

IN THE SUPREME COURT OF OHIO

BOARD OF COMMISSIONERS OF
FAIRFIELD COUNTY, OHIO,

Appellant,

v.

SCOTT J. NALLY, DIRECTOR OF
ENVIRONMENTAL PROTECTION,

Appellee.

: Case No. 2013-1085
:
: On Appeal from the Franklin County Court
: of Appeals, Tenth Appellate District
: (Court of Appeals Case No. 11AP-508)
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:
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LIST OF ADDITIONAL AUTHORITIES RELIED UPON DURING ORAL ARGUMENT
BY APPELLANT BOARD OF COMMISSIONERS OF FAIRFIELD COUNTY, OHIO

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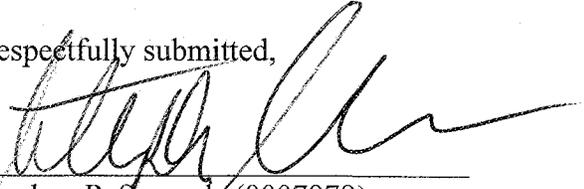
LIST OF ADDITIONAL AUTHORITIES

Pursuant to Supreme Court Rule of Practice 17.08, Appellant Board of Commissioners of Fairfield County, Ohio hereby gives notice that it may rely upon the following additional authority during oral argument:

R.C. 6111.06.

A copy of this additional authority is attached for the Court's convenience.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing List of Additional Authorities Relied Upon During Oral Argument of Appellant Board Of Commissioners Of Fairfield County, Ohio was sent via regular U.S. Mail this 18th day of June, 2014 upon the following counsel:

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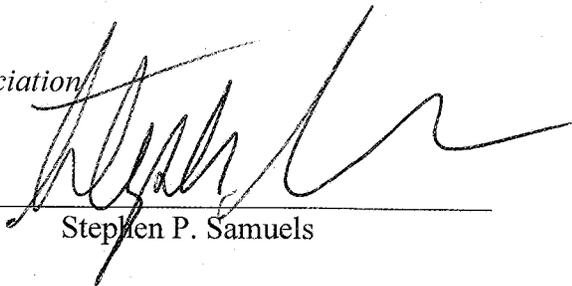
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Baldwin's Ohio Revised Code Annotated
Title LXI. Water Supply--Sanitation--Ditches
Chapter 6111. Water Pollution Control (Refs & Annos)
Practice and Procedure

R.C. § 6111.06

6111.06 Opportunity for hearing; emergency procedures

Currentness

(A) All proceedings of the director of environmental protection or of the director's officers or agents under sections 6111.01 to 6111.08 of the Revised Code, including the adoption, issuance, modification, rescission, or revocation of rules and regulations, permits, orders, and notices, and the conduct of hearings, except standards of water quality adopted pursuant to section 6111.041 of the Revised Code, shall be subject to and governed by sections 119.01 to 119.13, and Chapter 3745. of the Revised Code.

(B) The director shall not refuse to issue a permit, nor modify or revoke a permit already issued, unless the applicant or permit holder has been afforded an opportunity for a hearing prior to the refusal to issue the permit or prior to the modification or revocation of the permit.

(C) Whenever the director officially determines that an emergency exists requiring immediate action to protect the public health or welfare, the director may, without notice or hearing, issue an order reciting the existence of the emergency and requiring that such action be taken as is necessary to meet the emergency. Notwithstanding division (A) of this section, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but on application to the director shall be afforded a hearing as soon as possible, and not later than twenty days after such application. On the basis of such hearing, the director shall continue such order in effect, revoke it, or modify it. No such emergency order shall remain in effect for more than sixty days after its issuance.

CREDIT(S)

(2003 H 95, eff. 9-26-03; 1972 S 397, eff. 10-23-72; 132 v H 314; 131 v H 1; 1953 H 1; GC 1261-1g)

Notes of Decisions (6)

R.C. § 6111.06, OH ST § 6111.06

Current through Files 1 to 106 and Statewide Issue 1 of the 130th GA (2013-2014).

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