



**OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF PARKS AND WATERCRAFT
ROCKY FORK STATE PARK
HAZARDOUS TREE REMOVAL PERMIT APPLICATION**

**Application to remove hazardous trees from lands of the State under the administration of the
Ohio Department of Natural Resources, Division of Parks and Watercraft
at Rocky Fork State Park
Ohio Revised Code (ORC) 1546.32(E)**

Requirements:

1. This Application may only be submitted by Adjacent Property Owners, meaning those who share a property boundary with the State of Ohio at Rocky Fork State Park.
2. This Application must be submitted to the Ohio Department of Natural Resources, Division of Parks and Watercraft at the Rocky Fork State Park office.
3. The following information must be submitted with this Application:
 - a. An aerial map from the county auditor's web site that shows the location of the tree(s) proposed to be removed; and
 - b. Photograph(s) of the tree(s) proposed to be removed.
4. All Applicants must read and agree to the attached **Hazardous Tree Removal Permit Rules and Conditions** contained in this Application.



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APPLICATION

Applicant Name(s)

Adjacent Property Address City/Zip

County/Township Phone Number Email

Mailing Address (if different than Adjacent Property Address) City/Zip

Contractor's Name	Mailing Address	City/Zip	Phone Number	Email
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Proposed Starting Date: _____ Anticipated Completion Date: _____

Type of Tree Hazard claimed by the Applicant:

- Fallen and believed to be hazardous
- Dead and believed to pose a hazard to other trees

I have read and agree to the **Hazardous Tree Removal Permit Rules and Conditions** contained in this Application. I agree that removal of any tree from state park land requires a Hazardous Tree Removal Permit, and I will not begin such tree removal until I receive a Hazardous Tree Removal Permit from the Division.

I explicitly acknowledge that a Hazardous Tree Removal Permit may be denied. I further acknowledge that the issuance of the Hazardous Tree Removal Permit does not relieve my duty to comply with all other applicable laws, rules, and regulations.

The **Hazardous Tree Removal Permit Rules and Conditions** for a Hazardous Tree Removal Permit issued pursuant to this Application, and any subsequent Hazardous Tree Removal Permit, supersede any previous permit issued for the tree removal that is subject to this Application.

Applicant's Signature

Date



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HAZARDOUS TREE REMOVAL PERMIT RULES AND CONDITIONS

DEFINITIONS:

For purposes of this Permit Application, the following definitions apply:

1. "Adjacent Property Owner" means a property owner who shares a property boundary with the State of Ohio at Rocky Fork State Park.
2. "Applicant" means an Adjacent Property Owner who has applied for a Hazardous Tree Removal Permit.
3. "Division" means the ODNR Division of Parks and Watercraft.
4. "Chief" means the Chief of the Division.
5. "Hazardous Tree Removal Permit" means a permit issued by the Chief, allowing the removal of trees from state park land that have either fallen and are deemed hazardous, or are dead and pose a hazard to other trees.
6. "ODNR" means the Ohio Department of Natural Resources.
7. "Park Office" means the Rocky Fork State Park Office.
8. "Permittee" means an Applicant to whom a Hazardous Tree Removal Permit has been issued.

RULES AND CONDITIONS:

1. Upon receipt of the Application, the Division will inspect the tree(s) proposed to be removed and will mark any tree that will be authorized to be removed under the Hazardous Tree Removal Permit.
2. The Chief may deny the issuance of a Hazardous Tree Removal Permit for any fallen tree that is not deemed hazardous or any dead tree that is not posing a hazard to other trees.
3. This Hazardous Tree Removal Permit authorizes the Permittee to remove only the tree(s) marked by the Division during its inspection on the adjacent state park land shown on the aerial map from the county auditor's web site in the approved Application.
4. This Hazardous Tree Removal Permit also requires the Permittee to return the state park property to its original condition prior to such removal, ensuring that the disturbed area is filled and level to the surrounding area, seeded, and covered with a material to reduce possible erosion.
5. The Permittee shall pay all costs associated with the permitted removal of any tree and the restoration of the disturbed state property under this Hazardous Tree Removal Permit.
6. This Hazardous Tree Removal Permit is non-transferable and non-assignable.
7. All Hazardous Tree Removal Permits must be complied with by the Permittee as required by the Ohio Revised Code, the Ohio Administrative Code, the **Rocky Fork State Park Shoreline Management Plan**, and these **Hazardous Tree Removal Permit Rules and Conditions**.



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8. The Division may, at all reasonable times and without prior notice, enter into and upon the Permittee's adjacent property to determine if the Permittee is complying with the terms of the Hazardous Tree Removal Permit and any applicable statute, administrative rule, Division policy or practice.
9. Compliance with a Hazardous Tree Removal Permit issued by the Division does not relieve the Permittee of any other obligation imposed by law.
10. Tree removal may be subject to regulation by the United States Fish and Wildlife Service and the ODNR Division of Wildlife from April 1 – September 30 to protect bat species. The Permittee shall obtain and comply with any other required authorizations for the removal of the tree(s) authorized by this Hazardous Tree Removal Permit.
11. The Permittee shall not alter, modify, or destroy state park land except in accordance with this Hazardous Tree Removal Permit or other permit issued by the Chief as authorized by Ohio Revised Code 1546.32. Pursuant to Ohio Revised Code 1546.32(H), the Chief may fine any Permittee who violates this section in an amount equal to the amount of damage caused or all costs incurred in remediating the alteration, modification, or destruction in addition to a penal sum of up to five thousand dollars. The amount of any fine beyond that needed to cover damage caused or costs incurred in remediation may equal, but shall not exceed, the amount charged for damage or remediation. In addition, any permit currently held or any applied for by the Permittee shall be revoked or denied for a period of two years for the first offense, three years for the second offense, and five years for the third and any subsequent offense.
12. All state park land affected by this Hazardous Tree Removal Permit is public property and shall remain open at all times for use by the public.
13. No encroachments upon state lands are permissible. Any encroachments upon state park land and/or failure to comply with the Division's requests to remove such encroachments, will result in the termination of the Hazardous Tree Removal Permit and the required removal of the encroachments and restoration of the state park land at the sole expense of the Permittee.
14. No garbage cans, garbage, refuse, construction materials, sewage, or waste material of any kind shall be thrown, deposited, or permitted to fall onto state park land or into the Lake, nor shall state land be used by the Permittee as a storage place for any gear or equipment. Signs, placards, and commercial displays are prohibited on state park land.
15. The Permittee agrees to indemnify and hold harmless the State of Ohio, ODNR, the Division, and their employees and agents against any claim for injury or damage to the person or property of the Permittee and persons present on, or using, the area authorized by this Hazardous Tree Removal Permit at the invitation, request, order or permission of the Permittee.
16. The Permittee waives any and all claims of reimbursement and compensation for damage or injury arising from any action taken by the State of Ohio, ODNR, Division and their employees and agents pursuant to these **Hazardous Tree Removal Permit Rules and Conditions**, or any applicable statute, administrative rule, Division policy or practice.
17. The Permittee and their guests, invitees, agents, heirs and assigns hereby voluntarily assume all risks of accidents or injury and releases and forever discharges ODNR, and its employees, officers and agents, from any and all liability for personal injury or property damage of any kind sustained on the state lands and waters at this Park while engaging in any activities authorized or required by the Hazardous Tree Removal Permit, whether such personal or property damage is caused by the negligence of ODNR, its employees, officers, agents, or otherwise.



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18. The Permittee further covenants and agrees to indemnify and hold harmless ODNR, its employees, officers, and agents, from all loss and expense, including, but not limited to damages, legal costs, expenses and attorney fees and other cost of defense, in any manner arising from Permittee's use of state lands.
19. The Permittee has read the foregoing **Hazardous Tree Removal Permit Rules and Conditions**, understands them, and agrees that the Permittee and all of the Permittee's guests, invitees, agents, heirs and assigns will comply with the same.



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PERMIT

Hazardous Tree Removal Permit

APPROVED

DISAPPROVED

_____ (“Permittee”)
is hereby authorized to:

Remove the tree(s) marked by the Division located on adjacent state park land in accordance with the information provided in the attached approved Hazardous Tree Removal Permit Application dated _____ and the **Hazardous Tree Removal Permit Rules and Conditions** contained therein.

The tree(s) authorized to be removed will be as marked by the Division during its inspection in the location shown in the attached approved Hazardous Tree Removal Permit Application.

The permitted tree removal authorized by this Hazardous Tree Removal Permit will be completed by _____, or this Hazardous Tree Removal Permit shall become invalid.

The Permittee is subject to all applicable laws, administrative rules, policies, and practices of the State of Ohio and the ODNR Division of Parks and Watercraft, including the **Rocky Fork State Park Shoreline Management Plan** and the **Hazardous Tree Removal Permit Rules and Conditions** set forth in the Hazardous Tree Removal Permit Application.

The requirements of this Hazardous Tree Removal Permit, and any subsequent Hazardous Tree Removal Permits, supersede any previous permit issued authorizing removal of the same tree(s).

Additional Conditions:

Chief, ODNR Division of Parks and Watercraft or designee

Date