk assessment reviews, process reviews, and other direct establishment contact time such as on-site training. Inspections in FY2020 and FY2021 were reduced due to the COVID-19 Pandemic and that data does not accurately reflect the work done by the Food Safety Team. All Food Team Staff were reassigned to fill needed roles of LLCHD’s COVID-19 Pandemic Response. These reassignments included, but were not limited to PPE decontamination, Incident Command, PPE distribution to industry, DHM complaint investigation and enforcement, and assisting the public during mass vaccine clinics. The most recent data that accurately reflects the work by the Food Safety Team directly related to Standard 8 is from FY2019. In FY2019, Food Safety Team staff conducted 2906 total contacts or “inspections.” In FY2019, LLCHD issued 1197 City of Lincoln food establishment permits, in FY2020, 1106, and FY2021, 1147. Adding the State Only food establishments operating in Lancaster County, the total number of food establishments currently in Lancaster County under LLCHD regulation is 1476. In FY19, LLCHD had 6.82 FTE that conducted inspections and provided onsite consultations. However, 0.25 FTE is devoted to training/standardization and another 0.25 FTE is devoted to plan review and information systems. Thus, about 6.32 FTE was devoted to conducting inspections and providing onsite consultations. The estimated workload for LLCHD’s food inspectors per full time equivalent in FY19 was approximately 460 inspections and consultations per FTE.

The Food Safety Team had two staff retire in 2020 and a vacancy. The Food Handler Coordinator position was re-classified to a full time Environmental Health Specialist. LLCHD has applied for grant funding from FDA/NEHA to add capacity of an additional EHS to work towards compliance with this standard.

Annual permit fee adjustments are made near the start of the City’s fiscal year. A Food Establishment Permit renewal fee was increased approximately 3% this year. The food establishment permit fees, food handler/manager permit fees, alcohol server/seller permit fees, and grants fund approximately 90% of the total direct Food Safety Program costs.
All food establishment, food handler and manager permit information is maintained in digital files. The digital system includes documents such as applications, form letters, and reports. The efficiency and accuracy of the food inspection and permit records, and the ability to use file data for reports has been a significant program improvement.

LLCHD expanded our Food Safety Consultant consultation program to include a mandatory consultation process required when the establishment’s last inspection and three-year inspection average ranks as “below average” (lowest 16%) and has violations of FDA identified risk factors. Thus, the poorest performing establishments are required to participate in a consultative process focused on Active Managerial Control to reduce the risk of foodborne illness.

LLCHD is “piloting” Active Managerial Control (AMC) inspection for full-service food establishments. This AMC inspection focuses primarily on the 5 FDA Risk Factors that cause foodborne illnesses. AMC inspections consists of a pre-assessment survey, a sit-down consultation with the manager to discuss established practices and areas for improvement. Lastly, a walk thru inspection of the kitchen that focuses on risk factors is conducted.

**Standard 9 - Program Assessment**

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The food safety program must measure its success in reducing the occurrence of foodborne illness risk factors to enhance food safety and public health in the community. Program management must ensure that:

1. A risk factor study on the occurrence of the five foodborne illness risk factors is conducted and repeated at least once every 60 months to measure trends in the occurrence of the risk factors;
2. An analysis is conducted on the data collected and a report on the outcomes and conclusions of the risk factor study is written; and
3. A targeted intervention strategy designed to address the occurrence of the risk factors(s) identified in the risk factor study is implemented and the effectiveness of such strategy is evaluated.

LLCHD staff created data analysis dashboards to complete and meet this standard. These dashboards show the percent of “out of compliance” violations marked for the FDA Risk Factors most likely to contribute to foodborne illnesses as follows:

- Poor Personal Hygiene
- Unapproved Food Sources
- Cross-Contamination
- Inadequate Cooking
- Improper Food Holding Temperatures
The dashboards also show the risk factor percent “out of compliance” for each of the following facility types:

- Fast Food
- Full-Service
- Elementary Schools
- Hospitals
- Other facility types

The data in the 2017 Risk Factor Study showed that the three most common risk factors found to be out of compliance were:

1. Cross-Contamination
2. Improper Holding Temperatures
3. Poor Personal Hygiene

Standard 9 also requires an intervention strategy to be implemented to address the risk factors found to be out of compliance. As stated earlier, LLCHD has implemented AMC inspections, and a consultation program (INFUSE) to work with the poor performing food establishments that have violations associated with the 5 risk factors that are most likely to contribute to foodborne illnesses. In addition, staff promote the Take 20! program to assist food establishments to implement a new approach to handwashing.

This standard is scheduled to be Self-Assessed and Audit Verified in 2022.
Resolved,

WHEREAS, as public servants, Lincoln-Lancaster County Health Department (LLCHD) officials and employees are stewards of the public trust and shall carry out their duties for the benefit of the people of the City of Lincoln and Lancaster County; and

WHEREAS, lead is an environmental hazard and no safe blood lead level (BLL) in children has been identified - even low levels of lead in blood have been shown to negatively affect a child’s intelligence, ability to pay attention, and academic achievement; and

WHEREAS, protecting children from exposure to lead is important to lifelong good health; and

WHEREAS, exposure to lead can seriously harm a child’s health and cause well-documented adverse effects such as:
- Damage to the brain and nervous system
- Slowed growth and development
- Learning and behavior problems
- Hearing and speech problems

This is known to cause:
- Lower IQ
- Decreased ability to pay attention
- Underperformance in school; and

WHEREAS, in April 2012 the Nebraska Legislature passed the Childhood Lead Poisoning Prevention Act, codified in Neb. Rev. Stat. §§ 71-2513 and 71-2581 requiring the Nebraska Department of Health and Human Services (DHHS) Division of Public Health establish a Lead Poisoning Prevention Program; and

WHEREAS, according to a February 5, 2021, Morbidity and Mortality Weekly Report findings indicate that “during January–May 2020, 34% fewer U.S. children had Blood Lead Levels (BLL) testing compared with those during January–May 2019; and

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1 Decreases in Young Children Who Received Blood Lead Level Testing During COVID-19 — 34 Jurisdictions, January–May 2020 | MMWR (cdc.gov)
WHEREAS, the Center of Disease Control and Prevention (CDC) currently uses a **blood lead reference value** (BLRV) of 3.5 micrograms per deciliter to identify children with blood lead levels that are higher than most children’s levels\(^2\); and

WHEREAS, the American Academy of Pediatrics (AAP) recommends targeted screening for blood lead levels (BLLs) for children ages 12-24 months living in communities with ≥25% of housing built before 1960 or a prevalence of BLLs ≥5 μg/dL of ≥5%; children who live in or visit a home or child care facility with an identified lead hazard; and children living in a home built before 1960 in poor repair or renovated in the past 6 months\(^3\); and

WHEREAS, the CDC and Agency for Toxic Disease Registry have developed a Social Vulnerability Index which reflects the potential negative effects caused by external stresses on human health and children living in census tracts that have higher Social Vulnerability Index ratings are at increased risk of having Elevated Blood Levels; and

WHEREAS, the population of children ages 1-6 years of age, living in Lancaster County in 2021, was 28,839 with 17.5% of the population tested for lead. The population of 1-year olds (2021) was 4,815 with 64.2% unique children tested for lead. The population of 2-year-olds was 5,050 and 30.5% of unique children were tested for lead, the population of 3-6-year-olds was 18,973 and 2.3% of unique children were tested for lead; and

WHEREAS, in Lancaster County between 2018 and 2021, 431 unique children (average of 117 unique children per year) ages 1-6 tested positive for lead above 3.5 μg/dL; and

WHEREAS, children from low income and racial and ethnic minority families are disproportionately exposed to lead from lead based paint in older homes and apartments creating health inequality; and

WHEREAS, the City of Lincoln Urban Development received a grant (2020) for abatement and mitigation of lead in homes where children are tested and have elevated blood lead levels; and

WHEREAS, the LLCHD is funding a 1.0 FTE Senior Environmental Health Specialist to:
- serve as Team Lead in Environmental Public Health for Lead,
- conduct Lead Investigation and Risk Assessments in homes and apartments, and
- collaborate with Community Health Services, Lincoln Urban Development and Lincoln Transportation and Utilities Departments; and

WHEREAS, the LLCHD, Community Health Services Division, has been receiving grant funds since 2017, from DHHS, to provide case management services for children ages 6 and younger

\(^2\) [https://www.cdc.gov/nceh/lead/prevention/blood-lead-levels.htm](https://www.cdc.gov/nceh/lead/prevention/blood-lead-levels.htm);
\(^3\) [https://www.ncbi.nlm.nih.gov/books/NBK540604/table/ch1.tab1/?report=objectonly](https://www.ncbi.nlm.nih.gov/books/NBK540604/table/ch1.tab1/?report=objectonly)
with elevated blood lead levels (EBLLs) ≥5 μg/dL (prior to 2021) and most recently ≥3.5 μg/dL; and

NOW, THEREFORE, BE IT RESOLVED, that the Lincoln-Lancaster County Board of Health does hereby make the following recommendations:

- Consistent with the LLCHD Strategic Plan and the 10 Essential Services of Public Health, LLCHD should:
  - **ASSESS**
    - review lead testing data on an yearly basis, to include but not limited to; percentage of children under age 6 receiving a base line blood lead level test at age 12 months, percentage of children under age 6 receiving a blood lead level test at 24 months and ever year after who meet the criteria (see recommendation from AAP) to assess trend data and identify areas (new and/or ongoing) of concern that need to be addressed; and.
    - monitor the rates of EBLLs, investigate and address Lead exposures, and identify areas of Lincoln and Lancaster County to focus interventions; and
    - develop metrics to track impact/outcomes to lead prevention efforts (i.e., reduction on EBLL, ect.) and connect to Quality Improvement initiatives, and;
  - **DEVELOP POLICIES** to:
    - enhance communication to inform and educate parents and guardians, the medical community, and property owners on the health risks of lead for young children; and
    - develop partnerships and mobilize communities to move toward a Lead-Free Lincoln, with a special focus on working closely with the Lincoln Urban Development Department on their HUD grant and Lincoln Transportation and Utilities on lead service lines serving some homes in older parts of Lincoln; and
    - champion policies and plans that will reduce the risk of lead exposure in young children; and
    - inform property owners and contractors of federal laws and regulations related to lead paint removal
  - **ASSURE**:
    - Follow all CDC Guidance specific to follow-up and case management of children based on initial screening capillary and confirmed venous blood lead levels
    - Follow all Nebraska DHHS specific guidance on Lead Prevention including lead testing recommendations for children, case management support/referrals (i.e., health care, transportation, food access, Early

4 [https://www.cdc.gov/nceh/lead/advisory/acclpp/actions-blls.htm](https://www.cdc.gov/nceh/lead/advisory/acclpp/actions-blls.htm)
Development Network (EDN), etc.) and managing environment health impacts and mitigation efforts\(^5\)

- All parents, guardians and children have equitable access to blood lead testing.
- Trained and knowledgeable work force is available to safely remediate lead in homes and apartments; and
- Lead poisoning prevention efforts and case management are evaluated and improved through QI and Innovation; and
- A strong organizational infrastructure is built and maintained for preventing lead poisoning; and
- Continued collaboration with the Lancaster County Medical Society to provide education/information on importance and frequency of blood lead level testing for children under the age of 6 living in Lancaster County

\(^5\) [https://dhhs.ne.gov/pages/lead.aspx](https://dhhs.ne.gov/pages/lead.aspx)