



OHIO TOWNSHIP ASSOCIATION

MATTHEW J. DeTEMPLE, Executive Director
HEIDI M. FOUGHT, Director of Governmental Affairs
6500 Taylor Road, Ste. A
Blacklick, OH 43004
Phone: (614) 863-0045 Fax: (614) 863-9751
www.ohiotownships.org

February 16, 2017

The Honorable Marlene Anielski, Chair
State & Local Government Committee
Ohio House of Representatives
77 S. High Street, 12th Floor
Columbus, OH 43215

Re: OTA Support for HB 34

Dear Chair Anielski:

On behalf of the Ohio Township Association (OTA), I am writing to express our support for House Bill 34, which authorizes political subdivisions in certain circumstances to notify by ordinary mail and electronically instead of by certified mail.

As you heard in Sponsor Hambley's testimony on February 14, the purpose of certified mail is to provide an indisputable record that an article was actually delivered, or attempted to be delivered to a recipient. Unfortunately, many state, county, and local governments have found the certified mail requirement for specific circumstances to be redundant, if not the most expensive way to verify that an official notice has been delivered.

We appreciate the work of Sponsors Hambley and Ryan, as members of our Association can attest that notification requirements can be extremely costly. From newspaper advertisements, mandatory postings at various locations and mailings, whether by regular or certified mail, townships are using valuable, limited resources for these purposes. In the case of a notification that is redundant, like certified mail for an overdue fine for a repeated false alarm at a structure within a township, those unnecessary and costly expenses should be eliminated. By utilizing regular mail and electronic means, townships will be able to reduce costs while still maintaining the obligation to communicate to a party for the statutorily required reason.

In reviewing the legislation, it came to our attention that there are two sections of county law that are included in HB 34 that have companion township law sections that are not included in the bill. It is our understanding that Sponsor Hambley has agreed to the inclusion of these sections and will be drafting an amendment to HB 34. The county sections and companion township sections are listed below.

County Sections In HB 34	Township Sections Not In HB 34
Board of zoning appeals must notify the holder of an authorized variance or conditional zoning certificate granted for the extraction of minerals of the board's intent to revoke the variance or certificate upon violation of a condition thereof and of the holder's right to a hearing (R.C. §303.14).	Board of zoning appeals must notify the holder of an authorized variance or conditional zoning certificate granted for the extraction of minerals of the board's intent to revoke the variance or certificate upon violation of a condition thereof and of the holder's right to a hearing (R.C. §519.14).
Board of county commissioners must notify a person who does not comply with the board's recommendations regarding the person's concentrated animal feeding facility of the board's intent to initiate mediation if the person remains out of compliance with the recommendations (R.C. §307.204).	Board of township trustees must notify a person who does not comply with the board's recommendations regarding the person's concentrated animal feeding facility of the board's intent to initiate mediation if the person remains out of compliance with the recommendations (R.C. §505.266).

The Ohio Township Association supports HB 34 as a common sense approach to public notification requirements. We encourage the State & Local Government Committee to favorably report the measure to the full House for passage. Thank you for your consideration of our position. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Heidi M. Fought
Director of Governmental Affairs