

As Reported by the House State and Local Government Committee

132nd General Assembly

Regular Session

2017-2018

Am. H. B. No. 39

Representatives Arndt, Gavarone

Cosponsors: Representatives Anielski, Hambley, Bishoff, Carfagna

A BILL

To enact section 505.872 of the Revised Code to
authorize certain townships to require the
removal of snow and ice from sidewalks abutting
property.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 505.872 of the Revised Code be
enacted to read as follows:

Sec. 505.872. (A) A board of township trustees of a
township that has had an average of five or more inches of snow
per month during the months of November through April over a
previous ten-year period may adopt a resolution to require every
owner, occupant, or person having charge of any lot or parcel of
land in the unincorporated area of the township to remove snow
and ice from sidewalks abutting such lot or parcel. The
resolution shall specify a reasonable amount of time within
which such owner, occupant, or person shall comply with the
requirement.

(B) The resolution may specify circumstances under which
individuals may be exempt from the requirement including, but

not limited to, age, infirmity, disability, or extended absence. 19

(C) No owner, occupant, or person complying or failing to 20
comply with a township's resolution adopted under this section 21
shall be liable for personal injuries or property damage 22
allegedly caused by that compliance or failure to comply with a 23
resolution adopted under this section. Neither this section nor 24
any resolution adopted under this section may be used to prove 25
damages or liability in a civil action for damage or for 26
liability arising from any personal injury or property damage 27
allegedly caused by an owner's, occupant's, or person's removal 28
of or failure to remove snow or ice from abutting sidewalks. 29

(D) The board of township trustees may cause the removal 30
of snow and ice from the sidewalk of an owner, occupant, or 31
person who has not complied with the township's resolution. All 32
expenses incurred in causing the removal of the snow and ice 33
shall be paid out of the township general fund from moneys not 34
otherwise appropriated. 35

(E) The board of township trustees may recover expenses it 36
incurs in the removal of snow and ice from the owner, occupant, 37
or person's sidewalk under this section. The board may direct 38
the township fiscal officer to certify the amount for expenses 39
and a description of the land to the county auditor, who shall 40
place the amount for expenses upon the tax duplicate as a lien 41
upon the land to be collected from the owner of record as other 42
taxes and returned to the township general fund. 43