

**OHIO COASTAL MANAGEMENT PROGRAM  
POLICY 33 – VISUAL AND AESTHETIC QUALITY**

**IT IS THE POLICY OF THE STATE OF OHIO TO PROTECT THE VISUAL AND AESTHETIC AMENITIES OF LAKE ERIE AND ITS SHORELINE TO ENHANCE THE RECREATIONAL, ECONOMIC, CULTURAL AND ENVIRONMENTAL VALUES INHERENTLY ASSOCIATED WITH THE COASTAL AREA BY:**

- A. PROHIBITING THE DUMPING OF LITTER AND REFUSE INTO OR ALONG THE WATERS OF LAKE ERIE AND ITS TRIBUTARIES, AND MAINTAINING LAW ENFORCEMENT ACTIVITIES TO APPREHEND VIOLATORS (O.R.C. 1531.29 AND 3767.32);**
- B. ENFORCING STATE WATER QUALITY STANDARDS (O.R.C. CHAPTER 6111, O.A.C. 3745-1-04); AND**
- C. PRESERVING AESTHETIC RESOURCE AREAS OF STATEWIDE SIGNIFICANCE THROUGH THE NATURE PRESERVE, WILDLIFE AREA, PARK DEVELOPMENT AND HISTORIC PRESERVATION PROGRAMS.**

Authorities and Administration

- A. Pursuant to O.R.C. 3767.32, no person shall deposit litter or cause litter to be deposited on any public property, on private property not owned by that individual, or in or on waters of the state. "Litter" means garbage, trash, waste, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, automobile parts, furniture, glass, or anything else of an unsightly or unsanitary nature.

In addition, O.R.C. 1531.29 prohibits the disposal of any litter into watercourses of the state or onto banks thereof, or where it is liable to be washed into the water either by ordinary flow or floods.

O.R.C. Chapter 1502 also has created a grant assistance program administered by the Division of Recycling and Litter Prevention within ODNR. Financial assistance is available to state agencies and local governments for implementing a variety of litter prevention and recycling activities, including collection, education, and litter law enforcement.

- B. Visual and aesthetic qualities of the state's waters are further protected under the state's Water Quality Standards (O.A.C. 3745-1-04). These narrative standards, commonly called the "five free froms," provide the Director of Ohio EPA with authority to regulate pollution sources that create floating debris, oil, scum, color, odor or other annoyances. Violations of these standards are subject to criminal and civil penalties (O.R.C. 6111.07).

*Of the 41 policies in the Ohio Coastal Management Program, all or portions of 30 policies are enforceable including the portions of this policy referencing Ohio Revised Code and/or Ohio Administrative Code.*

C. The State of Ohio plays a direct role in protecting the visual quality of the coastal area and providing visual access to shoreline resources through acquisition and development of public access areas, state parks, state nature preserves, wildlife areas and historic areas. Municipalities, townships and counties are encouraged to protect visual qualities of and to provide visual access to the Lake Erie shoreline through their planning processes and local actions. These concerns can be addressed through site plan review, architectural boards of review, special protection districts, development standards (such as requiring landscaping, screening, and setback and height limitations), and additional subdivision requirements.