



## Ohio Revised Code

### Section 1503.52 Operation under timber harvest plans.

Effective: January 1, 2016

Legislation: House Bill 64 - 131st General Assembly

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(A) A person who owns or operates a silviculture operation may develop and operate under a timber harvest plan approved by the chief of the division of forestry or the chief's designee under section 1503.51 of the Revised Code or by the supervisors of the applicable soil and water conservation district under section 940.06 of the Revised Code.

(B) Any person who wishes to make a complaint regarding nuisances involving forestry pollution may do so orally or by submitting a written, signed, and dated complaint to the chief or the chief's designee. After receiving an oral complaint, the chief or the chief's designee may cause an investigation to be conducted to determine whether forestry pollution has occurred or is imminent. After receiving a written, signed, and dated complaint, the chief or the chief's designee shall cause such an investigation to be conducted.

(C) In a private civil action for nuisances involving forestry pollution, it is an affirmative defense if the person owning, operating, or otherwise responsible for a silvicultural operation is operating under and in substantial compliance with an approved timber harvest plan developed under division (A) of this section, with a timber harvest plan developed by the chief or the chief's designee under section 1503.51 of the Revised Code or by the supervisors of the applicable soil and water conservation district under section 940.06 of the Revised Code, or with a timber harvest plan required by an order issued by the chief or the chief's designee under division (B)(1) of section 1503.51 of the Revised Code. Nothing in this section is in derogation of the authority granted to the chief or the chief's designee in 1503.51 of the Revised Code.

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