

*****DRAFT - NOT FOR FILING*****

4781-12-07.1 Flood plain management development permits.

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

*****DRAFT - NOT FOR FILING*****

(8) The site-specific drawing designed by an Ohio registered engineer must accompany the application.

- (D) The fee for the issuance of a permit under paragraph (A) or (B) of this rule shall be ~~one hundred twenty dollars, except that when the permit is issued for development, alteration, repair, or change for which a plan review is also required under rule 4781-12-05 of the Administrative Code, the fee shall be a total of fifty dollars for all development reviewed in the plans without reference to the number of lots involved in the development~~fifty dollars.
- (E) Except as provided in paragraph (F) of this rule, a permit issued under paragraph (A) or (B) of this rule shall be valid for one year from the date of issuance of the permit. The ~~commission~~division may grant one extension of ninety days if ~~he~~it finds that the person granted the permit has failed to complete the development, replacement, alteration, repair, or change for reasons beyond ~~his~~the applicant's control.
- (F) A permit issued for development, alteration, repair, or change for which a plan review is also required under rule 4781-12-05 of the Administrative Code shall be valid for a period of time equal to the time for which approved plans are valid including any extensions granted by the ~~commission~~division under paragraph (D) of rule 4781-12-05 of the Administrative Code.
- (G) The ~~commission~~division shall disapprove an application for a permit required under paragraph (A) or (B) of this rule unless the ~~commission~~division finds that the proposed development, replacement, alteration, repair, or change complies with sections 4781.26 to 4781.35 of the Revised Code and this chapter.
- (H) The ~~commission~~division may suspend or revoke a permit issued under this rule for failure to comply with the approved permit, sections 4781.25 to 4781.35 of the Revised Code, or this chapter.
- (I) Any person aggrieved by the disapproval, suspension, or revocation of a permit under this rule by the ~~commission~~division may request a hearing on the matter. ~~within thirty days after receipt of the notice of the disapproval, suspension, or revocation.~~ The request for a hearing must be received by the division within thirty days from the date that the notice of disapproval, suspension, or revocation was mailed. The hearing shall be held in accordance with Chapter 119. of the Revised Code.