

**As Reported by the Senate Local Government, Public Safety and  
Veterans Affairs Committee**

**132nd General Assembly**

**Regular Session  
2017-2018**

**Am. Sub. H. B. No. 500**

**Representative Carfagna**

**Cosponsors: Representatives Arndt, Hambley, Hill, Lang, LaTourette, Patton,  
Schaffer, Seitz, Stein, Ginter, Anielski, Barnes, Blessing, Brenner, Brown, Craig,  
Dever, Duffey, Faber, Gavarone, Green, Henne, Holmes, Hoops, Hughes, Johnson,  
Keller, Landis, Leland, Lepore-Hagan, Manning, McClain, Miller, O'Brien,  
Patterson, Pelanda, Perales, Reineke, Riedel, Rogers, Ryan, Sheehy, West, Young,  
Speaker Smith**

**Senator Uecker**

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**A BILL**

To amend sections 349.03, 505.01, 505.04, 505.482, 1  
507.11, 513.07, 513.071, 517.30, 519.04, 519.07, 2  
519.12, 519.13, 519.15, 1509.07, 3375.121, 3  
3501.021, 3709.03, 5541.04, 5553.04, 5705.121, 4  
5705.19, 5709.73, and 5709.75 and to repeal 5  
sections 711.25, 711.26, and 711.27 of the 6  
Revised Code to make various changes to township 7  
law. 8

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

**Section 1.** That sections 349.03, 505.01, 505.04, 505.482, 9  
507.11, 513.07, 513.071, 517.30, 519.04, 519.07, 519.12, 519.13, 10  
519.15, 1509.07, 3375.121, 3501.021, 3709.03, 5541.04, 5553.04, 11  
5705.121, 5705.19, 5709.73, and 5709.75 of the Revised Code be 12  
amended to read as follows: 13

**Sec. 349.03.** (A) Proceedings for the organization of a new community authority shall be initiated by a petition filed by the developer in the office of the clerk of the organizational board of commissioners. Such petition shall be signed by the developer and may be signed by each proximate city. The legislative authorities of each such proximate city shall act in behalf of such city. Such petition shall contain:

(1) The name of the proposed new community authority;

(2) The address where the principal office of the authority will be located or the manner in which the location will be selected;

(3) A map and a full and accurate description of the boundaries of the new community district together with a description of the properties within such boundaries, if any, which will not be included in the new community district.

The total acreage included in such district ~~shall not be less than one thousand acres, all of which acreage shall be~~ owned by, or under the control through leases of at least seventy-five years' duration, options, or contracts to purchase, of the developer, if the developer is a private entity, unless one of the following applies:

(a) The district is wholly contained within municipal corporations.

(b) More than one-half of the proposed district is, at the time of filing the petition under this section, contained within a joint economic development district created under sections 715.70 to 715.83 of the Revised Code.

(4) A statement setting forth the zoning regulations proposed for zoning the area within the boundaries of the new

community district for comprehensive development as a new 43  
community, and if the area has been zoned for such development, 44  
a certified copy of the applicable zoning regulations therefor; 45

(5) A current plan indicating the proposed development 46  
program for the new community district, the land acquisition and 47  
land development activities, community facilities, services 48  
proposed to be undertaken by the new community authority under 49  
such program, the proposed method of financing such activities 50  
and services, including a description of the bases, timing, and 51  
manner of collecting any proposed community development charges, 52  
and the projected total residential population of, and 53  
employment within, the new community; 54

(6) A suggested number of members, consistent with section 55  
349.04 of the Revised Code, for the board of trustees; 56

(7) A preliminary economic feasibility analysis, including 57  
the area development pattern and demand, location and proposed 58  
new community district size, present and future socio-economic 59  
conditions, public services provision, financial plan, and the 60  
developer's management capability; 61

(8) A statement that the development will comply with all 62  
applicable environmental laws and regulations. 63

Upon the filing of such petition, the organizational board 64  
of commissioners shall determine whether such petition complies 65  
with the requirements of this section as to form and substance. 66  
The board in subsequent proceedings may at any time permit the 67  
petition to be amended in form and substance to conform to the 68  
facts by correcting any errors in the description of the 69  
proposed new community district or in any other particular. 70

Upon the determination of the organizational board of 71

commissioners that a sufficient petition has been filed in 72  
accordance with this section, the board shall fix the time and 73  
place of a hearing on the petition for the establishment of the 74  
proposed new community authority. Such hearing shall be held not 75  
less than ninety-five nor more than one hundred fifteen days 76  
after the petition filing date, except that if the petition has 77  
been signed by all proximate cities or if the organizational 78  
board of commissioners is the legislative authority of the only 79  
proximate city for the proposed new community district, such 80  
hearing shall be held not less than thirty nor more than forty- 81  
five days after the petition filing date. The clerk of the 82  
organizational board of commissioners with which the petition 83  
was filed shall give notice thereof by publication once each 84  
week for three consecutive weeks, or as provided in section 7.16 85  
of the Revised Code, in a newspaper of general circulation in 86  
any county of which a portion is within the proposed new 87  
community district. Except where the organizational board of 88  
commissioners is the legislative authority of the only proximate 89  
city for the proposed new community district, such clerk shall 90  
also give written notice of the date, time, and place of the 91  
hearing and furnish a certified copy of the petition to the 92  
clerk of the legislative authority of each proximate city which 93  
has not signed such petition. Except where the organizational 94  
board of commissioners is the legislative authority of the only 95  
proximate city for the proposed new community district, in the 96  
event that the legislative authority of a proximate city which 97  
did not sign the petition does not approve by ordinance, 98  
resolution, or motion the establishment of the proposed new 99  
community authority and does not deliver such ordinance, 100  
resolution, or motion to the clerk of the organizational board 101  
of commissioners with which the petition was filed within ninety 102  
days following the date of the first publication of the notice 103

of the public hearing, the organizational board of commissioners 104  
shall cancel such public hearing and terminate the proceedings 105  
for the establishment of the new community authority. 106

Upon the hearing, if the organizational board of 107  
commissioners determines by resolution that the proposed new 108  
community district will be conducive to the public health, 109  
safety, convenience, and welfare, and is intended to result in 110  
the development of a new community, the board shall by its 111  
resolution, declare the new community authority to be organized 112  
and a body politic and corporate with the corporate name 113  
designated in the resolution, and define the boundary of the new 114  
community district. In addition, the resolution shall provide 115  
the method of selecting the board of trustees of the new 116  
community authority and fix the surety for their bonds in 117  
accordance with section 349.04 of the Revised Code. 118

If the organizational board of commissioners finds that 119  
the establishment of the district will not be conducive to the 120  
public health, safety, convenience, or welfare, or is not 121  
intended to result in the development of a new community, it 122  
shall reject the petition thereby terminating the proceedings 123  
for the establishment of the new community authority. 124

(B) At any time after the creation of a new community 125  
authority, the developer may file an application with the clerk 126  
of the organizational board of commissioners with which the 127  
original petition was filed, setting forth a general description 128  
of territory it desires to add or to delete from such district, 129  
that such change will be conducive to the public health, safety, 130  
convenience, and welfare, and will be consistent with the 131  
development of a new community and will not jeopardize the plan 132  
of the new community. If the developer is not a municipal 133

corporation, port authority, or county, all of such an addition 134  
to such a district shall be owned by, or under the control 135  
through leases of at least seventy-five years' duration, 136  
options, or contracts to purchase, of the developer. Upon the 137  
filing of the application, the organizational board of 138  
commissioners shall follow the same procedure as required by 139  
this section in relation to the petition for the establishment 140  
of the proposed new community. 141

(C) If all or any part of the new community district is 142  
annexed to one or more existing municipal corporations, their 143  
legislative authorities may appoint persons to replace any 144  
appointed citizen member of the board of trustees. The number of 145  
such trustees to be replaced by the municipal corporation shall 146  
be the number, rounded to the lowest integer, bearing the 147  
proportionate relationship to the number of existing appointed 148  
citizen members as the acreage of the new community district 149  
within such municipal corporation bears to the total acreage of 150  
the new community district. If any such municipal corporation 151  
chooses to replace an appointed citizen member, it shall do so 152  
by ordinance, the term of the trustee being replaced shall 153  
terminate thirty days from the date of passage of such 154  
ordinance, and the trustee to be replaced shall be determined by 155  
lot. Each newly appointed member shall assume the term of the 156  
member's predecessor. 157

**Sec. 505.01.** In each township there shall be a board of 158  
township trustees consisting of three members. Two of such 159  
trustees shall be elected at the general election in nineteen 160  
forty-nine and quadrennially thereafter, in each township, who 161  
shall hold office for a term of four years, commencing on the 162  
first day of January next after their election. The third 163  
trustee shall be elected at the general election in nineteen 164

fifty-one and quadrennially thereafter, in each township, who 165  
shall hold office for a term of four years, commencing on the 166  
first day of January next after ~~his~~ the person's election. 167

At the first meeting of the board each calender year, the 168  
board shall select one of its members to serve as chairperson 169  
for a term of one year. If the position of chairperson becomes 170  
vacant, the board shall select one of its members to preside. 171

**Sec. 505.04.** The board of township trustees shall make an 172  
inventory on the second Monday of January, each year, of all the 173  
materials, machinery, tools, and other township supplies in its 174  
possession. The inventory shall be a public record and ~~shall be~~ 175  
~~made in duplicate, one copy of which shall be filed with the 176~~  
~~fiscal officer of the board and one copy with the county 177~~  
~~engineer township. 178~~

**Sec. 505.482.** (A) The boards of township trustees of any 179  
two or more contiguous townships, or the boards of township 180  
trustees of one or more contiguous townships and the legislative 181  
authorities of one or more contiguous municipal corporations, 182  
whether or not within the same county, by adoption of a joint 183  
resolution by a majority favorable vote of each such board and 184  
of the members of the legislative authority of each such 185  
municipal corporation, may form themselves into a joint police 186  
district comprising all or any part of the townships or 187  
municipal corporations as are mutually agreed upon. The 188  
governing body of the joint police district shall be a joint 189  
police district board, which shall include either all of the 190  
township trustees of each township and all of the members of the 191  
legislative authority of each municipal corporation in the 192  
district, as agreed to and established in the joint resolution 193  
creating the joint police district; or an odd number of members 194

as agreed to and established in the joint resolution, as long as 195  
the members are representatives from each board of township 196  
trustees of each township and from the legislative authority of 197  
each municipal corporation in the joint police district. 198

(B) The joint police district board shall organize within 199  
thirty days after the favorable vote by the last board of 200  
township trustees or the members of the legislative authority of 201  
the last municipal corporation joining itself into the joint 202  
police district board. The ~~president~~chairperson of the board of 203  
township trustees of the most populous participating township or 204  
the legislative authority of the most populous participating 205  
municipal corporation shall give notice of the time and place of 206  
organization to each pending member of the joint police district 207  
board, as established in the joint resolution. Such notice shall 208  
be signed and shall be sent by certified mail to each such 209  
pending member of the board at least five days prior to the 210  
organization meeting, which meeting shall be held in one of the 211  
participating townships or municipal corporations. Two-thirds of 212  
the joint police district board members constitutes a quorum. 213  
The members of the joint police district board shall, at the 214  
organization meeting, proceed with the election of a president, 215  
a secretary, and a treasurer, and such other officers as they 216  
consider necessary and proper, and shall transact such other 217  
business as properly comes before the board. 218

(C) In the formation of a joint police district, such 219  
action may be taken by or on behalf of part of a township, by 220  
excluding that portion of the township lying within a municipal 221  
corporation. The joint police district board may exercise the 222  
same powers as are granted to a board of township trustees in 223  
the operation of a township police district under sections 224  
505.49 to 505.55 of the Revised Code, including, but not limited 225



to, the power to employ, train, and discipline personnel, to 226  
acquire equipment and buildings, to levy a tax, to issue bonds 227  
and notes, and to dissolve the district. 228

**Sec. 507.11.** (A) The board of township trustees may 229  
authorize, by resolution, township officers and employees to 230  
incur obligations of ~~two-ten~~ thousand ~~five-hundred~~ dollars or 231  
less on behalf of the township, or it may authorize, by 232  
resolution, the township administrator to so authorize township 233  
officers and employees. The obligations incurred on behalf of 234  
the township by a township officer or employee acting pursuant 235  
to any such resolution shall be subsequently approved by the 236  
adoption of a formal resolution of the board of township 237  
trustees. 238

(B) (1) No money belonging to the township shall be paid 239  
out, except upon an order signed by at least two of the township 240  
trustees, and countersigned by the township fiscal officer. 241

(2) As provided in division (E) of section 9.37 of the 242  
Revised Code, and notwithstanding division (B) (1) of this 243  
section, a board of township trustees may adopt a resolution 244  
authorizing the payment of lawful obligations of the township by 245  
direct deposit of funds by electronic transfer in accordance 246  
with section 9.37 of the Revised Code. 247

**Sec. 513.07.** The boards of township trustees of any two or 248  
more contiguous townships, whether or not within the same 249  
county, may, by a two-thirds favorable vote of each such board, 250  
form themselves into a joint township district hospital board 251  
for the purpose of establishing, constructing, and maintaining a 252  
joint township district general hospital or other hospital 253  
facilities as defined in section 140.01 of the Revised Code, and 254  
such townships shall be a part of a joint township hospital 255

district. 256

Such joint township district hospital board shall organize 257  
within thirty days after the favorable vote by the last board of 258  
trustees joining itself into the joint township district 259  
hospital board. The ~~president~~ chairperson of the board of 260  
township trustees of the most populous township participating 261  
shall give notice of the time and place of organization to each 262  
member of the board of township trustees of each township 263  
comprising the district. Such notice shall be signed by the 264  
~~president~~ chairperson of the board of township trustees of the 265  
most populous township comprising the district, and shall be 266  
sent by registered mail to each member of the board of township 267  
trustees of the townships affected, at least five days prior to 268  
such organization meeting, which meeting shall be held in one of 269  
the participating townships. All members of the board of 270  
township trustees of the townships so participating shall 271  
comprise the joint township district hospital board. Two-thirds 272  
of all the township trustees of the townships constituting such 273  
district constitutes a quorum. Such members of the boards of 274  
township trustees shall, at the organization meeting of such 275  
joint township district hospital board, proceed with the 276  
election of a president, a secretary, and a treasurer, and such 277  
other officers as they deem proper and necessary, and shall 278  
transact such other business as properly comes before such 279  
board. 280

In the formation of such a hospital district, such action 281  
may be taken by or on behalf of part of a township, by excluding 282  
that portion of the township lying within a municipal 283  
corporation. 284

**Sec. 513.071.** A municipal corporation which is not at the 285

time part of a joint township hospital district may, by a two- 286  
thirds favorable vote of its legislative authority, participate 287  
in the formation of a joint township district hospital board 288  
pursuant to section 513.07 of the Revised Code if it is 289  
contiguous to another municipal corporation contemplated to be 290  
included in the district, or contiguous to, or partly but not 291  
wholly within, a township contemplated to be included in the 292  
district, or may become a part of an established joint township 293  
hospital district pursuant to sections 513.11 and 513.18 of the 294  
Revised Code if it is contiguous to the district, or to a 295  
township or municipal corporation contiguous to the district 296  
which will at the same time become part of such district. So 297  
long as such municipal corporation remains a part of such 298  
district, it may not be included, as part of a township, in 299  
another joint township hospital district, but the remainder of 300  
such township may become part of a joint township hospital 301  
district pursuant to section 513.07, 513.11, or 513.18 of the 302  
Revised Code. Each such municipal corporation shall be 303  
represented on the joint township district hospital board by the 304  
presiding officer of its legislative authority, who shall act as 305  
~~president~~ chairperson of a board of township trustees for the 306  
purposes of section 513.07 of the Revised Code, and by two 307  
members of such legislative authority to be appointed from time 308  
to time by the legislative authority and to serve for such term 309  
or terms as it prescribes. For the purpose of such 310  
representation such presiding officer and members shall be 311  
considered as a board of township trustees; but for all other 312  
purposes of sections 513.07 to 513.18, inclusive, of the Revised 313  
Code, the legislative authority shall be considered as the board 314  
of township trustees and shall perform the duties imposed on 315  
that board by such sections. 316

Any indebtedness incurred by a joint township hospital 317  
district shall not constitute an indebtedness of any municipal 318  
corporation or any township. 319

Where a municipal corporation as a part of a township is 320  
territorially a part of a joint township hospital district and 321  
thereafter its corporate limits are made identical with those of 322  
a township, such municipal corporation shall as a township 323  
remain a part of such joint township hospital district and shall 324  
be bound by all agreements or obligations theretofore or 325  
thereafter entered into or assumed, and the taxable property 326  
therein shall be subject to all tax levies, including tax levies 327  
for bonds of the joint township hospital district, theretofore 328  
or thereafter imposed by the district pursuant to sections 329  
513.07 to 513.18, inclusive, of the Revised Code. Such municipal 330  
corporation shall be entitled, as a new and separate township, 331  
to representation on the joint township district hospital board 332  
in the same manner as is provided in this section when a joint 333  
township district hospital board in the same manner as is 334  
provided in this section when a joint township hospital district 335  
is formed. 336

**Sec. 517.30.** A board of township trustees may erect a 337  
suitable monument to commemorate the members of the armed forces 338  
who died in the service of the United States or of this state. 339  
The board, by a majority vote, may appropriate and expend not 340  
more than ~~five~~fifty thousand dollars from township funds for 341  
the purpose of erecting the monument, according to plans and 342  
specifications furnished or approved by the board. 343

**Sec. 519.04.** (A) The board of township trustees of any 344  
township proceeding under sections 519.01 to 519.99 of the 345  
Revised Code, shall create and establish a township zoning 346

commission. The commission shall be composed of five members who 347  
reside in the unincorporated area of the township, to be 348  
appointed by the board. The board of township trustees may 349  
appoint two alternate members to the township zoning commission, 350  
for terms to be determined by the board of township trustees. An 351  
alternate member shall take the place of an absent regular 352  
member at any meeting of the township zoning commission, 353  
according to procedures prescribed by resolution by the board of 354  
township trustees. An alternate member shall meet the same 355  
appointment criteria as a regular member. When attending a 356  
meeting on behalf of an absent member, the alternate member may 357  
vote on any matter on which the absent member is authorized to 358  
vote. The terms of the regular members shall be of such length 359  
and so arranged that the term of one member will expire each 360  
year. Where there is a county or regional planning commission 361  
the board may appoint qualified members of such commission to 362  
serve on the township zoning commission. Each regular or 363  
alternate member shall serve until the member's successor is 364  
appointed and qualified. 365

(B) Members of the zoning commission shall be removable 366  
for nonperformance of duty, misconduct in office, or other cause 367  
by the board, upon written charges being filed with the board, 368  
after a public hearing has been held regarding ~~such the~~ charges, 369  
and after a copy of the charges has been served upon the member 370  
so charged at least ten days ~~prior to~~ before the hearing, either 371  
personally, by registered mail, or by leaving ~~such the~~ copy at 372  
the member's usual place of residence. The hearing shall occur 373  
within sixty days after the charges are filed. The member shall 374  
be given an opportunity to be heard and answer ~~such the~~ charges. 375  
Upon the approval of a majority of the board of township 376  
trustees, the member may be suspended from participating as a 377

member of the zoning commission during the period of up to sixty 378  
days before the pending hearing on the removal. Vacancies shall 379  
be filled by the board and shall be for the unexpired term. A 380  
suspension authorized by this section is not a vacancy for 381  
purposes of this section. 382

(C) The decision of the board of township trustees 383  
regarding the suspension or removal may be appealed under 384  
Chapter 2506. of the Revised Code. 385

**Sec. 519.07.** ~~Following~~ (A) Except as provided in division 386  
(B) of this section, following the hearing provided for in 387  
section 519.06 of the Revised Code the township zoning 388  
commission shall submit the proposed zoning resolution, 389  
including text and maps, to the county or regional planning 390  
commission of the county or district in which the township is 391  
located, if there is such a commission, for approval, 392  
disapproval, or suggestions. 393

The approval of the planning commission shall be 394  
conclusively presumed unless, within twenty days after receiving 395  
the proposed zoning resolution, it notifies the zoning 396  
commission to the contrary. 397

In the event the planning commission disapproves of the 398  
proposed zoning resolution or suggests any material change, the 399  
zoning commission shall hold a public hearing on the resolution, 400  
due notice of which shall be given as provided in section 519.06 401  
of the Revised Code. ~~When~~ 402

When the zoning commission has completed its 403  
recommendations for a zoning plan it shall certify the plan to 404  
the board of township trustees. 405

(B) The township zoning commission of a township that has 406

adopted a limited home rule government under Chapter 504. of the 407  
Revised Code is not subject to division (A) of this section but 408  
may choose to comply with division (A) of this section. 409

**Sec. 519.12.** (A) (1) Amendments to the zoning resolution 410  
may be initiated by motion of the township zoning commission, by 411  
the passage of a resolution by the board of township trustees, 412  
or by the filing of an application by one or more of the owners 413  
or lessees of property within the area proposed to be changed or 414  
affected by the proposed amendment with the township zoning 415  
commission. The board of township trustees may require that the 416  
owner or lessee of property filing an application to amend the 417  
zoning resolution pay a fee to defray the cost of advertising, 418  
mailing, filing with the county recorder, and other expenses. If 419  
the board of township trustees requires such a fee, it shall be 420  
required generally, for each application. The board of township 421  
trustees, upon the passage of such a resolution, shall certify 422  
it to the township zoning commission. 423

(2) Upon the adoption of a motion by the township zoning 424  
commission, the certification of a resolution by the board of 425  
township trustees to the commission, or the filing of an 426  
application by property owners or lessees as described in 427  
division (A) (1) of this section with the commission, the 428  
commission shall set a date for a public hearing, which date 429  
shall not be less than twenty nor more than forty days from the 430  
date of the certification of such a resolution, the date of 431  
adoption of such a motion, or the date of the filing of such an 432  
application. Notice of the hearing shall be given by the 433  
commission by one publication in one or more newspapers of 434  
general circulation in the township at least ten days before the 435  
date of the hearing. 436

(B) If the proposed amendment intends to rezone or 437  
redistrict ten or fewer parcels of land, as listed on the county 438  
auditor's current tax list, written notice of the hearing shall 439  
be mailed by the township zoning commission, by first class 440  
mail, at least ten days before the date of the public hearing to 441  
all owners of property within and contiguous to and directly 442  
across the street from the area proposed to be rezoned or 443  
redistricted to the addresses of those owners appearing on the 444  
county auditor's current tax list. The failure of delivery of 445  
that notice shall not invalidate any such amendment. 446

(C) If the proposed amendment intends to rezone or 447  
redistrict ten or fewer parcels of land as listed on the county 448  
auditor's current tax list, the published and mailed notices 449  
shall set forth the time, date, and place of the public hearing 450  
and include all of the following: 451

(1) The name of the township zoning commission that will 452  
be conducting the hearing; 453

(2) A statement indicating that the motion, resolution, or 454  
application is an amendment to the zoning resolution; 455

(3) A list of the addresses of all properties to be 456  
rezoned or redistricted by the proposed amendment and of the 457  
names of owners of those properties, as they appear on the 458  
county auditor's current tax list; 459

(4) The present zoning classification of property named in 460  
the proposed amendment and the proposed zoning classification of 461  
that property; 462

(5) The time and place where the motion, resolution, or 463  
application proposing to amend the zoning resolution will be 464  
available for examination for a period of at least ten days 465



prior to the hearing; 466

(6) The name of the person responsible for giving notice 467  
of the hearing by publication, by mail, or by both publication 468  
and mail; 469

(7) A statement that, after the conclusion of the hearing, 470  
the matter will be submitted to the board of township trustees 471  
for its action; 472

(8) Any other information requested by the commission. 473

(D) If the proposed amendment alters the text of the 474  
zoning resolution, or rezones or redistricts more than ten 475  
parcels of land as listed on the county auditor's current tax 476  
list, the published notice shall set forth the time, date, and 477  
place of the public hearing and include all of the following: 478

(1) The name of the township zoning commission that will 479  
be conducting the hearing on the proposed amendment; 480

(2) A statement indicating that the motion, application, 481  
or resolution is an amendment to the zoning resolution; 482

(3) The time and place where the text and maps of the 483  
proposed amendment will be available for examination for a 484  
period of at least ten days prior to the hearing; 485

(4) The name of the person responsible for giving notice 486  
of the hearing by publication; 487

(5) A statement that, after the conclusion of the hearing, 488  
the matter will be submitted to the board of township trustees 489  
for its action; 490

(6) Any other information requested by the commission. 491

~~(E) Within (1) (a) Except as provided in division (E) (1) (b)~~ 492

of this section, within five days after the adoption of the 493  
motion described in division (A) of this section, the 494  
certification of the resolution described in division (A) of 495  
this section, or the filing of the application described in 496  
division (A) of this section, the township zoning commission 497  
shall transmit a copy of it together with text and map 498  
pertaining to it to the county or regional planning commission, 499  
if there is such a commission, for approval, disapproval, or 500  
suggestions. 501

The county or regional planning commission shall recommend 502  
the approval or denial of the proposed amendment or the approval 503  
of some modification of it and shall submit its recommendation 504  
to the township zoning commission. The recommendation shall be 505  
considered at the public hearing held by the township zoning 506  
commission on the proposed amendment. 507

(b) The township zoning commission of a township that has 508  
adopted a limited home rule government under Chapter 504. of the 509  
Revised Code is not subject to division (E)(1)(a) of this 510  
section but may choose to comply with division (E)(1)(a) of this 511  
section. 512

(2) The township zoning commission, within thirty days 513  
after the hearing, shall recommend the approval or denial of the 514  
proposed amendment, or the approval of some modification of it, 515  
and submit that recommendation together with the motion, 516  
application, or resolution involved, the text and map pertaining 517  
to the proposed amendment, and the recommendation of the county 518  
or regional planning commission on it to the board of township 519  
trustees. 520

(3) The board of township trustees, upon receipt of that 521  
recommendation, shall set a time for a public hearing on the 522

proposed amendment, which date shall not be more than thirty 523  
days from the date of the receipt of that recommendation. Notice 524  
of the hearing shall be given by the board by one publication in 525  
one or more newspapers of general circulation in the township, 526  
at least ten days before the date of the hearing. 527

(F) If the proposed amendment intends to rezone or 528  
redistrict ten or fewer parcels of land as listed on the county 529  
auditor's current tax list, the published notice shall set forth 530  
the time, date, and place of the public hearing and include all 531  
of the following: 532

(1) The name of the board of township trustees that will 533  
be conducting the hearing; 534

(2) A statement indicating that the motion, application, 535  
or resolution is an amendment to the zoning resolution; 536

(3) A list of the addresses of all properties to be 537  
rezoned or redistricted by the proposed amendment and of the 538  
names of owners of those properties, as they appear on the 539  
county auditor's current tax list; 540

(4) The present zoning classification of property named in 541  
the proposed amendment and the proposed zoning classification of 542  
that property; 543

(5) The time and place where the motion, application, or 544  
resolution proposing to amend the zoning resolution will be 545  
available for examination for a period of at least ten days 546  
prior to the hearing; 547

(6) The name of the person responsible for giving notice 548  
of the hearing by publication, by mail, or by both publication 549  
and mail; 550

(7) Any other information requested by the board.	551
(G) If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and include all of the following:	552 553 554 555 556
(1) The name of the board of township trustees that will be conducting the hearing on the proposed amendment;	557 558
(2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;	559 560
(3) The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the hearing;	561 562 563
(4) The name of the person responsible for giving notice of the hearing by publication;	564 565
(5) Any other information requested by the board.	566
(H) Within twenty days after its public hearing, the board of township trustees shall either adopt or deny the recommendations of the township zoning commission or adopt some modification of them. If the board denies or modifies the commission's recommendations, a majority vote of the board shall be required.	567 568 569 570 571 572
The proposed amendment, if adopted by the board, shall become effective in thirty days after the date of its adoption, unless, within thirty days after the adoption, there is presented to the board of township trustees a petition, signed by a number of registered electors residing in the unincorporated area of the township or part of that	573 574 575 576 577 578

unincorporated area included in the zoning plan equal to not 579  
less than eight per cent of the total vote cast for all 580  
candidates for governor in that area at the most recent general 581  
election at which a governor was elected, requesting the board 582  
of township trustees to submit the amendment to the electors of 583  
that area for approval or rejection at a special election to be 584  
held on the day of the next primary or general election that 585  
occurs at least ninety days after the petition is filed. Each 586  
part of this petition shall contain the number and the full and 587  
correct title, if any, of the zoning amendment resolution, 588  
motion, or application, furnishing the name by which the 589  
amendment is known and a brief summary of its contents. In 590  
addition to meeting the requirements of this section, each 591  
petition shall be governed by the rules specified in section 592  
3501.38 of the Revised Code. 593

The form of a petition calling for a zoning referendum and 594  
the statement of the circulator shall be substantially as 595  
follows: 596

"PETITION FOR ZONING REFERENDUM 597

(if the proposal is identified by a particular name or number, 598  
or both, these should be inserted here) ..... 599

A proposal to amend the zoning map of the unincorporated 600  
area of ..... Township, ..... County, Ohio, 601  
adopted .....(date)..... (followed by brief summary of the 602  
proposal). 603

To the Board of Township Trustees of ..... 604  
Township, ..... County, Ohio: 605

606

We, the undersigned, being electors residing in the 607

unincorporated area of ..... Township, 608  
 included within the ..... Township Zoning Plan, equal to 609  
 not less than eight per cent of the total vote cast for all 610  
 candidates for governor in the area at the preceding general 611  
 election at which a governor was elected, request the Board of 612  
 Township Trustees to submit this amendment of the zoning 613  
 resolution to the electors of ..... Township 614  
 residing within the unincorporated area of the township included 615  
 in the ..... Township Zoning Resolution, for 616  
 approval or rejection at a special election to be held on the 617  
 day of the primary or general election to be held on ..... 618  
 (date)....., pursuant to section 519.12 of the Revised Code. 619

	Street Address				Date of	
Signature	or R.F.D.	Township	Precinct	County	Signing	
.....						622
.....						623

STATEMENT OF CIRCULATOR 624

I, .....(name of circulator)....., declare under 625  
 penalty of election falsification that I am an elector of the 626  
 state of Ohio and reside at the address appearing below my 627  
 signature; that I am the circulator of the foregoing part 628  
 petition containing .....(number)..... signatures; that I 629  
 have witnessed the affixing of every signature; that all signers 630  
 were to the best of my knowledge and belief qualified to sign; 631  
 and that every signature is to the best of my knowledge and 632  
 belief the signature of the person whose signature it purports 633  
 to be or of an attorney in fact acting pursuant to section 634  
 3501.382 of the Revised Code. 635

..... 636

(Signature of circulator)	637
.....	638
(Address of circulator's permanent residence in this state)	639
.....	640
(City, village, or township, and zip code)	641
	642
	643
WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE."	644
	645
The petition shall be filed with the board of township trustees and shall be accompanied by an appropriate map of the area affected by the zoning proposal. Within two weeks after receiving a petition filed under this section, the board of township trustees shall certify the petition to the board of elections. A petition filed under this section shall be certified to the board of elections not less than ninety days prior to the election at which the question is to be voted upon.	646
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The board of elections shall determine the sufficiency and validity of each petition certified to it by a board of township trustees under this section. If the board of elections determines that a petition is sufficient and valid, the question shall be voted upon at a special election to be held on the day of the next primary or general election that occurs at least ninety days after the date the petition is filed with the board of township trustees, regardless of whether any election will be held to nominate or elect candidates on that day.	654
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No amendment for which such a referendum vote has been	663

requested shall be put into effect unless a majority of the vote 664  
cast on the issue is in favor of the amendment. Upon 665  
certification by the board of elections that the amendment has 666  
been approved by the voters, it shall take immediate effect. 667

Within five working days after an amendment's effective 668  
date, the board of township trustees shall file the text and 669  
maps of the amendment in the office of the county recorder and 670  
with the county or regional planning commission, if one exists. 671

The failure to file any amendment, or any text and maps, 672  
or duplicates of any of these documents, with the office of the 673  
county recorder or the county or regional planning commission as 674  
required by this section does not invalidate the amendment and 675  
is not grounds for an appeal of any decision of the board of 676  
zoning appeals. 677

**Sec. 519.13.** (A) In any township which adopts zoning 678  
regulations the board of township trustees shall appoint a 679  
township board of zoning appeals composed of five members who 680  
shall be residents of the unincorporated territory in the 681  
township included in the area zoned. The board of township 682  
trustees may appoint two alternate members to the township board 683  
of zoning appeals, for terms to be determined by the board of 684  
township trustees. An alternate member shall take the place of 685  
an absent regular member at any meeting of the board of zoning 686  
appeals, according to procedures prescribed by resolution by the 687  
board of township trustees. An alternate member shall meet the 688  
same appointment criteria as a regular member. When attending a 689  
meeting on behalf of an absent member, the alternate member may 690  
vote on any matter on which the absent member is authorized to 691  
vote. The terms of all regular members shall be of such length 692  
and so arranged that the term of one member will expire each 693



year. Each regular or alternate member shall serve until the 694  
member's successor is appointed and qualified. 695

(B) Members shall be removable for the same causes and in 696  
the same manner and may be suspended as provided by section 697  
519.04 of the Revised Code. The decision of the board of 698  
township trustees regarding the suspension or removal may be 699  
appealed under Chapter 2506. of the Revised Code. Vacancies 700  
shall be filled by the board of township trustees and shall be 701  
for the unexpired term. A suspension authorized by section 702  
519.04 of the Revised Code is not a vacancy for purposes of this 703  
section. The members may be allowed their expenses, or such 704  
compensation, or both, as the board of township trustees may 705  
approve and provide. 706

(C) The board of zoning appeals may, within the limits of 707  
the moneys appropriated by the board of township trustees for 708  
the purpose, employ such executive, professional, technical, and 709  
other assistants as it considers necessary. 710

**Sec. 519.15.** The township board of zoning appeals shall 711  
organize and adopt rules in accordance with the zoning 712  
resolution. Meetings of the board of zoning appeals shall be 713  
held at the call of the chairperson, and at such other times as 714  
the board determines. The chairperson, or in the chairperson's 715  
absence the acting chairperson, may administer oaths, and the 716  
board of zoning appeals may compel the attendance of witnesses. 717  
All meetings of the board of zoning appeals shall be open to the 718  
public. The board of zoning appeals shall keep minutes of its 719  
proceedings showing the vote of each regular or alternate member 720  
upon each question, or, if absent or failing to vote, indicating 721  
such fact, and shall keep records of its examinations and other 722  
official actions, all of which shall be immediately filed in the 723

office of the board of township trustees and be a public record. 724

Appeals to the board of zoning appeals may be taken by any 725  
person aggrieved or by any officer of the township affected by 726  
any decision of the administrative officer. Such appeal shall be 727  
taken within twenty days after the decision by filing, with the 728  
officer from whom the appeal is taken and with the board of 729  
zoning appeals, a notice of appeal specifying the grounds. The 730  
officer from whom the appeal is taken shall transmit to the 731  
board of zoning appeals all the papers constituting the record 732  
upon which the action appealed from was taken. 733

The board of zoning appeals shall fix a reasonable time 734  
for the public hearing of the appeal, give at least ten days' 735  
notice in writing to the parties in interest, give notice of 736  
such public hearing by one publication in one or more newspapers 737  
of general circulation in the county at least ten days before 738  
the date of such hearing, and decide the appeal within a 739  
reasonable time after it is submitted. Upon the hearing, any 740  
person may appear in person or by attorney. 741

The board of township trustees may require a person making 742  
an appeal to pay a fee to defray the cost of advertising, 743  
mailing, and other expenses. 744

**Sec. 1509.07.** (A) (1) (a) Except as provided in division (A) 745  
(1) (b) or (A) (2) of this section, an owner of any well, except 746  
an exempt Mississippian well or an exempt domestic well, shall 747  
obtain liability insurance coverage from a company authorized or 748  
approved to do business in this state in an amount of not less 749  
than one million dollars bodily injury coverage and property 750  
damage coverage to pay damages for injury to persons or damage 751  
to property caused by the drilling, operation, or plugging of 752  
all the owner's wells in this state. However, if any well is 753

located within an urbanized area, the owner shall obtain 754  
liability insurance coverage in an amount of not less than three 755  
million dollars for bodily injury coverage and property damage 756  
coverage to pay damages for injury to persons or damage to 757  
property caused by the drilling, operation, or plugging of all 758  
of the owner's wells in this state. 759

(b) A board of county commissioners of a county that is an 760  
owner of a well or a board of township trustees of a township 761  
that is an owner of a well may elect to satisfy the liability 762  
coverage requirements specified in division (A) (1) (a) of this 763  
section by participating in a joint self-insurance pool in 764  
accordance with the requirements established under section 765  
2744.081 of the Revised Code. Nothing in division (A) (1) (b) of 766  
this section shall be construed to allow an entity, other than a 767  
county or township, to participate in a joint self-insurance 768  
pool to satisfy the liability coverage requirements specified in 769  
division (A) (1) (a) of this section. 770

(2) An owner of a horizontal well shall obtain liability 771  
insurance coverage from an insurer authorized to write such 772  
insurance in this state or from an insurer approved to write 773  
such insurance in this state under section 3905.33 of the 774  
Revised Code in an amount of not less than five million dollars 775  
bodily injury coverage and property damage coverage to pay 776  
damages for injury to persons or damage to property caused by 777  
the production operations of all the owner's wells in this 778  
state. The insurance policy shall include a reasonable level of 779  
coverage available for an environmental endorsement. 780

(3) An owner shall maintain the coverage required under 781  
division (A) (1) or (2) of this section until all the owner's 782  
wells are plugged and abandoned or are transferred to an owner 783

who has obtained insurance as required under this section and 784  
who is not under a notice of material and substantial violation 785  
or under a suspension order. The owner shall provide proof of 786  
liability insurance coverage to the chief of the division of oil 787  
and gas resources management upon request. Upon failure of the 788  
owner to provide that proof when requested, the chief may order 789  
the suspension of any outstanding permits and operations of the 790  
owner until the owner provides proof of the required insurance 791  
coverage. 792

(B) (1) Except as otherwise provided in this section, an 793  
owner of any well, before being issued a permit under section 794  
1509.06 of the Revised Code or before operating or producing 795  
from a well, shall execute and file with the division of oil and 796  
gas resources management a surety bond conditioned on compliance 797  
with the restoration requirements of section 1509.072, the 798  
plugging requirements of section 1509.12, the permit provisions 799  
of section 1509.13 of the Revised Code, and all rules and orders 800  
of the chief relating thereto, in an amount set by rule of the 801  
chief. 802

(2) The owner may deposit with the chief, instead of a 803  
surety bond, cash in an amount equal to the surety bond as 804  
prescribed pursuant to this section or negotiable certificates 805  
of deposit or irrevocable letters of credit, issued by any bank 806  
organized or transacting business in this state, having a cash 807  
value equal to or greater than the amount of the surety bond as 808  
prescribed pursuant to this section. Cash or certificates of 809  
deposit shall be deposited upon the same terms as those upon 810  
which surety bonds may be deposited. If certificates of deposit 811  
are deposited with the chief instead of a surety bond, the chief 812  
shall require the bank that issued any such certificate to 813  
pledge securities of a cash value equal to the amount of the 814

certificate that is in excess of the amount insured by any of 815  
the agencies and instrumentalities created under the "Federal 816  
Deposit Insurance Act," 64 Stat. 873 (1950), 12 U.S.C. 1811, as 817  
amended, and regulations adopted under it, including at least 818  
the federal deposit insurance corporation. The securities shall 819  
be security for the repayment of the certificate of deposit. 820

Immediately upon a deposit of cash, certificates of 821  
deposit, or letters of credit with the chief, the chief shall 822  
deliver them to the treasurer of state who shall hold them in 823  
trust for the purposes for which they have been deposited. 824

(3) Instead of a surety bond, the chief may accept proof 825  
of financial responsibility consisting of a sworn financial 826  
statement showing a net financial worth within this state equal 827  
to twice the amount of the bond for which it substitutes and, as 828  
may be required by the chief, a list of producing properties of 829  
the owner within this state or other evidence showing ability 830  
and intent to comply with the law and rules concerning 831  
restoration and plugging that may be required by rule of the 832  
chief. The owner of an exempt Mississippian well is not required 833  
to file scheduled updates of the financial documents, but shall 834  
file updates of those documents if requested to do so by the 835  
chief. The owner of a nonexempt Mississippian well shall file 836  
updates of the financial documents in accordance with a schedule 837  
established by rule of the chief. The chief, upon determining 838  
that an owner for whom the chief has accepted proof of financial 839  
responsibility instead of bond cannot demonstrate financial 840  
responsibility, shall order that the owner execute and file a 841  
bond or deposit cash, certificates of deposit, or irrevocable 842  
letters of credit as required by this section for the wells 843  
specified in the order within ten days of receipt of the order. 844  
If the order is not complied with, all wells of the owner that 845

are specified in the order and for which no bond is filed or 846  
cash, certificates of deposit, or letters of credit are 847  
deposited shall be plugged. No owner shall fail or refuse to 848  
plug such a well. Each day on which such a well remains 849  
unplugged thereafter constitutes a separate offense. 850

(4) The surety bond provided for in this section shall be 851  
executed by a surety company authorized to do business in this 852  
state. 853

The chief shall not approve any bond until it is 854  
personally signed and acknowledged by both principal and surety, 855  
or as to either by the principal's or surety's attorney in fact, 856  
with a certified copy of the power of attorney attached thereto. 857  
The chief shall not approve a bond unless there is attached a 858  
certificate of the superintendent of insurance that the company 859  
is authorized to transact a fidelity and surety business in this 860  
state. 861

All bonds shall be given in a form to be prescribed by the 862  
chief and shall run to the state as obligee. 863

(5) An owner of an exempt Mississippian well or an exempt 864  
domestic well, in lieu of filing a surety bond, cash in an 865  
amount equal to the surety bond, certificates of deposit, 866  
irrevocable letters of credit, or a sworn financial statement, 867  
may file a one-time fee of fifty dollars, which shall be 868  
deposited in the oil and gas well plugging fund created in 869  
section 1509.071 of the Revised Code. 870

(C) An owner, operator, producer, or other person shall 871  
not operate a well or produce from a well at any time if the 872  
owner, operator, producer, or other person has not satisfied the 873  
requirements established in this section. 874

**Sec. 3375.121.** (A) In any municipal corporation, not 875  
located in a county library district, that has a population of 876  
not less than twenty-five thousand, and within which there is 877  
not located a main library of a township, municipal, school 878  
district, association, or county free public library, a library 879  
district may be created by a resolution adopted by the 880  
legislative authority of that municipal corporation. No such 881  
resolution shall be adopted after one year from June 20, 1977. 882  
Upon the adoption of the resolution, any branches of an existing 883  
library that are located in that municipal corporation shall 884  
become the property of the municipal library district created. 885

The municipal corporation and the board of trustees of the 886  
public library maintaining any existing branches in that 887  
municipal corporation shall forthwith take appropriate action 888  
transferring all title and interest in all real and personal 889  
property located in that municipal corporation in the name of 890  
the library district maintaining those branches in that 891  
municipal corporation to the municipal corporation adopting the 892  
appropriate resolution. Upon transfer of all title and interest 893  
in that property, the branches shall become a part of, and be 894  
operated by, the board of library trustees appointed by the 895  
legislative authority of the municipal corporation. 896

(B) In any municipal corporation that has a population of 897  
less than twenty-five thousand and that has not less than one 898  
hundred thousand dollars available from a bequest for the 899  
establishment of a municipal library, the legislative authority 900  
of that municipal corporation may adopt, within one year after 901  
June 20, 1977, a resolution creating a library district. Upon 902  
the establishment of any such library district, the board of 903  
trustees of any library operating a branch library in that 904  
municipal corporation shall not be required to transfer any 905

property to the newly established library. 906

(C) The board of library trustees of any library district 907  
created under this section shall be composed of seven members. 908  
Those trustees shall be appointed by the legislative authority 909  
of the municipal corporation, to serve without compensation, for 910  
a term of four years, but the initial term of the seventh 911  
trustee may be for the number of years set by the legislative 912  
authority, not to exceed four years. Vacancies shall be filled 913  
by like appointment for the unexpired term. This section does 914  
not affect the term of any trustee appointed prior to January 1, 915  
2013. A library district created under this section shall be 916  
governed in accordance with and exercise the authority provided 917  
for in sections 3375.32 to 3375.41 of the Revised Code. 918

Notwithstanding any contrary provision of section 3.24 of 919  
the Revised Code, the ~~president~~ chairperson of a board of 920  
township trustees may administer the oath of office to a person 921  
or persons representing the township on the board of library 922  
trustees of any library district created under this section, 923  
even if the geographical limits of the library district do not 924  
fall within the geographical limits of the township. 925

(D) Any library district created under this section is 926  
eligible to participate in the proceeds of the county public 927  
library fund in accordance with section 5705.28 of the Revised 928  
Code. 929

(E) A municipal corporation may establish and operate a 930  
free public library regardless of whether the municipal 931  
corporation is located in a county library district or school 932  
library district, if all of the following conditions are met: 933

(1) The facility in which the library is principally 934



located is transferred to the municipal corporation from the 935  
county library district or school library district in which it 936  
is located prior to January 1, 1996. 937

(2) The population of the municipal corporation is less 938  
than five hundred when the library is transferred from the 939  
county library district or school library district to the 940  
municipal corporation. 941

(3) The municipal corporation does not establish a 942  
municipal library district under this section. 943

(4) The library does not receive any proceeds from the 944  
county public library fund under section 5747.48 of the Revised 945  
Code. 946

**Sec. 3501.021.** Notwithstanding any provision of the 947  
Revised Code to the contrary, a political subdivision or other 948  
entity that certifies a question or issue to a board of 949  
elections for placement on the ballot ~~shall~~ may make that 950  
certification in electronic or paper form. ~~A board of elections~~ 951  
~~shall not accept such a certification in electronic form.~~ 952

**Sec. 3709.03.** (A) There is hereby created in each general 953  
health district a district advisory council. A council shall 954  
consist of the president of the board of county commissioners, 955  
the chief executive of each municipal corporation not 956  
constituting a city health district, and the ~~president~~ 957  
chairperson of the board of township trustees of each township. 958  
The board of county commissioners, the legislative body of a 959  
municipal corporation, and the board of township trustees of a 960  
township may select an alternate from among themselves to serve 961  
if the president, the chief executive, or the ~~president of the~~ 962  
~~board of township trustees~~ chairperson is unable to attend any 963

meeting of the district advisory council. When attending a 964  
meeting on behalf of a council member, the alternate may vote on 965  
any matter on which the member is authorized to vote. 966

The council shall organize by selecting a chair and 967  
secretary from among its members. The council shall adopt bylaws 968  
governing its meetings, the transaction of business, and voting 969  
procedures. 970

The council shall meet annually in March at a place 971  
determined by the chair and the health commissioner for the 972  
purpose of electing the chair and the secretary, making 973  
necessary appointments to the board of health, receiving and 974  
considering the annual or special reports from the board of 975  
health, and making recommendations to the board of health or to 976  
the department of health in regard to matters for the betterment 977  
of health and sanitation within the district or for needed 978  
legislation. The secretary of the council shall notify the 979  
district health commissioner and the director of health of the 980  
proceedings of such meeting. 981

Special meetings of the council shall be held on the order 982  
of any of the following: 983

(1) The director of health; 984

(2) The board of health; 985

(3) The lesser of five or a majority of district advisory 986  
council members. 987

The district health commissioner shall attend all meetings 988  
of the council. 989

(B) The district advisory council shall appoint five 990  
members of the board of health, unless the board of health has 991

established a health district licensing council under section 992  
3709.41 of the Revised Code, in which case, the district 993  
advisory council shall appoint four members of the board of 994  
health, and the health district licensing council shall appoint 995  
one member of the board of health. At least one member of the 996  
board of health shall be a physician. Appointments shall be made 997  
with due regard to equal representation of all parts of the 998  
district. 999

(C) If at an annual or special meeting at which a member 1000  
of the board of health is to be appointed fewer than a majority 1001  
of the members of the district council are present, the council, 1002  
by the majority vote of council members present, may organize an 1003  
executive committee to make the appointment. An executive 1004  
committee shall consist of five council members, including the 1005  
president of the board of county commissioners, the council 1006  
chair, the council secretary, and two additional council members 1007  
selected by majority affirmative vote of the council members 1008  
present at the meeting. The additional members selected shall 1009  
include one representative of municipal corporations in the 1010  
district that are not city health districts and one 1011  
representative of townships in the district. If an individual is 1012  
eligible for more than one position on the executive committee 1013  
due to holding a particular office, the individual shall fill 1014  
one position on the committee and the other position shall be 1015  
filled by a member selected by a majority affirmative vote of 1016  
the council members present at the meeting. A council member's 1017  
alternate for annual meetings may serve as the member's 1018  
alternate at meetings of the executive committee. 1019

Not later than thirty days after an executive committee is 1020  
organized, the committee shall meet and the council chair shall 1021  
present to the committee the matter of appointing a member of 1022

the board of health. The committee shall appoint the board 1023  
member by majority affirmative vote. In the case of a combined 1024  
health district, the executive committee shall appoint only 1025  
members of the board of health that are to be appointed by the 1026  
district advisory council, unless the contract for 1027  
administration of health affairs in the combined district 1028  
provides otherwise. If a majority affirmative vote is not 1029  
reached within thirty days after the executive committee is 1030  
organized, the director of health shall appoint the member of 1031  
the board of health under the authority conferred by section 1032  
3709.03 of the Revised Code. 1033

If the council fails to meet or appoint a member of the 1034  
board of health as required by this section or section 3709.02 1035  
of the Revised Code, the director of health may appoint the 1036  
member. 1037

**Sec. 5541.04.** (A) The board of county commissioners of any 1038  
county, on its own motion or on petition by a person owning a 1039  
lot in the unincorporated area of said county praying that the 1040  
name of a county or township road in the immediate vicinity of 1041  
such lot be changed, upon hearing, and upon being satisfied that 1042  
there is good cause for such a change of name, that it will not 1043  
be detrimental to the general interest, and that it should be 1044  
made, may, by resolution declare the change of the name of such 1045  
road. The board may include in one resolution the change of name 1046  
of more than one road. 1047

A copy of such resolution shall be certified to the county 1048  
engineer, the county recorder, and the county auditor, who shall 1049  
all change their records accordingly, but still retain in some 1050  
manner the old name of the road. 1051

(B) If, within sixty days after a petition is filed with a 1052

board of county commissioners to change the name of a township 1053  
road, the board does not adopt a resolution either declaring the 1054  
name of the road changed as requested in the petition or 1055  
declaring that the name of the township road shall remain the 1056  
same, the name of the township road is changed, as requested in 1057  
the petition. 1058

The board of county commissioners shall submit notice that 1059  
the name of the township road has changed pursuant to this 1060  
division to the county engineer, the county recorder, and the 1061  
county auditor, who shall all change their records accordingly, 1062  
but still retain in some manner the old name of the road. 1063

**Sec. 5553.04.** ~~When~~ (A) Subject to division (B) of this 1064  
section, when the board of county commissioners is of the 1065  
opinion that it will be for the public convenience or welfare to 1066  
locate, establish, alter, widen, straighten, vacate, or change 1067  
the direction of a public road, it shall so declare by 1068  
resolution, which resolution shall set forth the general route 1069  
and termini of the road, or part of the road, to be located, 1070  
established, or vacated, or the general manner in which the road 1071  
is to be altered, widened, or straightened, or the direction of 1072  
the road is to be changed. 1073

~~When~~ Subject to division (B) of this section, when a 1074  
petition, signed by at least twelve freeholders of the county 1075  
residing in the vicinity of the proposed improvement, or signed 1076  
by the owner of the right to mine coal lying under or adjacent 1077  
to the proposed improvement, is presented to the board 1078  
requesting the board to locate, establish, alter, widen, 1079  
straighten, vacate, or change the direction of a public road, 1080  
the board shall view the location of the proposed improvement, 1081  
and, if it is of the opinion that it will be for the public 1082

convenience or welfare to make the improvement, it may proceed 1083  
to make the improvement as provided in sections 5553.04 to 1084  
5553.16 of the Revised Code. The petition shall set forth the 1085  
general route and termini of the road, or part of the road, to 1086  
be located, established, or vacated, or the general manner in 1087  
which the road is to be altered, widened, or straightened, or 1088  
the direction of the road is to be changed. When the board 1089  
declares by resolution its intention to proceed with the 1090  
improvement, it also may provide in the resolution for the 1091  
establishment of an appropriate detour route or for the 1092  
temporary closing of the road to be improved. When the petition 1093  
presented to the board for a proposed improvement as provided in 1094  
this section is a petition signed by the owner of the right to 1095  
mine coal lying under or adjacent to the proposed improvement, 1096  
that petitioner shall pay the costs and expenses incurred by the 1097  
board in connection with the proceedings initiated by the 1098  
petition, and the costs and expenses of making the improvement 1099  
including compensation and damages, and including the cost of 1100  
relocation of any conduits, cables, wires, towers, poles, or 1101  
other equipment or appliances of any public utility or electric 1102  
cooperative as defined in section 4928.01 of the Revised Code, 1103  
located on, over, or under the portion of the road affected by 1104  
the improvement, and, on demand by the board, shall give bond to 1105  
the satisfaction of the board in the amount the board determines 1106  
to secure the payment of all of those costs and expenses. 1107

(B) A board of county commissioners shall not adopt a 1108  
resolution to vacate a public road that is a township road under 1109  
division (A) of this section unless the applicable board of 1110  
township trustees has adopted a resolution approving the 1111  
vacation. 1112

**Sec. 5705.121.** A municipal corporation may establish in 1113

the manner provided by law a sanitary police pension fund, an 1114  
urban redevelopment tax increment equivalent fund, or a cemetery 1115  
fund. ~~A~~ 1116

A township may establish by law a cemetery fund. 1117

A subdivision that levies a tax for the purpose described 1118  
in division (ZZ) or (AAA) of section 5705.19 of the Revised Code 1119  
shall establish a general capital and infrastructure fund to 1120  
which the proceeds from that levy shall be credited. By 1121  
resolution or ordinance, the taxing authority may establish 1122  
accounts within that fund for any of the several particular 1123  
purposes for which such money may lawfully be spent, may 1124  
eliminate such accounts when no longer necessary or desirable, 1125  
and may transfer money between such accounts. Money in the fund 1126  
may not be used to pay the compensation of officers or employees 1127  
of the subdivision. 1128

**Sec. 5705.19.** This section does not apply to school 1129  
districts, county school financing districts, or lake facilities 1130  
authorities. 1131

The taxing authority of any subdivision at any time and in 1132  
any year, by vote of two-thirds of all the members of the taxing 1133  
authority, may declare by resolution and certify the resolution 1134  
to the board of elections not less than ninety days before the 1135  
election upon which it will be voted that the amount of taxes 1136  
that may be raised within the ten-mill limitation will be 1137  
insufficient to provide for the necessary requirements of the 1138  
subdivision and that it is necessary to levy a tax in excess of 1139  
that limitation for any of the following purposes: 1140

(A) For current expenses of the subdivision, except that 1141  
the total levy for current expenses of a detention facility 1142

district or district organized under section 2151.65 of the Revised Code shall not exceed two mills and that the total levy for current expenses of a combined district organized under sections 2151.65 and 2152.41 of the Revised Code shall not exceed four mills;

(B) For the payment of debt charges on certain described bonds, notes, or certificates of indebtedness of the subdivision issued subsequent to January 1, 1925;

(C) For the debt charges on all bonds, notes, and certificates of indebtedness issued and authorized to be issued prior to January 1, 1925;

(D) For a public library of, or supported by, the subdivision under whatever law organized or authorized to be supported;

(E) For a municipal university, not to exceed two mills over the limitation of one mill prescribed in section 3349.13 of the Revised Code;

(F) For the construction or acquisition of any specific permanent improvement or class of improvements that the taxing authority of the subdivision may include in a single bond issue;

(G) For the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in municipal corporations, counties, or townships;

(H) For parks and recreational purposes;

(I) For providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials



therefor, for the establishment and maintenance of lines of 1171  
fire-alarm communications, for the payment of firefighting 1172  
companies or permanent, part-time, or volunteer firefighting, 1173  
emergency medical service, administrative, or communications 1174  
personnel to operate the same, including the payment of any 1175  
employer contributions required for such personnel under section 1176  
145.48 or 742.34 of the Revised Code, for the purchase of 1177  
ambulance equipment, for the provision of ambulance, paramedic, 1178  
or other emergency medical services operated by a fire 1179  
department or firefighting company, or for the payment of other 1180  
related costs; 1181

(J) For providing and maintaining motor vehicles, 1182  
communications, other equipment, buildings, and sites for such 1183  
buildings used directly in the operation of a police department, 1184  
for the payment of salaries of permanent or part-time police, 1185  
communications, or administrative personnel to operate the same, 1186  
including the payment of any employer contributions required for 1187  
such personnel under section 145.48 or 742.33 of the Revised 1188  
Code, for the payment of the costs incurred by townships as a 1189  
result of contracts made with other political subdivisions in 1190  
order to obtain police protection, for the provision of 1191  
ambulance or emergency medical services operated by a police 1192  
department, or for the payment of other related costs; 1193

(K) For the maintenance and operation of a county home or 1194  
detention facility; 1195

(L) For community developmental disabilities programs and 1196  
services pursuant to Chapter 5126. of the Revised Code, except 1197  
that such levies shall be subject to the procedures and 1198  
requirements of section 5705.222 of the Revised Code; 1199

(M) For regional planning; 1200

(N) For a county's share of the cost of maintaining and	1201
operating schools, district detention facilities, forestry	1202
camps, or other facilities, or any combination thereof,	1203
established under section 2151.65 or 2152.41 of the Revised Code	1204
or both of those sections;	1205
(O) For providing for flood defense, providing and	1206
maintaining a flood wall or pumps, and other purposes to prevent	1207
floods;	1208
(P) For maintaining and operating sewage disposal plants	1209
and facilities;	1210
(Q) For the purpose of purchasing, acquiring,	1211
constructing, enlarging, improving, equipping, repairing,	1212
maintaining, or operating, or any combination of the foregoing,	1213
a county transit system pursuant to sections 306.01 to 306.13 of	1214
the Revised Code, or of making any payment to a board of county	1215
commissioners operating a transit system or a county transit	1216
board pursuant to section 306.06 of the Revised Code;	1217
(R) For the subdivision's share of the cost of acquiring	1218
or constructing any schools, forestry camps, detention	1219
facilities, or other facilities, or any combination thereof,	1220
under section 2151.65 or 2152.41 of the Revised Code or both of	1221
those sections;	1222
(S) For the prevention, control, and abatement of air	1223
pollution;	1224
(T) For maintaining and operating cemeteries;	1225
(U) For providing ambulance service, emergency medical	1226
service, or both;	1227
(V) For providing for the collection and disposal of	1228

garbage or refuse, including yard waste;	1229
(W) For the payment of the police officer employers' contribution or the firefighter employers' contribution required under sections 742.33 and 742.34 of the Revised Code;	1230 1231 1232
(X) For the construction and maintenance of a drainage improvement pursuant to section 6131.52 of the Revised Code;	1233 1234
(Y) For providing or maintaining senior citizens services or facilities as authorized by section 307.694, 307.85, 505.70, or 505.706 or division (EE) of section 717.01 of the Revised Code;	1235 1236 1237 1238
(Z) For the provision and maintenance of zoological park services and facilities as authorized under section 307.76 of the Revised Code;	1239 1240 1241
(AA) For the maintenance and operation of a free public museum of art, science, or history;	1242 1243
(BB) For the establishment and operation of a 9-1-1 system, as defined in section 128.01 of the Revised Code;	1244 1245
(CC) For the purpose of acquiring, rehabilitating, or developing rail property or rail service. As used in this division, "rail property" and "rail service" have the same meanings as in section 4981.01 of the Revised Code. This division applies only to a county, township, or municipal corporation.	1246 1247 1248 1249 1250 1251
(DD) For the purpose of acquiring property for, constructing, operating, and maintaining community centers as provided for in section 755.16 of the Revised Code;	1252 1253 1254
(EE) For the creation and operation of an office or joint office of economic development, for any economic development	1255 1256

purpose of the office, and to otherwise provide for the 1257  
establishment and operation of a program of economic development 1258  
pursuant to sections 307.07 and 307.64 of the Revised Code, or 1259  
to the extent that the expenses of a county land reutilization 1260  
corporation organized under Chapter 1724. of the Revised Code 1261  
are found by the board of county commissioners to constitute the 1262  
promotion of economic development, for the payment of such 1263  
operations and expenses; 1264

(FF) For the purpose of acquiring, establishing, 1265  
constructing, improving, equipping, maintaining, or operating, 1266  
or any combination of the foregoing, a township airport, landing 1267  
field, or other air navigation facility pursuant to section 1268  
505.15 of the Revised Code; 1269

(GG) For the payment of costs incurred by a township as a 1270  
result of a contract made with a county pursuant to section 1271  
505.263 of the Revised Code in order to pay all or any part of 1272  
the cost of constructing, maintaining, repairing, or operating a 1273  
water supply improvement; 1274

(HH) For a board of township trustees to acquire, other 1275  
than by appropriation, an ownership interest in land, water, or 1276  
wetlands, or to restore or maintain land, water, or wetlands in 1277  
which the board has an ownership interest, not for purposes of 1278  
recreation, but for the purposes of protecting and preserving 1279  
the natural, scenic, open, or wooded condition of the land, 1280  
water, or wetlands against modification or encroachment 1281  
resulting from occupation, development, or other use, which may 1282  
be styled as protecting or preserving "greenspace" in the 1283  
resolution, notice of election, or ballot form. Except as 1284  
otherwise provided in this division, land is not acquired for 1285  
purposes of recreation, even if the land is used for 1286

recreational purposes, so long as no building, structure, or 1287  
fixture used for recreational purposes is permanently attached 1288  
or affixed to the land. Except as otherwise provided in this 1289  
division, land that previously has been acquired in a township 1290  
for these greenspace purposes may subsequently be used for 1291  
recreational purposes if the board of township trustees adopts a 1292  
resolution approving that use and no building, structure, or 1293  
fixture used for recreational purposes is permanently attached 1294  
or affixed to the land. The authorization to use greenspace land 1295  
for recreational use does not apply to land located in a 1296  
township that had a population, at the time it passed its first 1297  
greenspace levy, of more than thirty-eight thousand within a 1298  
county that had a population, at that time, of at least eight 1299  
hundred sixty thousand. 1300

(II) For the support by a county of a crime victim 1301  
assistance program that is provided and maintained by a county 1302  
agency or a private, nonprofit corporation or association under 1303  
section 307.62 of the Revised Code; 1304

(JJ) For any or all of the purposes set forth in divisions 1305  
(I) and (J) of this section. This division applies only to a 1306  
township. 1307

(KK) For a countywide public safety communications system 1308  
under section 307.63 of the Revised Code. This division applies 1309  
only to counties. 1310

(LL) For the support by a county of criminal justice 1311  
services under section 307.45 of the Revised Code; 1312

(MM) For the purpose of maintaining and operating a jail 1313  
or other detention facility as defined in section 2921.01 of the 1314  
Revised Code; 1315

(NN) For purchasing, maintaining, or improving, or any 1316  
combination of the foregoing, real estate on which to hold, and 1317  
the operating expenses of, agricultural fairs operated by a 1318  
county agricultural society or independent agricultural society 1319  
under Chapter 1711. of the Revised Code. This division applies 1320  
only to a county. 1321

(OO) For constructing, rehabilitating, repairing, or 1322  
maintaining sidewalks, walkways, trails, bicycle pathways, or 1323  
similar improvements, or acquiring ownership interests in land 1324  
necessary for the foregoing improvements; 1325

(PP) For both of the purposes set forth in divisions (G) 1326  
and (OO) of this section. 1327

(QQ) For both of the purposes set forth in divisions (H) 1328  
and (HH) of this section. This division applies only to a 1329  
township. 1330

(RR) For the legislative authority of a municipal 1331  
corporation, board of county commissioners of a county, or board 1332  
of township trustees of a township to acquire agricultural 1333  
easements, as defined in section 5301.67 of the Revised Code, 1334  
and to supervise and enforce the easements. 1335

(SS) For both of the purposes set forth in divisions (BB) 1336  
and (KK) of this section. This division applies only to a 1337  
county. 1338

(TT) For the maintenance and operation of a facility that 1339  
is organized in whole or in part to promote the sciences and 1340  
natural history under section 307.761 of the Revised Code. 1341

(UU) For the creation and operation of a county land 1342  
reutilization corporation and for any programs or activities of 1343  
the corporation found by the board of directors of the 1344

corporation to be consistent with the purposes for which the 1345  
corporation is organized; 1346

(VV) For construction and maintenance of improvements and 1347  
expenses of soil and water conservation district programs under 1348  
Chapter 940. of the Revised Code; 1349

(WW) For the OSU extension fund created under section 1350  
3335.35 of the Revised Code for the purposes prescribed under 1351  
section 3335.36 of the Revised Code for the benefit of the 1352  
citizens of a county. This division applies only to a county. 1353

(XX) For a municipal corporation that withdraws or 1354  
proposes by resolution to withdraw from a regional transit 1355  
authority under section 306.55 of the Revised Code to provide 1356  
transportation services for the movement of persons within, 1357  
from, or to the municipal corporation; 1358

(YY) For any combination of the purposes specified in 1359  
divisions (NN), (VV), and (WW) of this section. This division 1360  
applies only to a county. 1361

(ZZ) For any combination of the following purposes: the 1362  
acquisition, construction, improvement, or maintenance of 1363  
buildings, equipment, and supplies for police, firefighting, or 1364  
emergency medical services; the construction, reconstruction, 1365  
resurfacing, or repair of streets, roads, and bridges; or for 1366  
general infrastructure projects. This division applies only to a 1367  
township or municipal corporation. 1368

(AAA) For any combination of the purposes specified in 1369  
divisions (G), (K), (N), (O), (P), (X), (BB), and (MM) of this 1370  
section, for the acquisition, construction or maintenance of 1371  
county facilities, or for the acquisition of or improvements to 1372  
land. This division applies only to a county. 1373

The resolution shall be confined to the purpose or 1374  
purposes described in one division of this section, to which the 1375  
revenue derived therefrom shall be applied. The existence in any 1376  
other division of this section of authority to levy a tax for 1377  
any part or all of the same purpose or purposes does not 1378  
preclude the use of such revenues for any part of the purpose or 1379  
purposes of the division under which the resolution is adopted. 1380

The resolution shall specify the amount of the increase in 1381  
rate that it is necessary to levy, the purpose of that increase 1382  
in rate, and the number of years during which the increase in 1383  
rate shall be in effect, which may or may not include a levy 1384  
upon the duplicate of the current year. The number of years may 1385  
be any number not exceeding five, except as follows: 1386

(1) When the additional rate is for the payment of debt 1387  
charges, the increased rate shall be for the life of the 1388  
indebtedness. 1389

(2) When the additional rate is for any of the following, 1390  
the increased rate shall be for a continuing period of time: 1391

(a) For the current expenses for a detention facility 1392  
district, a district organized under section 2151.65 of the 1393  
Revised Code, or a combined district organized under sections 1394  
2151.65 and 2152.41 of the Revised Code; 1395

(b) For providing a county's share of the cost of 1396  
maintaining and operating schools, district detention 1397  
facilities, forestry camps, or other facilities, or any 1398  
combination thereof, established under section 2151.65 or 1399  
2152.41 of the Revised Code or under both of those sections. 1400

(3) When the additional rate is for either of the 1401  
following, the increased rate may be for a continuing period of 1402



time: 1403

(a) For the purposes set forth in division (I), (J), (U), 1404  
or (KK) of this section; 1405

(b) For the maintenance and operation of a joint 1406  
recreation district. 1407

(4) When the increase is for the purpose or purposes set 1408  
forth in division (D), (G), (H), (T), (Z), (CC), or (PP) of this 1409  
section, the tax levy may be for any specified number of years 1410  
or for a continuing period of time, as set forth in the 1411  
resolution. 1412

(5) When the increase is for the purpose set forth in 1413  
division (ZZ) or (AAA) of this section, the tax levy may be for 1414  
any number of years not exceeding ten. 1415

A levy for one of the purposes set forth in division (G), 1416  
(I), (J), or (U) of this section may be reduced pursuant to 1417  
section 5705.261 or 5705.31 of the Revised Code. A levy for one 1418  
of the purposes set forth in division (G), (I), (J), or (U) of 1419  
this section may also be terminated or permanently reduced by 1420  
the taxing authority if it adopts a resolution stating that the 1421  
continuance of the levy is unnecessary and the levy shall be 1422  
terminated or that the millage is excessive and the levy shall 1423  
be decreased by a designated amount. 1424

A resolution of a detention facility district, a district 1425  
organized under section 2151.65 of the Revised Code, or a 1426  
combined district organized under both sections 2151.65 and 1427  
2152.41 of the Revised Code may include both current expenses 1428  
and other purposes, provided that the resolution shall apportion 1429  
the annual rate of levy between the current expenses and the 1430  
other purpose or purposes. The apportionment need not be the 1431

same for each year of the levy, but the respective portions of 1432  
the rate actually levied each year for the current expenses and 1433  
the other purpose or purposes shall be limited by the 1434  
apportionment. 1435

Whenever a board of county commissioners, acting either as 1436  
the taxing authority of its county or as the taxing authority of 1437  
a sewer district or subdistrict created under Chapter 6117. of 1438  
the Revised Code, by resolution declares it necessary to levy a 1439  
tax in excess of the ten-mill limitation for the purpose of 1440  
constructing, improving, or extending sewage disposal plants or 1441  
sewage systems, the tax may be in effect for any number of years 1442  
not exceeding twenty, and the proceeds of the tax, 1443  
notwithstanding the general provisions of this section, may be 1444  
used to pay debt charges on any obligations issued and 1445  
outstanding on behalf of the subdivision for the purposes 1446  
enumerated in this paragraph, provided that any such obligations 1447  
have been specifically described in the resolution. 1448

A resolution adopted by the legislative authority of a 1449  
municipal corporation that is for the purpose in division (XX) 1450  
of this section may be combined with the purpose provided in 1451  
section 306.55 of the Revised Code, by vote of two-thirds of all 1452  
members of the legislative authority. The legislative authority 1453  
may certify the resolution to the board of elections as a 1454  
combined question. The question appearing on the ballot shall be 1455  
as provided in section 5705.252 of the Revised Code. 1456

A levy for the purpose set forth in division (BB) of this 1457  
section may be imposed in all or a portion of the territory of a 1458  
subdivision. If the 9-1-1 system to be established and operated 1459  
with levy funds excludes territory located within the 1460  
subdivision, the resolution adopted under this section, or a 1461

resolution proposing to renew such a levy that was imposed in 1462  
all of the territory of the subdivision, may describe the area 1463  
served or to be served by the system and specify that the 1464  
proposed tax would be imposed only in the areas receiving or to 1465  
receive the service. Upon passage of such a resolution, the 1466  
board of elections shall submit the question of the tax levy 1467  
only to those electors residing in the area or areas in which 1468  
the tax would be imposed. If the 9-1-1 system would serve the 1469  
entire subdivision, the resolution shall not exclude territory 1470  
from the tax levy. 1471

The resolution shall go into immediate effect upon its 1472  
passage, and no publication of the resolution is necessary other 1473  
than that provided for in the notice of election 1474

When the electors of a subdivision or, in the case of a 1475  
qualifying library levy for the support of a library association 1476  
or private corporation, the electors of the association library 1477  
district or, in the case of a 9-1-1 system levy serving only a 1478  
portion of the territory of a subdivision, the electors of the 1479  
portion of the subdivision in which the levy would be imposed 1480  
have approved a tax levy under this section, the taxing 1481  
authority of the subdivision may anticipate a fraction of the 1482  
proceeds of the levy and issue anticipation notes in accordance 1483  
with section 5705.191 or 5705.193 of the Revised Code. 1484

**Sec. 5709.73.** (A) As used in this section and section 1485  
5709.74 of the Revised Code: 1486

(1) "Business day" means a day of the week excluding 1487  
Saturday, Sunday, and a legal holiday as defined in section 1.14 1488  
of the Revised Code. 1489

(2) "Further improvements" or "improvements" means the 1490

increase in the assessed value of real property that would first 1491  
appear on the tax list and duplicate of real and public utility 1492  
property after the effective date of a resolution adopted under 1493  
this section were it not for the exemption granted by that 1494  
resolution. For purposes of division (B) of this section, 1495  
"improvements" do not include any property used or to be used 1496  
for residential purposes. For this purpose, "property that is 1497  
used or to be used for residential purposes" means property 1498  
that, as improved, is used or to be used for purposes that would 1499  
cause the tax commissioner to classify the property as 1500  
residential property in accordance with rules adopted by the 1501  
commissioner under section 5713.041 of the Revised Code. 1502

(3) "Housing renovation" means a project carried out for 1503  
residential purposes. 1504

(4) "Incentive district" has the same meaning as in 1505  
section 5709.40 of the Revised Code, except that a blighted area 1506  
is in the unincorporated area of a township. 1507

(5) "Overlay" has the same meaning as in section 5709.40 1508  
of the Revised Code, except that the overlay is delineated by 1509  
the board of township trustees. 1510

(6) "Project" and "public infrastructure improvement" have 1511  
the same meanings as in section 5709.40 of the Revised Code. 1512

(B) A board of township trustees may, by unanimous vote, 1513  
adopt a resolution that declares to be a public purpose any 1514  
public infrastructure improvements made that are necessary for 1515  
the development of certain parcels of land located in the 1516  
unincorporated area of the township. Except with the approval 1517  
under division (D) of this section of the board of education of 1518  
each city, local, or exempted village school district within 1519

which the improvements are located, the resolution may exempt 1520  
from real property taxation not more than seventy-five per cent 1521  
of further improvements to a parcel of land that directly 1522  
benefits from the public infrastructure improvements, for a 1523  
period of not more than ten years. The resolution shall specify 1524  
the percentage of the further improvements to be exempted and 1525  
the life of the exemption. 1526

(C) (1) A board of township trustees may adopt, by 1527  
unanimous vote, a resolution creating an incentive district and 1528  
declaring improvements to parcels within the district to be a 1529  
public purpose and, except as provided in division (C) (2) of 1530  
this section, exempt from taxation as provided in this section, 1531  
but no board of township trustees of a township that has a 1532  
population that exceeds twenty-five thousand, as shown by the 1533  
most recent federal decennial census, shall adopt a resolution 1534  
that creates an incentive district if the sum of the taxable 1535  
value of real property in the proposed district for the 1536  
preceding tax year and the taxable value of all real property in 1537  
the township that would have been taxable in the preceding year 1538  
were it not for the fact that the property was in an existing 1539  
incentive district and therefore exempt from taxation exceeds 1540  
twenty-five per cent of the taxable value of real property in 1541  
the township for the preceding tax year. The district shall be 1542  
located within the unincorporated area of the township and shall 1543  
not include any territory that is included within a district 1544  
created under division (B) of section 5709.78 of the Revised 1545  
Code. The resolution shall delineate the boundary of the 1546  
proposed district and specifically identify each parcel within 1547  
the district. A proposed district may not include any parcel 1548  
that is or has been exempted from taxation under division (B) of 1549  
this section or that is or has been within another district 1550

created under this division. A resolution may create more than 1551  
one such district, and more than one resolution may be adopted 1552  
under division (C) (1) of this section. 1553

(2) (a) Not later than thirty days prior to adopting a 1554  
resolution under division (C) (1) of this section, if the 1555  
township intends to apply for exemptions from taxation under 1556  
section 5709.911 of the Revised Code on behalf of owners of real 1557  
property located within the proposed incentive district, the 1558  
board shall conduct a public hearing on the proposed resolution. 1559  
Not later than thirty days prior to the public hearing, the 1560  
board shall give notice of the public hearing and the proposed 1561  
resolution by first class mail to every real property owner 1562  
whose property is located within the boundaries of the proposed 1563  
incentive district that is the subject of the proposed 1564  
resolution. The notice shall include a map of the proposed 1565  
incentive district on which the board of township trustees shall 1566  
have delineated an overlay. The notice shall inform the property 1567  
owner of the owner's right to exclude the owner's property from 1568  
the incentive district if both of the following conditions are 1569  
met: 1570

(i) The owner's entire parcel of property will not be 1571  
located within the overlay. 1572

(ii) The owner has submitted a statement to the board of 1573  
county commissioners of the county in which the parcel is 1574  
located indicating the owner's intent to seek a tax exemption 1575  
for improvements to the owner's parcel under division (A) or (B) 1576  
of section 5709.78 of the Revised Code within the next five 1577  
years. 1578

When both of the preceding conditions are met, the owner 1579  
may exclude the owner's property from the incentive district by 1580

submitting a written response in accordance with division (C) (2) 1581  
(b) of this section. The notice also shall include information 1582  
detailing the required contents of the response, the address to 1583  
which the response may be mailed, and the deadline for 1584  
submitting the response. 1585

(b) Any owner of real property located within the 1586  
boundaries of an incentive district proposed under division (C) 1587  
(1) of this section who meets the conditions specified in 1588  
divisions (C) (2) (a) (i) and (ii) of this section may exclude the 1589  
property from the proposed incentive district by submitting a 1590  
written response to the board not later than forty-five days 1591  
after the postmark date on the notice required under division 1592  
(C) (2) (a) of this section. The response shall include a copy of 1593  
the statement submitted under division (C) (2) (a) (ii) of this 1594  
section. The response shall be sent by first class mail or 1595  
delivered in person at a public hearing held by the board under 1596  
division (C) (2) (a) of this section. The response shall conform 1597  
to any content requirements that may be established by the board 1598  
and included in the notice provided under division (C) (2) (a) of 1599  
this section. In the response, property owners may identify a 1600  
parcel by street address, by the manner in which it is 1601  
identified in the resolution, or by other means allowing the 1602  
identity of the parcel to be ascertained. 1603

(c) Before adopting a resolution under division (C) (1) of 1604  
this section, the board shall amend the resolution to exclude 1605  
any parcel for which a written response has been submitted under 1606  
division (C) (2) (b) of this section. A township shall not apply 1607  
for exemptions from taxation under section 5709.911 of the 1608  
Revised Code for any such parcel, and service payments may not 1609  
be required from the owner of the parcel. Improvements to a 1610  
parcel excluded from an incentive district under this division 1611

may be exempted from taxation under division (B) of this section 1612  
pursuant to a resolution adopted under that division or under 1613  
any other section of the Revised Code under which the parcel 1614  
qualifies. 1615

(3) (a) A resolution adopted under division (C) (1) of this 1616  
section shall specify the life of the incentive district and the 1617  
percentage of the improvements to be exempted, shall designate 1618  
the public infrastructure improvements made, to be made, or in 1619  
the process of being made, that benefit or serve, or, once made, 1620  
will benefit or serve parcels in the district. The resolution 1621  
also shall identify one or more specific projects being, or to 1622  
be, undertaken in the district that place additional demand on 1623  
the public infrastructure improvements designated in the 1624  
resolution. The project identified may, but need not be, the 1625  
project under division (C) (3) (b) of this section that places 1626  
real property in use for commercial or industrial purposes. 1627

A resolution adopted under division (C) (1) of this section 1628  
on or after March 30, 2006, shall not designate police or fire 1629  
equipment as public infrastructure improvements, and, except as 1630  
provided in division (F) of this section, no service payment 1631  
provided for in section 5709.74 of the Revised Code and received 1632  
by the township under the resolution shall be used for police or 1633  
fire equipment. 1634

(b) A resolution adopted under division (C) (1) of this 1635  
section may authorize the use of service payments provided for 1636  
in section 5709.74 of the Revised Code for the purpose of 1637  
housing renovations within the incentive district, provided that 1638  
the resolution also designates public infrastructure 1639  
improvements that benefit or serve the district, and that a 1640  
project within the district places real property in use for 1641



commercial or industrial purposes. Service payments may be used 1642  
to finance or support loans, deferred loans, and grants to 1643  
persons for the purpose of housing renovations within the 1644  
district. The resolution shall designate the parcels within the 1645  
district that are eligible for housing renovations. The 1646  
resolution shall state separately the amount or the percentages 1647  
of the expected aggregate service payments that are designated 1648  
for each public infrastructure improvement and for the purpose 1649  
of housing renovations. 1650

(4) Except with the approval of the board of education of 1651  
each city, local, or exempted village school district within the 1652  
territory of which the incentive district is or will be located, 1653  
and subject to division (E) of this section, the life of an 1654  
incentive district shall not exceed ten years, and the 1655  
percentage of improvements to be exempted shall not exceed 1656  
seventy-five per cent. With approval of the board of education, 1657  
the life of a district may be not more than thirty years, and 1658  
the percentage of improvements to be exempted may be not more 1659  
than one hundred per cent. The approval of a board of education 1660  
shall be obtained in the manner provided in division (D) of this 1661  
section. 1662

(D) Improvements with respect to a parcel may be exempted 1663  
from taxation under division (B) of this section, and 1664  
improvements to parcels within an incentive district may be 1665  
exempted from taxation under division (C) of this section, for 1666  
up to ten years or, with the approval of the board of education 1667  
of the city, local, or exempted village school district within 1668  
which the parcel or district is located, for up to thirty years. 1669  
The percentage of the improvements exempted from taxation may, 1670  
with such approval, exceed seventy-five per cent, but shall not 1671  
exceed one hundred per cent. Not later than forty-five business 1672

days prior to adopting a resolution under this section declaring 1673  
improvements to be a public purpose that is subject to approval 1674  
by a board of education under this division, the board of 1675  
township trustees shall deliver to the board of education a 1676  
notice stating its intent to adopt a resolution making that 1677  
declaration. The notice regarding improvements with respect to a 1678  
parcel under division (B) of this section shall identify the 1679  
parcels for which improvements are to be exempted from taxation, 1680  
provide an estimate of the true value in money of the 1681  
improvements, specify the period for which the improvements 1682  
would be exempted from taxation and the percentage of the 1683  
improvements that would be exempted, and indicate the date on 1684  
which the board of township trustees intends to adopt the 1685  
resolution. The notice regarding improvements made under 1686  
division (C) of this section to parcels within an incentive 1687  
district shall delineate the boundaries of the district, 1688  
specifically identify each parcel within the district, identify 1689  
each anticipated improvement in the district, provide an 1690  
estimate of the true value in money of each such improvement, 1691  
specify the life of the district and the percentage of 1692  
improvements that would be exempted, and indicate the date on 1693  
which the board of township trustees intends to adopt the 1694  
resolution. The board of education, by resolution adopted by a 1695  
majority of the board, may approve the exemption for the period 1696  
or for the exemption percentage specified in the notice; may 1697  
disapprove the exemption for the number of years in excess of 1698  
ten, may disapprove the exemption for the percentage of the 1699  
improvements to be exempted in excess of seventy-five per cent, 1700  
or both; or may approve the exemption on the condition that the 1701  
board of township trustees and the board of education negotiate 1702  
an agreement providing for compensation to the school district 1703  
equal in value to a percentage of the amount of taxes exempted 1704

in the eleventh and subsequent years of the exemption period or, 1705  
in the case of exemption percentages in excess of seventy-five 1706  
per cent, compensation equal in value to a percentage of the 1707  
taxes that would be payable on the portion of the improvements 1708  
in excess of seventy-five per cent were that portion to be 1709  
subject to taxation, or other mutually agreeable compensation. 1710

The board of education shall certify its resolution to the 1711  
board of township trustees not later than fourteen days prior to 1712  
the date the board of township trustees intends to adopt the 1713  
resolution as indicated in the notice. If the board of education 1714  
and the board of township trustees negotiate a mutually 1715  
acceptable compensation agreement, the resolution may declare 1716  
the improvements a public purpose for the number of years 1717  
specified in the resolution or, in the case of exemption 1718  
percentages in excess of seventy-five per cent, for the 1719  
exemption percentage specified in the resolution. In either 1720  
case, if the board of education and the board of township 1721  
trustees fail to negotiate a mutually acceptable compensation 1722  
agreement, the resolution may declare the improvements a public 1723  
purpose for not more than ten years, and shall not exempt more 1724  
than seventy-five per cent of the improvements from taxation. If 1725  
the board of education fails to certify a resolution to the 1726  
board of township trustees within the time prescribed by this 1727  
section, the board of township trustees thereupon may adopt the 1728  
resolution and may declare the improvements a public purpose for 1729  
up to thirty years or, in the case of exemption percentages 1730  
proposed in excess of seventy-five per cent, for the exemption 1731  
percentage specified in the resolution. The board of township 1732  
trustees may adopt the resolution at any time after the board of 1733  
education certifies its resolution approving the exemption to 1734  
the board of township trustees, or, if the board of education 1735

approves the exemption on the condition that a mutually 1736  
acceptable compensation agreement be negotiated, at any time 1737  
after the compensation agreement is agreed to by the board of 1738  
education and the board of township trustees. If a mutually 1739  
acceptable compensation agreement is negotiated between the 1740  
board of township trustees and the board of education, including 1741  
agreements for payments in lieu of taxes under section 5709.74 1742  
of the Revised Code, the board of township trustees shall 1743  
compensate the joint vocational school district within which the 1744  
parcel or district is located at the same rate and under the 1745  
same terms received by the city, local, or exempted village 1746  
school district. 1747

If a board of education has adopted a resolution waiving 1748  
its right to approve exemptions from taxation under this section 1749  
and the resolution remains in effect, approval of such 1750  
exemptions by the board of education is not required under 1751  
division (D) of this section. If a board of education has 1752  
adopted a resolution allowing a board of township trustees to 1753  
deliver the notice required under division (D) of this section 1754  
fewer than forty-five business days prior to adoption of the 1755  
resolution by the board of township trustees, the board of 1756  
township trustees shall deliver the notice to the board of 1757  
education not later than the number of days prior to the 1758  
adoption as prescribed by the board of education in its 1759  
resolution. If a board of education adopts a resolution waiving 1760  
its right to approve exemptions or shortening the notification 1761  
period, the board of education shall certify a copy of the 1762  
resolution to the board of township trustees. If the board of 1763  
education rescinds the resolution, it shall certify notice of 1764  
the rescission to the board of township trustees. 1765

If the board of township trustees is not required by 1766

division (D) of this section to notify the board of education of 1767  
the board of township trustees' intent to declare improvements 1768  
to be a public purpose, the board of township trustees shall 1769  
comply with the notice requirements imposed under section 1770  
5709.83 of the Revised Code before taking formal action to adopt 1771  
the resolution making that declaration, unless the board of 1772  
education has adopted a resolution under that section waiving 1773  
its right to receive the notice. 1774

(E) (1) If a proposed resolution under division (C) (1) of 1775  
this section exempts improvements with respect to a parcel 1776  
within an incentive district for more than ten years, or the 1777  
percentage of the improvement exempted from taxation exceeds 1778  
seventy-five per cent, not later than forty-five business days 1779  
prior to adopting the resolution the board of township trustees 1780  
shall deliver to the board of county commissioners of the county 1781  
within which the incentive district is or will be located a 1782  
notice that states its intent to adopt a resolution creating an 1783  
incentive district. The notice shall include a copy of the 1784  
proposed resolution, identify the parcels for which improvements 1785  
are to be exempted from taxation, provide an estimate of the 1786  
true value in money of the improvements, specify the period of 1787  
time for which the improvements would be exempted from taxation, 1788  
specify the percentage of the improvements that would be 1789  
exempted from taxation, and indicate the date on which the board 1790  
of township trustees intends to adopt the resolution. 1791

(2) The board of county commissioners, by resolution 1792  
adopted by a majority of the board, may object to the exemption 1793  
for the number of years in excess of ten, may object to the 1794  
exemption for the percentage of the improvement to be exempted 1795  
in excess of seventy-five per cent, or both. If the board of 1796  
county commissioners objects, the board may negotiate a mutually 1797

acceptable compensation agreement with the board of township 1798  
trustees. In no case shall the compensation provided to the 1799  
board of county commissioners exceed the property taxes foregone 1800  
due to the exemption. If the board of county commissioners 1801  
objects, and the board of county commissioners and board of 1802  
township trustees fail to negotiate a mutually acceptable 1803  
compensation agreement, the resolution adopted under division 1804  
(C) (1) of this section shall provide to the board of county 1805  
commissioners compensation in the eleventh and subsequent years 1806  
of the exemption period equal in value to not more than fifty 1807  
per cent of the taxes that would be payable to the county or, if 1808  
the board of county commissioner's objection includes an 1809  
objection to an exemption percentage in excess of seventy-five 1810  
per cent, compensation equal in value to not more than fifty per 1811  
cent of the taxes that would be payable to the county, on the 1812  
portion of the improvement in excess of seventy-five per cent, 1813  
were that portion to be subject to taxation. The board of county 1814  
commissioners shall certify its resolution to the board of 1815  
township trustees not later than thirty days after receipt of 1816  
the notice. 1817

(3) If the board of county commissioners does not object 1818  
or fails to certify its resolution objecting to an exemption 1819  
within thirty days after receipt of the notice, the board of 1820  
township trustees may adopt its resolution, and no compensation 1821  
shall be provided to the board of county commissioners. If the 1822  
board of county commissioners timely certifies its resolution 1823  
objecting to the trustees' resolution, the board of township 1824  
trustees may adopt its resolution at any time after a mutually 1825  
acceptable compensation agreement is agreed to by the board of 1826  
county commissioners and the board of township trustees, or, if 1827  
no compensation agreement is negotiated, at any time after the 1828

board of township trustees agrees in the proposed resolution to 1829  
provide compensation to the board of county commissioners of 1830  
fifty per cent of the taxes that would be payable to the county 1831  
in the eleventh and subsequent years of the exemption period or 1832  
on the portion of the improvement in excess of seventy-five per 1833  
cent, were that portion to be subject to taxation. 1834

(F) Service payments in lieu of taxes that are 1835  
attributable to any amount by which the effective tax rate of 1836  
either a renewal levy with an increase or a replacement levy 1837  
exceeds the effective tax rate of the levy renewed or replaced, 1838  
or that are attributable to an additional levy, for a levy 1839  
authorized by the voters for any of the following purposes on or 1840  
after January 1, 2006, and which are provided pursuant to a 1841  
resolution creating an incentive district under division (C) (1) 1842  
of this section that is adopted on or after January 1, 2006, or 1843  
a later date as specified in this division, shall be distributed 1844  
to the appropriate taxing authority as required under division 1845  
(C) of section 5709.74 of the Revised Code in an amount equal to 1846  
the amount of taxes from that additional levy or from the 1847  
increase in the effective tax rate of such renewal or 1848  
replacement levy that would have been payable to that taxing 1849  
authority from the following levies were it not for the 1850  
exemption authorized under division (C) of this section: 1851

(1) A tax levied under division (L) of section 5705.19 or 1852  
section 5705.191 or 5705.222 of the Revised Code for community 1853  
developmental disabilities programs and services pursuant to 1854  
Chapter 5126. of the Revised Code; 1855

(2) A tax levied under division (Y) of section 5705.19 of 1856  
the Revised Code for providing or maintaining senior citizens 1857  
services or facilities; 1858

(3) A tax levied under section 5705.22 of the Revised Code	1859
for county hospitals;	1860
(4) A tax levied by a joint-county district or by a county	1861
under section 5705.19, 5705.191, or 5705.221 of the Revised Code	1862
for alcohol, drug addiction, and mental health services or	1863
families;	1864
(5) A tax levied under section 5705.23 of the Revised Code	1865
for library purposes;	1866
(6) A tax levied under section 5705.24 of the Revised Code	1867
for the support of children services and the placement and care	1868
of children;	1869
(7) A tax levied under division (Z) of section 5705.19 of	1870
the Revised Code for the provision and maintenance of zoological	1871
park services and facilities under section 307.76 of the Revised	1872
Code;	1873
(8) A tax levied under section 511.27 or division (H) of	1874
section 5705.19 of the Revised Code for the support of township	1875
park districts;	1876
(9) A tax levied under division (A), (F), or (H) of	1877
section 5705.19 of the Revised Code for parks and recreational	1878
purposes of a joint recreation district organized pursuant to	1879
division (B) of section 755.14 of the Revised Code;	1880
(10) A tax levied under section 1545.20 or 1545.21 of the	1881
Revised Code for park district purposes;	1882
(11) A tax levied under section 5705.191 of the Revised	1883
Code for the purpose of making appropriations for public	1884
assistance; human or social services; public relief; public	1885
welfare; public health and hospitalization; and support of	1886



general hospitals; 1887

(12) A tax levied under section 3709.29 of the Revised 1888  
Code for a general health district program; 1889

(13) A tax levied by a township under section 505.39, 1890  
505.51, or division (I), (J), (U), or (JJ) of section 5705.19 of 1891  
the Revised Code for the purpose of funding fire, police, 1892  
emergency medical, or ambulance services as described in those 1893  
sections. Division (F)(13) of this section applies only to 1894  
incentive districts created by a resolution adopted on or after 1895  
the effective date of the amendment of this section by H.B. 500 1896  
of the 132nd general assembly, and only if that resolution 1897  
specifies that division (F) of this section shall apply to such 1898  
a tax. 1899

(G) An exemption from taxation granted under this section 1900  
commences with the tax year specified in the resolution so long 1901  
as the year specified in the resolution commences after the 1902  
effective date of the resolution. If the resolution specifies a 1903  
year commencing before the effective date of the resolution or 1904  
specifies no year whatsoever, the exemption commences with the 1905  
tax year in which an exempted improvement first appears on the 1906  
tax list and duplicate of real and public utility property and 1907  
that commences after the effective date of the resolution. In 1908  
lieu of stating a specific year, the resolution may provide that 1909  
the exemption commences in the tax year in which the value of an 1910  
improvement exceeds a specified amount or in which the 1911  
construction of one or more improvements is completed, provided 1912  
that such tax year commences after the effective date of the 1913  
resolution. With respect to the exemption of improvements to 1914  
parcels under division (B) of this section, the resolution may 1915  
allow for the exemption to commence in different tax years on a 1916

parcel-by-parcel basis, with a separate exemption term specified 1917  
for each parcel. 1918

Except as otherwise provided in this division, the 1919  
exemption ends on the date specified in the resolution as the 1920  
date the improvement ceases to be a public purpose or the 1921  
incentive district expires, or ends on the date on which the 1922  
public infrastructure improvements and housing renovations are 1923  
paid in full from the township public improvement tax increment 1924  
equivalent fund established under section 5709.75 of the Revised 1925  
Code, whichever occurs first. The exemption of an improvement 1926  
with respect to a parcel or within an incentive district may end 1927  
on a later date, as specified in the resolution, if the board of 1928  
township trustees and the board of education of the city, local, 1929  
or exempted village school district within which the parcel or 1930  
district is located have entered into a compensation agreement 1931  
under section 5709.82 of the Revised Code with respect to the 1932  
improvement and the board of education has approved the term of 1933  
the exemption under division (D) of this section, but in no case 1934  
shall the improvement be exempted from taxation for more than 1935  
thirty years. The board of township trustees may, by majority 1936  
vote, adopt a resolution permitting the township to enter into 1937  
such agreements as the board finds necessary or appropriate to 1938  
provide for the construction or undertaking of public 1939  
infrastructure improvements and housing renovations. Any 1940  
exemption shall be claimed and allowed in the same or a similar 1941  
manner as in the case of other real property exemptions. If an 1942  
exemption status changes during a tax year, the procedure for 1943  
the apportionment of the taxes for that year is the same as in 1944  
the case of other changes in tax exemption status during the 1945  
year. 1946

(H) The board of township trustees may issue the notes of 1947

the township to finance all costs pertaining to the construction 1948  
or undertaking of public infrastructure improvements and housing 1949  
renovations made pursuant to this section. The notes shall be 1950  
signed by the board and attested by the signature of the 1951  
township fiscal officer, shall bear interest not to exceed the 1952  
rate provided in section 9.95 of the Revised Code, and are not 1953  
subject to Chapter 133. of the Revised Code. The resolution 1954  
authorizing the issuance of the notes shall pledge the funds of 1955  
the township public improvement tax increment equivalent fund 1956  
established pursuant to section 5709.75 of the Revised Code to 1957  
pay the interest on and principal of the notes. The notes, which 1958  
may contain a clause permitting prepayment at the option of the 1959  
board, shall be offered for sale on the open market or given to 1960  
the vendor or contractor if no sale is made. 1961

(I) The township, not later than fifteen days after the 1962  
adoption of a resolution under this section, shall submit to the 1963  
director of development services a copy of the resolution. On or 1964  
before the thirty-first day of March of each year, the township 1965  
shall submit a status report to the director of development 1966  
services. The report shall indicate, in the manner prescribed by 1967  
the director, the progress of the project during each year that 1968  
the exemption remains in effect, including a summary of the 1969  
receipts from service payments in lieu of taxes; expenditures of 1970  
money from the fund created under section 5709.75 of the Revised 1971  
Code; a description of the public infrastructure improvements 1972  
and housing renovations financed with the expenditures; and a 1973  
quantitative summary of changes in private investment resulting 1974  
from each project. 1975

(J) Nothing in this section shall be construed to prohibit 1976  
a board of township trustees from declaring to be a public 1977  
purpose improvements with respect to more than one parcel. 1978

If a parcel is located in a new community district in 1979  
which the new community authority imposes a community 1980  
development charge on the basis of rentals received from leases 1981  
of real property as described in division (L) (2) of section 1982  
349.01 of the Revised Code, the parcel may not be exempted from 1983  
taxation under this section. 1984

(K) A board of township trustees that adopted a resolution 1985  
under this section prior to July 21, 1994, may amend that 1986  
resolution to include any additional public infrastructure 1987  
improvement. A board of township trustees that seeks by the 1988  
amendment to utilize money from its township public improvement 1989  
tax increment equivalent fund for land acquisition in aid of 1990  
industry, commerce, distribution, or research, demolition on 1991  
private property, or stormwater and flood remediation projects 1992  
may do so provided that the board currently is a party to a 1993  
hold-harmless agreement with the board of education of the city, 1994  
local, or exempted village school district within the territory 1995  
of which are located the parcels that are subject to an 1996  
exemption. For the purposes of this division, a "hold-harmless 1997  
agreement" means an agreement under which the board of township 1998  
trustees agrees to compensate the school district for one 1999  
hundred per cent of the tax revenue that the school district 2000  
would have received from further improvements to parcels 2001  
designated in the resolution were it not for the exemption 2002  
granted by the resolution. 2003

(L) Notwithstanding the limitation prescribed by division 2004  
(D) of this section on the number of years that improvements to 2005  
a parcel or parcels may be exempted from taxation, a board of 2006  
trustees of a township with a population of fifteen thousand or 2007  
more may amend a resolution originally adopted under this 2008  
section before December 31, 1994, to extend the exemption of 2009

improvements to the parcel or parcels included in such 2010  
resolution for an additional period not to exceed fifteen years. 2011  
The amendment shall not increase the percentage of improvements 2012  
to the parcel or parcels exempted from taxation. Before adopting 2013  
an amendment authorized under this division, the board of 2014  
township trustees shall obtain the approval of each board of 2015  
education of the city, local, or exempted village school 2016  
district within which the exempted parcels are located in the 2017  
manner required under division (D) of this section, except that 2018  
(1) the board of education may approve the exemption on the 2019  
condition that the board of township trustees and the board of 2020  
education negotiate an agreement providing for compensation to 2021  
the school district equal in value to the amount of taxes the 2022  
district forgoes in each year the exemption is extended pursuant 2023  
to this division or any other mutually agreeable compensation 2024  
and (2) if the board of education fails to certify a resolution 2025  
approving the amendment to the board of township trustees within 2026  
the time prescribed by division (D) of this section, the board 2027  
of township trustees shall not adopt the amendment authorized 2028  
under this division. 2029

No approval under this division shall be required from a 2030  
board of education that has adopted a resolution waiving its 2031  
right to approve exemptions from taxation pursuant to division 2032  
(D) of this section. If the board of education has adopted such 2033  
a resolution, the board of township trustees shall comply with 2034  
the notice requirements imposed under section 5709.83 of the 2035  
Revised Code before taking formal action to adopt an amendment 2036  
authorized under this division unless the board of education has 2037  
adopted a resolution under that section waiving its right to 2038  
receive the notice. Not later than fourteen days before adopting 2039  
an amendment authorized under this division, the board of 2040

township trustees shall deliver a notice identical to a notice 2041  
required under section 5709.83 of the Revised Code to the board 2042  
of county commissioners of each county in which the exempted 2043  
parcels are located. 2044

**Sec. 5709.75.** (A) Any township that receives service 2045  
payments in lieu of taxes under section 5709.74 of the Revised 2046  
Code shall establish a township public improvement tax increment 2047  
equivalent fund into which those payments shall be deposited. If 2048  
the board of township trustees has adopted a resolution under 2049  
division (C) of section 5709.73 of the Revised Code, the 2050  
township shall establish at least one account in that fund with 2051  
respect to resolutions adopted under division (B) of that 2052  
section, and one account with respect to each incentive district 2053  
created by a resolution adopted under division (C) of that 2054  
section. If a resolution adopted under division (C) of section 2055  
5709.73 of the Revised Code also authorizes the use of service 2056  
payments for housing renovations within the incentive district, 2057  
the township shall establish separate accounts for the service 2058  
payments designated for public infrastructure improvements and 2059  
for the service payments authorized for the purpose of housing 2060  
renovations. 2061

(B) Except as otherwise provided in division (C) or (D) of 2062  
this section, money deposited in an account of the township 2063  
public improvement tax increment equivalent fund shall be used 2064  
by the township to pay the costs of public infrastructure 2065  
improvements designated in or the housing renovations authorized 2066  
by the resolution with respect to which the account is 2067  
established, including any interest on and principal of the 2068  
notes; in the case of an account established with respect to a 2069  
resolution adopted under division (C) of that section, money in 2070  
the account shall be used to finance the public infrastructure 2071

improvements designated, or the housing renovations authorized, 2072  
for each incentive district created in the resolution. Money in 2073  
an account shall not be used to finance or support housing 2074  
renovations that take place after the incentive district has 2075  
expired. 2076

(C) (1) (a) A township may distribute money in such an 2077  
account to any school district in which the exempt property is 2078  
located in an amount not to exceed the amount of real property 2079  
taxes that such school district would have received from the 2080  
improvement if it were not exempt from taxation. The resolution 2081  
establishing the fund shall set forth the percentage of such 2082  
maximum amount that will be distributed to any affected school 2083  
district. 2084

(b) A township also may distribute money in such an 2085  
account as follows: 2086

(i) To a board of county commissioners, in the amount that 2087  
is owed to the board pursuant to division (E) of section 5709.73 2088  
of the Revised Code; 2089

(ii) To a county in accordance with section 5709.913 of 2090  
the Revised Code. 2091

(2) Money from an account in a township public improvement 2092  
tax increment equivalent fund may be distributed under division 2093  
(C) (1) (b) of this section, regardless of the date a resolution 2094  
was adopted under section 5709.73 of the Revised Code that 2095  
prompted the establishment of the account, even if the 2096  
resolution was adopted prior to March 30, 2006. 2097

(D) A board of township trustees that adopted a resolution 2098  
under section 5709.73 of the Revised Code and that, with respect 2099  
to property exempted under such a resolution, is party to a 2100

hold-harmless or service agreement, may appropriate and expend 2101  
unencumbered money in the fund to pay current public safety 2102  
expenses of the township. A township appropriating and expending 2103  
money under this division shall reimburse the fund for the sum 2104  
so appropriated and expended not later than the day the 2105  
exemption granted under the resolution expires. For the purposes 2106  
of this division, a "hold-harmless agreement" is an agreement 2107  
with the board of education of a city, local, or exempted 2108  
village school district under which the board of township 2109  
trustees agrees to compensate the school district for one 2110  
hundred per cent of the tax revenue the school district would 2111  
have received from improvements to parcels designated in the 2112  
resolution were it not for the exemption granted by the 2113  
resolution. 2114

(E) A board of township trustees that adopted a resolution 2115  
under section 5709.73 of the Revised Code prior to July 21, 2116  
1994, and that, with respect to property exempted under such 2117  
resolution, is a party to a hold-harmless or service agreement 2118  
with a board of education of a city, local, or exempted village 2119  
school district, within the territory of which such property is 2120  
located, may appropriate and expend unencumbered money in the 2121  
fund to pay current expenses for the continued maintenance of 2122  
public improvements or public infrastructure improvements 2123  
designated in that resolution, as such resolution has been 2124  
amended under division (K) of section 5709.73 of the Revised 2125  
Code. 2126

(F) Any unencumbered money remaining in the township 2127  
public improvement tax increment equivalent fund or an account 2128  
of that fund upon dissolution of the account or fund shall be 2129  
transferred to the general fund of the township. 2130



**Section 2.** That existing sections 349.03, 505.01, 505.04, 2131  
505.482, 507.11, 513.07, 513.071, 517.30, 519.04, 519.07, 2132  
519.12, 519.13, 519.15, 1509.07, 3375.121, 3501.021, 3709.03, 2133  
5541.04, 5553.04, 5705.121, 5705.19, 5709.73, and 5709.75 and 2134  
sections 711.25, 711.26, and 711.27 of the Revised Code are 2135  
hereby repealed. 2136

**Section 3.** The General Assembly, applying the principle 2137  
stated in division (B) of section 1.52 of the Revised Code that 2138  
amendments are to be harmonized if reasonably capable of 2139  
simultaneous operation, finds that the following sections, 2140  
presented in this act as composites of the sections as amended 2141  
by the acts indicated, are the resulting versions of the 2142  
sections in effect before the effective date of the sections as 2143  
presented in this act: 2144

Section 5705.19 of the Revised Code as amended by Sub. 2145  
H.B. 158, Am. Sub. H.B. 277, Sub. H.B. 413, and Am. Sub. H.B. 2146  
483, all of the 131st General Assembly. 2147

**Section 4.** Section 3501.021 of the Revised Code, as 2148  
amended by this act, shall take effect January 1, 2021. 2149