

**Ohio Department of Natural Resources (“ODNR”), Division of Parks and Watercraft (“Division”)  
Application for a Dock Construction (or Superaqueous Structure) Permit  
(Ohio Administrative Code 1501:41-12-12)**

**DEFINITIONS:**

For purposes of this permit and any subsequent permit, unless altered by the subsequent permit, the following definitions apply:

1. “Dock” means the part of any Structure over, on, or in the water of \_\_\_\_\_ (the “Lake”) which may be used for the mooring of watercraft.
2. “Superaqueous Structure” means any Structure other than a dock that is over, on, or in the water of the Lake.
3. “Structure” means a “Dock” or a “Superaqueous Structure” as defined above.
4. “Dock Construction Permit” means a permit issued by the Chief of the Division or his designee allowing the construction, replacement, modification, or repair of a Structure located above, on, or in the waters of the Lake.
5. “Mooring Permit” means a permit issued by the Chief of the Division or his designee for a designated boating year allowing a dock construction permitted Structure to remain above, on, or in the waters of the Lake and the mooring of the permitted number of watercraft to that Structure.

**CONDITIONS:** If approved, the original Dock Construction Permit will be for the period set forth in the approval section of that permit. If the Structure is constructed in compliance with the original or modified construction plans approved in writing by the Chief or the Chief’s designee, upon payment of the applicable fee, a Mooring Permit will be issued allowing the mooring for the remainder of the period listed in the Dock Construction Permit of the number of watercraft approved in that Mooring Permit. Once approved an application and payment for a Mooring Permit must be submitted prior to April 1st of each year. A late fee will be charged if payment is submitted after April 30<sup>th</sup> of each year. Before a permit will be issued, the current applicable fee, as well as any outstanding fees, must be paid. If current and outstanding fees are not paid as required, the Division reserves the right to remove, at Applicant’s expense, the Structure and all associated appurtenances and watercraft.

Applicant agrees to comply with the terms of the originally issued Dock Construction Permit and the terms of each subsequently issued Mooring Permit issued for the Structure, including, but not limited to, the agreement to remove, at Applicant’s expense, the Structure, its appurtenances and watercraft upon request of the Division so that repairs may be made to the Lake’s dam or for similar reasons. No Structure, associated appurtenance or watercraft may be anchored into, structurally connected to, or require or result in modifications to any part of the Dam, its embankment, crest, abutments, steel sheet piling, trees located on any part of the dam, or other appurtenance. No electric cords or conduits may be run to the downstream side of the dam or on any other ODNR property. Applicant must identify, obtain and, upon request, provide the Division with a copy of all required building and zoning permits. Violation of these provisions at any time authorizes the Chief or his designee to immediately revoke a permit and/or remove the Structure, associated appurtenances, or watercraft and repair any and all damage to the dam or its embankment, crest, abutments, steel sheet piling, or other appurtenances at the Applicant’s expense.

Before any replacement, modification, or repair that alters the basic construction of a Structure is made, an application for a new Dock Construction Permit must be approved, in writing, by the Chief or the Chief’s designee. Park staff must be contacted before any replacement, modification, or repair is begun. Failure to obtain the required prior written approval and a finding by the Chief or the Chief’s designee that there has been an alteration of the basic construction of a Structure will result in Applicant’s required removal of the Structure and associated appurtenances and watercraft, at Applicant’s expense. If Applicant does not remove the Structure and all related appurtenances and watercraft within the time required by the Chief or the Chief’s designee, pursuant to the terms of a Dock Construction or Mooring Permit, the Chief may have the Structure and its appurtenances and watercraft removed and disposed. Applicant agrees not to seek reimbursement for his cost of removal, for the cost of any structure, appurtenance, or watercraft removed due to noncompliance and agrees to reimburse the Division for all costs the Division incurs insuring compliance. Approval of the replacement, modification, or repair does not relieve the Applicant of the duty to submit a yearly Mooring Permit application to allow the Structure, its appurtenances and watercraft to remain or to pay the applicable fees. If Applicant wishes to moor watercraft to the Structure, the number of watercraft to be moored must be listed on the application and issued identification stickers must be displayed as instructed by the Division. The Division may, without prior notice, at all reasonable times, enter into and upon property to determine if the Applicant is complying with the terms of all applicable permits.



**ODNR DIVISION OF PARKS AND WATERCRAFT  
DOCK/SUPERAQUEOUS CONSTRUCTION PERMIT**

**Approved;**

**Disapproved** (see attached)

\_\_\_\_\_ is hereby authorized to construct, replace, modify, or repair the subject Structure in accordance with the information provided on the submitted application dated \_\_\_\_\_.

This permit is valid for the period beginning on \_\_\_\_\_ and ending on \_\_\_\_\_.

This structure is located at \_\_\_\_\_ in \_\_\_\_\_.

Construction, replacement, modification, or repair, if applicable, will be completed by \_\_\_\_\_ 20\_\_\_\_, or this permit becomes invalid. The Permit holder is subject to all applicable laws, administrative rules, policies and practices of the State of Ohio and the Division, to the provisions set forth in this permit and subsequent permits and, if applicable, in the attached addendum. If the Structure is subject to additional approval by a zoning board, township trustees, a homeowner's association, or similar entity, approval by that entity must be received before construction/modification/repair begins. The requirements of this permit and subsequent permits supersede any previous permit issued for this Structure.

Comments/Special Stipulations or reference to addendum:

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\_\_\_\_\_  
Chief, Division of Parks and Watercraft ("Division") or designee

\_\_\_\_\_  
Date

**Upon completion, make contact with the park office as construction is to be inspected by park personnel.**

### **ODNR, Division of Parks & Watercraft Policies and Practices**

1. The Chief shall have the right to terminate a permit without cause by giving Permit holder 24-hour written notice prior to such termination. Permit holder shall be entitled to a prorated refund of fees paid; provided, however, that no refund shall be made if termination of a permit is due to Permit holder's violation of any statute, administrative rule, Division policy or practice, or the rules and stipulations of the permit.
2. A reason for termination of a permit and/or removal of the Structure and associated appurtenances and watercraft may be the need to repair the Dam or its appurtenances or a similar reason for which removal is required immediately or in the near future. In the event the Chief requires removal, the Permit holder shall cause removal of the Structure and associated appurtenances and watercraft within the time required. If the Permit holder does not remove such property as required, the Chief may have the Division or contractors perform such removal at the expense of the Permit holder.
3. The Division reserves the right to lower the normal pool level of the Lake at any time it deems necessary and to order temporary or permanent removal of any and all Structures and associated appurtenances and watercraft. The Division also reserves the right to allow the lake level to rise and be maintained above the normal pool level and is under no obligation to maintain the Lake at a specific level. Permit holder agrees not to seek reimbursement for any damage that may result from the raising or the lowering of the Lake.
4. Compliance with a permit issued by the Division does not relieve the Permit holder of any other obligation imposed by law.
5. Permit holder agrees to indemnify and hold harmless the State of Ohio, ODNR, the Division, and any State of Ohio, ODNR, or Division employee, contractor, or agent against any claim for injury or damage to the person or property of Permit holder and to persons or property present at the invitation, request, order, or permission of Permit holder while the same are in, at, or upon the Structure and associated appurtenances and watercraft permitted herein or in other permits.
6. No garbage cans, bottles, wire, oil, paper, sewage, or waste material of any kind shall be thrown, deposited, or permitted to fall into the water or upon the docks, piers, walkways, shore, or other area of a Structure site, appurtenance, or watercraft; nor shall a Structure, appurtenance, pier, walkway, or shore area be used by Permit holder as a storage place for any gear or equipment. Signs, placards, or commercial displays are prohibited on any Structure, appurtenance, pier, walkway, or shore area except those areas specified in Division rules.
7. Only those dock stickers issued by the Division for the current year may be displayed and such dock stickers must be displayed, as required by the Division, on each and every Structure and watercraft used by a Permit holder.
8. For any action taken on behalf of ODNR or the Division pursuant to the rules and stipulations of a permit, Permit holder waives any and all claims for reimbursement from the State of Ohio, ODNR, Division, and any State of Ohio, ODNR, or Division employee, contractor, or agent for such action or resulting damage or injury. Permit holder shall reimburse the State of Ohio, the ODNR, the Division, or any employee, contractor, or agent of the State of Ohio, ODNR, or the Division for any and all expenses incurred by those entities as the result of Permit holder's failure to comply with the terms of this Permit.
9. The issuance of a Mooring Permit does not authorize the construction, placement, or maintenance of any building, patio, or any other item over, on, or in the embankment of the Lake not authorized by a Dock Construction (or Superaqueous) Permit. The State, ODNR, and the Division reserve all rights to require removal of any and all such items and, if not removed by the Permit holder, the Division reserves all rights to remove or have a contractor remove any and all such items at the Permit holder's expense.
10. The Division may, at all reasonable times and without prior notice, enter into and upon the Structure, associated appurtenances and watercraft, and adjacent property to determine if the Permit holder is complying with the terms of a permit, the laws governing the Lake, and Ohio's Dam Safety laws.
11. No Structure, associated appurtenance or watercraft may be anchored into, structurally connected to, or require or result in modifications to any part of the Dam, its embankment, crest, abutments, steel sheet piling, or trees on the dam or other appurtenances. Use of the dam for the mounting of davits, mooring cleats, or other watercraft docking devices is prohibited. Violation of this provision at any time authorizes the Chief or his designee to immediately revoke a permit and/or remove the Structure and associated appurtenances and watercraft and repair any and all damage to the dam or its

embankment, crest, abutments, steel sheet piling, or other appurtenances at the Permit holder's expense. No electrical cord or conduit may be extended to the downstream side of the dam or anywhere on ODNR property.

12. All privately built Structures and associated appurtenances and watercraft must be maintained by the Permit holder as required by Ohio Revised Code and Ohio Administrative Code provisions and for the purpose for which they were intended. Structures requiring replacement shall be reconstructed according to state specifications available at the Park Office. In the event a Structure or an appurtenance, in the opinion of the Division, is in such disrepair as to create a danger to public safety, the Permit holder, upon request of the Division, shall either remove the Structure or appurtenance or submit an application for a Dock Construction Permit to make the appropriate repairs. If the application is denied or if the Permit holder fails to take the required action within the time required by the Division, the Structure and all associated appurtenances and watercraft may be removed by the Division or a Division contractor at Permit holder's expense.

13. Unless the Mooring Permit is renewed annually by April 30<sup>th</sup>, the Structure and all associated appurtenances and watercraft must be removed by the Permit holder or the Division or a Division contractor may remove such Structure and associated appurtenances and watercraft at Permit holder's expense and eliminate dock/mooring privileges within 60 days as the property is deemed abandoned by the Permit holder.

14. If a Permit holder transfers or assigns a permit or permit rights to a third party, the Division will not automatically issue a Dock Construction Permit or Mooring Permit to the transferee or assignee. It is the responsibility of the new Permit holder to submit the appropriate applications and receive the appropriate permits from the Division needed to comply with any permit transfer or assignment agreement with a third party. Permit holder's sale of the house or real estate associated with a Dock Construction Permit or Mooring Permit will result in the expiration of Permit holder's and his transferee/assignee's rights under the permit at the expiration of the boating season subject to that permit. If Permit holder sells the house or real estate associated with a permit, a new permit will only be issued to the new owner of the associated house or real estate. Permit holder shall indemnify the State, ODNR, the Division, and any of their employees, contractors, or agents for any due claim of a third party resulting from a transfer, assignment, or sale or alleged transfer, assignment, or sale of a permit, house, or real estate.

15. Where any Structure has been constructed, modified, or repaired or is in any state of construction, modification, or repair that requires a Dock Construction Permit without the Applicant having received such a permit, the Chief or his designee may require the builder or owner to remove the unauthorized Structure and all associated appurtenances and watercraft. If the builder or owner does not remove the Structure and all associated appurtenances and watercraft, the Division or a Division contractor may remove such property at the Permit holder's expense.

16. Shoreline protection around a privately constructed Structures and appurtenances will be the responsibility of that Structure's owner. In addition, the Structure, associated appurtenances, and any adjacent state land must be maintained in good condition and be kept clean of litter by the Permit holder as required by the Division. In the event the Permit holder is not, in the opinion of the Division, providing adequate shoreline protection, or if adjacent state land is not being maintained in good condition or is not cleaned, the Division may, after reasonable notice to the Permit holder, take what it deems to be appropriate action to protect the shoreline and/or to maintain the adjacent state land in a good and litter-free condition at Permit holder's expense.

17. Permit holder shall insure that the Structure and associated appurtenances are in compliance with all building and zoning codes and permit requirements. The Division assumes no responsibility for any penalties Permit holder incurs as a result of noncompliance.

18. The Division will not be responsible for dredging around private structures. Before any underwater maintenance or dredging is performed adjacent to or near the structures, the owner must obtain approval from the Division and the Army Corps of Engineers. The Division's authority to control such activities is found in Ohio Administrative Code 1501:41-3-11. This provision does not prevent the Division from performing dredging around private structures.

19. Approval of construction, modification, or repair by the Division does not grant Permit holder exclusive use of the Division's shoreline, unless exclusively leased under a separate agreement. Any signs or barricades restricting access must be confined to the structure itself.

20. All plans and diagrams must be submitted in standard business format. A drawing/sketch showing frontage and placement of the proposed Structure and any other structures within 50 feet of the proposed Structure is required. Structure plans and specifications must be submitted showing as much detail as possible, sufficiently representing dimensions, materials, and construction methods. Examples of ODNR approved Structure plans are available at the Park Office.
21. Only construction that meets the requirements of the Lake's Dock Management Plan and standard ODNR structure plans will be considered for approval. A 15 foot setback is required from the adjacent property lines unless written permission is given by the adjacent property owner.
22. Taxes assessed against the Structure or associated appurtenances or watercraft will be the Permit holder's responsibility.
23. All Structures and associated appurtenances will be inspected upon completion of initial construction/modification/repair and may be inspected by Division personnel anytime during or after completion of the construction/modification/repair. If approved, a dock tag will be issued. Inspection of the Structure and associated appurtenances and adjacent state property and interior and exterior structures and appurtenances to the Lake may also be conducted by employees of the Division and authorized agents of ODNR's Division of Engineering and ODNR's Dam Safety Program upon reasonable notice to the Permit holder.
24. Permit holder agrees to moor his/her watercraft to the approved, permitted Structure.
25. Every watercraft in a Structure's space shall be fastened properly and securely and in such a manner as to avoid fouling or collision with any adjacent watercraft.
26. Watercraft containing a sink, toilet, or sanitary system shall not be used, operated, or docked on any state lake unless such sink, toilet, or sanitary system is removed or sealed or made to drain into a tank or reservoir which can be pumped or carried ashore for disposal.
27. All boats entering, leaving, or passing a docking area or marina and boat launch ramp shall be operated at such speeds as to preclude a wake or waves causing discomfort, injury, or damage to persons, watercraft, or property.
28. Boats moored at any permitted Structure or permitted tie-up space shall not be used for the purpose of sleeping thereon overnight, except for those at designated areas.
29. Violation of any watercraft laws of the State of Ohio, rules of the Division, or rule or stipulation of a Dock Construction Permit or a Mooring Permit by an occupant, owner, or operator of a boat permitted to dock on any state park lake may be cause for immediate termination of all permits issued by the Division.