AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
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Ohio Administrative Code

Rule 1501-2-10 Appeal procedures.

Effective: November 6, 2026

(A) No denial of an application for permit or a revocation of permit, shall be valid unless the applicant is afforded the opportunity for a hearing pursuant to sections 119.01 to 119.13 of the Revised Code. The date set for such a hearing shall be within fifteen days but no earlier than seven days after the applicant has requested a hearing, unless otherwise agreed to by both the chief and the applicant.

(B) Upon the denial of an application, the applicant shall be notified of their right to a hearing. Such notice shall be given by registered mail, return receipt requested, and shall include the charges or other reasons for such proposed action, the law or rule directly involved, and a statement informing the applicant that they are entitled to a hearing if they request it within thirty days of the time of mailing the notice. The notice shall also inform the appliacnt that at the hearing they may appear in person, may be represented by their attorney, or by such other representative as is permitted to practice before the agency, or may present their position, arguments or contentions in writing and that at the hearing the applicant may present evidence and examine witnesses appearing for and against them. A copy of this notice shall be mailed to attorneys or other representatives of record representing the applicant.

(C) At such hearing the chief may grant a motion to intervene. A motion to intervene may be filed by any person claiming a right to intervene or having an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the processing is sought. Such right or interest may be a right conferred by statute; an interest which may be directly affected and which is not adequately represented by existing parties; and any other interest of such nature that may be in the public's interest. A person may be denied intervention in such matter when the movant fails in a timely manner to do so, when the movant's participation will not assist in the determination of the issues in question, or when the intervention will unnecessarily delay the hearing.

(D) Any party adversely affected by a denial or revocation of a permit by the chief issued pursuant to adjudication may appeal to the court of common pleas of Franklin County. Any such notice of appeal shall be filed within fifteen days after the mailing of notice of the chief's order.

(E) The filing of the appeal does not automatically stay the effectiveness of the orders of the chief, and until such time as the orders are reversed or otherwise declared unlawful, or a stay of the orders is granted by the court, the orders shall remain in full force and effect.