



Ohio Administrative Code

Rule 5501:1-8-07 Approval and denial of applications, modifications, and renewals.

Effective: October 31, 2019

The office shall grant or deny a permit pursuant to section 4561.34 of the Revised Code. The terms and conditions will be specified pursuant to section 4561.35 of the Revised Code.

(A) An FAA objection, determination of a presumed hazard, or determination of hazard can be used as sufficient evidence for denial of a permit.

(B) The office shall issue a written notification to all impacted airports that have a commercial operating certificate or certificate issued by the FAA under 14 C.F.R. Part 139, as amended, and shall consider any written opinion submitted by an impacted airport. The office reserves the right to reject any recommendations of the FAA, impacted airport or other government body after final consideration of the application. However, the office shall state the reasons, in writing, for the determination in each case.

(C) If a permit is denied, the notice shall be sent by certified mail, return receipt requested and shall inform the applicant of their right to request a hearing pursuant to Chapter 119. of the Revised Code. Any request for a hearing must be filed with the administrator within thirty days of the receipt of the written notice. The office shall copy all impacted airports that have a commercial operating certificate or certificate issued by the FAA under 14 C.F.R. Part 139, as amended, on all permit denials.

(D) If a permit or permit with waiver is approved, it shall expire on the same date that the FAA's determination of no hazard expires. If the FAA grants an extension, the office shall also grant an extension for the same period of time.

(E) Upon the written request of the applicant, and if there are no changes to the approved permit or permit with waiver, the permit may be renewed in writing for an additional period of time at the discretion of the administrator.



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(F) If there are changes or any amendments to the approved permit, a new application shall be submitted.