



Buckeye Beach Park LLC
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Ohio Administrative Code

Rule 3701-26-04 | Responsibilities of the licensee.

Ohio Administrative Code

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Chapter 3701-26 | Expanded Camp Rules

Effective:

April 1, 2016

Promulgated Under:

119.03



Ohio Administrative Code Rule 3701-26-04 Responsibilities of the licensee.

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(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 licensor.

(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 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 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 licensor, 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.