

4781-12-07.1

Flood plain management development permits.

- (A) No person shall cause development to occur or cause the replacement of a manufactured home that is located within any portion of a manufactured home park that is located within a one hundred year flood plain unless the person first obtains a permit from the commission. If the development for which a permit is required under this paragraph is to occur on a lot where a manufactured home is or is to be located, the owner and the operator shall jointly obtain a permit. Each of the persons to whom a permit is jointly issued is responsible for compliance with the provisions of the approved permit that are applicable to that person. No permit is required under this rule for the construction, erection, or manufacture of any building to which section 3781.06 of the Revised Code applies.
- (B) If a manufactured home that is located in a one hundred year flood plain is substantially damaged as defined in paragraph (Z) of rule 4781-12-01 of the Administrative Code, the owner shall make all alterations, repairs, or changes to the manufactured home and the operator shall make all alterations, repairs, changes to the lot on which the manufactured home is located that are necessary to ensure compliance with sections 4781.26 to 4781.35 of the Revised Code and this chapter. Such alterations, repairs, or changes may include, without limitation, removal of the manufactured home or other structures. No person shall cause to be performed any alteration, repair, or change unless the person first obtains a permit from the commission. The owner and the operator shall jointly obtain the permit required by this paragraph. Each of the persons to whom a permit is jointly issued is responsible for compliance with the provisions of the approved permit that are applicable to that person.
- (C) An application for a permit shall be accompanied by a check in the amount of the fee determined in accordance with paragraph (D) of this rule. The application shall be made to the commission on a form prescribed by the commission which shall include the following information:
- (1) Identifying information about the applicants including the name and address of the manufactured home park, and the names and addresses of the applicants;
 - (2) The lot number of the lot to be developed, altered, repaired, or changed under the permit;
 - (3) The person, if known, who will perform the development, alteration, repair, or change;
 - (4) A description of the specific type of development, alteration, repair, or change to be performed;
 - (5) The technical information relative to elevations, type of fill materials, and methods of anchoring, blocking, elevating, or supporting the manufactured home, the free-standing auxiliary buildings, and any room additions or other

accessory structures connected to the manufactured home;

- (6) The method of preventing flotation or lateral movement by flood waters of service facilities such as electrical, heating, and cooling systems; and
- (7) The method of minimizing or eliminating infiltration of flood waters into the water system and sanitary sewerage system and method of minimizing or eliminating discharges from the sanitary sewerage system into flood waters.
- (D) The fee for the issuance of a permit under paragraph (A) or (B) of this rule shall be one hundred twenty dollars, except that when the permit is issued for development, alteration, repair, or change for which a plan review is also required under rule 4781-12-05 of the Administrative Code, the fee shall be a total of fifty dollars for all development reviewed in the plans without reference to the number of lots involved in the development.
- (E) Except as provided in paragraph (F) of this rule, a permit issued under paragraph (A) or (B) of this rule shall be valid for one year from the date of issuance of the permit. The commission may grant one extension of ninety days if he finds that the person granted the permit has failed to complete the development, replacement, alteration, repair, or change for reasons beyond his control.
- (F) A permit issued for development, alteration, repair, or change for which a plan review is also required under rule 4781-12-05 of the Administrative Code shall be valid for a period of time equal to the time for which approved plans are valid including any extensions granted by the commission under paragraph (D) of rule 4781-12-05 of the Administrative Code.
- (G) The commission shall disapprove an application for a permit required under paragraph (A) or (B) of this rule unless the commission finds that the proposed development, replacement, alteration, repair, or change complies with sections 4781.26 to 4781.35 of the Revised Code and this chapter.
- (H) The commission may suspend or revoke a permit issued under this rule for failure to comply with the approved permit, sections 4781.25 to 4781.35 of the Revised Code or this chapter.
- (I) Any person aggrieved by the disapproval, suspension, or revocation of a permit under this rule by the commission may request a hearing on the matter within thirty days after receipt of the notice of the disapproval, suspension, or revocation. The hearing shall be held in accordance with Chapter 119. of the Revised Code.

Replaces: 3701-27-07.2
Effective: 12/01/2012
R.C. 119.032 review dates: 12/01/2017

CERTIFIED ELECTRONICALLY

Certification

11/20/2012

Date

Promulgated Under: 119.03
Statutory Authority: 4781.04, 4781.26
Rule Amplifies: 4781.33, 4781.34
Prior Effective Dates: 11/13/1992