



Ohio Administrative Code

Rule 5501:1-10-13 Enforcement procedures; violations.

Effective: July 10, 1999

(A) The director of the department of transportation delegates responsibility to the administrator of the office of aviation to determine whether violations of the applicable statutes, rules, orders and permits have occurred or are threatened. The office shall investigate violations or threat of violation of the statutes, rules, orders and permits.

(B) If the administrator has reason to believe that any person is commencing to install a structure or object of natural growth for which a permit appears to be required but for which no application has been filed, the administrator may:

(1) Notify such person to appear at a hearing and show cause why a permit is not needed or why an order should not be issued by the administrator to cease and desist from such violation, or;

(2) When immediate action is needed, institute an action in a court of competent jurisdiction to prevent, restrain, correct, or abate any violation or threatened violation of sections 4561.30 to 4561.39 of the Revised Code or any rule adopted or order issued thereunder.

(C) Notices to show cause shall be sent by certified mail, return receipt requested, to the person who owns or controls the structure or land. The notice shall state the location, type of structure and the reasons the structure should have a permit, or is in violation of the statutes, rules, orders or permits of the office and may request that the structure be removed or the violation be corrected voluntarily within a reasonable amount of time. The notice shall also state a date and time for the show cause hearing. All such hearings shall be conducted in accordance with sections 119.01 to 119.13 of the revised code.

(D) If, upon such hearing, the administrator finds that the structure or object of natural growth is subject to permit under the applicable statutes and rules, the administrator shall issue and cause to be served upon the person to whom the notice was directed an order setting forth findings and conclusions. The administrator may direct that the person cease and desist from installing such



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DOCUMENT #276154

structures or objects of natural growth. A cease and desist order issued under this rule shall be enforceable and may be appealed pursuant to section 119.12 of the Revised Code.