



Ohio Administrative Code

Rule 1513-3-22 Appeals from commission decisions.

Effective: November 1, 2018

(A) Any party aggrieved or adversely affected by a decision of the reclamation commission:

(1) In actions involving coal mining and reclamation brought under Chapter 1513. of the Revised Code may seek review of a commission decision in the court of appeals for the county in which the activity addressed by the decision of the commission occurred, is occurring, or will occur, or

(2) In actions involving industrial minerals mining and reclamation and brought under Chapter 1514. of the Revised Code may seek review of a commission decision in the court of common pleas in the county where the operation addressed by the decision of the commission is located or in the Franklin county court of common pleas.

(B) Appeals must be filed within thirty days of the issuance of the decision by the commission.

(C) Appeals of commission decisions shall be filed in accordance with the provisions of the Ohio Rules of Appellate Procedure.

(D) To perfect an appeal of a commission decision, the appealing party shall:

(1) File a notice of appeal with the commission within the time allowed for appeal;

(2) Serve a copy of the notice of appeal to each party, or its counsel, at the last known address; and

(3) File a directive with the office of the commission requesting the transmission of the complete record of proceedings before the commission to the appropriate appellate court. The commission shall control the transcription and transmission of the record.

(E) A notice of appeal from a commission decision shall:



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- (1) Identify the party appealing;
 - (2) Identify and attach the decision of the commission being appealed;
 - (3) Identify the case number assigned to the matter by the commission; and
 - (4) Identify the court to which the appeal is taken.
- (F) The expense of transcribing the record of a hearing before the commission shall be borne by the party appealing the decision of the commission.
- (G) All matters remanded to the commission shall be disposed of in accordance with the order of the reviewing court.