

Submit first copy to:
305 E. Shoreline Drive
Sandusky, Ohio 44870

Form 184
(R903)

Division of Wildlife
Ohio Department of Natural Resources

COMMERCIAL FISH WHOLESALE PERMIT AND/OR TRANSPORTATION PERMIT APPLICATION

PLEASE READ LAWS ON THE REVERSE SIDE.

Name of Applicant		Telephone No. (Area Code)
Street Address		
City	State	Zip Code
Applicant is: <input type="checkbox"/> An individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation		
Name All Parties or Officers if a Partnership or Corporation.		
List the Name and Address of your Statutory Agent in Ohio if you have one.		
Does Applicant Now Hold a Valid Ohio Lake Erie Commercial Fishing License? <input type="checkbox"/> Yes <input type="checkbox"/> No	License Number	Type of Fishing Gear Licensed

CHECK TYPE OF PERMIT DESIRED

<input type="checkbox"/> Transport Fish (Fee is \$65.00)
<input type="checkbox"/> Handle Commercial Fish at Wholesale on premises in Ohio (Fee is \$65.00) The applicant requests the permit for the following listed business addresses where fish are to be held, stored, handled, or processed for the purpose of sale to a person who ordinarily resells such fish: 1. _____ 2. _____ 3. _____ 4. _____ 5. _____

Attached is check no. _____ payable to the Ohio Division of Wildlife in the amount of \$ _____.

Date Application Submitted

Signature of Applicant

If Applicant is a Corporation, Name and Title of Agent Submitting this Application.

Approved for the Chief, Division of Wildlife by _____
Lake Erie Enforcement Supervisor

Transportation Permit No.	Wholesale Permit No.	Date Issued	Forms Sent	Publications Sent	Issued By

Distribution of Copies: 1st copy - Lake Erie Enforcement Supervisor; 2nd copy - Retained by Applicant

OHIO REVISED CODE SECTIONS 1533.631 and 1533.301

1533.631 Permit for handling fish at wholesale

Any person may apply for a permit to handle commercial fish, or other fish that may be bought or sold under the Revised Code or division order, at wholesale. The chief of the division of wildlife shall issue an annual permit granting the applicant the privilege to handle such fish at wholesale at one or more designated premises upon filing of an application on a form prescribed by the chief and payment of a fee of sixty-five dollars. No person or his agent shall handle at wholesale any fresh water fish or part thereof, unless a permit has been issued for the calendar year in which the fish is handled at wholesale for the premises at which the fish is handled.

A fish is handled at wholesale for purposes of this section when it is on a premises within in the state and is being held, stored, handled, or processed for the purpose of sale to a person who ordinarily resells such fish.

The permit required by this section shall be issued subject to the right of entry and inspection of the designated premises of the permittee by any law enforcement officer authorized by section 1531.13 of the Revised Code to enforce laws and the orders, rules, or regulations of the division of wildlife. Such officer may enter and inspect the designated premises and any box, package, or receptacle, and the contents thereof, for the purpose of determining whether any provision of Chapter 1531. or 1533. of the Revised Code or division order is being violated.

No person holding a permit under this section shall remove a label required by section 1533.301 of the Revised Code, unless the box, package, or receptacle bearing the label has been opened, or unless the label is replaced with another label which meets the requirements of said section.

No person shall fail to comply with any provision of this section or division order adopted pursuant thereto.

In addition to other penalties provided in the Revised Code the permit of any person who is convicted of two violations of this section, which violations occurred within a twelve-month period, is suspended upon such conviction by operation of law for a period of five fishing season days immediately following such second conviction.

In addition to other penalties provided in the Revised Code the permit of any person who is convicted of three or more violations of this section, which violations occurred within a twelve-month period, is suspended upon such conviction by operation of law for a period of twenty fishing season days immediately following such third or subsequent conviction.

During any period of suspension no person shall use or engage in handling commercial fish at wholesale with equipment or facilities owned, used, or controlled at the time of conviction by the permittee who has been suspended.

1533.301 Permit to transfer commercial fish; offense; effect of permit

Any person may apply for a permit to transport fish which are for sale, sold, or purchased. The chief of the division of wildlife shall issue an annual permit granting the applicant the privilege to transport such fish, upon filing of an application on a form prescribed by the chief and payment of a fee of sixty-five dollars. No person shall transport any fish or part thereof which is for sale, sold, or purchased, whether acquired in or outside this state, unless the consignor has a permit issued to him for the calendar year in which the fish is transported, except that no such permit is required for:

(A) Fish transported from a point outside this state to another point outside this state, if such fish are not unloaded in this state. A fish is not to be considered unloaded for purposes of this section if it remains under the control of a common carrier.

(B) Fish being transported by a person holding a valid license under section 1533.34 of the Revised Code from the place of taking to his usual place of processing or temporary storage as designated by him in the application for license under said section;

(C) Fish being transported from a premises designated in a valid permit issued under section 1533.631 of the Revised Code to a premises where fish are to be sold at retail, sold for immediate consumption, or consumed, if inspection of the designated premises as required by section 1533.631 of the Revised Code has not been denied during the preceding thirty days;

(D) Any quantity of fish the total weight of which does not exceed five hundred pounds in one vehicle;

(E) Minnows for which a permit is required under section 1533.40 of the Revised Code.

If a fish for which a permit is required under this section is transported in this state from a consignor who does not have a valid permit at the time of transportation, or if such fish is transported in this state from a consignor who has a valid permit at the time of transportation, but the fish is part of the contents of a box, package, or receptacle which was or could be the basis for conviction of a violation of Chapter 1533. of the Revised Code, or a division order, the fish may be seized by any law enforcement officer authorized by section 1531.13 of the Revised Code to enforce laws and the orders, rules, or regulations of the division of wildlife, and such fish shall escheat to the state

unless a court of this state makes a specific finding that the consignor at the time of seizure had a valid permit under section 1533.301 of the Revised Code and that the fish are lawful under the requirements of Chapter 1533. of the Revised Code, or division order relating thereto.

A fish for which a permit is required under this section may be transported only if each box, package, or other receptacle bears a label showing the total weight in pounds, the species of such fish, the name of the consignor and consignee, the initial point of billing, the destination, and a statement that each species of fish by weight in the box, package, or other receptacle which are undersized under the provisions of section 1533.63 of the Revised Code or division order is ten percent or less, or is in excess of ten percent, whichever the fact may be. If fish are not boxed or packaged, each compartment of a tank or other receptacle shall be considered a separate receptacle, but in lieu of a label on such compartment or tank a written statement containing the same information required to be contained on a label, and clearly identifying the tank or receptacle concerned, may be carried in the vehicle. Species may be designated in any manner, but the label shall also bear either the common name indicated in section 1533.63 of the Revised Code, or the scientific name contained in division (HH) of section 1531.01 of the Revised Code. The consignor shall ascertain that labels are attached and statements carried as required herein, and that the facts stated thereon are true.

The permit required by this section may be suspended by the chief for a period not to exceed five days upon conviction of the permittee of a violation of Chapter 1531. or 1533. of the Revised Code, or a division order if the permittee has been convicted of another such violation during the preceding twelve-month period. If the permittee has had two or more such convictions during the twelve-month period preceding such a conviction, his permit may be suspended as provided herein for a period not to exceed twenty days. A permit is invalid during the period of suspension, but in no case is a permit invalid until fifteen days after mailing by registered mail of notice of the order of suspension by the chief.

The chief may not suspend more than one permit of the same permittee, or suspend a permit of the same permittee more than once, for convictions resulting from violations which occur in a load in one vehicle.

A driver or other person in charge of a vehicle transporting fish which are for sale, sold, or purchased, upon demand by any law enforcement officer authorized by section 1531.13 of the Revised Code to enforce laws and the orders, rules, or regulations of the division of wildlife, shall stop and open the vehicle and allow inspection of the load, and any box, package, or receptacle, and the contents thereof, for the purpose of determining whether Chapter 1533. of the Revised Code or division order is being violated.

The word "fish" in the English language, at least eight inches high and maintained legible at all times, shall appear on both sides of the vehicle body of all vehicles transporting fresh water fish in this state when such fish are for sale or sold, except those fish exempt from a transportation permit in divisions (A), (B), and (E) of this section.

The chief may refuse to issue a permit to any person whose purpose in applying for the permit is to allow it to be used by another person to whom a permit has been refused or revoked. The chief may also revoke a person's permit when used for such purpose.

No civil action may be brought in any court in the state for the value or agreed price of fish which have escheated to the state under the provisions of this section.

No person shall fail to comply with any provision of this section or division order adopted pursuant thereto.

In addition to other penalties provided in the Revised Code, the permit of any person who is convicted of two violations of this section, which violations occurred within a twelve-month period; is suspended upon such conviction by operation of law for a period of five fishing season days immediately following such second conviction.

In addition to other penalties provided in the Revised Code, the permit of any person who is convicted of three or more violations of this section, which violations occurred within a twelve-month period, is suspended upon such conviction by operation of law for a period of twenty fishing season days immediately following such third or subsequent conviction.

During any period of suspension no person shall use or engage in hauling or transporting fish with equipment owned, used, or controlled at the time of conviction by the permittee who has been suspended.