

# OHIO TOWNSHIP ASSOCIATION

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June 5, 2018

The Honorable Dave Burke  
Senate Health, Human Services & Medicaid Committee  
Ohio Senate  
1 Capitol Square, Ground Floor  
Columbus, OH 43215

Re: Opposition to Am. SB 210

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Dear Chairman Burke:

On behalf of the Ohio Township Association (OTA) and the Coalition of Large Ohio Urban Townships (Coalition), I am writing to express our opposition to Am. SB 210, which would prohibit limited home rule townships from imposing a tax or fee on auxiliary containers.

First, I would like to extend an apology for the late notice of our opposition. Prior to an amendment being added at the last hearing, the As Introduced version of SB 210 only pertained to municipal corporations. By including the amended language, the legislation now applies to thirty-two townships that have adopted the limited home rule form of government pursuant to Revised Code Ch. 504 and therefore the OTA and the Coalition must oppose the bill.

While municipalities, charter counties and limited home rule townships are entrusted with the independent authority to make their own rules for signage, noise control and fence types, this legislation removes that authority as it applies to "auxiliary containers." The definition of "auxiliary container", as included in SB 210, extends to items such as plastic and paper bags, aluminum cans, glass bottles, Styrofoam cups and carry-out food containers.

Limited home rule townships, such as those located along the Ohio River or Lake Erie, want to preserve the natural resources and wildlife that attract residents and visitors alike. Situations like this are the reason so many Ohio lawmakers try to respect local control, whether it regards the zoning or the school system. Am. Senate Bill 210 diminishes the role of local policymakers in protecting the resources that make their community attractive. Additionally, as pointed out in testimony presented by the Ohio Municipal League, "no municipality [*or charter county or limited home rule township*] in Ohio has passed legislation to tax auxiliary containers of any variety."

Again, the OTA and Coalition respectfully requests your opposition to Am. Senate Bill 210. We appreciate your consideration of our position. Should you have any questions or concerns, please do not hesitate to contact me or OTA Director of Governmental Affairs Heidi M. Fought at 614.863.0045.

Sincerely,

Matthew J. DeTemple  
Executive Director

John C. Zizka  
9177 Asbury Road  
Mantua, OH 44255

MJD:hf