



Ohio Administrative Code

Rule 3701-26-02 Responsibilities of the director of health.

Effective: April 1, 2016

(A) Forms. The director shall approve forms to be used by the department and licenser for plan approvals, construction verification inspections and compliance inspections.

(B) State program license fees. The director shall ensure that a fee of one hundred ten dollars is collected for every annual license issued. The fees shall be used for administration and enforcement of this chapter.

(C) Plan review. The director shall, within thirty days of receiving a complete plan review package for review, either approve or disapprove the plans or, in the case of incomplete plans, request additional information. If the director requests additional information, the director shall approve or disapprove the plans within thirty days after receiving the additional requested information. If the director does not receive a response to the request for additional information within forty-five days of the request, the plan review package shall be disapproved.

(1) Plan approval. Except as otherwise provided in this rule, a plan approval issued by the director for a campground under this rule shall be valid for two years after the date on which the director issues the approval. The director may grant one extension for a specified period of time if the director finds that the applicant for plan review has made a good faith effort to complete the construction, expansion or substantial alteration of the campground. A request for an extension shall be filed with the director in writing before the expiration of the two-year period.

(2) Plan expiration. If the construction, expansion or substantial alteration has not been completed within the two-year period or within the limit of any extension granted under paragraph (C)(1) of this rule, the plans shall be resubmitted in accordance with paragraph (C) of this rule.

(3) Retention period. Approved plans, including applicable forms, documents and relevant correspondence shall be kept by the reviewing agency for a minimum of two years after the project is approved as complete.



(4) Plan disapproval. The director may disapprove plans if the applicant for plan approval fails to comply with, or the proposed construction or substantial alteration would not comply with, any requirement of sections 3729.01 to 3729.13 of the Revised Code or this chapter.

(5) Hearing request. Any person aggrieved by the director's disapproval of plans under this rule may, within thirty days following receipt of the director's notice of disapproval, request a hearing on the matter. The hearing shall be held in accordance with Chapter 119. of the Revised Code and may be appealed in the manner provided in that chapter.

(D) Plan verification construction inspections.

(1) The owner or operator of a proposed campground for which plans have been approved in accordance with paragraph (C) of this rule shall notify the director when construction or substantial alteration of the campground has been completed but before the area has been placed into operation.

(2) The director shall conduct the inspection within five business days of the notification required by paragraph (D)(1) of this rule. The director shall inspect new construction or substantial alteration in a campground to ensure that it is consistent with this chapter and the plans submitted and approved under this chapter. A newly constructed campground shall be inspected prior to the issuance of the initial license to operate. Construction or substantial alteration in an existing and licensed campground shall be inspected before these portions of the campground are placed into operation.

(3) The director may conduct inspections at any reasonable time and may conduct more than one inspection at any stage during the construction or substantial alteration of a campground to verify that it is consistent with the approved plans. The director may require the owner or operator of a campground to provide written assurance from an Ohio registered professional engineer that any of the electrical, water supply, and sewerage systems were completed in accordance with the approved plans.

(E) Surveys of health districts; list of approved districts. The director may survey each health district that licenses campgrounds annually, or at least every three years, to determine whether or not the health district is in substantial compliance with this chapter and the rules adopted thereunder. If the



director determines that a health district is in substantial compliance, the health district shall be placed on an approved health district licensing list. The director shall, as determined necessary, conduct additional surveys of health districts and shall remove from the approved health district licensing list any health district not in substantial compliance with this chapter and the rules adopted thereunder.

(1) Noncompliance. If the director determines that a health district is not eligible to be placed on the approved health district licensing list, the director shall certify the same to the board of health of the health district and shall perform the duties of the health district in that area until the health district is eligible for placement on the approved list. All fees payable to the health district during the time that the director performs the duties of the health district and all other such fees that have not been expended or otherwise encumbered shall be deposited by the director in the state treasury to the credit of the general operations fund created by section 3701.83 of the Revised Code, to be used by the director in his or her capacity as a licensor. The director shall keep a record of the fees so deposited and, when the health district is placed on the approved list, shall transfer any remaining balance of the fees to the health district campground fund created under section 3729.07 of the Revised Code.

(2) Survey reports shall be sent to the board of health within sixty days of the survey being completed.