

As Introduced

133rd General Assembly

Regular Session

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H. B. No. 444

Representatives Baldrige, Abrams

Cosponsors: Representatives Carfagna, Seitz, Lang, Blair, Stoltzfus, Ginter, Hambley, Carruthers, Grendell, Swearingen, Stephens, Riedel, Jones, Keller, Cross, Roemer, O'Brien, Smith, T., Clites

A BILL

To amend sections 9.65, 165.01, 165.03, 503.07, 1
505.172, 505.43, 505.86, 505.87, 505.871, 2
517.27, 715.82, 742.33, 742.34, 3735.27, 3
4765.43, 5571.16, 5705.19, and 5705.25 of the 4
Revised Code to make various changes to township 5
law. 6

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

Section 1. That sections 9.65, 165.01, 165.03, 503.07, 7
505.172, 505.43, 505.86, 505.87, 505.871, 517.27, 715.82, 8
742.33, 742.34, 3735.27, 4765.43, 5571.16, 5705.19, and 5705.25 9
of the Revised Code be amended to read as follows: 10

Sec. 9.65. (A) A board of township trustees, a board of 11
fire district trustees of a joint fire district, or the 12
legislative authority of a municipal corporation may establish, 13
by resolution or ordinance, as appropriate, an annuity program 14
for the volunteer fire fighters serving the political 15
subdivision, including those affiliated with a private entity 16
that provides fire-fighting or emergency medical services. The 17

program may permit the board or the legislative authority to 18
contract for, purchase, or otherwise procure from an insurer or 19
insurers licensed to do business by this state an annuity for 20
such fire fighters. The program may also permit the board or the 21
legislative authority at any time to cancel or otherwise 22
terminate an annuity with any particular insurer or insurers. 23
The board or the legislative authority may pay all or any 24
portion of the cost, premium, or charge of the annuity. The 25
board or the legislative authority may create a fund in the 26
treasury of the township, the joint fire district, or the 27
municipal corporation, as appropriate, for the annuity program. 28
The resolution or ordinance creating the program shall include a 29
plan to assure the proper administration and operation of the 30
program. The plan shall include, but not be limited to, all of 31
the following: 32

(1) The requirements a person must meet in order to be 33
eligible to participate in the program; 34

(2) The requirements an eligible person must meet annually 35
in order to participate in the program; 36

(3) A requirement that an audit of the accounts, financial 37
reports, records, and files pertaining to the program be 38
performed in the same manner and with the same frequency that an 39
audit of a public office is performed under section 117.11 of 40
the Revised Code. The audit required under division (A) (3) of 41
this section shall be in addition to and separate from any audit 42
of a township, joint fire district, or municipal corporation 43
required under section 117.11 of the Revised Code but may be 44
performed at the same time as such an audit. 45

(4) Provisions for termination of the program. 46

(B) A political subdivision that has established an annuity program under division (A) of this section may appropriate general revenue fund moneys of the political subdivision not appropriated for any other purpose to the annuity program and may use moneys raised under section 505.37, 505.371, or 505.39 or under division (I) ~~or, (U), or (JJ)~~ of section 5705.19 of the Revised Code for the annuity program. Income from the investment of moneys in any fund established in the treasury of a political subdivision for the annuity program shall be paid into the annuity fund.

(C) As used in this section:

(1) "Volunteer fire fighter" means a person who performs service as a fire fighter, or who performs emergency medical service, on a less than full-time basis for a political subdivision.

(2) "Political subdivision" means a municipal corporation, a township, a township fire district, or a joint fire district.

Sec. 165.01. As used in this chapter:

~~(A) "Agency" means a community improvement corporation organized under Chapter 1724. of the Revised Code and designated, pursuant to section 1724.10 of the Revised Code, as the agency of a municipal corporation or county.~~

~~(B) "Bonds" means bonds, notes, or other forms of evidences of obligation issued in temporary or definitive form, including notes issued in anticipation of the issuance of bonds and renewal notes. The funding of bond anticipation notes with bonds or renewal notes and the exchange of definitive bonds for temporary bonds are not subject to section 165.07 of the Revised Code.~~

~~(C)~~—"Bond proceedings" means the resolution or ordinance 76
or the trust agreement or indenture of mortgage, or combination 77
thereof, authorizing or providing for the terms and conditions 78
applicable to bonds issued under authority of this chapter. 79

~~(D)~~—"Issuer" means the state, or a county, township, or 80
municipal corporation of ~~this the state which county or~~ 81
~~municipal corporation has, pursuant to section 1724.10 of the~~ 82
~~Revised Code, designated a community improvement corporation as~~ 83
~~its agency for industrial, commercial, distribution, and~~ 84
~~research development and for which a plan has been prepared by~~ 85
~~such community improvement corporation and confirmed by its~~ 86
~~issuing authority.~~ 87

~~(E)~~—"Issuing authority" means in the case of the state, 88
the director of development services; in the case of a municipal 89
corporation, the legislative authority thereof; in the case of a 90
township, the board of township trustees; and in the case of a 91
county, the board of county commissioners or whatever officers, 92
board, commission, council, or other body might succeed to the 93
legislative powers of the commissioners. 94

~~(F)~~ "Plan" means ~~a plan prepared by the agency pursuant to~~ 95
~~section 1724.10 of the Revised Code, and confirmed by the~~ 96
~~issuing authority of a municipal corporation or county.~~ 97

~~(G)~~—"Pledged facilities" means the project or projects 98
mortgaged or the rentals, revenues, and other income, charges, 99
and moneys from which are pledged, or both, for the payment of 100
the principal of and interest on the bonds issued under 101
authority of section 165.03 of the Revised Code, and includes a 102
project for which a loan has been made under authority of this 103
chapter, in which case, references in this chapter to revenues 104
of such pledged facilities or from the disposition thereof 105

includes payments made or to be made to or for the account of 106
the issuer pursuant to such loan. 107

~~(H)~~—"Project" means real or personal property, or both, 108
including undivided and other interests therein, acquired by 109
gift or purchase, constructed, reconstructed, enlarged, 110
improved, furnished, or equipped, or any combination thereof, by 111
an issuer, or by others in whole or in part from the proceeds of 112
a loan made by an issuer, for industry, commerce, distribution, 113
or research and located within the boundaries of the issuer. 114
"Project" includes sanitary facilities, drainage facilities, and 115
prevention or replacement facilities as defined in section 116
6117.01 of the Revised Code. A project as defined in this 117
division is hereby determined to qualify as facilities described 118
in Section 13 of Article VIII, Ohio Constitution. 119

~~(I)~~—"Revenues" means the rentals, revenues, payments, 120
repayments, income, charges, and moneys derived or to be derived 121
from the use, lease, sublease, rental, sale, including 122
installment sale or conditional sale, or other disposition of 123
pledged facilities, or derived or to be derived pursuant to a 124
loan made for a project, bond proceeds to the extent provided in 125
the bond proceedings for the payment of principal of, or 126
premium, if any, or interest on the bonds, proceeds from any 127
insurance, condemnation or guaranty pertaining to pledged 128
facilities or the financing thereof, and income and profit from 129
the investment of the proceeds of bonds or of any revenues. 130

~~(J)~~—"Security interest" means a mortgage, lien, or other 131
encumbrance on, or pledge or assignment of, or other security 132
interest with respect to all or any part of pledged facilities, 133
revenues, reserve funds, or other funds established under the 134
bond proceedings, or on, of, or with respect to, a lease, 135

sublease, sale, conditional sale or installment sale agreement, 136
loan agreement, or any other agreement pertaining to the lease, 137
sublease, sale, or other disposition of a project or pertaining 138
to a loan made for a project, or any guaranty or insurance 139
agreement made with respect thereto, or any interest of the 140
issuer therein, or any other interest granted, assigned, or 141
released to secure payments of the principal of, premium, if 142
any, or interest on any bonds or to secure any other payments to 143
be made by an issuer under the bond proceedings. Any security 144
interest under this chapter may be prior or subordinate to or on 145
a parity with any other mortgage, lien, encumbrance, pledge, 146
assignment, or other security interest. 147

Sec. 165.03. (A) An issuer may issue bonds for the purpose 148
of providing moneys to acquire by purchase, construct, 149
reconstruct, enlarge, improve, furnish, or equip one or more 150
projects or parts thereof, or for any combination of such 151
purposes, including providing moneys to make loans to others for 152
such purposes. The issuing authority shall provide by resolution 153
or ordinance for the issuance of such bonds. The bond 154
proceedings may contain determinations by the issuing authority 155
that the project to be financed thereunder is a project as 156
defined in this chapter and is consistent with the purposes of 157
Section 13 of Article VIII, Ohio Constitution, and such 158
determinations shall be conclusive as to the validity and 159
enforceability of the bonds issued under such bond proceedings 160
and of such bond proceedings and security interests given and 161
leases, subleases, sale agreements, loan agreements, and other 162
agreements made in connection therewith, all in accordance with 163
their terms. 164

The principal of and interest on the bonds and all other 165
payments required to be made by the bond proceedings shall be 166

payable solely from the revenues and secured by security 167
interests as provided in such bond proceedings. Bond 168
anticipation notes may be secured, solely or additionally, by a 169
covenant of the issuer that it will do all things necessary for 170
the issuance of the bonds anticipated or renewal notes in 171
appropriate amount and either exchange such bonds or renewal 172
notes for such notes or apply the proceeds therefrom to the 173
extent necessary to make full payment of the principal of and 174
interest on such notes. The bond proceedings shall not obligate 175
or pledge moneys raised by taxation. 176

Bonds may be issued at one time or from time to time, 177
shall be dated, shall mature at such time or times not exceeding 178
thirty years from date of issue, and may be redeemable before 179
maturity at such price or prices and under such terms and 180
conditions, all as provided in the bond proceedings. The bonds 181
shall bear interest at such rate or rates, or at a variable rate 182
or rates changing from time to time in accordance with a base or 183
formula, as provided in or authorized by the bond proceedings. 184
The issuing authority shall determine the form of the bonds, fix 185
their denominations and method of execution, and establish 186
within or without the state a place or places for the payment of 187
principal or interest. 188

(B) The issuing authority may provide for sales of bonds 189
at public or private sale as it deems most advantageous and for 190
such prices, whether above or below the par value thereof, as it 191
determines or within such limit or limits as it determines. 192

~~(C) If the issuer is a county or municipal corporation, 193
then, prior to the delivery of bonds issued under authority of 194
this section, the issuing authority shall first have received 195
from its agency a certification that a project to be financed by 196~~

~~the issuance of such bonds is in accordance with the plan,~~ 197
~~except that no such certification is necessary if the project is~~ 198
~~a sanitary facility, drainage facility, or prevention or~~ 199
~~replacement facility as defined in section 6117.01 of the~~ 200
~~Revised Code. If the state is the issuer, then prior to before~~ 201
the authorization of the bonds, the issuing authority of the 202
state shall have received a written request for the issuance of 203
the bonds from either the board of directors of a port authority 204
created pursuant to the authority of section 4582.02 or 4582.22 205
of the Revised Code if the project is within the jurisdiction of 206
the port authority ~~or,~~ from the issuing authority of the 207
municipal corporation, if the project is within the boundaries 208
of a municipal corporation, or from the issuing authority of the 209
township or county, if the project is within the unincorporated 210
portion of the township or county, and if the project is to be 211
located within a municipal corporation with a plan or in an 212
unincorporated portion of the county with a plan, then prior to 213
the delivery of bonds issued under this section, the issuing 214
authority shall first have received from the agency of the 215
municipal corporation if within its limits, or from the agency 216
of the county if in unincorporated territory, a certification 217
that such project is in accordance with its plan, except that no 218
such certification is necessary if the request for issuance of 219
the bonds is made by the port authority. 220

(D) If the issuer is a county, township, or municipal 221
corporation, then, ~~prior to before~~ the delivery of bonds issued 222
under authority of this section, the issuing authority shall 223
have caused a written notice to have been mailed by certified 224
mail to the director of ~~the department of development~~ services 225
of the state advising such director of the proposed delivery of 226
the bonds, the amount thereof, the proposed lessee, and a 227

general description of the project or projects to be financed. 228

(E) In case any officer who has signed any bonds or 229
coupons pertaining thereto, or caused the officer's facsimile 230
signature to be affixed thereto, ceases to be such officer 231
before such bonds or coupons have been delivered, such bonds or 232
coupons may, nevertheless, be issued and delivered as though the 233
person who had signed the bonds or coupons or caused the 234
person's facsimile signature to be affixed thereto had not 235
ceased to be such officer. Any bonds or coupons may be executed 236
on behalf of the issuer by an officer who, on the date of 237
execution, is the proper officer although on the date of such 238
bonds or coupons such person was not the proper officer. 239

(F) All bonds issued under authority of this chapter, 240
regardless of form or terms and regardless of any other law to 241
the contrary, shall have all qualities and incidents of 242
negotiable instruments, subject to provisions for registration, 243
and may be issued in coupon, fully registered, or other form, or 244
any combination thereof, as the issuing authority determines. 245
Provision may be made for the registration of any coupon bonds 246
as to principal alone or as to both principal and interest, and 247
for the conversion into coupon bonds of any fully registered 248
bonds or bonds registered as to both principal and interest. 249

Sec. 503.07. (A) When the limits of a municipal 250
corporation do not comprise the whole of the township in which 251
it is situated, or if by change of limits of ~~such the~~ 252
corporation include territory lying in more than one township, 253
the legislative authority of ~~such the~~ municipal corporation, by 254
~~a an affirmative majority vote of the majority of the its~~ 255
~~members of such legislative authority,~~ may petition the board of 256
county commissioners for a change of township lines in order to 257

make them identical, in whole or in part, with the limits of the 258
municipal corporation, or to erect a new township out of the 259
portion of such township included within the limits of ~~such the~~ 260
municipal corporation. 261

(B) At least ten days before the municipal legislative 262
authority votes on a change of township lines, the legislative 263
authority shall provide notice to any township that is the 264
subject of the boundary change sought under this section. If the 265
vote is not taken or does not result in an affirmative vote of 266
the majority, notice shall be provided to any such township 267
within ten days after the result is known or the vote is not 268
taken. The notice shall be sent by ordinary mail or, if the 269
municipal corporation has record of an internet identifier of 270
record for the affected township, by that internet identifier of 271
record. 272

(C) The board of county commissioners, on presentation of 273
such the petition, with authentication of the proceedings of the 274
legislative authority authenticated, at a regular or adjourned 275
session, shall, upon the petition of a city, change the 276
boundaries of the township or erect such a new township out of 277
the portion of the township included within the limits of the 278
municipal corporation, and may, upon the petition of a village, 279
change the boundaries of the township or erect such a new 280
township. 281

(D) As used in this section, "internet identifier of 282
record" has the same meaning as in section 9.312 of the Revised 283
Code. 284

Sec. 505.172. (A) As used in this section, "law 285
enforcement officer" means a sheriff, deputy sheriff, constable, 286
police officer of a township or joint police district, marshal, 287

deputy marshal, or municipal police officer. 288

(B) Except as otherwise provided in this section and 289
section 505.17 of the Revised Code, a board of township trustees 290
may adopt regulations and orders that are necessary to control 291
noise generated within the unincorporated territory of the 292
~~township that is generated at any premises to which a D permit~~ 293
~~has been issued by the division of liquor control or that is~~ 294
~~generated within any areas zoned for residential use.~~ 295

(C) Any person who engages in any of the activities 296
described in section 1.61 of the Revised Code is exempt from any 297
regulation or order adopted under division (B) of this section 298
if the noise is attributed to an activity described in section 299
1.61 of the Revised Code. Any person who engages in coal mining 300
and reclamation operations, as defined in division (B) of 301
section 1513.01 of the Revised Code, or surface mining, as 302
defined in division (A) of section 1514.01 of the Revised Code, 303
is exempt from any regulation or order adopted under division 304
(B) of this section if the noise is attributed to coal mining 305
and reclamation or surface mining activities. Noise resulting 306
from the drilling, completion, operation, maintenance, or 307
construction of any crude oil or natural gas wells or pipelines 308
or any appurtenances to those wells or pipelines or from the 309
distribution, transportation, gathering, or storage of crude oil 310
or natural gas is exempt from any regulation or order adopted 311
under division (B) of this section. 312

~~(D) (1) Except as otherwise provided in division (C) of~~ 313
~~this section, any regulation or order adopted under division (B)~~ 314
~~of this section shall apply to any business or industry or to~~ 315
~~any premises to which a D permit has been issued by the division~~ 316
~~of liquor control regardless of when it came into existence.~~ 317

~~(E)~~ Whoever violates any regulation or order adopted under 318
division (B) of this section is guilty of a misdemeanor of the 319
second degree. Fines levied and collected under this section 320
shall be paid into the township general ~~revenue~~ fund. 321

~~(F)~~ (E) Any person allegedly aggrieved by another person's 322
violation of a regulation or order adopted under division (B) of 323
this section may seek in a civil action a declaratory judgment, 324
an injunction, or other appropriate relief against the other 325
person committing the act or practice that violates that 326
regulation or order. A board of township trustees that adopts a 327
regulation or order under division (B) of this section may seek 328
in a civil action an injunction against any person that commits 329
an act or practice that violates that regulation or order. The 330
court involved in a civil action referred to in this division 331
may award to the prevailing party reasonable attorney's fees 332
limited to the work reasonably performed. 333

~~(G)~~ (F) If any law enforcement officer with jurisdiction 334
in a township that has adopted a regulation or order under 335
division (B) of this section has reasonable cause to believe 336
that any premises ~~to which a D permit has been issued by the~~ 337
~~division of liquor control~~ has violated the regulation or order 338
and, as a result of the violation, has caused, is causing, or is 339
about to cause substantial and material harm, the law 340
enforcement officer may issue an order that the premises cease 341
and desist from the activity violating the regulation or order. 342
The cease-and-desist order shall be served personally upon the 343
owner, operator, manager, or other person in charge of the 344
premises immediately after its issuance by the officer. The 345
township thereafter may publicize or otherwise make known to all 346
interested persons that the cease-and-desist order has been 347
issued. 348

The cease-and-desist order shall specify the particular 349
conduct that is subject to the order and shall inform the person 350
upon whom it is served that the premises will be granted a 351
hearing in the municipal court or county court with jurisdiction 352
over the premises regarding the operation of the order and the 353
possible issuance of an injunction or other appropriate relief. 354
The premises shall comply with the cease-and-desist order 355
immediately upon receipt of the order. Upon service of the 356
cease-and-desist order upon the owner, operator, manager, or 357
other person in charge of the premises, the township law 358
director or, if the township does not have a law director, the 359
prosecuting attorney of the county in which the township is 360
located shall file in the municipal court or county court with 361
jurisdiction over the premises a civil action seeking to confirm 362
the cease-and-desist order and seeking an injunction or other 363
appropriate relief against the premises. The owner, operator, 364
manager, or other person in charge of the premises may file a 365
motion in that civil action for a stay of the cease-and-desist 366
order for good cause shown, pending the court's rendering its 367
decision in the action. The court shall set a date for a 368
hearing, hold the hearing, and render a decision in the action 369
not more than ten days after the date of the cease-and-desist 370
order, or the cease-and-desist order is terminated. Division ~~(F)~~ 371
(E) of this section applies regarding an action filed as 372
described in this division. 373

~~(H)~~ (G) Nothing in this section authorizes a township to 374
enforce any regulation or order adopted under division (B) of 375
this section against a premises ~~to which a D permit has been~~ 376
~~issued by the division of liquor control if that premises that~~ 377
is not located in the unincorporated territory of that township. 378

Sec. 505.43. In order to obtain police protection, or to 379

obtain additional police protection, any township may enter into 380
a contract with one or more townships, municipal corporations, 381
park districts created pursuant to section 511.18 or 1545.01 of 382
the Revised Code, county sheriffs, joint police districts, or 383
with a governmental entity of an adjoining state upon any terms 384
that are agreed to by them, for services of police departments 385
or use of police equipment, or the interchange of the service of 386
police departments or use of police equipment within the several 387
territories of the contracting subdivisions, if the contract is 388
first authorized by respective boards of township trustees or 389
other legislative bodies. The cost of the contract may be paid 390
for from the township general fund or from funds received 391
pursuant to the passage of a levy authorized pursuant to 392
division (J) or (JJ) of section 5705.19 and section 5705.25 of 393
the Revised Code. 394

Chapter 2744. of the Revised Code, insofar as it is 395
applicable to the operation of police departments, applies to 396
the contracting political subdivisions and police department 397
members when the members are rendering service outside their own 398
subdivision pursuant to the contract. 399

Police department members acting outside the subdivision 400
in which they are employed may participate in any pension or 401
indemnity fund established by their employer to the same extent 402
as while acting within the employing subdivision, and are 403
entitled to all the rights and benefits of Chapter 4123. of the 404
Revised Code, to the same extent as while performing service 405
within the subdivision. 406

The contract may provide for a fixed annual charge to be 407
paid at the times agreed upon and stipulated in the contract. 408

Sec. 505.86. (A) As used in this section: 409

"Party in interest" means an owner of record of the real 410
property on which the building or structure is located, and 411
includes a holder of a legal or equitable lien of record on the 412
real property or the building or other structure. 413

"Total cost" means any costs incurred due to the use of 414
employees, materials, or equipment of the township, any costs 415
arising out of contracts for labor, materials, or equipment, and 416
costs of service of notice or publication required under this 417
section. 418

(B) A board of township trustees, by resolution, may 419
provide for the removal, repair, or securance of buildings or 420
other structures in the township that have been declared 421
insecure, unsafe, or structurally defective by any fire 422
department under contract with the township or by the county 423
building department or other authority responsible under Chapter 424
3781. of the Revised Code for the enforcement of building 425
regulations or the performance of building inspections in the 426
township, or buildings or other structures that have been 427
declared to be in a condition dangerous to life or health, or 428
unfit for human habitation by the board of health of the general 429
health district of which the township is a part. 430

At least thirty days before the removal, repair, or 431
securance of any insecure, unsafe, or structurally defective 432
building or other structure, the board of township trustees 433
shall give notice by certified mail, return receipt requested, 434
to each party in interest of its intention with respect to the 435
removal, repair, or securance of an insecure, unsafe, or 436
structurally defective or unfit building or other structure. 437

If the address of a party in interest is unknown and 438
cannot reasonably be obtained, it is sufficient to publish the 439

notice once in a newspaper of general circulation in the 440
township. 441

(C) (1) If the board of trustees, in a resolution adopted 442
under this section, pursues action to remove any insecure, 443
unsafe, or structurally defective building or other structure, 444
the notice shall include a statement informing the parties in 445
interest that each party in interest is entitled to a hearing if 446
the party in interest requests a hearing in writing within 447
twenty days after the notice was mailed. The written request for 448
a hearing shall be made to the township fiscal officer. 449

(2) If a party in interest timely requests a hearing, the 450
board shall set the date, time, and place for the hearing and 451
notify the party in interest by certified mail, return receipt 452
requested. The date set for the hearing shall be within fifteen 453
days, but not earlier than seven days, after the party in 454
interest has requested a hearing, unless otherwise agreed to by 455
both the board and the party in interest. The hearing shall be 456
recorded by stenographic or electronic means. 457

(3) The board shall make an order deciding the matter not 458
later than thirty days after a hearing, or not later than thirty 459
days after mailing notice to the parties in interest if no party 460
in interest requested a hearing. The order may dismiss the 461
matter or direct the removal, repair, or securance of the 462
building or other structure. At any time, a party in interest 463
may consent to an order. 464

(4) A party in interest who requested and participated in 465
a hearing, and who is adversely affected by the order of the 466
board, may appeal the order under section 2506.01 of the Revised 467
Code. 468

(D) At any time, a party in interest may enter into an agreement with the board of township trustees to perform the removal, repair, or securance of the insecure, unsafe, or structurally defective or unfit building or other structure.

(E) If an emergency exists, as determined by the board, notice may be given other than by certified mail and less than thirty days before the removal, repair, or securance.

(F) The total cost of removing, repairing, or securing buildings or other structures that have been declared insecure, unsafe, structurally defective, or unfit for human habitation, or of making emergency corrections of hazardous conditions, when approved by the board, shall be paid out of the township general fund from moneys not otherwise appropriated, except that, if the costs incurred exceed five hundred dollars, the board may borrow moneys from a financial institution to pay for the costs in whole or in part.

The total cost may be collected by either of the following methods:

(1) The board may have the fiscal officer of the township certify the total costs, together with a proper description of the lands to the county auditor who shall place the costs upon the tax duplicate. The costs are a lien upon the lands from and after the date of entry. The costs shall be returned to the township and placed in the township's general fund.

(2) The board may commence a civil action to recover the total costs from the owner of record of the real property on which the building or structure is located.

(G) Any board of township trustees may, whenever a policy or policies of insurance are in force providing coverage against

the peril of fire on a building or structure and the loss agreed 498
to between the named insured or insureds and the company or 499
companies is more than five thousand dollars and equals or 500
exceeds sixty per cent of the aggregate limits of liability on 501
all fire policies covering the building or structure on the 502
property, accept security payments and follow the procedures of 503
divisions (C) and (D) of section 3929.86 of the Revised Code. 504

Sec. 505.87. (A) A board of township trustees may provide 505
for the abatement, control, or removal of vegetation, garbage, 506
refuse, and other debris from land in the township, if the board 507
determines that the owner's maintenance of that vegetation, 508
garbage, refuse, or other debris constitutes a nuisance. 509

(B) At least seven days before providing for the 510
abatement, control, or removal of any vegetation, garbage, 511
refuse, or other debris, the board of township trustees shall 512
notify the owner of the land and any holders of liens of record 513
upon the land that: 514

(1) The owner is ordered to abate, control, or remove the 515
vegetation, garbage, refuse, or other debris, the owner's 516
maintenance of which has been determined by the board to be a 517
nuisance; 518

(2) If that vegetation, garbage, refuse, or other debris 519
is not abated, controlled, or removed, or if provision for its 520
abatement, control, or removal is not made, within seven days, 521
the board shall provide for the abatement, control, or removal, 522
and any ~~expenses~~costs incurred by the board in performing that 523
task shall be entered upon the tax duplicate and become a lien 524
upon the land from the date of entry. 525

The board shall send the notice to the owner of the land 526

by certified mail if the owner is a resident of the township or 527
is a nonresident whose address is known, and by certified mail 528
to lienholders of record; alternatively, if the owner is a 529
resident of the township or is a nonresident whose address is 530
known, the board may give notice to the owner by causing any of 531
its agents or employees to post the notice on the principal 532
structure on the land and to photograph that posted notice with 533
a camera capable of recording the date of the photograph on it. 534
If the owner's address is unknown and cannot reasonably be 535
obtained, it is sufficient to publish the notice once in a 536
newspaper of general circulation in the township. 537

(C) If a board of township trustees determines within 538
twelve consecutive months after a prior nuisance determination 539
that the same owner's maintenance of vegetation, garbage, 540
refuse, or other debris on the same land in the township 541
constitutes a nuisance, at least four days before providing for 542
the abatement, control, or removal of any vegetation, garbage, 543
refuse, or other debris, the board shall give notice of the 544
subsequent nuisance determination to the owner of the land and 545
to any holders of liens of record upon the land as follows: 546

(1) The board shall send written notice by first class 547
mail to the owner of the land and to any lienholders of record. 548
Failure of delivery of the notice shall not invalidate any 549
action to abate, control, or remove the nuisance. Alternatively, 550
the board may give notice to the owner by causing any of its 551
agents or employees to post the notice on the principal 552
structure on the land and to photograph that posted notice with 553
a camera capable of recording the date of the photograph on it. 554

(2) If the owner's address is unknown and cannot 555
reasonably be obtained, it is sufficient to post the notice on 556

the board of township trustee's internet web site for four 557
consecutive days, or to post the notice in a conspicuous 558
location in the board's office for four consecutive days if the 559
board does not maintain an internet web site. 560

(D) The owner of the land or holders of liens of record 561
upon the land may enter into an agreement with the board of 562
township trustees providing for either party to the agreement to 563
perform the abatement, control, or removal before the time the 564
board is required to provide for the abatement, control, or 565
removal under division (E) of this section. 566

(E) If, within seven days after notice is given under 567
division (B) of this section, or within four days after notice 568
is given under division (C) of this section, the owner of the 569
land fails to abate, control, or remove the vegetation, garbage, 570
refuse, or other debris, or no agreement for its abatement, 571
control, or removal is entered into under division (D) of this 572
section, the board of township trustees shall provide for the 573
abatement, control, or removal and may employ the necessary 574
labor, materials, and equipment to perform the task. All 575
~~expenses~~costs incurred, when approved by the board, shall be 576
paid out of the township general fund from moneys not otherwise 577
appropriated, except that if the ~~expenses~~costs incurred exceed 578
five hundred dollars, the board may borrow moneys from a 579
financial institution to pay for the ~~expenses~~costs in whole or 580
in part. 581

(F) The board of township trustees shall make a written 582
report to the county auditor of the board's action under this 583
section. The board shall include in the report a proper 584
description of the premises and a statement of all ~~expenses~~ 585
costs incurred in providing for the abatement, control, or 586

removal of any vegetation, garbage, refuse, or other debris as 587
provided in division (E) of this section, including the board's 588
charges for its services, the costs incurred in providing 589
notice, any fees or interest paid to borrow moneys, and the 590
amount paid for labor, materials, and equipment. The ~~expenses~~ 591
~~incurred, when allowed, shall be entered~~ county auditor shall 592
place the costs upon the tax duplicate~~7~~. The costs are a lien 593
upon the land from and after the date of the entry, ~~shall be~~ 594
~~collected as other taxes, and~~. The costs shall be returned to 595
the township and placed in the ~~township~~ township's general fund. 596

Sec. 505.871. (A) A board of township trustees may 597
provide, by resolution, for the removal of any vehicle in the 598
unincorporated territory of the township that the board 599
determines is a junk motor vehicle, as defined in section 600
505.173 of the Revised Code. 601

(B) If a junk motor vehicle is located on public property, 602
the board of township trustees may provide in the resolution for 603
the immediate removal of the vehicle. 604

(C) (1) If a junk motor vehicle is located on private 605
property, the board of township trustees may provide in the 606
resolution for the removal of the vehicle not sooner than 607
fourteen days after the board serves written notice of its 608
intention to remove or cause the removal of the vehicle on the 609
owner of the land and any holders of liens of record on the 610
land. 611

(2) The notice provided under this division shall 612
generally describe the vehicle to be removed and indicate all of 613
the following: 614

(a) The board has determined that the vehicle is a junk 615

motor vehicle. 616

(b) If the owner of the land fails to remove the vehicle 617
within fourteen days after service of the notice, the board may 618
remove or cause the removal of the vehicle. 619

(c) Any ~~expenses~~ costs the board incurs in removing or 620
causing the removal of the vehicle may be entered upon the tax 621
duplicate and become a lien upon the land from the date of 622
entry. 623

(3) The board shall serve the notice under this division 624
by sending it by certified mail, return receipt requested, to 625
the owner of the land, if the owner resides in the 626
unincorporated territory of the township or if the owner resides 627
outside the unincorporated territory of the township and the 628
owner's address is known or ascertainable through an exercise of 629
reasonable diligence. The board also shall send notice in such 630
manner to any holders of liens of record on the land. If a 631
notice sent by certified mail is refused or unclaimed, or if an 632
owner's address is unknown and cannot reasonably be ascertained 633
by an exercise of reasonable diligence, the board shall publish 634
the notice once in a newspaper of general circulation in the 635
township before the removal of the vehicle, and, if the land 636
contains any structures, the board also shall post the notice on 637
the principal structure on the land. 638

A notice sent by certified mail shall be deemed to be 639
served for purposes of this section on the date it was received 640
as indicated by the date on a signed return receipt. A notice 641
given by publication shall be deemed to be served for purposes 642
of this section on the date of the newspaper publication. 643

(D) The board of township trustees may cause the removal 644

or may employ the labor, materials, and equipment necessary to 645
remove a junk motor vehicle under this section. All ~~expenses-~~ 646
costs incurred in removing or causing the removal of a junk 647
motor vehicle, when approved by the board, shall be paid out of 648
the township general fund from moneys not otherwise 649
appropriated, except that if the ~~expenses-~~costs exceed five 650
hundred dollars, the board may borrow moneys from a financial 651
institution to pay the ~~expenses-~~costs in whole or in part. 652

(E) The board of township trustees may utilize any lawful 653
means to collect the ~~expenses-~~costs incurred in removing or 654
causing the removal of a junk motor vehicle under this section, 655
including any fees or interest paid to borrow moneys under 656
division (D) of this section. The board may direct the township 657
fiscal officer to certify the ~~expenses-~~costs and a description 658
of the land to the county auditor, ~~who~~. The county auditor 659
shall place the ~~expenses-~~costs upon the tax duplicate ~~as~~. The 660
costs are a lien upon the land to from and after the date of 661
entry. The costs shall be collected as other taxes and returned 662
to the township and placed in the township's general fund. 663

(F) (1) As used in this division: 664

(a) "Motor vehicle salvage dealer" has the same meaning as 665
in section 4738.01 of the Revised Code. 666

(b) "Scrap metal processing facility" has the same meaning 667
as in section 4737.05 of the Revised Code. 668

(2) Notwithstanding section 4513.63 of the Revised Code, 669
if a junk motor vehicle is removed and disposed of in accordance 670
with this section, the clerk of courts of the county shall issue 671
a salvage certificate of title for that junk motor vehicle to a 672
motor vehicle salvage dealer licensed pursuant to Chapter 4738. 673

of the Revised Code or a scrap metal processing facility 674
licensed pursuant to sections 4737.05 to 4737.12 of the Revised 675
Code if all of the following conditions are satisfied: 676

(a) The board of township trustees has entered into a 677
contract with the motor vehicle salvage dealer or scrap metal 678
processing facility for the disposal or removal of the junk 679
motor vehicle in accordance with section 505.85 of the Revised 680
Code. 681

(b) The fiscal officer for the board of township trustees 682
executes in triplicate an affidavit prescribed by the registrar 683
of motor vehicles describing the junk motor vehicle and the 684
manner of removal or disposal and certifying that all 685
requirements of this section and the notice and records search 686
requirements of section 4505.101 of the Revised Code have been 687
satisfied. 688

(c) The board of township trustees retains the original 689
affidavit for the board's records and furnishes the remaining 690
two copies of the affidavit to the motor vehicle salvage dealer 691
or scrap metal processing facility. 692

(d) The motor vehicle salvage dealer or scrap metal 693
processing facility presents one copy of the affidavit to the 694
clerk. 695

(3) The clerk shall issue the salvage certificate of 696
title, free and clear of all liens and encumbrances, not later 697
than thirty days after the motor vehicle salvage dealer or scrap 698
metal processing facility presents the affidavit pursuant to 699
division (F) (2) of this section. 700

(G) Notwithstanding section 4513.65 of the Revised Code, 701
but subject to division (H) (2) of this section, any collector's 702

vehicle that meets the definition of a junk motor vehicle is 703
subject to removal under this section. 704

(H) (1) Nothing in this section affects the authority of a 705
board of township trustees to adopt and enforce resolutions 706
under section 505.173 of the Revised Code to regulate the 707
storage of junk motor vehicles on private or public property in 708
the unincorporated territory of the township. 709

(2) A resolution adopted under this section is subject to 710
the same restrictions specified in division (A) of section 711
505.173 of the Revised Code for resolutions adopted under that 712
section. 713

Sec. 517.27. (A) When a public cemetery in a township is 714
not under the control of a municipal corporation, and the title 715
or control thereof is vested in an association or the its board 716
of trustees thereof, or is vested in a religious society, 717
whether incorporated or not, or in the its board of trustees 718
thereof, and such cemetery is used exclusively for cemetery 719
purposes, such association, society, or the board of trustees 720
thereof may convey such grounds to the board of township 721
trustees and its successors in office. ~~Subject~~ Except as 722
provided in division (B) of this section, and subject to the 723
rights of the original grantor, ~~his~~ the original grantor's heirs 724
or assigns, the board of township trustees shall accept and take 725
possession of ~~such~~ the grounds, and take care of, keep in 726
repair, hold, treat, and manage them in all respects as required 727
by sections 517.01 to 517.32, inclusive, of the Revised Code. 728

(B) A board of township trustees is not required to accept 729
and take possession of the grounds of a public cemetery, or to 730
take care of, keep in repair, hold, treat, or manage the grounds 731
as described in division (A) of this section, if, as a result of 732

the conveyance, any parcel abutting the cemetery grounds or from 733
which the grounds were partitioned or subdivided satisfies any 734
of the following conditions: 735

(1) The parcel is owned by the association or its trustees 736
or the religious society that conveyed the cemetery grounds or 737
by an association, its trustees, or a religious society that is 738
a successor to the association, trustees, or religious society 739
that conveyed the cemetery grounds. 740

(2) Any part of the parcel, including any building or 741
structure situated on the parcel, is used for social, 742
educational, recreational, or religious activities of the 743
association or religious society or of an association or 744
religious society that is a successor to the association, 745
trustees, or religious society that conveyed the cemetery 746
grounds. 747

(3) Any part of the parcel, including any building or 748
structure situated on the parcel, is exempted from property 749
taxation under section 5709.07 or 5709.14 of the Revised Code, 750
or under division (B) of section 5709.12 of the Revised Code on 751
the basis of being used by the association or religious society 752
exclusively for charitable purposes. 753

(C) When a cemetery association or religious society 754
conveys a cemetery under this section, all cemetery records and 755
funds shall be transferred to the township. Transferred funds 756
shall be used exclusively for cemetery purposes as set forth in 757
section 1721.06 of the Revised Code and any other similar 758
provisions of the Revised Code that require funds to be held in 759
trust for cemetery purposes. 760

Sec. 715.82. A municipal corporation may issue bonds and 761

exercise all other powers under Chapter 165. of the Revised Code 762
for one or more projects or parts thereof located in a joint 763
economic development district created pursuant to a contract 764
entered into under section 715.70, 715.71, or 715.72 of the 765
Revised Code to which the municipal corporation is a party, or 766
in a township adjacent to that municipal corporation, if the 767
legislative authority of the municipal corporation determines 768
that the project is in furtherance of the public purposes of the 769
state to create or preserve jobs and employment opportunities 770
and to improve the economic welfare of the people of the 771
municipal corporation and the township. As used in this section, 772
"project" has the same meaning as in ~~division (H) of~~ section 773
165.01 of the Revised Code, except that a project described in 774
this section is not required to be located within the 775
territorial boundaries of the municipal corporation. 776

Sec. 742.33. (A) Each employer shall pay monthly, on such 777
dates as the board of trustees of the Ohio police and fire 778
pension fund requires, from its general fund, or from a levy 779
imposed pursuant to division (J) ~~or~~ (W), or (JJ) of section 780
5705.19 of the Revised Code, to the fund an amount known as the 781
"police officer employers' contribution," which shall be 782
nineteen and one-half per cent of the salaries as defined in 783
division (L) of section 742.01 of the Revised Code of the 784
members of the police department of the employer. 785

(B) The taxing authority of each municipal corporation in 786
which there was a police relief and pension fund on October 1, 787
1965, shall annually, in the manner provided for making other 788
municipal levies and in addition to all other levies authorized 789
by law, levy a tax of three-tenths of one mill upon all the real 790
and personal property as listed for taxation in the municipal 791
corporation for the purpose of paying the police officer 792

employers' contribution and the municipal corporation's accrued 793
liability for its former police relief and pension fund and 794
interest thereon, and of defraying the current operating 795
expenses of the municipal corporation. The annual revenues 796
derived from the tax shall be used in the following order: 797

(1) First, to pay the current police officer employers' 798
contribution and any interest related thereto; 799

(2) Second, to pay any accrued liability chargeable to the 800
municipal corporation during the current calendar year for its 801
former police relief and pension fund and any interest related 802
thereto; 803

(3) Third, to defray the current operating expenses of the 804
municipal corporation. 805

Sec. 742.34. (A) Each employer shall pay monthly, on such 806
dates as the board of trustees of the Ohio police and fire 807
pension fund requires, from its general fund, or from a levy 808
imposed pursuant to division (I) ~~or~~, (W), or (JJ) of section 809
5705.19 of the Revised Code, to the fund an amount known as the 810
"firefighter employers' contribution," which shall be twenty- 811
four per cent of the salaries as defined in division (L) of 812
section 742.01 of the Revised Code of the members of the fire 813
department of the employer. 814

(B) The taxing authority of each municipal corporation in 815
which there was a firemen's relief and pension fund on October 816
1, 1965, shall annually, in the manner provided for making other 817
municipal levies and in addition to all other levies authorized 818
by law, levy a tax of three-tenths of one mill upon all the real 819
and personal property as listed for taxation in the municipal 820
corporation for the purpose of paying the firefighter employers' 821

contribution and the municipal corporation's accrued liability 822
for its former firemen's relief and pension fund and interest 823
thereon, and of defraying the current operating expenses of the 824
municipal corporation. The annual revenues derived from the tax 825
shall be used in the following order: 826

(1) First, to pay the current firefighter employers' 827
contribution and any interest related thereto; 828

(2) Second, to pay any accrued liability chargeable to the 829
municipal corporation during the current calendar year for its 830
former firemen's relief and pension fund and any interest 831
related thereto; 832

(3) Third, to defray the current operating expenses of the 833
municipal corporation. 834

Sec. 3735.27. (A) Whenever the director of development has 835
determined that there is need for a housing authority in any 836
portion of any county that comprises two or more political 837
subdivisions or portions of two or more political subdivisions 838
but is less than all the territory within the county, a 839
metropolitan housing authority shall be declared to exist, and 840
the territorial limits of the authority shall be defined, by a 841
letter from the director. The director shall issue a 842
determination from the department of development declaring that 843
there is need for a housing authority within those territorial 844
limits after finding either of the following: 845

(1) Unsanitary or unsafe inhabited housing accommodations 846
exist in that area; 847

(2) There is a shortage of safe and sanitary housing 848
accommodations in that area available to persons who lack the 849
amount of income that is necessary, as determined by the 850

director, to enable them, without financial assistance, to live 851
in decent, safe, and sanitary dwellings without congestion. 852

In determining whether dwelling accommodations are unsafe 853
or unsanitary, the director may take into consideration the 854
degree of congestion, the percentage of land coverage, the 855
light, air, space, and access available to the inhabitants of 856
the dwelling accommodations, the size and arrangement of rooms, 857
the sanitary facilities, and the extent to which conditions 858
exist in the dwelling accommodations that endanger life or 859
property by fire or other causes. 860

The territorial limits of a metropolitan housing authority 861
as defined by the director under this division shall be fixed 862
for the authority upon proof of a letter from the director 863
declaring the need for the authority to function in those 864
territorial limits. Any such letter from the director, any 865
certificate of determination issued by the director, and any 866
certificate of appointment of members of the authority shall be 867
admissible in evidence in any suit, action, or proceeding. 868

A certified copy of the letter from the director declaring 869
the existence of a metropolitan housing authority and the 870
territorial limits of its district shall be immediately 871
forwarded to each appointing authority. A metropolitan housing 872
authority shall consist of members who are residents of the 873
territory in which they serve. 874

(B) (1) Except as otherwise provided in division (C), (D), 875
(E), or (F) of this section, the members of a metropolitan 876
housing authority shall be appointed as follows: 877

(a) (i) In a district in a county in which a charter has 878
been adopted under Article X, Section 3 of the Ohio 879

Constitution, and in which the most populous city is not the 880
city with the largest ratio of housing units owned or managed by 881
the authority to population, one member shall be appointed by 882
the probate court, one member shall be appointed by the court of 883
common pleas, one member shall be appointed by the board of 884
county commissioners, one member shall be appointed by the chief 885
executive officer of the city or board of township trustees of 886
the township that has the largest ratio of housing units owned 887
or managed by the authority to population, within the city or 888
within the unincorporated territory of the township, and two 889
members shall be appointed by the chief executive officer of the 890
most populous city in the district. 891

(ii) If, in a district that appoints members pursuant to 892
division (B) (1) (a) of this section, the most populous city 893
becomes the city with the largest ratio of housing units owned 894
or managed by the authority to population whose chief executive 895
officer appoints a member under division (B) (1) (a) (i) of this 896
section, when the term of office of the member who was appointed 897
by the chief executive officer of the city with the largest 898
ratio expires, that member shall not be reappointed, and the 899
membership of the authority shall be as described in division 900
(B) (1) (b) of this section. 901

(b) In any district other than one described in division 902
(B) (1) (a) of this section, one member shall be appointed by the 903
probate court, one member shall be appointed by the court of 904
common pleas, one member shall be appointed by the board of 905
county commissioners, and two members shall be appointed by the 906
chief executive officer of the most populous city in the 907
district. 908

(2) At the time of the initial appointment of the 909

authority, the member appointed by the probate court shall be 910
appointed for a period of four years, the member appointed by 911
the court of common pleas shall be appointed for three years, 912
the member appointed by the board of county commissioners shall 913
be appointed for two years, one member appointed by the chief 914
executive officer of the most populous city in the district 915
shall be appointed for one year, and the other member appointed 916
by the chief executive officer of the most populous city in the 917
district shall be appointed for five years. 918

If appointments are made under division (B) (1) (a) of this 919
section, the member appointed by the chief executive officer of 920
the city ~~in the district that is not the most populous city, but~~ 921
~~that has or board of township trustees of the township with the~~ 922
largest ratio of housing units owned or managed by the authority 923
~~to population,~~ shall be appointed for five years. 924

After the initial appointments, all members of the 925
authority shall be appointed for five-year terms, and any 926
vacancy occurring upon the expiration of a term shall be filled 927
by the appointing authority that made the initial appointment. 928

(3) For purposes of this division, population shall be 929
determined according to the last preceding federal census. 930

(C) For any metropolitan housing authority district that 931
contained, as of the 1990 federal census, a population of at 932
least one million, two members of the authority shall be 933
appointed by the legislative authority of the most populous city 934
in the district, two members shall be appointed by the chief 935
executive officer of the most populous city in the district, and 936
one member shall be appointed by the chief executive officer, 937
with the approval of the legislative authority, of the city in 938
the district that has the second highest number of housing units 939

owned or managed by the authority. 940

At the time of the initial appointment of the authority, 941
one member appointed by the legislative authority of the most 942
populous city in the district shall be appointed for three 943
years, and one such member shall be appointed for one year; the 944
member appointed by the chief executive officer of the city with 945
the second highest number of housing units owned or managed by 946
the authority shall be appointed, with the approval of the 947
legislative authority, for three years; and one member appointed 948
by the chief executive officer of the most populous city in the 949
district shall be appointed for three years, and one such member 950
shall be appointed for one year. Thereafter, all members of the 951
authority shall be appointed for three-year terms, and any 952
vacancy shall be filled by the same appointing power that made 953
the initial appointment. At the expiration of the term of any 954
member appointed by the chief executive officer of the most 955
populous city in the district before March 15, 1983, the chief 956
executive officer of the most populous city in the district 957
shall fill the vacancy by appointment for a three-year term. At 958
the expiration of the term of any member appointed by the board 959
of county commissioners before March 15, 1983, the chief 960
executive officer of the city in the district with the second 961
highest number of housing units owned or managed by the 962
authority shall, with the approval of the municipal legislative 963
authority, fill the vacancy by appointment for a three-year 964
term. At the expiration of the term of any member appointed 965
before March 15, 1983, by the court of common pleas or the 966
probate court, the legislative authority of the most populous 967
city in the district shall fill the vacancy by appointment for a 968
three-year term. 969

After March 15, 1983, at least one of the members 970

appointed by the chief executive officer of the most populous 971
city shall be a resident of a dwelling unit owned or managed by 972
the authority. At least one of the initial appointments by the 973
chief executive officer of the most populous city, after March 974
15, 1983, shall be a resident of a dwelling unit owned or 975
managed by the authority. Thereafter, any member appointed by 976
the chief executive officer of the most populous city for the 977
term established by this initial appointment, or for any 978
succeeding term, shall be a person who resides in a dwelling 979
unit owned or managed by the authority. If there is an elected, 980
representative body of all residents of the authority, the chief 981
executive officer of the most populous city shall, whenever 982
there is a vacancy in this resident term, provide written notice 983
of the vacancy to the representative body. If the representative 984
body submits to the chief executive officer of the most populous 985
city, in writing and within sixty days after the date on which 986
it was notified of the vacancy, the names of at least five 987
residents of the authority who are willing and qualified to 988
serve as a member, the chief executive officer of the most 989
populous city shall appoint to the resident term one of the 990
residents recommended by the representative body. At no time 991
shall residents constitute a majority of the members of the 992
authority. 993

(D) (1) For any metropolitan housing authority district 994
that is located in a county that has, according to the most 995
recent federal decennial census, a population greater than seven 996
hundred thousand but less than nine hundred thousand, the 997
members of the metropolitan housing authority shall be selected 998
as follows: 999

(a) One member shall be appointed by the probate court. 1000

(b) One member shall be appointed by the court of common pleas. 1001
1002

(c) One member shall be appointed by the board of county commissioners. 1003
1004

(d) Two members shall be appointed by the mayor of the most populous city in the district, subject to approval by city council. At least one of the initial appointments by the mayor shall be a resident of a dwelling unit owned or managed by the authority. Thereafter, any member appointed by the mayor of the most populous city for the term established by the initial appointment, or for any succeeding term, shall be a person who resides in a dwelling unit owned or managed by the authority. If there is an elected, representative body of all residents of the authority, the mayor of the most populous city shall, whenever there is a vacancy in the resident term, provide written notice of the vacancy to the representative body. If the representative body submits to the mayor of the most populous city, in writing and within sixty days after the date on which it was notified of the vacancy, the names of at least five residents of the authority who are willing and qualified to serve as a member, the mayor of the most populous city shall appoint to the resident term one of the residents recommended by the representative body. At no time shall residents constitute a majority of the members of the authority. 1005
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(e) One member shall be nominated by the township association of the county. The name of the nominee submitted by the township association of the county shall be sent to the board of county commissioners and the executive director of the metropolitan housing authority, if applicable. The board of county commissioners shall accept or reject the nominee. 1025
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(f) One member shall be nominated by the municipal league 1031
of the county. The name of the nominee submitted by the 1032
municipal league of the county shall be sent to the board of 1033
county commissioners and the executive director of the 1034
metropolitan housing authority, if applicable. The nominee shall 1035
not be a resident of the district's most populous city and shall 1036
represent a city that is substantially impacted as described in 1037
division (I) of this section. The board of county commissioners 1038
shall accept or reject the nominee. 1039

(2) At the time of the initial appointment of the 1040
authority described in division (D)(1) of this section, the 1041
member appointed by the probate court shall be appointed for a 1042
period of four years; the member appointed by the court of 1043
common pleas shall be appointed for three years; the member 1044
appointed by the board of county commissioners shall be 1045
appointed for two years; one member appointed by the mayor of 1046
the most populous city in the district shall be appointed for 1047
one year, and the other member appointed by the mayor of the 1048
most populous city in the district shall be appointed for five 1049
years; the member nominated by the township association of the 1050
county shall be appointed for the same number of years as the 1051
nonresident member of the authority appointed by the mayor of 1052
the most populous city in the district; and the member nominated 1053
by the municipal league of the county shall be appointed for the 1054
same number of years as the resident member of the authority 1055
appointed by the mayor of the most populous city in the 1056
district. 1057

After the initial appointments, all members of the 1058
authority shall be appointed for five-year terms, and any 1059
vacancy occurring upon the expiration of a term shall be filled 1060
by the authority that made the initial appointment or 1061

nomination. 1062

(E) (1) For any metropolitan housing authority district 1063
located in a county that had, as of the 2000 federal census, a 1064
population of at least four hundred thousand and no city with a 1065
population greater than thirty per cent of the total population 1066
of the county, one member of the authority shall be appointed by 1067
the probate court, one member shall be appointed by the court of 1068
common pleas, one member shall be appointed by the chief 1069
executive officer of the most populous city in the district, and 1070
two members shall be appointed by the board of county 1071
commissioners. 1072

(2) At the time of the initial appointment of a 1073
metropolitan housing authority pursuant to this division, the 1074
member appointed by the probate court shall be appointed for a 1075
period of four years, the member appointed by the court of 1076
common pleas shall be appointed for three years, the member 1077
appointed by the chief executive officer of the most populous 1078
city shall be appointed for two years, one member appointed by 1079
the board of county commissioners shall be appointed for one 1080
year, and the other member appointed by the board of county 1081
commissioners shall be appointed for five years. Thereafter, all 1082
members of the authority shall be appointed for five-year terms, 1083
with each term ending on the same day of the same month as the 1084
term that it succeeds. Vacancies shall be filled in the manner 1085
provided in the original appointments. Any member appointed to 1086
fill a vacancy occurring prior to the expiration of the term 1087
shall hold office as a member for the remainder of that term. 1088

(F) (1) One resident member shall be appointed to a 1089
metropolitan housing authority when required by federal law. The 1090
chief executive officer of the most populous city in the 1091

district shall appoint that resident member for a term of five 1092
years. Subsequent terms of that resident member also shall be 1093
for five years, and any vacancy in the position of the resident 1094
member shall be filled by the chief executive officer of the 1095
most populous city in the district. Any member appointed to fill 1096
such a vacancy shall hold office as a resident member for the 1097
remainder of that term. If, at any time, a resident member no 1098
longer qualifies as a resident, another resident member shall be 1099
appointed by the appointing authority who originally appointed 1100
the resident member to serve for the unexpired portion of that 1101
term. 1102

(2) On and after September 29, 2005, any metropolitan 1103
housing authority to which two additional members were appointed 1104
pursuant to former division (E) (1) of this section as enacted by 1105
Amended Substitute House Bill No. 95 of the 125th general 1106
assembly shall continue to have those additional members. Their 1107
terms shall be for five years, and vacancies in their positions 1108
shall be filled in the manner provided for their original 1109
appointment under former division (E) (1) of this section as so 1110
enacted. 1111

(G) Public officials, other than the officers having the 1112
appointing power under this section, shall be eligible to serve 1113
as members, officers, or employees of a metropolitan housing 1114
authority notwithstanding any statute, charter, or law to the 1115
contrary. Not more than two such public officials shall be 1116
members of the authority at any one time. 1117

All members of an authority shall serve without 1118
compensation but shall be entitled to be reimbursed for all 1119
necessary expenses incurred. 1120

After a metropolitan housing authority district is formed, 1121

the director may enlarge the territory within the district to 1122
include other political subdivisions, or portions of other 1123
political subdivisions, but the territorial limits of the 1124
district shall be less than that of the county. 1125

(H) (1) Any vote taken by a metropolitan housing authority 1126
shall require a majority affirmative vote to pass. A tie vote 1127
shall constitute a defeat of any measure receiving equal numbers 1128
of votes for and against it. 1129

(2) The members of a metropolitan housing authority shall 1130
act in the best interest of the district and shall not act 1131
solely as representatives of their respective appointing 1132
authorities. 1133

(I) "Substantially impacted" as used in division (D) (1) (f) 1134
of this section means a city within a metropolitan housing 1135
authority that, based on the percentage of housing units that 1136
are subsidized housing, is in the top one-third of cities within 1137
the county. 1138

Sec. 4765.43. (A) During each emergency run made by an 1139
ambulance that is equipped for emergency medical services, the 1140
emergency medical service organization operating the ambulance 1141
shall staff the ambulance in accordance with this section. 1142

For purposes of determining the applicable staffing 1143
requirements, both of the following apply: 1144

(1) An emergency run consists of components that are 1145
distinguished between the period during which the ambulance is 1146
traveling to the scene of an emergency and, if applicable, the 1147
period during which the ambulance is transporting a patient from 1148
the scene of the emergency. 1149

(2) In the case of an emergency medical service 1150

organization that utilizes a combination of volunteer and paid 1151
first responders, emergency medical service technicians-basic, 1152
emergency medical service technicians-intermediate, or emergency 1153
medical service technicians-paramedic, the organization is 1154
considered to be substantially utilizing volunteers in a 1155
particular week when the paid individuals, taken as a whole, are 1156
scheduled for a total of not more than one hundred ninety-two 1157
hours in that week. 1158

(B) With respect to the driver of an ambulance during an 1159
emergency run, both of the following apply: 1160

(1) The driver must be at least eighteen years of age and 1161
hold a valid driver's license. 1162

(2) The driver must meet at least one of the following 1163
criteria: 1164

(a) Hold a valid certificate issued under section 4765.30 1165
of the Revised Code to practice as a medical first responder, 1166
EMT, advanced EMT, or paramedic; 1167

(b) Hold a valid fire training certificate issued pursuant 1168
to section 4765.55 of the Revised Code to provide services as a 1169
firefighter; 1170

(c) Be employed and in good standing as a sworn sheriff, 1171
deputy sheriff, constable, police officer, marshal, deputy 1172
marshal, or highway patrol trooper in this state; 1173

(d) Have successfully completed either the emergency 1174
vehicle operations course approved by the national highway 1175
traffic safety administration or an equivalent course approved 1176
by the state board of emergency medical services. 1177

(C) With respect to the component of an emergency run 1178

during which the ambulance is traveling to the scene of the 1179
emergency, the ambulance shall be staffed by at least one of the 1180
following: 1181

(1) An EMT; 1182

(2) An advanced EMT; 1183

(3) A paramedic; 1184

(4) A first responder without an EMT, advanced EMT, or 1185
paramedic, provided that the first responder is meeting an EMT, 1186
advanced EMT, or paramedic at the scene of the emergency. ~~This~~ 1187
individual may serve as the driver. 1188

(D) With respect to the component of an emergency run 1189
during which a patient is being transported, the ambulance shall 1190
be staffed as follows: 1191

(1) If the emergency medical service organization utilizes 1192
only paid individuals or utilizes volunteers on a basis that is 1193
not considered to be substantially utilizing volunteers, the 1194
ambulance shall be staffed by at least two EMTs, advanced EMTs, 1195
or paramedics. One of these individuals may serve as the driver. 1196

(2) If the emergency medical service organization is 1197
substantially utilizing volunteers or utilizes only volunteers, 1198
the ambulance shall be staffed by at least two EMTs, advanced 1199
EMTs, or paramedics or by at least one first responder and one 1200
EMT, advanced EMT, or paramedic. One of these individuals may 1201
serve as the driver, but if the staffing requirement is being 1202
met by utilizing a medical first responder, the medical first 1203
responder shall serve as the driver. 1204

Sec. 5571.16. The board of township trustees, by 1205
resolution, may require any person to obtain a permit before 1206

installing a driveway culvert or making any excavation in a 1207
township highway or highway right-of-way within its 1208
jurisdiction, except an excavation to repair, rehabilitate, or 1209
replace a pole already installed for the purpose of providing 1210
electric or telecommunications service. The board, as a 1211
condition to the granting of the permit, may do any of the 1212
following: 1213

(A) Require the applicant to submit plans indicating the 1214
location, size, type, and duration of the culvert or excavation 1215
contemplated; 1216

(B) Specify methods of excavation, refilling, and 1217
resurfacing to be followed; 1218

(C) Require the use of warning devices it considers 1219
necessary to protect travelers on the highway; 1220

(D) Require the applicant to indemnify the township 1221
against liability or damage as the result of the installation of 1222
the culvert or as a result of the excavation; 1223

(E) Require the applicant to post a deposit or bond, with 1224
sureties to the satisfaction of the board, conditioned upon the 1225
performance of all conditions in the permit. 1226

Applications for permits under this section shall be made 1227
to the township fiscal officer upon forms to be furnished by the 1228
board. Applications, including, but not limited to, a single 1229
application for an excavation project to install six or more 1230
poles for the purpose of providing electric or 1231
telecommunications service or to install a pole associated with 1232
underground electric or telecommunications service, shall be 1233
accompanied by a fee of up to fifty dollars per application, 1234
which fee shall be returned to the applicant if the application 1235

is denied. Except as otherwise provided in this section, no 1236
application or fee shall be required for an excavation project 1237
to install five or fewer poles for the purpose of providing 1238
electric or telecommunications service, but the person making 1239
that excavation shall provide verifiable notice of the 1240
excavation to the township fiscal officer at least three 1241
business days prior to the date of the excavation. 1242

For any excavation to repair, rehabilitate, or replace a 1243
pole for the purpose of providing electric or telecommunications 1244
service that is already installed in a township highway or 1245
highway right-of-way, the person making that excavation shall 1246
provide verifiable notice of the excavation to the township 1247
fiscal officer at least three business days prior to the date of 1248
the excavation. 1249

No person shall install a driveway culvert or make an 1250
excavation in any township highway or highway right-of-way in 1251
violation of any resolution adopted pursuant to this section, 1252
except that, in the case of an emergency requiring immediate 1253
action to protect the public health, safety, and welfare, an 1254
excavation may be made without first obtaining a permit, if an 1255
application is made at the earliest possible opportunity. 1256

As used in this section, "person" has the same meaning as 1257
in section 1.59 of the Revised Code, and "right-of-way" has the 1258
same meaning as in division (UU) (2) of section 4511.01 of the 1259
Revised Code. 1260

Sec. 5705.19. This section does not apply to school 1261
districts, county school financing districts, or lake facilities 1262
authorities. 1263

The taxing authority of any subdivision at any time and in 1264

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

(A) For current expenses of the subdivision, except that the total levy for current expenses of a detention facility 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; 1294

(G) For the general construction, reconstruction, 1295
resurfacing, and repair of streets, roads, and bridges in 1296
municipal corporations, counties, or townships; 1297

(H) For parks and recreational purposes; 1298

(I) For providing and maintaining fire apparatus, 1299
mechanical resuscitators, underwater rescue and recovery 1300
equipment, or other fire equipment and appliances, buildings and 1301
sites therefor, or sources of water supply and materials 1302
therefor, for the establishment and maintenance of lines of 1303
fire-alarm communications, for the payment of firefighting 1304
companies or permanent, part-time, or volunteer firefighting, 1305
emergency medical service, administrative, or communications 1306
personnel to operate the same, including the payment of any 1307
employer contributions required for such personnel under section 1308
145.48 or 742.34 of the Revised Code, for the purchase of 1309
ambulance equipment, for the provision of ambulance, paramedic, 1310
or other emergency medical services operated by a fire 1311
department or firefighting company, or for the payment of other 1312
related costs; 1313

(J) For providing and maintaining motor vehicles, 1314
communications, other equipment, buildings, and sites for such 1315
buildings used directly in the operation of a police department, 1316
for the payment of salaries of permanent or part-time police, 1317
communications, or administrative personnel to operate the same, 1318
including the payment of any employer contributions required for 1319
such personnel under section 145.48 or 742.33 of the Revised 1320
Code, for the payment of the costs incurred by townships as a 1321
result of contracts made with other political subdivisions in 1322
order to obtain police protection, for the provision of 1323

ambulance or emergency medical services operated by a police	1324
department, or for the payment of other related costs;	1325
(K) For the maintenance and operation of a county home or	1326
detention facility;	1327
(L) For community developmental disabilities programs and	1328
services pursuant to Chapter 5126. of the Revised Code, except	1329
that such levies shall be subject to the procedures and	1330
requirements of section 5705.222 of the Revised Code;	1331
(M) For regional planning;	1332
(N) For a county's share of the cost of maintaining and	1333
operating schools, district detention facilities, forestry	1334
camps, or other facilities, or any combination thereof,	1335
established under section 2151.65 or 2152.41 of the Revised Code	1336
or both of those sections;	1337
(O) For providing for flood defense, providing and	1338
maintaining a flood wall or pumps, and other purposes to prevent	1339
floods;	1340
(P) For maintaining and operating sewage disposal plants	1341
and facilities;	1342
(Q) For the purpose of purchasing, acquiring,	1343
constructing, enlarging, improving, equipping, repairing,	1344
maintaining, or operating, or any combination of the foregoing,	1345
a county transit system pursuant to sections 306.01 to 306.13 of	1346
the Revised Code, or of making any payment to a board of county	1347
commissioners operating a transit system or a county transit	1348
board pursuant to section 306.06 of the Revised Code;	1349
(R) For the subdivision's share of the cost of acquiring	1350
or constructing any schools, forestry camps, detention	1351

facilities, or other facilities, or any combination thereof,	1352
under section 2151.65 or 2152.41 of the Revised Code or both of	1353
those sections;	1354
(S) For the prevention, control, and abatement of air	1355
pollution;	1356
(T) For maintaining and operating cemeteries;	1357
(U) For providing ambulance service, emergency medical	1358
service, or both;	1359
(V) For providing for the collection and disposal of	1360
garbage or refuse, including yard waste;	1361
(W) For the payment of the police officer employers'	1362
contribution or the firefighter employers' contribution required	1363
under sections 742.33 and 742.34 of the Revised Code;	1364
(X) For the construction and maintenance of a drainage	1365
improvement pursuant to section 6131.52 of the Revised Code;	1366
(Y) For providing or maintaining senior citizens services	1367
or facilities as authorized by section 307.694, 307.85, 505.70,	1368
or 505.706 or division (EE) of section 717.01 of the Revised	1369
Code;	1370
(Z) For the provision and maintenance of zoological park	1371
services and facilities as authorized under section 307.76 of	1372
the Revised Code;	1373
(AA) For the maintenance and operation of a free public	1374
museum of art, science, or history;	1375
(BB) For the establishment and operation of a 9-1-1	1376
system, as defined in section 128.01 of the Revised Code;	1377
(CC) For the purpose of acquiring, rehabilitating, or	1378

developing rail property or rail service. As used in this 1379
division, "rail property" and "rail service" have the same 1380
meanings as in section 4981.01 of the Revised Code. This 1381
division applies only to a county, township, or municipal 1382
corporation. 1383

(DD) For the purpose of acquiring property for, 1384
constructing, operating, and maintaining community centers as 1385
provided for in section 755.16 of the Revised Code; 1386

(EE) For the creation and operation of an office or joint 1387
office of economic development, for any economic development 1388
purpose of the office, and to otherwise provide for the 1389
establishment and operation of a program of economic development 1390
pursuant to sections 307.07 and 307.64 of the Revised Code, or 1391
to the extent that the expenses of a county land reutilization 1392
corporation organized under Chapter 1724. of the Revised Code 1393
are found by the board of county commissioners to constitute the 1394
promotion of economic development, for the payment of such 1395
operations and expenses; 1396

(FF) For the purpose of acquiring, establishing, 1397
constructing, improving, equipping, maintaining, or operating, 1398
or any combination of the foregoing, a township airport, landing 1399
field, or other air navigation facility pursuant to section 1400
505.15 of the Revised Code; 1401

(GG) For the payment of costs incurred by a township as a 1402
result of a contract made with a county pursuant to section 1403
505.263 of the Revised Code in order to pay all or any part of 1404
the cost of constructing, maintaining, repairing, or operating a 1405
water supply improvement; 1406

(HH) For a board of township trustees to acquire, other 1407

than by appropriation, an ownership interest in land, water, or 1408
wetlands, or to restore or maintain land, water, or wetlands in 1409
which the board has an ownership interest, not for purposes of 1410
recreation, but for the purposes of protecting and preserving 1411
the natural, scenic, open, or wooded condition of the land, 1412
water, or wetlands against modification or encroachment 1413
resulting from occupation, development, or other use, which may 1414
be styled as protecting or preserving "greenspace" in the 1415
resolution, notice of election, or ballot form. Except as 1416
otherwise provided in this division, land is not acquired for 1417
purposes of recreation, even if the land is used for 1418
recreational purposes, so long as no building, structure, or 1419
fixture used for recreational purposes is permanently attached 1420
or affixed to the land. Except as otherwise provided in this 1421
division, land that previously has been acquired in a township 1422
for these greenspace purposes may subsequently be used for 1423
recreational purposes if the board of township trustees adopts a 1424
resolution approving that use and no building, structure, or 1425
fixture used for recreational purposes is permanently attached 1426
or affixed to the land. The authorization to use greenspace land 1427
for recreational use does not apply to land located in a 1428
township that had a population, at the time it passed its first 1429
greenspace levy, of more than thirty-eight thousand within a 1430
county that had a population, at that time, of at least eight 1431
hundred sixty thousand. 1432

(II) For the support by a county of a crime victim 1433
assistance program that is provided and maintained by a county 1434
agency or a private, nonprofit corporation or association under 1435
section 307.62 of the Revised Code; 1436

(JJ) For any or all of the purposes set forth in divisions 1437
(I) and (J) of this section. This division applies only to a 1438

municipal corporation or a township.	1439
(KK) For a countywide public safety communications system	1440
under section 307.63 of the Revised Code. This division applies	1441
only to counties.	1442
(LL) For the support by a county of criminal justice	1443
services under section 307.45 of the Revised Code;	1444
(MM) For the purpose of maintaining and operating a jail	1445
or other detention facility as defined in section 2921.01 of the	1446
Revised Code;	1447
(NN) For purchasing, maintaining, or improving, or any	1448
combination of the foregoing, real estate on which to hold, and	1449
the operating expenses of, agricultural fairs operated by a	1450
county agricultural society or independent agricultural society	1451
under Chapter 1711. of the Revised Code. This division applies	1452
only to a county.	1453
(OO) For constructing, rehabilitating, repairing, or	1454
maintaining sidewalks, walkways, trails, bicycle pathways, or	1455
similar improvements, or acquiring ownership interests in land	1456
necessary for the foregoing improvements;	1457
(PP) For both of the purposes set forth in divisions (G)	1458
and (OO) of this section.	1459
(QQ) For both of the purposes set forth in divisions (H)	1460
and (HH) of this section. This division applies only to a	1461
township.	1462
(RR) For the legislative authority of a municipal	1463
corporation, board of county commissioners of a county, or board	1464
of township trustees of a township to acquire agricultural	1465
easements, as defined in section 5301.67 of the Revised Code,	1466

and to supervise and enforce the easements.	1467
(SS) For both of the purposes set forth in divisions (BB)	1468
and (KK) of this section. This division applies only to a	1469
county.	1470
(TT) For the maintenance and operation of a facility that	1471
is organized in whole or in part to promote the sciences and	1472
natural history under section 307.761 of the Revised Code.	1473
(UU) For the creation and operation of a county land	1474
reutilization corporation and for any programs or activities of	1475
the corporation found by the board of directors of the	1476
corporation to be consistent with the purposes for which the	1477
corporation is organized;	1478
(VV) For construction and maintenance of improvements and	1479
expenses of soil and water conservation district programs under	1480
Chapter 940. of the Revised Code;	1481
(WW) For the OSU extension fund created under section	1482
3335.35 of the Revised Code for the purposes prescribed under	1483
section 3335.36 of the Revised Code for the benefit of the	1484
citizens of a county. This division applies only to a county.	1485
(XX) For a municipal corporation that withdraws or	1486
proposes by resolution to withdraw from a regional transit	1487
authority under section 306.55 of the Revised Code to provide	1488
transportation services for the movement of persons within,	1489
from, or to the municipal corporation;	1490
(YY) For any combination of the purposes specified in	1491
divisions (NN), (VV), and (WW) of this section. This division	1492
applies only to a county.	1493
(ZZ) For any combination of the following purposes: the	1494

acquisition, construction, improvement, or maintenance of 1495
buildings, equipment, and supplies for police, firefighting, or 1496
emergency medical services; the construction, reconstruction, 1497
resurfacing, or repair of streets, roads, and bridges; or for 1498
general infrastructure projects. This division applies only to a 1499
township or municipal corporation. 1500

(AAA) For any combination of the purposes specified in 1501
divisions (G), (K), (N), (O), (P), (X), (BB), and (MM) of this 1502
section, for the acquisition, construction or maintenance of 1503
county facilities, or for the acquisition of or improvements to 1504
land. This division applies only to a county. 1505

The resolution shall be confined to the purpose or 1506
purposes described in one division of this section, to which the 1507
revenue derived therefrom shall be applied. The existence in any 1508
other division of this section of authority to levy a tax for 1509
any part or all of the same purpose or purposes does not 1510
preclude the use of such revenues for any part of the purpose or 1511
purposes of the division under which the resolution is adopted. 1512

The resolution shall specify the amount of the increase in 1513
rate that it is necessary to levy, the purpose of that increase 1514
in rate, and the number of years during which the increase in 1515
rate shall be in effect, which may or may not include a levy 1516
upon the duplicate of the current year. The number of years may 1517
be any number not exceeding five, except as follows: 1518

(1) When the additional rate is for the payment of debt 1519
charges, the increased rate shall be for the life of the 1520
indebtedness. 1521

(2) When the additional rate is for any of the following, 1522
the increased rate shall be for a continuing period of time: 1523

(a) For the current expenses for a detention facility 1524
district, a district organized under section 2151.65 of the 1525
Revised Code, or a combined district organized under sections 1526
2151.65 and 2152.41 of the Revised Code; 1527

(b) For providing a county's share of the cost of 1528
maintaining and operating schools, district detention 1529
facilities, forestry camps, or other facilities, or any 1530
combination thereof, established under section 2151.65 or 1531
2152.41 of the Revised Code or under both of those sections. 1532

(3) When the additional rate is for either of the 1533
following, the increased rate may be for a continuing period of 1534
time: 1535

(a) For the purposes set forth in division (I), (J), (U), 1536
(JJ), or (KK) of this section; 1537

(b) For the maintenance and operation of a joint 1538
recreation district. 1539

(4) When the increase is for the purpose or purposes set 1540
forth in division (D), (G), (H), (T), (Z), (CC), or (PP) of this 1541
section, the tax levy may be for any specified number of years 1542
or for a continuing period of time, as set forth in the 1543
resolution. 1544

(5) When the increase is for the purpose set forth in 1545
division (ZZ) or (AAA) of this section, the tax levy may be for 1546
any number of years not exceeding ten. 1547

A levy for one of the purposes set forth in division (G), 1548
(I), (J), ~~(U)~~, (JJ) of this section may be reduced 1549
pursuant to section 5705.261 or 5705.31 of the Revised Code. A 1550
levy for one of the purposes set forth in division (G), (I), 1551
(J), ~~(U)~~, (JJ) of this section may also be terminated or 1552

permanently reduced by the taxing authority if it adopts a 1553
resolution stating that the continuance of the levy is 1554
unnecessary and the levy shall be terminated or that the millage 1555
is excessive and the levy shall be decreased by a designated 1556
amount. 1557

A resolution of a detention facility district, a district 1558
organized under section 2151.65 of the Revised Code, or a 1559
combined district organized under both sections 2151.65 and 1560
2152.41 of the Revised Code may include both current expenses 1561
and other purposes, provided that the resolution shall apportion 1562
the annual rate of levy between the current expenses and the 1563
other purpose or purposes. The apportionment need not be the 1564
same for each year of the levy, but the respective portions of 1565
the rate actually levied each year for the current expenses and 1566
the other purpose or purposes shall be limited by the 1567
apportionment. 1568

Whenever a board of county commissioners, acting either as 1569
the taxing authority of its county or as the taxing authority of 1570
a sewer district or subdistrict created under Chapter 6117. of 1571
the Revised Code, by resolution declares it necessary to levy a 1572
tax in excess of the ten-mill limitation for the purpose of 1573
constructing, improving, or extending sewage disposal plants or 1574
sewage systems, the tax may be in effect for any number of years 1575
not exceeding twenty, and the proceeds of the tax, 1576
notwithstanding the general provisions of this section, may be 1577
used to pay debt charges on any obligations issued and 1578
outstanding on behalf of the subdivision for the purposes 1579
enumerated in this paragraph, provided that any such obligations 1580
have been specifically described in the resolution. 1581

A resolution adopted by the legislative authority of a 1582

municipal corporation that is for the purpose in division (XX) 1583
of this section may be combined with the purpose provided in 1584
section 306.55 of the Revised Code, by vote of two-thirds of all 1585
members of the legislative authority. The legislative authority 1586
may certify the resolution to the board of elections as a 1587
combined question. The question appearing on the ballot shall be 1588
as provided in section 5705.252 of the Revised Code. 1589

A levy for the purpose set forth in division (BB) of this 1590
section may be imposed in all or a portion of the territory of a 1591
subdivision. If the 9-1-1 system to be established and operated 1592
with levy funds excludes territory located within the 1593
subdivision, the resolution adopted under this section, or a 1594
resolution proposing to renew such a levy that was imposed in 1595
all of the territory of the subdivision, may describe the area 1596
served or to be served by the system and specify that the 1597
proposed tax would be imposed only in the areas receiving or to 1598
receive the service. Upon passage of such a resolution, the 1599
board of elections shall submit the question of the tax levy 1600
only to those electors residing in the area or areas in which 1601
the tax would be imposed. If the 9-1-1 system would serve the 1602
entire subdivision, the resolution shall not exclude territory 1603
from the tax levy. 1604

The resolution shall go into immediate effect upon its 1605
passage, and no publication of the resolution is necessary other 1606
than that provided for in the notice of election. 1607

When the electors of a subdivision or, in the case of a 1608
qualifying library levy for the support of a library association 1609
or private corporation, the electors of the association library 1610
district or, in the case of a 9-1-1 system levy serving only a 1611
portion of the territory of a subdivision, the electors of the 1612

portion of the subdivision in which the levy would be imposed 1613
have approved a tax levy under this section, the taxing 1614
authority of the subdivision may anticipate a fraction of the 1615
proceeds of the levy and issue anticipation notes in accordance 1616
with section 5705.191 or 5705.193 of the Revised Code. 1617

Sec. 5705.25. (A) (1) A copy of any resolution adopted as 1618
provided in section 5705.19 or 5705.2111 of the Revised Code 1619
shall be certified by the taxing authority to the board of 1620
elections of the proper county not less than ninety days before 1621
the general election in any year, and the board shall submit the 1622
proposal to the electors of the subdivision at the succeeding 1623
November election. In the case of a qualifying library levy, the 1624
board shall submit the question to the electors of the library 1625
district or association library district. ~~Except~~ 1626

(2) Except as otherwise provided in this division, a 1627
resolution to renew or to renew and increase or renew and 1628
decrease an existing levy, regardless of the section of the 1629
Revised Code under which the tax was imposed, shall not be 1630
placed on the ballot unless the question is submitted at the 1631
general election held during the last year the tax to be renewed 1632
may be extended on the real and public utility property tax list 1633
and duplicate, or at any election held in the ensuing year. The 1634
limitation of the foregoing sentence does not apply to a 1635
resolution to renew and increase or to renew ~~part of and~~ 1636
decrease an existing levy that was imposed under section 1637
5705.191 of the Revised Code to supplement the general fund for 1638
the purpose of making appropriations for one or more of the 1639
following purposes: for public assistance, human or social 1640
services, relief, welfare, hospitalization, health, and support 1641
of general hospitals. The limitation of the second preceding 1642
sentence also does not apply to a resolution that proposes to 1643

renew two or more existing levies imposed under section 5705.222 1644
or division (L) of section 5705.19 of the Revised Code, or under 1645
section 5705.21 or 5705.217 of the Revised Code, in which case 1646
the question shall be submitted on the date of the general or 1647
primary election held during the last year at least one of the 1648
levies to be renewed may be extended on the real and public 1649
utility property tax list and duplicate, or at any election held 1650
during the ensuing year. A resolution proposing to renew or 1651
renew and increase or decrease an existing levy may specify that 1652
the renewal, increase, or decrease of the existing levy shall be 1653
extended on the tax list for the current tax year. If the 1654
renewal, increase, or decrease would be extended on the tax list 1655
for the current tax year, the existing levy shall not be 1656
extended on the tax list after the year preceding the year in 1657
which the renewal, increase, or decrease is first imposed, 1658
regardless of the years for which the existing levy originally 1659
was authorized to be levied, but the failure by the electors to 1660
approve such a renewal, increase, or decrease does not terminate 1661
the existing levy. For purposes of this section, a levy shall be 1662
considered to be an "existing levy" through the year following 1663
the last year it can be placed on ~~that~~ the tax list and 1664
duplicate. 1665

(3) The board of elections shall make the necessary 1666
arrangements for the submission of such questions to the 1667
electors of such subdivision, library district, or association 1668
library district, and the election shall be conducted, 1669
canvassed, and certified in the same manner as regular elections 1670
in such subdivision, library district, or association library 1671
district for the election of county officers. Notice of the 1672
election shall be published in a newspaper of general 1673
circulation in the subdivision, library district, or association 1674

library district once a week for two consecutive weeks, or as 1675
provided in section 7.16 of the Revised Code, prior to the 1676
election. If the board of elections operates and maintains a web 1677
site, the board of elections shall post notice of the election 1678
on its web site for thirty days prior to the election. The 1679
notice shall state the purpose, the proposed increase in rate 1680
expressed in dollars and cents for each one hundred dollars of 1681
valuation as well as in mills for each one dollar of valuation, 1682
the number of years during which the increase will be in effect, 1683
the first month and year in which the tax will be levied, and 1684
the time and place of the election. 1685

(B) The form of the ballots cast at an election held 1686
pursuant to division (A) of this section shall be as follows: 1687

"An additional tax for the benefit of (name of subdivision 1688
or public library) _____ for the purpose of (purpose stated 1689
in the resolution) _____ at a rate not exceeding _____ 1690
mills for each one dollar of valuation, which amounts to (rate 1691
expressed in dollars and cents) _____ for each one 1692
hundred dollars of valuation, for _____ (life of indebtedness 1693
or number of years the levy is to run). 1694

1695

	For the Tax Levy
	Against the Tax Levy

"

(C) If the levy is to be in effect for a continuing period 1696
of time, the notice of election and the form of ballot shall so 1697
state instead of setting forth a specified number of years for 1698
the levy. 1699

If the additional tax or the renewal, increase, or decrease of an existing levy is to be placed on the current tax list, the form of the ballot shall be modified by adding, after the statement of the number of years the levy is to run, the phrase ", commencing in _____ (first year the tax is to be levied), first due in calendar year _____ (first calendar year in which the tax shall be due)."

If the levy submitted is a proposal to renew, increase, or decrease an existing levy, the form of the ballot specified in division (B) of this section may be changed by substituting for the words "An additional" at the beginning of the form, the words "A renewal of a" in case of a proposal to renew an existing levy in the same amount; the words "A renewal of _____ mills and an increase of _____ mills to constitute a" in the case of an increase; or the words "A renewal of part of an existing levy, being a reduction of _____ mills, to constitute a" in the case of a decrease in the proposed levy.

If the levy submitted is a proposal to renew two or more existing levies imposed under section 5705.222 or division (L) of section 5705.19 of the Revised Code, or under section 5705.21 or 5705.217 of the Revised Code, the form of the ballot specified in division (B) of this section shall be modified by substituting for the words "an additional tax" the words "a renewal of ____ (insert the number of levies to be renewed) existing taxes."

If the levy submitted is a levy under section 5705.72 of the Revised Code or a proposal to renew, increase, or decrease an existing levy imposed under that section, the name of the subdivision shall be "the unincorporated area of _____ (name of township)."

The question covered by ~~such a~~ resolution adopted under
this section shall be submitted as a separate proposition but
may be printed on the same ballot with any other proposition
submitted at the same election, other than the election of
officers. More than one such question may be submitted at the
same election.

(D) A levy voted in excess of the ten-mill limitation
under this section shall be certified to the tax commissioner.
In the first year of the levy, it shall be extended on the tax
lists after the February settlement succeeding the election. If
the additional tax is to be placed upon the tax list of the
current year, as specified in the resolution providing for its
submission, the result of the election shall be certified
immediately after the canvass by the board of elections to the
taxing authority, who shall make the necessary levy and certify
it to the county auditor, who shall extend it on the tax lists
for collection. After the first year, the tax levy shall be
included in the annual tax budget that is certified to the
county budget commission.

Section 2. That existing sections 9.65, 165.01, 165.03,
503.07, 505.172, 505.43, 505.86, 505.87, 505.871, 517.27,
715.82, 742.33, 742.34, 3735.27, 4765.43, 5571.16, 5705.19, and
5705.25 of the Revised Code are hereby repealed.

Section 3. The amendment by this act of sections 5705.19
and 5705.25 of the Revised Code applies to property tax
questions considered at any election held on or after the one
hundredth day after the effective date of this section.

Section 4. Section 5705.19 of the Revised Code is
presented in this act as a composite of the section as amended
by both H.B. 122 and H.B. 500 of the 132nd General Assembly. The

General Assembly, applying the principle stated in division (B)	1760
of section 1.52 of the Revised Code that amendments are to be	1761
harmonized if reasonably capable of simultaneous operation,	1762
finds that the composite is the resulting version of the section	1763
in effect prior to the effective date of the section as	1764
presented in this act.	1765