

3701-26-01 Definitions.

- (A) "ASSE" means the American society of sanitary engineering.
- (B) "Backflow" has the same meaning as set forth in rule 4101:3-2-01 of the Administrative Code.
- (C) "Campground" collectively means a combined park-camp, recreation camp, recreational vehicle park and temporary campground unless otherwise specifically identified.
- (D) "Combined park-camp" means any tract of land upon which a combination of five or more self-contained recreational vehicles or portable camping units are placed and includes any roadway, building, structure, vehicle or enclosure used or intended for use as part of the park facilities. A tract of land that is subdivided for lease or other contract of the individual sites is a combined park-camp if a combination of five or more recreational vehicles or portable camping units are placed on it for recreation, vacation or business purposes. "Combined park-camp" does not include any tract of land used solely for the storage or display for sale of self-contained recreational vehicles or portable camping units or solely as a temporary park-camp.
- (E) "Dependent recreational vehicle" means a recreational vehicle other than a self-contained recreational vehicle and does not include a manufactured home or a mobile home.
- (F) "Director" means the director of health or the director's authorized representative.
- (G) "Domestic septage" has the same meaning as set forth in section 3718.01 of the Revised Code.
- (H) "Dump station" means a facility designed to receive the contents from sewage holding tanks or self-contained recreational vehicles and may include both of the following:
 - (1) The components necessary for collecting and holding the sewage wastes; and
 - (2) The water service used for flushing vehicle sewage holding tanks and adjacent dump station areas.
- (I) "Electrical system" means the wiring and utility service site connection from each recreational vehicle or portable camping unit, any other service connections, any service building and all parts of a distribution system connected to the service line entering the park or camp.
- (J) "Gray water recycling systems" has the meaning set forth in section 3718.01 of the Revised Code.
- (K) "Human consumption" means ingestion or absorption of water or water vapor as the result of drinking, cooking, dishwashing, handwashing, bathing, showering or oral hygiene or other domestic uses such as flushing toilets or doing laundry.
- (L) "Licensed contractor" means an individual licensed under section 4740.06 of the Revised Code and is certified to perform electrical work.

- (M) "Licensee" means the person specified on the application for a license to operate or maintain a campground and to whom a currently valid license has been issued by the licensor.
- (N) "Licensor" means either the board of health of a city or general health district or the authority having the duties of a board of health in any city as authorized by section 3709.05 of the Revised Code or the director when required under division (B) of section 3729.06 of the Revised Code. "Licensor" also means an authorized representative of any of those entities.
- (O) "Manufactured home" has the meaning set forth in section 3781.06 of the Revised Code.
- (P) "Mobile home" has the meaning set forth in section 4501.01 of the Revised Code.
- (Q) "One hundred year flood" means a flood having a one percent chance of being equaled or exceeded in any given year.
- (R) "One hundred year flood plain" means that area adjoining any river, stream, watercourse or lake that has been or may be inundated by a one hundred year flood.
- (S) "Person" has the same meaning as in section 1.59 of the Revised Code and also includes this state, any political subdivision of this state and any other state or local body of this state.
- (T) "Potable water" means water which is satisfactory for all drinking, culinary and domestic purposes, including flushing toilets and doing laundry.
- (U) "Portable camping units" means dependent recreational vehicles, tents, portable sleeping equipment and similar camping equipment used for travel, recreation, vacation or business purposes and does not include a manufactured home or a mobile home.
- (V) "Portable toilet" means a waterless toilet with a tank that typically contains a chemical to limit decomposition of non-water-carried human excreta during storage prior to pumping.
- (W) "Private water system" has the same meaning as in section 3701.344 of the Revised Code.
- (X) "Privy" means a self-contained waterless toilet used for disposal of non water-carried human excreta that consists of a shelter built above an approved tank installed in the ground into which human excreta is deposited.
- (Y) "Public water supply system" has the same meaning as in section 6109.01 of the Revised Code.
- (Z) "Recreation camp" means any tract of land upon which five or more portable camping units are placed and includes any roadway, building, structure, vehicle or enclosure used or intended for use as part of the facilities of such camp. A tract of land that is subdivided for lease or other contract of the individual sites is a recreation camp if five or more portable camping units are placed on it for recreation, vacation or business purposes. "Recreation camp" does not include any tract of land used solely for the storage or display for sale of dependent recreational

vehicles or used solely as a temporary park-camp.

- (AA) "Recreational vehicle" has the meaning set forth in section 4501.01 of the Revised Code and does not include a manufactured home or mobile home.
- (BB) "Recreational vehicle park" means any tract of land used for parking five or more self-contained recreational vehicles and includes any roadway, building, structure, vehicle or enclosure used or intended for use as part of the park facilities and any tract of land that is subdivided for lease or other contract of the individual sites for the express or implied purpose of placing self-contained recreational vehicles for recreation, vacation or business. "Recreational vehicle park" does not include any tract of land used solely for the storage or display for sale of self-contained recreational vehicles or solely as a temporary park-camp.
- (CC) "Self-contained recreational vehicle" means a recreational vehicle which can operate independent of connections to sewer and water and has plumbing fixtures or appliances all of which are connected to sewage holding tanks located within the vehicle and does not include a manufactured home or a mobile home as defined in section 3781.06 or 4501.01 of the Revised Code.
- (DD) "Septage hauler" has the same meaning as in section 3718.01 of the Revised Code and is registered by the local health district.
- (EE) "Sewage" means liquid waste containing animal or vegetable matter in suspension or solution that originates from humans and human activities. Sewage includes liquids containing household chemicals in solution commonly discharged from a residence or from commercial, institutional, or other similar facilities.
- (FF) "Sewerage system" has the same meaning as set forth in section 6111.01 of the Revised Code..
- (GG) "Site" means a location within a campground where self-contained recreational vehicles or portable camping units are placed.
- (HH) "Solid wastes" has the same meaning as set forth in rule 3745-27-01 of the Administrative Code.
- (II) "Substantially alter" means a change in the layout or design of a recreational vehicle park, recreation camp, combined park-camp, or temporary park-camp, including, without limitation, the movement of utilities or changes in established streets, lots, sites or in other facilities.
- (JJ) "Temporary campground" means any tract of land used for a period not to exceed a total of twenty-one days per calendar year for the purpose of parking five or more recreational vehicles, dependent recreational vehicles or portable camping units or any combination thereof, for one or more periods of time that do not exceed seven consecutive days or parts thereof.

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Five Year Review (FYR) Dates: 11/09/2015 and 04/01/2021

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3701-26-02 Responsibilities of the director of health.

- (A) Forms. The director shall approve forms to be used by the department and licenser for plan approvals, construction verification inspections and compliance inspections.
- (B) State program license fees. The director shall ensure that a fee of one hundred ten dollars is collected for every annual license issued. The fees shall be used for administration and enforcement of this chapter.
- (C) Plan review. The director shall, within thirty days of receiving a complete plan review package for review, either approve or disapprove the plans or, in the case of incomplete plans, request additional information. If the director requests additional information, the director shall approve or disapprove the plans within thirty days after receiving the additional requested information. If the director does not receive a response to the request for additional information within forty-five days of the request, the plan review package shall be disapproved.
 - (1) Plan approval. Except as otherwise provided in this rule, a plan approval issued by the director for a campground under this rule shall be valid for two years after the date on which the director issues the approval. The director may grant one extension for a specified period of time if the director finds that the applicant for plan review has made a good faith effort to complete the construction, expansion or substantial alteration of the campground. A request for an extension shall be filed with the director in writing before the expiration of the two-year period.
 - (2) Plan expiration. If the construction, expansion or substantial alteration has not been completed within the two-year period or within the limit of any extension granted under paragraph (C)(1) of this rule, the plans shall be resubmitted in accordance with paragraph (C) of this rule.
 - (3) Retention period. Approved plans, including applicable forms, documents and relevant correspondence shall be kept by the reviewing agency for a minimum of two years after the project is approved as complete.
 - (4) Plan disapproval. The director may disapprove plans if the applicant for plan approval fails to comply with, or the proposed construction or substantial alteration would not comply with, any requirement of sections 3729.01 to 3729.13 of the Revised Code or this chapter.
 - (5) Hearing request. Any person aggrieved by the director's disapproval of plans under this rule may, within thirty days following receipt of the director'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.
- (D) Plan verification construction inspections.
 - (1) The owner or operator of a proposed campground for which plans have been approved in accordance with paragraph (C) of this rule shall notify the director when construction or substantial alteration of the campground has been completed but before the area has been placed into operation.

- (2) The director shall conduct the inspection within five business days of the notification required by paragraph (D)(1) of this rule. The director shall inspect new construction or substantial alteration in a campground to ensure that it is consistent with this chapter and the plans submitted and approved under this chapter. A newly constructed campground shall be inspected prior to the issuance of the initial license to operate. Construction or substantial alteration in an existing and licensed campground shall be inspected before these portions of the campground are placed into operation.
 - (3) The director may conduct inspections at any reasonable time and may conduct more than one inspection at any stage during the construction or substantial alteration of a campground to verify that it is consistent with the approved plans. The director may require the owner or operator of a campground to provide written assurance from an Ohio registered professional engineer that any of the electrical, water supply, and sewerage systems were completed in accordance with the approved plans.
- (E) Surveys of health districts; list of approved districts. The director may survey each health district that licenses campgrounds annually, or at least every three years, to determine whether or not the health district is in substantial compliance with this chapter and the rules adopted thereunder. If the director determines that a health district is in substantial compliance, the health district shall be placed on an approved health district licensing list. The director shall, as determined necessary, conduct additional surveys of health districts and shall remove from the approved health district licensing list any health district not in substantial compliance with this chapter and the rules adopted thereunder.
- (1) Noncompliance. If the director determines that a health district is not eligible to be placed on the approved health district licensing list, the director shall certify the same to the board of health of the health district and shall perform the duties of the health district in that area until the health district is eligible for placement on the approved list. All fees payable to the health district during the time that the director performs the duties of the health district and all other such fees that have not been expended or otherwise encumbered shall be deposited by the director in the state treasury to the credit of the general operations fund created by section 3701.83 of the Revised Code, to be used by the director in his or her capacity as a licensor. The director shall keep a record of the fees so deposited and, when the health district is placed on the approved list, shall transfer any remaining balance of the fees to the health district campground fund created under section 3729.07 of the Revised Code.
 - (2) Survey reports shall be sent to the board of health within sixty days of the survey being completed.

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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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3701-26-04 Responsibilities of the licensee.

- (A) Submission of plans. Any person who intends to construct, substantially alter or operate an existing, unlicensed campground on or after the effective date of this rule shall comply with rule 3701-26-05 of the Administrative Code.
- (B) License to operate. No person shall operate or maintain a campground without a license issued by the licensor having jurisdiction. However, no person who neither intends to nor receives anything of value arising from the use of, or the sale of goods or services in connection with the use of a campground shall be required to procure a license under this rule. In the event that any health hazard exists at such an unlicensed campground such health hazard shall be corrected in a manner consistent with Chapter 3701-26 of the Administrative Code.
- (C) Initial license to operate. Any person who intends to open a new campground, other than a temporary campground, shall apply for a license at any time after receiving written approval of the plans for the campground from the director under paragraph (C)(1) of rule 3701-26-02 of the Administrative Code, but not less than thirty days prior to the date the person intends to open the campground for business.
- (D) License application. The licensee of an existing, licensed campground shall make a written application for the license to the licensor on a form prescribed by the director or by electronic submission when available. At the time of application for a license, the applicant shall provide to the licensor the name, address, and telephone number of a person or persons who can be contacted regarding inspection, maintenance, or emergency aspects of the campground and to whom the licensor may send notice of orders and other licensure actions. The applicant also shall provide the exact street address or location of the campground and the layout of the campground. After issuance of a license, the licensee shall report any changes in this information to the licensor promptly. License renewal applications shall be made during the month of April each year. No person who has received a license, upon the sale or disposition of the campground, may have the license transferred to the new operator.
- (E) Temporary license to operate. The proposed licensee of a temporary campground shall obtain a license to operate from the licensor at any time, but not less than seven days, before the person begins operation of the temporary campground during the calendar year and after receiving written approval of the plans for the temporary campground in paragraph (G) of rule 3701-26-03 of the Administrative Code. A separate license for each temporary campground the person intends to operate is required. The license shall be valid for a period of not longer than seven consecutive days. No tract of land shall be permitted for use as a temporary campground for more than twenty-one days in a calendar year. No license to operate a temporary campground shall be transferred.
- (F) Any person that operates a county or state fair or any independent agricultural society organized pursuant to section 1711.02 of the Revised Code that operates a fair shall not be required to obtain a license under this chapter if recreational vehicles, portable camping units, or any combination of them are parked at the site of the fair only during the time of preparation for, operation of, and dismantling of the fair and if the recreational vehicles, portable camping units, or any combination

of them belong to participants in the fair.

- (1) The following entities that operate a fair and that hold a license issued under this chapter are not required to comply with the requirements normally imposed on a licensee under this chapter and rules adopted under it during the time of preparation for, operation of, and dismantling of the fair:
 - (a) A county agricultural society organized pursuant to section 1711.01 of the Revised Code;
 - (b) An independent agricultural society organized pursuant to section 1711.02 of the Revised Code;
 - (c) The Ohio expositions commission.
- (G) A motorsports park is exempt from the license requirements established in divisions (A)(1) and (A)(2) of section 3729.05 of Revised Code and this chapter for participant-only areas during the time of preparation for and operation of the event, if the motorsports park does both of the following:
 - (1) Holds at least one annual event sanctioned by the national association for stock car auto racing or the national hot rod association during a motor sports racing event;
 - (2) Provides parking for recreational vehicles, dependent recreational vehicles, and portable camping units that belong to participants in that event.
- (H) The licensee of a campground shall properly maintain the campground, buildings, sites and facilities in a clean and sanitary manner and as follows:
 - (1) Prevent and abate any nuisances in the campground;
 - (2) Maintain vehicular access, as appropriate, throughout the campground area at all times the campground is in use. Campground roads and walkways shall be maintained to provide all-weather access and dust control;
 - (3) Ensure at least one responsible adult is available at all times the campground is in operation;
 - (4) Limit and control the number of patrons and vehicles in a campground to avoid overcrowding and to maintain separation distances;
 - (5) Ensure the campground is properly drained and kept free of trash and debris;
 - (6) Implement insect and rodent control measures whenever an insect or rodent nuisance exists;
 - (7) Reasonably control noxious plants such as poison ivy, poison sumac and other plants which could constitute a hazard to patrons in public use areas;
 - (8) Require the registration of all pets that are permitted within the campground prior to entry; and
 - (9) Promptly report to the health commissioner of the health district where the campground is located cases of either domestic or wild animal bites inflicted upon any person in the campground area.

- (I) The licensee of a campground shall ensure that the sites meet all of the following requirements:
 - (1) Recreational vehicles or portable camping units shall be parked only on sites that have been verified as complying with plans approved by the director, or in the case of a temporary campground, by the licensor;
 - (2) Except as provided in paragraph (I)(11) of this rule, sites shall be a minimum area of one thousand square feet;
 - (3) No more than the following number of units shall be permitted on any one site:
 - (a) One recreational vehicle and two portable camping units, or
 - (b) Three portable camping units.
 - (4) Separate access to each site shall be maintained so that access to any site is not through or over an adjacent site;
 - (5) Properly drained and kept free of all trash and debris;
 - (6) Maintained free of sewage and gray water nuisances;
 - (7) Except as otherwise provided in paragraph (I)(8) of this rule, each recreational vehicle or portable camping unit in a campground shall be placed upon the site so as to provide the following proper distances:
 - (a) Not less than fifteen feet distance between the side of any recreational vehicle and the side of any other recreational vehicle or portable camping units located on an adjacent site regardless of the configuration. There shall be ten feet distance between the ends of any recreational vehicle and any other recreational vehicle or portable camping units located on an adjacent site. Sites with recreational vehicles and/or portable camping units located on the same site shall maintain a distance of at least five feet between all the units.
 - (b) Not less than ten feet distance between portable camping units located on adjacent sites; and
 - (c) Each recreational vehicle or portable camping unit in a campground shall be placed upon the site so as to provide not less than fifteen feet distance from any building, public roadway, street, alley, and or any right-of-way designated for vehicular traffic as specified by the Ohio department of transportation or other local jurisdiction, and not less than seven and one-half feet distance from the campground property line;
 - (8) In computing the separation distances required by paragraphs (I)(7)(a) to (I)(7)(c) of this rule, the width of the recreational vehicle or portable camping unit includes any structure adjoining the vehicle or unit. An awning or similar structure which is partially supported by the recreational vehicle or portable camping unit is not included in computing the width, if the awning or structure is open on at least two complete sides.
 - (9) No freestanding auxiliary building shall be placed within five feet of any occupied recreational vehicle or portable camping unit other than the recreational vehicle

or portable camping unit occupied by the owner of the freestanding auxiliary building.

- (10) The licensee shall be responsible for maintaining site boundaries, the proper placement of the recreational vehicles or portable camping units and shall ensure that the occupancy of the campground does not exceed its licensed capacity.
- (11) The density requirements for temporary campgrounds, where open fires are prohibited by the operator, shall be determined by the licensor. The licensor shall request and consider recommendations from the local fire authority with jurisdiction.
- (12) Each site shall be marked so as to be readily identifiable and easily readable from the campground road. Each site shall be identified in numerals, letters or combination thereof, in sequential order, of at least two inches in size and posted at least six inches above the ground. In the case of temporary campgrounds, site markings shall be determined by the licensor.
- (13) No more than two manufactured homes or mobile homes are permitted in a newly constructed campground. Such homes shall be for the exclusive use of the licensee and shall not be included in the total number of licensed sites in the campground.
- (14) As of May 1, 2007 and except as provided in paragraph (I)(13) of this rule, any manufactured home or mobile home in an existing campground can remain in the campground on its current site as long as the site is maintained in compliance with Chapter 3701-26 of the Administrative Code. If the manufactured home or mobile home is removed from the site, another manufactured home or mobile home cannot be replaced on the site.

(J) Water supply systems.

- (1) When a water supply for human consumption is provided at a campground, it shall be of adequate quantity and shall be from:
 - (a) A public water system which meets the requirements of Chapter 6109. of the Revised Code and the rules adopted thereunder; or
 - (b) A private water system which meets the requirements of section 3701.344 of the Revised Code and the rules adopted thereunder.
- (2) Adequate drainage shall be provided at all water service outlets.
- (3) Water used for the flushing of holding tanks may be from a supply that does not meet the requirements of paragraph (J)(1)(a) or (J)(1)(b) of this rule only if all outlets from the supply are clearly and indelibly labeled to the effect that the water is "unsafe for human consumption."
- (4) Temporary campground licensees that provide each individual site, portable camping unit, or recreational vehicle in a temporary campground with a connection to a potable water supply shall meet the requirements of paragraph (J)(1)(a) or (J)(1)(b) of this rule.
- (5) All water hoses used for human consumption in a campground must be rated for

potable water use only.

(K) Sewerage systems.

- (1) All sewerage systems shall meet the standards of Chapter 6111. of the Revised Code or Chapter 3718. of the Revised Code.
- (2) All sewerage systems shall be maintained in a safe and sanitary manner so as not to create a health hazard.
- (3) The operator shall not permit any individual within the campground to create a sewage nuisance.
- (4) When the services of a septage hauler are utilized for the ultimate disposal of sewage pumped from holding tanks, a service agreement shall be kept on file by the operator on premise, including information regarding where the waste will be disposed, the dates of any service and the amount of any waste removed from the premises. All septage haulers shall be registered in accordance with the requirements
- (5) A licensee may haul domestic septage from individual holding tanks of recreational vehicles and portable camping units on site and within the campground. The domestic septage shall only be hauled within the campground in an approved manner. No domestic septage may be hauled on public roadways.
- (6) The licensee shall ensure that the following sewerage systems are present at a campground:
 - (a) Recreational vehicle park and combined park-camps shall have dump stations that meet the requirements of paragraph (F) of rule 3701-26-05 of the Administrative Code or individual site connections to a sewerage system for sewage disposal;
 - (b) A combined park-camp with fewer than twenty-five sites that was in existence and licensed on or before May 24, 1992, is not required to comply with paragraph (L)(1)(a) of this rule unless either of the following is the case:
 - (i) The combined park-camp is substantially altered in such a manner that plan approval is required under rule 3701-26-05 of the Administrative Code; or
 - (ii) The licensor determines that a nuisance exists because there are an inadequate number of dump stations to serve the number of recreational vehicles or portable camping units located within the combined park-camp.
 - (c) When water from a public or private water supply system is provided to individual sites in a new or substantially altered campground, a sewage disposal plan shall be approved by the Ohio environmental protection agency or the local health district depending on which entity has jurisdiction, prior to submittal to the director;
 - (d) Temporary campground licensees shall provide adequate methods for

disposing wastes from camping units which may include but are not limited to:

- (i) On-site dump stations which comply with the requirements of this rule;
- (ii) The services of a septage hauler that is registered by a local health district; or
- (iii) Individual site connections to a sewerage system.

(L) Dump station requirements.

(1) The licensee of a recreational vehicle park or combined park-camp shall ensure that dump stations are maintained in accordance with the approved plans and as follows:

- (a) In a ratio of one station for each one hundred non-sewered camp sites. Where recreational vehicles or portable camping units with holding tanks are segregated in a combined park-camp, the number of dump stations required shall apply only to those segregated sites;
- (b) With a water supply available for the flushing of dump station areas and that meets the requirements in paragraph (F)(6) of rule 3701-26-05 of the Administrative Code;
- (c) If connected to a potable water supply each dump station shall be operated so as to protect the water supply and all other water outlets within the campground from contamination due to backflow in accordance with the applicable requirements under Chapter 6109. of the Revised Code, section 3701.344 of the Revised Code or the following requirements:
 - (i) Dump stations with tower washing equipment shall have a backflow prevention device that meets one of the following requirements:
 - (a) A device installed to operate under continuous pressure shall be an ASSE 1020 pressure vacuum breaker assembly or equivalent device; or
 - (b) A device installed that is not subject to back-pressure or continuous pressure shall be an ASSE 1001 pipe applied atmospheric vacuum breaker device or equivalent device.
 - (ii) For dump stations equipped with a threaded faucet and hose, an ASSE 1013 reduced pressure principle backflow prevention assembly or equivalent device shall be installed prior to the threaded faucet; and
 - (iii) All ASSE 1020 pressure vacuum breaker assembly devices and ASSE 1013 reduced pressure principle backflow prevention assemblies, or equivalent devices, shall be annually inspected and tested by a person certified by the Ohio department of commerce to make such inspections. The devices shall be labeled to show compliance with this requirement. Written verification of such inspections shall be maintained on file at the campground for review by the licenser.
- (d) Provided with hoses used for flushing the dump station pad that shall not

exceed the length necessary to reach the entire pad;

- (e) Be easily accessible to the entrance and exit area of the campground and have safe, all weather access;
 - (f) Properly sealed to prevent nuisances;
 - (g) Posted with signs that are clearly and indelibly marked, stating instructions for use, that the water supply is not to be used for human consumption and that the water is to be used for flushing and cleaning purposes only;
 - (h) Maintained in a clean and functional manner by the licensee; and
 - (i) Located at least fifty feet away from any water outlet used for human consumption. No hose used or installed at the dump station facility shall be long enough to reach a water outlet used for human consumption. No hose used or installed at any water service outlet that is used for human consumption shall be long enough to reach the dump station facility.
- (2) A campground that was in existence and licensed on or before May 24, 1992 is not required to comply with paragraphs (L)(1)(a) and (L)(1)(e) of this rule and paragraphs (D)(2) and (D)(3) of rule 3701-26-05 of the Administrative Code unless either of the following is the case:
- (a) The campground is substantially altered in such a manner that plan approval is required under rule 3701-26-05 of the Administrative Code;
 - (b) The licenser determines that a nuisance exists because there are an inadequate number of dump stations to serve the number of recreational vehicles or portable camping units located within the campground.

(M) Gray water recycling systems requirements.

- (1) The licensee of a campground shall ensure that the gray water recycling systems meet the standards of section 3718.02 or Chapter 6111. of the Revised Code as appropriate and as follows:
- (a) Maintained to keep the facility and the area around the facility in a safe and sanitary manner and free from any nuisances or health hazards;
 - (b) Located so that no camp site is farther than two hundred feet in walking distance and there shall not be less than twelve sites for one system;
 - (c) Easily accessible and provided with a sign indicating that the facility is for gray water only and that no sewage is permitted;
 - (d) Licensees that allow for the discharge of gray water from a recreational vehicle to a gray water recycling system shall submit to the licenser, within one hundred twenty days from the effective date of this rule, a scaled drawing of the entire gray water recycling system to include the following:
 - (i) Identification of the location of each drain and the sites using each drain; and
 - (ii) The method of construction and materials used.

- (e) Gray water recycling systems, regardless of the date of construction, shall not discharge to any waters of the state as defined in Chapter 6111. of the Revised Code and shall not create a public health nuisance as defined in Chapter 3718. of the Revised Code or any rules that may be adopted under those chapters.
 - (f) Licensors shall verify the drawing submitted pursuant to paragraph (M)(1)(d) of this rule at the next inspection conducted after receiving the drawing. Licensees that fail to provide this information to the licensor are prohibited from allowing any recreational vehicle to discharge to a gray water recycling system. Any site not identified on the drawing required by paragraph (M)(1)(d) of this rule shall not allow for a recreational vehicle to discharge to a gray water recycling system after the effective date of this rule.
 - (g) If the existing gray water recycling system used by recreational vehicles creates a public health nuisance, fails, or is substantially altered, the gray water recycling system shall immediately be properly abandoned or, if also used by dependent portable camping units, replaced with a gray water recycling system that meets the requirements in paragraph (E)(1) of rule 3701-26-05 of the Administrative Code and shall only be used by dependent portable camping units thereafter;
 - (h) Direct or indirect connection of any pipe, hose or direct discharge from any portable camping unit or other source to a gray water recycling system is prohibited;
 - (i) The operator shall not permit any individual within the campground to create a gray water nuisance. The licensee of a campground shall ensure that gray water is not discharged to the surface of the ground and that gray water is disposed of in a manner which meets the requirements of this rule; and
 - (j) As of March 22, 1997, no gray water recycling systems shall be located within a one hundred year floodplain unless approved by the Ohio environmental protection agency.
- (2) When the services of a septage hauler are utilized for the ultimate disposal of gray water pumped from holding tanks, a service agreement shall be kept on file by the operator on premise, including information regarding where the waste will be disposed, the dates of any service and the amount of any waste removed from the premises.
 - (3) Recreational vehicle parks shall have dump stations that meet the requirements of paragraph (F) of rule 3701-26-05 of the Administrative Code or individual site connections to a sewerage collection system;
 - (4) Other than as required in paragraph (M)(1)(d) of this rule, a campground that was in existence and licensed on or before August 17, 1992 and has maintained licensure, is not required to comply with paragraph (E)(1)(a) of rule 3701-26-05 of the Administrative Code unless either of the following is the case:
 - (a) The combined park-camp is substantially altered in such a manner that plan approval is required under rule 3701-26-05 of the Administrative Code; or

- (b) The licensor determines that a public health nuisance exists because there are an inadequate number of gray water drains to serve the number of recreational vehicles or portable camping units located within the combined park-camp or because of its location, use, installation or design is not in compliance with paragraph (I)(6) of this rule;
- (5) Temporary campgrounds shall comply with the requirements of paragraphs (M)(1)(b) and (M)(1)(c) of this rule and paragraph (E)(1)(a) of rule 3701-26-05 of the Administrative Code and shall provide adequate methods for disposal of gray water from camping units which may include but are not limited to:
 - (a) On-site gray water recycling systems which comply with the requirements of paragraph (E)(1) of rule 3701-26-05 of the Administrative Code; or
 - (b) Disposal in accordance with paragraph (M)(2) of this rule.
- (6) All gray water recycling systems shall be installed and maintained in accordance with the approved plans.
- (N) Hygiene facilities.
 - (1) Combined park-camp and recreation campgrounds shall have toilet facilities that meet the requirements of this rule. A combined park-camp with fewer than twenty-five sites that was in existence and licensed on or before May 24, 1992, is not required to comply with this paragraph unless either of the following is the case:
 - (a) The park-camp is substantially altered in such a manner that plan approval is required under rule 3701-26-05 of the Administrative Code; or
 - (b) The licensor determines that a nuisance exists because there are an inadequate number of dump stations to adequately store the wastes from the recreational vehicles or portable camping units located within the park-camp;
 - (2) All temporary campgrounds shall have toilet facilities that meet the requirements of this rule.
 - (3) When toilet facilities are required, they shall be:
 - (a) Provided in accordance with the following minimum schedule:

SITES	MEN - Urinals	MEN - Toilets	WOMEN - Toilets
5-15		1	1
16 - 30	1	1	2
31 - 60	1	2	3
61 - 90	2	2	4
91 - 120	2	3	5
121 - 150	3	3	6

151 - 200	4	4	8
201 - 300	5	5	10
301 - 400	6	6	12
401 - 500	7	7	14
501 - Up	Add 1 per 200	Add 1 per 200	Add 2 per 200

- (b) Located so that no site is farther than one thousand feet walking distance from such facilities;
 - (c) Properly maintained in accordance with the approved plans. In addition to standard water closets and fixtures, vault privies and portable toilets are acceptable for use at campgrounds. Where water is provided for these facilities, plans shall be submitted to and approved by the Ohio environmental protection agency or the local health district depending on jurisdiction;
 - (d) Provided for men and women. Each facility or room shall be plainly designated. If a family facility is provided it shall be counted as one unit in the total required minimum;
 - (e) Provided with adequate toilet tissue at each toilet fixture;
 - (f) Provided with self-closing doors or modesty shields at the entrance and exits;
- (4) When shower facilities are provided and will be used by more than one family at one time or by non-family groups, separate facilities shall be provided for each sex. Shower facilities shall meet the requirements in section 417.3 of rule 4101:3-4-01 of the Administrative Code. If shower facilities for each sex are in the same building, they shall be separated by solid walls or partitions extending from the floor to the ceiling. Shower building entrances and exits shall be provided with self-closing doors or modesty shields. Shower facilities shall be maintained as follows:
- (a) The floors shall be easily cleanable, non-skid finish, impervious to moisture and self draining condition;
 - (b) During night hours, the interiors of these facilities shall be illuminated by artificial lighting.
 - (c) Handwashing and shower facilities shall be clean and sanitary.
- (O) Solid waste.
- (1) The storage and collection of solid wastes shall be provided so as to avoid the creation of health hazards, rodent harborages, insect breeding areas and accidents.
 - (2) When solid wastes are stored at the site or at a central point within the campground, they shall be stored in durable, watertight, non-absorbent and easily cleanable containers with tight fitting covers.
 - (3) Containers and covers shall be maintained in a clean condition and in good

repair.

- (4) Solid waste containers shall be sufficient in number and size to accommodate all solid wastes between collections. Containers must be easily accessible and emptied at least weekly unless otherwise authorized by the licensor.

(P) Safety.

- (1) Firefighting equipment of the type and quantity acceptable to the state fire marshal or local fire department shall be made available by the licensee for use in fighting fires. All firefighting equipment shall be maintained in good operating condition and located so as to be readily available for use at all times.
- (2) The licensee shall post a sign identifying an emergency telephone or identifying the location of the nearest telephone in the campground. The sign shall contain the address of the campground and telephone numbers for emergency services, including but not limited to police, sheriff and fire or rescue unit.
- (3) First aid equipment consisting of unused disposable gloves and a sufficient supply of materials to stop bleeding, and to clean and cover minor cuts and abrasions shall be maintained and accessible in the campground area.
- (4) The licensee shall maintain a record of all injuries occurring within the campground area that require the attention of medical personnel licensed under Chapters 4723., 4730. and 4731. of the Revised Code.
- (5) The licensee shall ensure that no motorized vehicles are used in such a manner in the campground that a hazard to life or safety occurs.
- (6) All playgrounds and playground equipment shall be installed and maintained in a safe condition.
- (7) When natural hazards to life and safety are identified within a campground area, the licensee shall eliminate them where possible.
- (8) Firearms, potentially hazardous equipment and hazardous substances which are under the control of the licensee shall be used, maintained and stored in a safe manner.
- (9) The licensee shall control any potentially hazardous activities or excessive noise in the campground area.
- (10) Water and other recreation areas under the control of the licensee shall be operated and maintained in a safe condition.
- (11) The licensee shall establish rules for the patrons of the campground. Rules shall be conspicuously posted or provided to patrons as they initially enter the campground. Such rules shall include, but are not limited to, the following general areas:
 - (a) Traffic control;
 - (b) Overcrowding and spacing of camping units;
 - (c) Noise control;

- (d) Use of hazardous materials and fire safety;
- (e) Use of park or camp facilities and prevention of nuisances;
- (f) Swimming area safety, if applicable; and
- (g) Pet control, if applicable.

(Q) Electric.

- (1) When, in the opinion of the licensor, an electrical hazard exists, the licensor may:
 - (a) Allow the campground operator to abate the hazard, or
 - (b) Require written verification by a licensed contractor that a hazard does not exist, or
 - (c) Require written verification by a licensed contractor that proper repairs have been made to abate the hazard. Repairs that are necessary will apply only towards abating the hazard and will not be cause to renovate the entire electrical system due to other nonconforming issues with the current version of the NEC unless the licensed contractor verifies such renovation is necessary to abate the hazard.
- (2) Written verification of the most recent permits and any documents from a licensed contractor certifying work performed within the campground shall be maintained on file at the campground for review by the licensor.
- (3) Whenever electrical service is available to the campground, all public service buildings shall be provided with external lighting sufficient to provide illumination and visibility.

Replaces: 3701-26-07, 3701-26-08, 3701-26-09, 3701-26-10,
 3701-26-11, 3701-26-12, 3701-26-13, 3701-26-14,
 3701-26-15, 3701-26-16, 3701-26-17, 3701-26-18,
 3701-26-19, 3701-26-20, 3701-26-21, 3701-26-22,
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3701-26-05 Campground plan review package submission and design requirements.

- (A) No person shall construct, substantially alter or operate an existing unlicensed campground until both of the following have occurred:
 - (1) The proposed location of the campground has been evaluated by the licensor under paragraph (B) of this rule; and
 - (2) The plans for the construction or alteration have been submitted for review and have been approved by the director or the licensor, as appropriate, under paragraph (C) or (F) of this rule.
- (B) Before submitting a plan review package to the director under paragraph (C) of this rule, any person who wishes to construct, substantially alter, or operate an existing unlicensed campground shall request an evaluation of the proposed location by the licensor.
- (C) Plan review package. A plan review package for any newly constructed, substantially altered or existing unlicensed campground shall be submitted to the director for review at least forty-five days before submission of the application for a license to the licensor. The plan review package shall be submitted in an electronic format approved by the director or in quadruplicate if submitted on paper. The plan review package shall meet the requirements of paragraphs (D), (E), (F) and (G) of this rule, as applicable, and shall be accompanied by all of the following:
 - (1) A completed plan review application on a form prescribed by the director and signed by the person who prepared the plans. The form shall contain identifying information about the licensee or prospective licensee of the campground, the person who prepared the plans, the contractor for the project, the name, address, email (if available) and fax number of the person requesting the review;
 - (2) A copy of the completed location evaluation form issued by the licensor under paragraph (B) of this rule;
 - (3) Written verification by the fire protection authority or authorities that have jurisdiction in the area that adequate fire protection can be provided to the campground.
 - (4) Written verification by the municipal corporation or board of county commissioners for unincorporated areas that the proposed new construction or substantial alteration to a campground will be made in accordance with municipal or county flood plain ordinances or resolutions and local flood plain permit requirements;
 - (5) Written verification that the plans for the sewage disposal facility, as specified in paragraph (D)(3)(b) of this rule or plans for sanitary sewerage system as specified in paragraph (D)(3)(a) of this rule and the water supply system, as specified in paragraph (D)(2)(a) of this rule have been approved by the Ohio environmental protection agency or the local health district depending on which entity has jurisdiction;

- (6) A copy of the written plan documenting the proposed method of disposal of the contents of all holding tanks;
- (7) The complete set of campground plans signed by the person who prepared the plans. The plans shall contain information about the location and dimensional design of the campground relative to the sites, water supply and sewerage systems, toilet facilities, waste water drains, dump stations, solid waste storage and collection; and
- (8) Drawings that include the following information:
 - (a) A vicinity map, including the location and legal description of the campground and travel instructions for locating the campground;
 - (b) The area, dimensions and elevations of the tract of land;
 - (c) The number, location and size of all sites;
 - (d) The location and materials of all roadways and walkways;
 - (e) The location of all permanent buildings, sanitary facilities and other proposed structures, if applicable;
 - (f) Details and specifications of the water supply system, as approved, if applicable.
 - (g) Details and specifications of the sewerage system, as approved, if applicable;
 - (h) Details and specifications of the gray water recycling system, if applicable;
 - (i) The location and details of the lighting and electrical systems, if applicable; and
 - (j) The method of storage and collection of solid wastes.
- (9) The director, upon request of the applicant for plan approval, may waive submission of any of the items required by paragraphs (C)(8)(a) to (C)(8)(j) if the director determines they are not necessary to review the plans effectively. The director may request additional information and may return incomplete plans to the applicant without review. The director shall act upon plans within thirty days after the date of receipt of the information required by
- (10) Plans for temporary campgrounds shall be submitted to the licensor for review and approval at least fifteen days prior to the opening of the temporary campground. Plans for temporary campgrounds shall include the items listed in paragraphs (C)(1) to (C)(3) and (D)(1) to (D)(6) of this rule, except that the applicant is required to submit two sets of 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 this rule if both of the following apply:
 - (a) The plans for the temporary campground were reviewed and approved less than two years before the proposed opening of the campground; and
 - (b) The information required to be submitted at the last review has not changed

since the campground last was licensed.

(11) The fee for plan review for a campground, shall be submitted at the same time of the electronic submission of the plan review package. If the plan review package is submitted on paper, the fee shall be submitted with the paper plan review package with a check payable to the "Treasurer, State of Ohio" for the appropriate plan review amount as follows:

- (a) For substantial alterations that are limited in scope, the fee shall be eight hundred forty-two dollars. This fee includes one inspection. As used in this rule, "substantial alterations that are limited in scope" means any alteration to the campground that does not result in the movement or addition of any permanently placed facility, gray water recycling system, roadway, dump station, water connection or sewerage system;
- (b) For substantial alterations that are not limited in scope, the fee shall be one thousand five hundred forty-six dollars. This fee includes one inspection; and
- (c) For new or existing unlicensed campgrounds the fee shall be one thousand eight hundred ninety-eight dollars. This fee includes one inspection.

(12) The fee for inspections in addition to the ones specified in paragraph (C)(11)(a), (C)(11)(b) or (C)(11)(c) of this rule shall be charged at the rate of four hundred fourteen dollars.

(D) All campgrounds shall be designed to meet the following criteria:

(1) Site requirements:

- (a) Individual sites shall have a minimum area of one thousand square feet with clearly defined site boundaries.
- (b) Each site shall be designed to have separate access that is not through or over an adjacent site.
- (c) Each site shall be clearly marked so as to be readily identifiable and easily readable from the campground road. Each site shall be identified in numerals, letters or combination thereof in sequential order of at least two inches in size and mounted at least six inches above the ground.

(2) Water supply requirements:

- (a) A water supply for human consumption is not required at a campground. However, when such a water supply is provided, it shall be of adequate quantity and shall be from:
 - (i) A public water system, or a system owned and operated by the campground licensee, which meets the requirements of Chapter 6109. of the Revised Code and the rules adopted thereunder; or
 - (ii) A private water system which meets the requirements of section 3701.344 of the Revised Code and the rules adopted thereunder.
- (b) Water used for the flushing of holding tanks may be from a supply that does

not meet the requirements of paragraph (D)(2)(a) of this rule only if all outlets from the supply are clearly and indelibly labeled to the effect that the water is "unsafe for human consumption".

- (3) Sewerage system requirements:
 - (a) All sewerage systems shall meet the standards of section 6111. or section 3718. of the Revised Code.
 - (b) Where a public or private water supply system provides service to individual sites in a new or substantially altered campground a sewage disposal plan shall be approved by the Ohio environmental protection agency or the local health district, depending on which entity has jurisdiction, prior to the submittal of plans to the director.
- (4) Other facilities shall be provided as follows:
 - (a) Containers for the collection and storage of solid wastes shall be provided. The containers shall be of a durable, watertight, non-absorbent and easily cleanable design and shall have tight fitting covers.
 - (b) Firefighting equipment of the type and quantity acceptable to the state fire marshal or local fire department shall be available for use in fighting fires.
 - (c) A sign identifying an emergency telephone or identifying the location of the nearest telephone shall be posted in the campground. The sign shall contain the address of the campground and telephone numbers for emergency services, including but not limited to police, sheriff and fire or rescue unit.
 - (d) First aid equipment consisting of unused disposable gloves and a sufficient supply of materials to stop bleeding, and to clean and cover minor cuts and abrasions shall be accessible in the campground.
 - (e) Rules established for the campground shall be conspicuously posted or provided to patrons.
- (5) Electrical requirements:
 - (a) All electrical work within a campground shall be according to the current edition of the national electric code (NEC) or the local code, whichever is more stringent, with written certification by a licensed contractor.
 - (b) Whenever electrical service is available to the campground, all public service buildings shall be provided with external lighting sufficient to provide illumination and visibility.
- (6) When shower facilities are provided they shall meet the following requirements:
 - (a) Separate shower facilities for non-family groups shall be provided for each sex. If shower facilities for each sex are in the same building, they shall be separated by solid walls or partitions extending from the floor to the ceiling. A coved base at the juncture of the walls and floors is required. Shower building entrances and exits shall be provided with self-closing doors or modesty shields.

- (b) The floors shall have an easily cleanable, non-skid finish, impervious to moisture and self draining.
 - (c) The interiors of these facilities shall be illuminated by artificial lighting.
- (E) Recreation campground design requirements. In addition to the requirements listed in paragraph (D) of this rule all recreation campgrounds shall have the following:
- (1) Gray water recycling systems that shall be:
 - (a) Designed and constructed to accept gray water and meet the standards of Chapter 6111. or section 3718.02 of the Revised Code, as appropriate, or the following requirements:
 - (i) A plastic or concrete holding tank which is of a water tight design and capable of holding at least two hundred fifty gallons. The drain opening through which gray water is deposited into the holding tank shall be installed in a plastic or concrete riser which shall extend a minimum of eighteen inches above the ground surface. The drain opening shall be surrounded by a surface which extends from the opening to the sides of the riser and which slopes to the opening. The drain opening shall be covered by a drain grate and shall be located at least four inches below the top edge of the riser.
 - (ii) Individual site connections to a sewage collection system; or
 - (iii) An alternative gray water disposal system approved by the director.
 - (b) Located so that no site using the system is more than two hundred feet in walking distance and there shall not be less than twelve sites using one system;
 - (c) Easily accessible and provided with a sign indicating that the facility is for gray water only and that no sewage is permitted; and
 - (d) Approved by the Ohio environmental protection agency or the licensior, depending on which agency has jurisdiction when installed in a hundred year floodplain.
 - (2) Toilet facilities:
 - (a) Recreation campgrounds shall provide toilet facilities in accordance with the following minimum schedule:

SITES	MEN - Urinals	MEN - Toilets	WOMEN - Toilets
5-15	0	1	1
16-30	1	1	2
31-60	1	2	3
61-90	2	2	4
91-120	2	3	5

121-150	3	3	6
151-200	4	4	8
201-300	5	5	10
301-400	6	6	12
401-500	7	7	14
501 - Up	Add 1 per 200	Add 1 per 200	Add 2 per 200

- (b) Toilet facilities shall be located so that no site is farther than one thousand feet walking distance from such facilities.
 - (c) Vault privies that are holding tanks of water-tight design and capable of holding a minimum volume of one thousand gallons are acceptable for use at campgrounds in addition to the standard water closets and fixtures.
 - (d) Toilet facilities or rooms for men and women shall be plainly designated. Family toilet facilities shall be counted as one unit in the total required minimum.
 - (e) Toilet facilities shall be provided with self-closing doors or modesty shields at the entrance and exit.
- (F) Combined park-camp design requirements. In addition to the requirements listed in paragraphs (D) and (E) of this rule, all combined park-camps shall have dump stations that meet all of the following criteria:
- (1) Provided in a ratio of one station for each one hundred non-sewered camp sites. Where recreational vehicles or portable camping units with holding tanks are segregated in a combined park-camp, the number of dump stations required shall apply only to the those segregated sites;
 - (2) Have a holding tank of water-tight design and capable of holding a minimum of one thousand gallons or connected to a sewerage collection system;
 - (3) Have a concrete pad surrounding the drain. The concrete pad shall meet all of the following requirements:
 - (a) A minimum of four feet by six feet in size;
 - (b) A minimum of four inches in thickness;
 - (c) A drain opening that is at least four inches in diameter with a self-closing, weighted cover. The drain opening shall be located at one end of the pad;
 - (d) Curbing of at least four inches bordering the drain end of the pad; and
 - (e) The surface of the pad shall slope two inches from the edge to the drain;
 - (4) Four-inch piping shall run from the drain to the holding tank or sanitary sewer. The piping shall be provided with a trap;
 - (5) A separate opening for the purposes of determining the level of the tank's contents and pumping out the tank;

- (6) A water supply available for the flushing of dump stations;
 - (a) If connected to a potable water supply each dump station shall be constructed and operated so as to protect the water supply and all other water outlets within the campground from contamination due to backflow in accordance with the applicable requirements under Chapter 6109. and section 3701.344 of the Revised Code, or the following requirements:
 - (i) Dump stations with tower washing equipment a backflow prevention device is required. Backflow prevention devices shall meet one of the following requirements:
 - (a) A device installed to operate under continuous pressure shall be an ASSE 1020 pressure vacuum breaker assembly or equivalent device. Installation shall be at least twelve inches higher than the highest point of use on downstream piping; or
 - (b) A device installed that is not subject to back-pressure or continuous pressure shall be an ASSE 1001 pipe applied atmospheric vacuum breaker device or equivalent device. Installation shall be at least six inches higher than the highest point of use on downstream piping.
 - (ii) Dump stations equipped with a threaded faucet and hose, an ASSE 1013 reduced pressure principle backflow prevention assembly or equivalent device shall be installed prior to the threaded faucet.
 - (7) Provided with hoses used for flushing the dump station pad that shall not exceed the length necessary to reach the entire pad;
 - (8) Designed to be easily accessible to the entrance and exit area of the campground and have safe, all weather access;
 - (9) Properly sealed to prevent nuisances;
 - (10) Posted with signs that are clearly and indelibly marked, stating instructions for use and that the water supply is not to be used for human consumption and is to be used for flushing and cleaning purposes only; and
 - (11) Located such that any water source or service outlet used for filling water tanks or other uses for human consumption is at least fifty feet away from the dump station facility.
- (G) Recreational vehicle park design requirements. Recreational vehicle parks are required to meet the design criteria listed in paragraph (D) of this rule. Recreational vehicle parks that do not have individual site connections to a sewerage system shall have dump stations that meet the design criteria in paragraph (F) of this rule.

Replaces: 3701-26-02, 3701-26-03, 3701-26-08, 3701-26-09, 3701-26-10, 3701-26-11, 3701-26-12, 3701-26-13, 3701-26-14, 3701-26-15, 3701-26-16, 3701-26-17,

3701-26-18, 3701-26-19, 3701-26-20, 3701-26-21,
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5/1/07, 5/1/12, 3/15/13

3701-26-06 Variances; waivers.

- (A) The director may grant a variance or waiver from any requirement established by Chapter 3701-26 of the Administrative Code or Chapter 3729. of the Revised Code.
- (B) A campground seeking a variance or waiver from any of the requirements established by this Chapter must submit a written request to the director as follows:
 - (1) As part of a campground plan review package required by rule 3701-26-05 of the Administrative Code, to construct, substantially alter, or operate a new or existing campground as required for licensure under rule 3701-26-04 of the Administrative Code;
 - (2) A variance or waiver request for a temporary event must be:
 - (a) Submitted with the plan review package required by rule 3701-26-05 of the Administrative Code; and
 - (b) Be received by the director at least ninety days prior to the event.
 - (3) As part of an application for renewal of an existing campground license at least ninety days prior to the license renewal period; or
 - (4) At any other time of the year provided the request is received ninety days prior to the requested implementation date for the variance or waiver.
- (C) The written request for a variance or waiver must include the following information:
 - (1) The specific rule requirement for which the variance or waiver is requested, with a reference to the relevant Administrative Code provision;
 - (2) The specific nature of the request, and the rationale for the request;
 - (3) The time period for which the variance or waiver is requested;
 - (4) If the request is for a variance, a statement of how the campground will meet the intent of the requirement in an alternative manner; and
 - (5) If the request is for a waiver, a statement regarding why application of the requirement will cause undue hardship to the campground and why granting the waiver will not jeopardize the health and safety of the public.
- (D) The decision regarding a variance or waiver is a discretionary act by the director and an informal procedure not subject to Chapter 119. of the Revised Code. Upon written request by a campground, the director may grant:
 - (1) A variance if the director determines that the requirement has been met in an alternative manner; or
 - (2) A waiver if the director determines that the strict application of the license requirement would cause an undue hardship to the campground and that granting the waiver would not jeopardize the health and safety of the public.
- (E) Any approval for a variance or waiver for a temporary campground shall remain in

effect for two years, provided that the site plan for the temporary campground does not change.

- (F) Any approval for a variance or waiver for a permanent campground shall remain in effect until:
 - (1) There is a change in ownership;
 - (2) The campground is substantially altered;
 - (3) The campground is found to be in non-compliance with the conditions of the approved variance or waiver;
 - (4) A situation occurs within the campground that is determined to pose a negative impact on public health or safety; or
 - (5) For a time period approved by the director.
- (G) The granting of a variance or waiver by the director shall not be construed as constituting precedence for the granting of any other variance or waiver. All variance and waiver requests shall be considered on a case-by-case basis.

Effective: 04/01/2016

Five Year Review (FYR) Dates: 04/01/2021

CERTIFIED ELECTRONICALLY

Certification

01/14/2016

Date

Promulgated Under: 119.03
Statutory Authority: 3729.02, 3729.05
Rule Amplifies: 3729.05

Chapter 3729: RECREATIONAL VEHICLE PARKS, RECREATION CAMPS, COMBINED AND TEMPORARY PARK-CAMPS

3729.01 Definitions.

As used in this chapter:

(A) "Camp operator" means the operator of a recreational vehicle park, recreation camp, combined park-camp, or temporary park-camp.

(B) "Campsite user" means a person who enters into a campsite use agreement with a camp operator for the use of a campsite at a recreational vehicle park, recreation camp, combined park-camp, or temporary park-camp.

(C) "Combined park-camp" means any tract of land upon which a combination of five or more self-contained recreational vehicles or portable camping units are placed and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the park facilities. A tract of land that is subdivided for lease or other contract of the individual lots is a combined park-camp if a combination of five or more recreational vehicles or portable camping units are placed on it for recreation, vacation, or business purposes.

"Combined park-camp" does not include any tract of land used solely as a temporary park-camp or solely as a manufactured home park.

(D) "Dependent recreational vehicle" means a recreational vehicle other than a self-contained recreational vehicle. "Dependent recreational vehicle" includes a park model.

(E) "Development" means any artificial change to improved or unimproved real estate, including, without limitation, buildings or structures, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials, and the construction, expansion, or substantial alteration of a recreational vehicle park, recreation camp, or combined park-camp, for which plan review is required under division (A) of section [3729.03](#) of the Revised Code. "Development" does not include the building, construction, erection, or manufacture of any building to which section [3781.06](#) of the Revised Code is applicable.

(F) "Director of health" means the director of health or the director's authorized representative.

(G) "Flood" or "flooding" means either of the following:

(1) A general and temporary condition of partial or complete inundation of normally dry land areas from any of the following:

(a) The overflow of inland or tidal waters;

(b) The unusual and rapid accumulation or runoff of surface waters from any source;

(c) Mudslides that are proximately caused by flooding as defined in division (G)(1)(b) of this section and that are akin to a river of liquid and flowing mud on the surface of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

(2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining that is caused by waves or currents of water exceeding anticipated cyclical levels or that is suddenly caused by an unusually high water level in a natural body of water, and that is accompanied by a severe storm, by an unanticipated force of nature, such as a flash flood, by an abnormal tidal surge, or by some similarly unusual and unforeseeable event, that results in flooding as defined in division (G)(1)(a) of this section.

(H) "Flood plain" means the area adjoining any river, stream, watercourse, or lake that has been or may be covered by flood water.

(I) "Licensor" means either the board of health of a city or general health district, or the authority having the duties of a board of health in any city as authorized by section [3709.05](#) of the Revised Code, or the director of health, when required under division (B) of section [3729.06](#) of the Revised Code. "Licensor" also means an authorized representative of any of those entities or of the director.

(J) "Manufactured home park" has the same meaning as in section [4781.01](#) of the Revised Code.

(K) "One-hundred-year flood" means a flood having a one per cent chance of being equaled or exceeded in any given year.

(L) "One-hundred-year flood plain" means that portion of a flood plain inundated by a one-hundred-year flood.

(M) "Operator" means the person who has responsible charge of a recreational vehicle park, recreation camp, combined park-camp, or temporary park-camp and who is licensed under this chapter.

(N) "Park model" means a recreational vehicle that meets the American national standard institute standard A119.5(1988) for park trailers, is built on a single chassis, has a gross trailer area of not more than four hundred square feet when set up, is designed for seasonal or temporary living quarters, and may be connected to utilities necessary for operation of installed features and appliances.

(O) "Person" has the same meaning as in section [1.59](#) of the Revised Code and also includes this state, any political subdivision of this state, and any other state or local body of this state.

(P) "Portable camping units" means dependent recreational vehicles, tents, portable sleeping equipment, and similar camping equipment used for travel, recreation, vacation, or business purposes.

(Q) "Recreation camp" means any tract of land upon which five or more portable camping units are placed and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of the camp. A tract of land that is subdivided for lease or other contract of the individual lots is a recreation camp if five or more portable camping units are placed on it for recreation, vacation, or business purposes.

"Recreation camp" does not include any tract of land used solely for the storage or display for sale of dependent recreational vehicles, solely as a temporary park-camp, or solely as a manufactured home park.

(R) "Recreational vehicle" has the same meaning as in section [4501.01](#) of the Revised Code.

(S) "Recreational vehicle park" means any tract of land used for parking five or more self-contained recreational vehicles and includes any roadway, building, structure, vehicle, or enclosure used or

intended for use as part of the park facilities and any tract of land that is subdivided for lease or other contract of the individual lots for the express or implied purpose of placing self-contained recreational vehicles for recreation, vacation, or business purposes.

"Recreational vehicle park" does not include any tract of land used solely for the storage or display for sale of self-contained recreational vehicles, solely as a temporary park-camp, or solely as a manufactured home park.

(T) "Self-contained recreational vehicle" means a recreational vehicle that can operate independent of connections to sewer and water and has plumbing fixtures or appliances all of which are connected to sewage holding tanks located within the vehicle. "Self-contained recreational vehicle" includes a park model.

(U) "Substantially alter" means a change in the layout or design of a recreational vehicle park, recreation camp, combined park-camp, or temporary park-camp, including, without limitation, the movement of utilities or changes in established streets, lots, or sites or in other facilities.

(V) "Temporary park-camp" means any tract of land used for a period not to exceed a total of twenty-one days per calendar year for the purpose of parking five or more recreational vehicles, dependent recreational vehicles, or portable camping units, or any combination thereof, for one or more periods of time that do not exceed seven consecutive days or parts thereof.

(W) "Tract" means a contiguous area of land that consists of one or more parcels, lots, or sites that have been separately surveyed regardless of whether the individual parcels, lots, or sites have been recorded and regardless of whether the one or more parcels, lots, or sites are under common or different ownership.

Amended by 129th General Assembly File No.127, HB 487, §101.01, eff. 9/10/2012.

Effective Date: 10-13-2004.

3729.02 Director of health to adopt rules for plan review, license issuance, and regulation generally.

(A) The director of health, subject to Chapter 119. of the Revised Code, shall adopt rules of uniform application throughout the state governing the review of plans and issuance of licenses for and the location, layout, construction, drainage, sanitation, safety, and operation of recreational vehicle parks, recreation camps, and combined park-camps. The rules shall not apply to the construction, erection, or manufacture of any building to which section [3781.06](#) of the Revised Code is applicable.

(B) The director, subject to Chapter 119. of the Revised Code, shall adopt rules of uniform application throughout the state governing the review of plans and issuance of licenses for and the layout, sanitation, safety, and operation of temporary park-camps. The rules shall not apply to the construction, erection, or manufacture of any building to which section [3781.06](#) of the Revised Code is applicable.

Amended by 129th General Assembly File No.127, HB 487, §101.01, eff. 9/10/2012.

Effective Date: 10-13-2004.

3729.03 Development plans to be approved by director of health - inspection - fees.

(A) No person shall cause development to occur within any portion of a recreational vehicle park, recreation camp, or combined park-camp until the plans for the development have been submitted to and reviewed and approved by the director of health. This division does not require that plans be submitted to the director for approval for the replacement of recreational vehicles or portable camping units on previously approved sites in a recreational vehicle park, recreation camp, or combined park-camp when no development is to occur in connection with the replacement. Within thirty days after receipt of the plans, all supporting documents and materials required to complete the review, and the applicable plan review fee established under division (D) of this section, the director shall approve or disapprove the plans.

(B) Any person aggrieved by the director's disapproval of a set of plans under division (A) of this section may request a hearing on the matter within thirty days after receipt of the director's notice of the disapproval. The hearing shall be held in accordance with Chapter 119. of the Revised Code. Thereafter, the disapproval may be appealed in the manner provided in section [119.12](#) of the Revised Code.

(C) The director shall establish a system by which development occurring within a recreational vehicle park, recreation camp, or combined park-camp is inspected or verified in accordance with rules adopted under division (A) of section [3729.02](#) of the Revised Code to ensure that the development complies with the plans approved under division (A) of this section.

(D) The director shall establish fees for reviewing plans under division (A) of this section and conducting inspections under division (C) of this section.

(E) The director shall charge the appropriate fees established under division (D) of this section for reviewing plans under division (A) of this section and conducting inspections under division (C) of this section. All such plan review and inspection fees received by the director shall be transmitted to the treasurer of state and shall be credited to the general operations fund created in section [3701.83](#) of the Revised Code. Moneys so credited to the fund shall be used only for the purpose of administering and enforcing this chapter and rules adopted under it.

(F) Plan approvals issued under this section do not constitute an exemption from the land use and building requirements of the political subdivision in which the recreational vehicle park, recreation camp, or combined park-camp is or is to be located.

Amended by 129th General Assembly File No.127, HB 487, §101.01, eff. 9/10/2012.

Effective Date: 10-13-2004.

3729.04 Municipal or county permit for development.

(A) No person shall cause development to occur within any portion of a recreational vehicle park, recreation camp, combined park-camp, or temporary park-camp that is located within a one-hundred-year flood plain in a municipal corporation unless the person first obtains a permit therefor from the municipal corporation in accordance with the flood plain management ordinance of the municipal corporation.

(B) No person shall cause development to occur within any portion of a recreational vehicle park, recreation camp, combined park-camp, or temporary park-camp that is located within a one-hundred-year flood plain in an unincorporated area unless the person first obtains a permit therefor from the board of county commissioners of the county in which the development is to occur in accordance with

the flood plain management resolution of the county adopted under section [307.37](#) of the Revised Code.

(C) If development for which a permit is required under division (A) or (B) of this section is to occur on a site where a recreational vehicle or portable camping unit is or is to be located, the owner of the recreational vehicle or portable camping unit and the operator of the recreational vehicle park, recreation camp, or combined park-camp shall jointly obtain the 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.

If development for which a permit is required under division (A) or (B) of this section is to occur within a temporary park-camp on a site where a recreational vehicle or portable camping unit is or is to be located, the owner of the temporary park-camp shall obtain the permit.

(D) Fees established by a municipal corporation or county for the issuance of permits under division (A) or (B) of this section are not subject to regulation by the director of health .

Amended by 129th General Assembly File No.127, HB 487, §101.01, eff. 9/10/2012.

Effective Date: 10-13-2004.

3729.05 Annual license required - inspection - proof of fire safety and code compliance.

(A)

(1) Except as otherwise provided in this section, on or after the first day of April, but before the first day of May of each year, every person who intends to operate a recreational vehicle park, recreation camp, or combined park-camp shall procure a license to operate the park or camp from the licenser. If the applicable license fee prescribed under section [3729.07](#) of the Revised Code is not received by the licenser by the close of business on the last day of April, the applicant for the license shall pay a penalty equal to twenty-five per cent of the applicable license fee. 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) Every person who intends to operate a temporary park-camp shall obtain a license to operate the temporary park-camp from the licenser at any time before the person begins operation of the temporary park-camp during the calendar year.

(3) No recreational vehicle park, recreation camp, combined park-camp, or temporary park-camp shall be maintained or operated in this state without a license. However, no person who neither intends to receive nor receives anything of value arising from the use of, or the sale of goods or services in connection with the use of, a recreational vehicle park, recreation camp, combined park-camp, or temporary park-camp is required to procure a license under this division. If any health hazard exists at such an unlicensed park, camp, or park-camp, the health hazard shall be corrected in a manner consistent with the appropriate rule adopted under division (A) or (B) of section [3729.02](#) of the Revised Code.

(4) No person who has received a license under division (A)(1) of this section, upon the sale or disposition of the recreational vehicle park, recreation camp, or combined park-camp, may have the license transferred to the new operator. A person shall obtain a separate license to operate each

recreational vehicle park, recreation camp, or combined park-camp. No license to operate a temporary park-camp shall be transferred. A person shall obtain a separate license for each temporary park-camp that the person intends to operate, and the license shall be valid for a period of not longer than seven consecutive days. A person who operates a temporary park-camp on a tract of land for more than twenty-one days or parts thereof in a calendar year shall obtain a license to operate a recreational vehicle park, recreation camp, or combined park-camp.

(B)

(1) Before a license is initially issued under division (A)(1) of this section and annually thereafter, or more often if necessary, the licenser shall cause each recreational vehicle park, recreation camp, or combined park-camp to be inspected to determine compliance with this chapter and rules adopted under it. A record shall be made of each inspection on a form prescribed by the director of health.

(2) When a license is initially issued under division (A)(2) of this section, and more often if necessary, the licenser shall cause each temporary park-camp to be inspected to determine compliance with this chapter and rules adopted under it during the period that the temporary park-camp is in operation. A record shall be made of each inspection on a form prescribed by the director.

(C) Each person applying for an initial license to operate a recreational vehicle park, recreation camp, combined park-camp, or temporary park-camp shall provide acceptable proof to the director, or to the licenser in the case of a temporary park-camp, that adequate fire protection will be provided and that applicable fire codes will be adhered to in the construction and operation of the park, camp, or park-camp.

(D) Any person that operates a county or state fair or any independent agricultural society organized pursuant to section [1711.02](#) of the Revised Code that operates a fair shall not be required to obtain a license under this chapter if recreational vehicles, portable camping units, or any combination of them are parked at the site of the fair only during the time of preparation for, operation of, and dismantling of the fair and if the recreational vehicles, portable camping units, or any combination of them belong to participants in the fair.

(E) The following entities that operate a fair and that hold a license issued under this chapter are not required to comply with the requirements normally imposed on a licensee under this chapter and rules adopted under it during the time of preparation for, operation of, and dismantling of the fair:

(1) A county agricultural society organized pursuant to section [1711.01](#) of the Revised Code;

(2) An independent agricultural society organized pursuant to section [1711.02](#) of the Revised Code;

(3) The Ohio expositions commission.

(F) A motorsports park is exempt from the license requirements established in divisions (A)(1) and (2) of this section if the motorsports park does both of the following:

(1) Holds at least one annual event sanctioned by the national association for stock car auto racing or the national hot rod association during a motor sports racing event;

(2) Provides parking for recreational vehicles, dependent recreational vehicles, and portable camping units that belong to participants in that event.

The exemption established in this division applies to participant-only areas during the time of preparation for and operation of the event.

(G) A person subject to this chapter or rules adopted under it may apply to the director for a waiver or variance from a provision of this chapter or rules adopted under it. The director may grant a waiver or variance if the person demonstrates, to the satisfaction of the director, that the waiver or variance will not result in any adverse effect on the public health and safety. The director shall adopt rules in accordance with Chapter 119. of the Revised Code establishing requirements and procedures governing the application for and granting of a waiver or variance under this division.

Amended by 130th General Assembly File No. TBD, HB 394, §1, eff. 3/19/2015.

Amended by 129th General Assembly File No.141, HB 509, §1, eff. 9/28/2012.

Effective Date: 10-13-2004.

3729.06 Annual survey of health district for compliance.

(A) The director of health may survey annually each health district that is licensing recreational vehicle parks, recreation camps, combined park-camps, or temporary park-camps as provided in section [3729.05](#) of the Revised Code to determine whether the district is in substantial compliance with this chapter and rules adopted under it. Upon determination that there is substantial compliance, the director shall place the health district on an approved list. The director shall make a resurvey when in the director's opinion a resurvey is necessary and shall remove from the approved list any health district not substantially complying with this chapter and rules adopted under it.

(B) If, after a survey or resurvey is made as provided in this section, the director determines that a health district is not eligible to be placed on the approved list or to continue on the list, the director shall certify that fact to the board of health of the health district. The director shall administer and enforce this chapter and rules adopted under it in the health district until the director determines that the health district is eligible for placement on the approved list. Until the district is placed on or returned to the approved list, the director shall collect all fees payable to a board of health under section [3729.07](#) of the Revised Code and all such fees previously paid that have not been expended or encumbered for deposit in the state treasury to the credit of the campground licensing fund, which is hereby created for use by the director in the director's capacity as licenser. The director shall repay any balance remaining in the account to the district when the director places the district on the approved list.

Effective Date: 10-13-2004.

3729.07 Licenser may charge annual fee.

The licenser of a recreational vehicle park, recreation camp, or combined park-camp may charge a fee for an annual license to operate such a park, camp, or park-camp. In the case of a temporary park-camp, the licenser may charge a fee for a license to operate the temporary park-camp for the period specified in division (A) of section [3729.05](#) of the Revised Code. The fees for both types of licenses shall be determined in accordance with section [3709.09](#) of the Revised Code and shall include the cost of licensing and all inspections.

Except for the fee for a temporary park-camp license, the fee also shall include any additional amount determined by rule of the director of health , which shall be collected and transmitted by the board of

health to the director pursuant to section [3709.092](#) of the Revised Code and used only for the purpose of administering and enforcing this chapter and rules adopted under it. The portion of any fee retained by the board of health shall be paid into a special fund and used only for the purpose of administering and enforcing this chapter and rules adopted under it.

Amended by 129th General Assembly File No.127, HB 487, §101.01, eff. 9/10/2012.

Amended by 128th General Assembly File No.9, HB 1, §101.01, eff. 10/16/2009.

Effective Date: 10-13-2004.

3729.08 License may be refused, suspended, or revoked for noncompliance.

(A) The licensor of the health district in which a recreational vehicle park, recreation camp, combined park-camp, or temporary park-camp is or is to be located, in accordance with Chapter 119. of the Revised Code, may refuse to grant, may suspend, or may revoke any license granted to any person for failure to comply with this chapter or with any rule adopted by the director of health under section [3729.02](#) of the Revised Code.

(B) If a recreational vehicle park or combined park-camp operator is found to have used the park or park-camp as a chronic nuisance in violation of division (B) of section 3729.14 of the Revised Code, the licensor shall immediately revoke any license held by the park or park-camp operator upon receipt of information provided by the local board of health in accordance with division (D) of that section.

Amended by 132nd General Assembly File No. TBD, HB 49, §101.01, eff. 9/29/2017.

Amended by 129th General Assembly File No.127, HB 487, §101.01, eff. 9/10/2012.

Effective Date: 10-13-2004.

3729.09 Rights coextensive with term of license.

Upon a license being issued under sections [3729.05](#) to [3729.08](#) of the Revised Code, any operator has the right to rent or use each lot or camping space for the parking or placement of a recreational vehicle or portable camping facility to be used for human habitation without interruption for any period coextensive with any license or consecutive licenses issued under sections [3729.05](#) to [3729.08](#) of the Revised Code.

Effective Date: 10-13-2004.

3729.10 Fees under chapter in lieu of other fees - exception.

Fees authorized or charged under sections [3729.03](#) and [3729.07](#) of the Revised Code are in lieu of all license and inspection fees on or with respect to the operation or ownership of recreational vehicle parks, combined park-camps, recreation camps, or temporary park-camps within this state, except that the licensor may charge additional reasonable fees for the collection and bacteriological examination of any necessary water samples taken from any such park, camp, or park-camp.

Effective Date: 10-13-2004.

3729.11 Enforcement of violations.

(A) No person shall violate this chapter or rules adopted under it.

(B) The prosecuting attorney of a county, a city director of law, or the attorney general, upon complaint of the licenser or the director of health, shall prosecute to termination or bring an action for injunction against any person violating this chapter or rules adopted under it.

Effective Date: 10-13-2004.

3729.12 Campsite use agreement.

Every campsite use agreement entered into between a camp operator and a campsite user shall be in writing, shall contain the name, address, and phone number of the campsite user, and shall designate the campsite that is the subject of the agreement. The campsite use agreement also shall contain a description of the procedure for removing property from the campsite if the campsite user fails to remove all property from the campsite as required by section [3729.13](#) of the Revised Code.

Effective Date: 10-13-2004.

3729.13 Expiration of campsite use agreement.

(A) A campsite user who enters into a campsite use agreement with a camp operator for the use of a campsite at a recreational vehicle park, recreation camp, combined park-camp, or temporary park-camp, at the expiration of the campsite use period under the agreement, shall remove from the campsite all of the campsite user's property and all property any other person placed on the campsite with the permission of the campsite user. If the campsite user fails to remove all of that property from the campsite within the five-consecutive-day period after the expiration of that campsite use period, all of the following apply:

(1) The camp operator shall perform an inventory of the property that the campsite user did not remove from the campsite.

(2) The camp operator may send a letter to the campsite user informing the campsite user that the campsite user has abandoned the property on the campsite in violation of the campsite use agreement and that the camp operator will commence an action for the seizure of the property if the campsite user does not remove the property from the campsite within ten days after the date on which the letter is mailed.

(3) If the campsite user does not remove the property from the campsite within ten days after the date on which the letter described in division (A)(2) of this section is mailed, the camp operator may file an action for the seizure of the property that remains on the campsite in the municipal court or county court that has territorial jurisdiction over the park or camp. The complaint shall contain all of the following:

(a) The name, address, and phone number of the campsite user that is in the campsite use agreement;

(b) A description of the property that the campsite user has not removed from the campsite;

(c) A demand that all of the property listed in the complaint be removed from the campsite within seven days after service of the complaint upon the campsite user;

(d) A description of the procedure that will be followed if the campsite user does not remove the listed property within the seven-day period;

- (e) A statement that the campsite user shall pay to the clerk of the court the amount of the filing fees charged for the filing of the complaint, that the campsite user shall pay those fees prior to the campsite user's removal of the listed property from the campsite, and that if the campsite user fails to pay the amount of the filing fees the property may be sold to pay the filing fees.
- (4) When the camp operator files an action under division (A)(3) of this section, the clerk of the court shall issue a summons and a copy of the complaint pursuant to the Rules of Civil Procedure to the campsite user at the address provided in the campsite use agreement.
- (5) If the campsite user does not file an answer to the complaint filed under division (A)(3) of this section and remove all of the property listed in the complaint within seven days after service of the complaint upon the campsite user, the court shall do either of the following:
- (a) Issue an order authorizing the sheriff, another peace officer, or a bailiff to remove the property from the campsite and place it in storage;
- (b) Authorize the camp operator to seize the property and cause the issuance to the camp operator of a new certificate of title for the property if the property is a titled vehicle.
- (6) Upon the removal and storage of the property, the sheriff, peace officer, bailiff, or camp operator shall conduct or cause to be conducted a search of the appropriate public records that relate to the property and shall make or cause to be made reasonably diligent inquiries for the purpose of identifying persons who have any right, title, or interest in any of the property. Then, the sheriff, peace officer, bailiff, or camp operator may commence proceedings for the sale of the property. The sheriff, peace officer, bailiff, or camp operator shall send by certified mail, return receipt requested, a written notice of the date, time, and place of the sale to each person who, because of the conduct of the search, the making of inquiries, or otherwise, the sheriff, peace officer, bailiff, or camp operator believes has any right, title, or interest in the property. The sheriff, peace officer, bailiff, or camp operator shall send the notice to the last known address of each of those persons.
- (7) If the sheriff, peace officer, bailiff, or camp operator sells the property, the sheriff, peace officer, bailiff, or camp operator shall dispose of the proceeds of the sale in the following order:
- (a) The sheriff, peace officer, bailiff, or camp operator shall first pay the costs for any moving or any storage of the property, the costs of the sale, and any unpaid court costs assessed against the campsite user in the underlying action.
- (b) Following the payment required by division (A)(7)(a) of this section, the sheriff, peace officer, bailiff, or camp operator shall pay all other outstanding security interests, liens, or encumbrances on the property by priority of filing or other priority.
- (c) After complying with divisions (A)(7)(a) and (b) of this section, the sheriff, peace officer, bailiff, or camp operator shall transfer any remaining money to the owner of the property.
- (8) If the sheriff, peace officer, bailiff, or camp operator does not conduct a sale of the property, the sheriff, peace officer, bailiff, or camp operator shall dispose of the property in the following manner:
- (a) If the property is a motor vehicle or recreational vehicle, in accordance with the procedure in section [4513.61](#) or [4513.63](#) of the Revised Code;

(b) If the property is personal property, in accordance with the procedure in sections [2981.11](#) and [2981.12](#) of the Revised Code.

(B) Upon collection from the campsite user, the municipal court or county court shall reimburse the filing fees to the camp operator.

Effective Date: 10-13-2004; 07-01-2007.

[3729.14 Operation of recreational vehicle park or combined park-camp as chronic nuisance prohibited.](#)

(A) As used in this section:

(1) "Chronic nuisance property" means a property on which three or more nuisance activities have occurred during any consecutive six-month period.

(2) "Deadly weapon" and "firearm" have the same meanings as in section [2923.11](#) of the Revised Code.

(3) "Nuisance activity" includes all of the following:

(a) A felony drug abuse offense as defined in section [2925.01](#) of the Revised Code;

(b) A felony sex offense as defined in section [2967.28](#) of the Revised Code;

(c) A felony offense of violence;

(d) A felony or a specification an element of which includes the possession or use of a deadly weapon, including an explosive or a firearm.

(4) "Offense of violence" has the same meaning as in section [2901.01](#) of the Revised Code.

(5) "Person associated with the property" includes a camp operator; camp employee; camp official; camp agent; campsite user; any other person licensed under Chapter 3729. of the Revised Code; any person occupying a campsite including a tenant or invitee; or any person present on the property of a recreational park camp or combined park-camp with the permission of the camp operator or other person licensed under Chapter 3729. of the Revised Code or the consent of any campsite user, tenant, or invitee.

(6) "Property" means the property of a recreational vehicle park or a combined park-camp, including all lots, buildings, or campsites, whether contained on one or multiple parcels of real property.

(B) No person shall use or operate a recreational vehicle park or combined park-camp as a chronic nuisance. No camp operator shall let a park or park-camp be so used, or knowingly permit a person who has entered into a campsite use agreement with the operator to engage in such conduct in the park or park-camp.

(C) If a local board of health of the health district in which a recreational vehicle park or combined park-camp is located finds that persons associated with the property of the park or park-camp have engaged in a nuisance activity on the park or park-camp property two or more times in any consecutive six-month period, the local board of health shall send notice to the camp operator specifying the conduct that constitutes the nuisance activity. The notice shall be sent to the camp operator by certified mail. The notice shall inform the operator that if one or more nuisance activities

occurs on the property within the consecutive six-month period beginning on the date of the first nuisance activity, the property will be declared a chronic nuisance as described in division (A) of this section and the camp operator's license will be revoked.

If subsequent to the mailing of the notice, the local board of health learns of an additional nuisance activity on the recreational vehicle park or combined park-camp property during a consecutive six-month period beginning on the date the notice was mailed to the park operator, the board shall immediately report to the licensing authority that the property is a chronic nuisance. Upon receipt of such information, the licensing authority shall revoke the camp operator's license in accordance with section [3729.08](#) of the Revised Code.

(D) This section does not limit any recourse permitted elsewhere in the Revised Code or at common law for conduct that violates this section.

Added by 132nd General Assembly File No. TBD, HB 49, §101.01, eff. 9/29/2017.

[3729.15 to 3729.18 \[Repealed\].](#)

Effective Date: 09-05-2001.

[3729.21 to 3729.24 \[Repealed\].](#)

Effective Date: 09-05-2001.

[3729.26 \[Repealed\].](#)

Effective Date: 09-05-2001.

[3729.27 \[Repealed\].](#)

Effective Date: 11-24-1995.

[3729.29 \[Repealed\].](#)

Effective Date: 09-05-2001.

[3729.36 \[Repealed\].](#)

Effective Date: 09-05-2001.

[3729.40, 3729.41 \[Repealed\].](#)

Effective Date: 09-05-2001.

[3729.43 \[Repealed\].](#)

Effective Date: 09-05-2001.

[3729.45, 3729.46 \[Repealed\].](#)

Effective Date: 09-05-2001.

[3729.55 \[Repealed\].](#)

Effective Date: 09-05-2001.

3729.61 [Repealed].

Effective Date: 09-05-2001.

3729.99 Penalty.

Whoever violates division (A) of section [3729.11](#) of the Revised Code is guilty of a misdemeanor of the fourth degree.

Effective Date: 10-13-2004.