



Ohio Administrative Code

Rule 1501:46-12-13 Removal of unauthorized docks.

Effective: July 16, 2021

Where any dock, tie-up space or superaqueous structure has been constructed or is in any stage of construction over any waters of the division without a dock construction permit having been issued, or where a current year dock tag is not displayed or where a current or past dock fee has not been paid, the chief or his designee may request the builder or owner to remove such unauthorized dock, tie-up space or superaqueous structure from the waters of the division.

(A) The chief or his designee shall issue written notice to the builder or owner of the unauthorized dock or superaqueous structure requesting removal thereof within a reasonable period of time designated by the chief.

(B) In the event compliance is not made by the builder or owner to the written notice requesting removal of the unauthorized dock, tie-up space or superaqueous structure, or when a reasonable attempt has been made to contact the builder or owner, the division is empowered to remove such unauthorized dock, tie-up space or superaqueous structure from state waters at the expiration of the reasonable period of time designated by the chief for such removal by the builder or owner.

(C) The division shall use ordinary care in removing such unauthorized docks, tie-up spaces or superaqueous structures and any or all materials used in the construction of such docks, tie-up spaces or superaqueous structures, except nails and/or bolts, may be redeemed by the builder or owner within thirty days from date of removal, upon payment of a fee not to exceed the actual cost of removal by the division. Otherwise, all materials shall be retained by the division as reimbursement for costs incurred in such removal.
