



Ohio Administrative Code

Rule 1501-6-27 Review of administrative and enforcement activities of counties or municipal corporations which have adopted lake Erie coastal erosion area resolutions or ordinances.

Effective: August 1, 1997

(A) Beginning on the thirty-first day of January following the director's notice that the lake Erie coastal erosion area resolution or ordinance of a county or municipal corporation meets or exceeds the standards of division (B) of section 1506.07 of the Revised Code, and every two years thereafter, the legislative authority of the county or municipal corporation shall submit to the director, on a form provided by the department, a report of the county's or municipal corporation's relevant administrative and enforcement activities during the previous two years.

(B) The department shall review the reports to assure compliance with section 1506.07 of the Revised Code including, but not limited to, verification of the locations of permitted permanent structures relative to coastal erosion areas.

(C) If, at any time, the director determines that a lake Erie coastal erosion area resolution or ordinance adopted by a county or municipal corporation is being inadequately administered or enforced, the director shall so notify the legislative authority of the county or municipal corporation, identifying the scope of the administrative or enforcement deficiencies and the procedure established in paragraph (D) of this rule for the legislative authority's response.

(D) After the director notifies the affected legislative authority of the deficiency, the following procedure shall apply:

(1) Within thirty days of the date of mailing of the director's notice that the resolution or ordinance is being inadequately administered or enforced, the legislative authority of the county or municipal corporation shall respond, in writing, to the director, addressing the identified deficiencies and describing with specificity any proposed remedies thereto.

(2) Within thirty days of the date of mailing of the written response from the legislative authority of the county or municipal corporation, the director shall make a final determination as to whether or



not the legislative authority's response adequately addresses the identified deficiencies and provides for their correction.

(3) If the director makes a final determination that a lake Erie coastal erosion area resolution or ordinance is being inadequately administered or enforced by a county or municipal corporation, the permit requirements of division (B) of section 1506.07 of the Revised Code shall be reinstated within the territory of the affected county or municipal corporation.

(4) During any period in which the director has determined that a lake Erie coastal erosion area resolution or ordinance adopted by a county or municipal corporation is being inadequately administered or enforced, all applications to erect, construct, or redevelop a permanent structure in a lake Erie coastal erosion area shall be subject to joint review by the director and the county or municipal corporation. During this period, the county or municipal corporation shall not issue any permit for construction, erection, or redevelopment of a permanent structure which lies or will lie, in whole or in part, in a lake Erie coastal erosion area without the specific written approval of the director. The period of joint review shall commence on the fifth day after the date of mailing of the director's notice of deficiency and shall be effective until such time as the director is satisfied that any identified deficiencies have been adequately addressed by the legislative authority of the county or municipal corporation.