



Ohio Revised Code

Section 1546.32 Rocky Fork state park permits.

Effective: October 3, 2023

Legislation: House Bill 33 - 135th General Assembly

(A) As used in this section:

(1) "Property owner" means the owner of property adjacent to state park lands that abut a state park lake.

(2) "State park lake" means a lake originally constructed for economic development purposes that is located in a state park that is situated in a county with a population under fifty thousand residents in accordance with the most recent federal decennial census.

(B) The chief of the division of parks and watercraft shall establish a program for the issuance of permits to property owners who seek to do any of the following:

(1) Construct or acquire and maintain a dock on and abutting a state park lake;

(2) Mow state park land that is located between a state park lake and the owner's property;

(3) Remove trees from state park land that is located between a state park lake and the owner's property;

(4) Control the undergrowth or remove invasive species of plants or trees on state park property that is located between a state park lake and the owner's property.

(C)(1) If a property owner seeks to construct or acquire and maintain a dock, the property owner shall apply for a dock permit to the chief. The chief shall issue such a permit after application is so made on forms prescribed by the chief unless the dock does not meet standards the chief establishes for docks under the program.

(2) The chief shall allow adjoining property owners to submit an application to construct one dock



with multiple watercraft slips that serves all such property owners. Each property owner shall individually pay the annual dock and slip fees applicable to each property owner under division (C)(7) of this section.

(3) A permittee shall maintain the dock in accordance with any maintenance standards established by the chief.

(4) The chief shall allow a dock permittee to install a cover for the permittee's dock upon request of the permittee. The installation and maintenance of the cover is the responsibility of the permittee. The permittee shall ensure that the dock cover consists of a metal roof that is painted green or white and is maintained in good repair.

(5) The chief shall allow a dock permittee to install electricity on the permittee's dock upon request of the permittee. The installation and maintenance of the electricity is the responsibility of the permittee. A permittee that intends to install electricity shall include with a request for electricity an aerial map from the county auditor's web site that shows the path of the electric line to be installed. The chief shall approve the path of the electric line. The permittee shall ensure that all of the following apply to the electric service:

(a) The electric service is installed by a licensed contractor.

(b) The electrical service to the dock is placed in conduit.

(c) A disconnect box is installed at the dock.

(d) A disconnect box is installed at the property meter at the origin of service.

Upon installation of the electric service, the dock permittee shall return the state park property to its original condition prior to such installation, ensuring that the trench is filled and level to the surrounding area and that the disturbed area is seeded and covered with a material to reduce possible erosion. Only one electric service shall be installed per dock location.

(6) The chief shall allow adjoining dock permittees to construct a motor vehicle access path to their



dock or docks upon request of all such permittees. Such access path shall be constructed only with natural materials and maintained with natural materials that are not permanent in nature. Adjoining permittees that intend to construct an access path shall include with the request an aerial photo from the county auditor's web site that indicates where the proposed path will be located and a photo of any motor vehicle that the permittees intend to use to access the dock. Such a motor vehicle shall weigh not more than two thousand five hundred pounds and shall have a power source of not more than 899cc. The chief shall approve and issue an annual sticker for each motor vehicle that the permittees intend to use on the access path. If a permittee uses a motor vehicle that is not approved by the chief, the chief shall revoke any stickers issued to the permittee and may fine the permittee up to five hundred dollars.

(7) The chief shall charge all of the following fees, as applicable:

Dock permit application	\$100
Annual dock permit - one dock slip included	\$120
Each additional annual dock slip charge added to a dock permit	\$95
Annual dock covering charge	\$25
Request to install electricity on the dock	\$100
Annual electricity charge	\$25
Annual access path sticker for each motorized vehicle	\$25

(8) Divisions (C)(1) to (7) of this section do not apply to any property owner who, before the effective date of this section, has lawfully constructed or acquired a dock.

(D) A property owner whose property is adjacent to state park land that abuts a state park lake who seeks to mow any portion of the state park land may apply to the chief for a mowing permit. The chief shall issue such a permit after application is so made on forms prescribed by the chief. The property owner shall include with the application an aerial map from the county auditor's web site that indicates the area the property owner seeks to mow. The chief may deny mowing access in areas that currently show signs of substantial soil erosion that impacts the state park lake. A mowing permit does not grant any authority to remove live trees on the state park land. Each mowing permit is valid for one year.



The chief shall charge an annual mowing permit fee in the amount of twenty-five dollars.

(E) A property owner whose property is adjacent to state park land that abuts a state park lake who seeks to remove trees on the state park land that have fallen and that are deemed hazardous, or that are dead and pose a hazard to other trees, may apply to the chief for a tree removal permit. The chief shall issue such a permit after application is so made on forms prescribed by the chief. If a property owner makes an application to remove a standing tree, a park official shall inspect and mark any tree that is to be removed prior to the chief issuing a permit. The permittee shall remove only those standing trees so marked by the park official. The permittee shall pay all costs associated with the removal of such trees.

The chief shall not charge an applicant for the issuance of a tree removal permit.

(F)(1) If a property owner whose property is adjacent to state park land that abuts a state park lake seeks to assist the state in the control of undergrowth on the state park land or engage in the removal of invasive plant or tree species on the state park land, the property owner may apply to the chief for an undergrowth and invasive species removal permit. The chief shall issue such a permit after application is so made on forms prescribed by the chief. If a property owner makes an application for an undergrowth and invasive species removal permit, a park official shall, prior to the chief issuing such permit, inspect the proposed area to determine which trees or plants shall be removed under the terms of the permit. The permittee shall pay all costs associated with the removal and disposal of undergrowth or invasive trees or plants.

(2) An undergrowth and invasive species removal permit shall not allow for the removal of any live tree. If a permittee removes a live tree, all of the following apply:

(a) The chief shall revoke any undergrowth and invasive species permit issued to the permittee.

(b) The chief shall fine the permittee up to five hundred dollars per tree.

(c) The permittee is liable to the state for the full value of the removed tree and for any other damages that are available under law.



(3) The chief shall not charge an applicant for the issuance of an undergrowth and invasive species removal permit.

(4) After the permittee exercises the rights granted under an undergrowth and invasive species removal permit, the permittee may apply for a mowing permit in accordance with division (D) of this section to maintain the area to prevent the undergrowth or the invasive tree or plant from growing back.

(G) Any fees or fines collected by the chief under this section shall be deposited into the state park fund created in section 1546.21 of the Revised Code.

(H)(1) No property owner whose property is adjacent to state park land may purposely alter, modify, or destroy state park land that abuts a state park lake, except in accordance with the permits authorized under this section.

(2) The chief may fine any property owner who violates division (H)(1) of this section in an amount equal to the amount of damage caused or all costs incurred in remediating the alteration, modification, or destruction in addition to a penal sum of up to five thousand dollars. The amount of any fine beyond that needed to cover damage caused or costs incurred in remediation may equal, but shall not exceed, the amount charged for damage or remediation. In addition, any permit currently held or any applied for by the property owner shall be revoked or denied for a period of two years for the first offense, three years for the second offense, and five years for the third and any subsequent offense.