

3701-26-03 Responsibilities of the licensor.

- (A) Pre-licensure requirements. Prior to issuing a license to operate a newly constructed, substantially altered or existing unlicensed campground, the licensor shall determine that plans have been approved in accordance with paragraph (C)(1) of rule 3701-26-02 of the Administrative Code and that all plan verification construction inspections have been completed in accordance with paragraph (D)(2) of rule 3701-26-02 of the Administrative Code.
- (B) Location evaluation. Within twenty-one days of a request, the licensor shall evaluate the location for a newly constructed, substantially altered or existing unlicensed campground and prepare and sign a report on a form prescribed by the director. The report shall contain information about the location including but not limited to: topography, soil conditions, previous uses and available utilities.
- (C) Initial license inspections. Before a license is initially issued, the licensor shall cause each campground to be inspected relative to compliance with sections 3729.01 to 3729.13 of the Revised Code and rules 3701-26-01 to 3701-26-04 of the Administrative Code. A record shall be made of each inspection on a form provided or approved by the director.
- (D) Licensing. The licensor shall process complete applications to operate a campground, other than a temporary campground, within thirty days of receipt. The licensor shall either issue a license or request additional information from the applicant.
 - (1) License renewal. Applications for license renewal shall be received in April. Applications received after April thirtieth of each year shall be assessed a penalty as authorized by section 3709.09 of the Revised Code. The penalty shall accompany the license fee. If the last day of April is not a business day, the penalty attaches upon the close of business on the next business day.
 - (2) License transfer. No person who has received a license, upon the sale or disposition of the campground, may have the license transferred to the new operator. A person shall obtain a separate license to operate each campground.
 - (3) Denial, suspension, revocation. The licensor of the district in which a campground is located, or is to be located, in accordance with Chapter 119. of the Revised Code, may refuse to grant, suspend or revoke any license granted to any person for failure to comply with any rule of Chapter 3701-26 of the Administrative Code.
 - (4) Temporary campground license. The licensor shall issue a temporary campground license when a proper and complete application as required in rule 3701-26-05(C)(10) has been presented. No temporary campground license shall be valid for more than seven consecutive days. No tract of land shall be permitted for use as a temporary campground for more than twenty-one days per calendar year.
- (E) The licensor shall determine the licensed capacity of a campground based upon the number of sites that the director or the licensor, as applicable, has verified as complying with the approved plans.

- (F) Compliance inspections. The licensor shall annually inspect every campground to determine compliance with Chapter 3729. of the Revised Code and this chapter. A licensor may inspect a campground anytime it is open to the public. To the extent practical, inspections shall be conducted during normal business hours.
- (G) Temporary campground plan review requirements.
 - (1) Plan review for temporary campgrounds. The licensor shall review plans for temporary campgrounds and either approve or disapprove the plans. The licensor may request additional information or return incomplete plans to the applicant. The licensor may waive the requirement for submission, review and approval of plans under this paragraph and for the location evaluation required by paragraph (B) of rule 3701-26-05 of the Administrative Code if both of the following apply:
 - (a) The plans for the temporary campgrounds were reviewed and approved less than two years before the proposed opening of the campground; and
 - (b) The information required to be submitted at that time has not changed since the campground was last licensed.
 - (2) Plan disapproval. The licensor may disapprove plans if the applicant for plan approval fails to comply with, or the proposed temporary campground would not comply with, any requirement of sections 3729.01 to 3729.13 of the Revised Code or this chapter.
 - (3) Hearing request. Any person aggrieved by the licensor's disapproval of plans under this rule may, within thirty days following receipt of the licensor'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.
- (H) Temporary campground inspections. When a license is initially issued, and more often if necessary, the licensor shall cause each temporary campground to be inspected relative to compliance with sections 3729.01 to 3729.13 of the Revised Code and the applicable provisions of rules 3701-26-01 to 3701-26-05 of the Administrative Code, during the period that the temporary campground is in operation. A record shall be made of each inspection on a form provided or approved by the director.
- (I) The licensor of any campground, other than a temporary campground, may charge an annual fee that is in accordance with section 3709.09 of the Revised Code for the right to operate the campground. The fee shall include the cost of licensing and all inspections. In determining the amount of the annual fee, the licensor shall use the following categories:
 - (1) Campgrounds with fifty or fewer sites;
 - (2) Campgrounds with more than fifty sites. These campgrounds shall be charged the fee determined in paragraph (I)(1) of this rule plus an additional amount for each individual site in excess of fifty.
- (J) The licensor of a temporary campground may charge a per event fee that is in accordance with section 3709.09 of the Revised Code for the right to operate a temporary campground. The fee shall be in accordance with paragraphs (I)(1) and

(I)(2) of this rule and shall include the cost of licensing and all inspections.

- (K) Except for the fee for a temporary campground license, the annual fee shall include the amount specified in paragraph (B) of rule 3701-26-02 of the Administrative Code. The licensor shall collect and transmit the amount required in paragraph (B) of rule 3701-26-02 of the Administrative Code to the treasurer of the state to be deposited in the general operations fund created in section 3701.83 of the Revised Code within forty-five days after the end of the quarter in which it is collected. The licensor is not required to provide notice or hold public hearings regarding the amount to be collected and transmitted pursuant to this paragraph.
- (L) The licensor may charge additional reasonable fees for the collection and bacteriological examinations of any necessary water samples taken from a campground.

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CERTIFIED ELECTRONICALLY

Certification

01/14/2016

Date

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