

**As Introduced**

**134th General Assembly  
Regular Session  
2021-2022**

**S. B. No. 193**

**Senator Williams**

**Cosponsors: Senators Thomas, Yuko, Maharath, Antonio**



**A BILL**

To amend sections 735.29, 743.04, 5722.03, 5722.04, 1  
5722.10, 5723.04, 6103.02, and 6119.06 of the 2  
Revised Code to prohibit political subdivisions 3  
from placing a lien on property for unpaid water 4  
charges. 5

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

**Section 1.** That sections 735.29, 743.04, 5722.03, 5722.04, 6  
5722.10, 5723.04, 6103.02, and 6119.06 of the Revised Code be 7  
amended to read as follows: 8

**Sec. 735.29.** The board of trustees of public affairs 9  
appointed under section 735.28 of the Revised Code shall manage, 10  
conduct, and control the waterworks, electric light plants, 11  
artificial or natural gas plants, or other similar public 12  
utilities, furnish supplies of water, electricity, or gas, 13  
collect all water, electric, and gas rents or charges, and 14  
appoint necessary officers, employees, and agents. 15

The board may make such bylaws and rules as it determines 16  
to be necessary for the safe, economical, and efficient 17  
management and protection of such works, plants, and public 18

utilities. These bylaws and rules, when not repugnant to 19  
municipal ordinances or to the constitution or laws of this 20  
state, shall have the same validity as ordinances. 21

For the purpose of paying the expenses of conducting and 22  
managing such waterworks, plants, and public utilities or of 23  
making necessary additions thereto and extensions and repairs 24  
thereon, the board may assess a water rent or charge, or a 25  
light, power, gas, or utility rent, of sufficient amount, and in 26  
such manner as it determines to be most equitable, upon all 27  
tenements and premises supplied therewith. When such rents, 28  
except water rents and charges, are not paid when due, the board 29  
may certify them to the county auditor to be placed on the 30  
duplicate and collected as other village taxes, or it may 31  
collect them by actions at law in the name of the village. When 32  
water rents or charges are not paid when due, the board may ~~do~~ 33  
~~either or both of the following:~~ 34

~~(A) Certify them, together with any penalties, to the 35  
county auditor. The county auditor shall place the certified 36  
amount on the real property tax list and duplicate against the 37  
property served by the connection if he also receives from the 38  
board additional certification that the unpaid rents or charges 39  
have arisen pursuant to a service contract made directly with an 40  
owner who occupies the property served. 41~~

~~The amount placed on the tax list and duplicate shall be a 42  
lien on the property served from the date placed on the list and 43  
duplicate and shall be collected in the same manner as other 44  
taxes, except that, notwithstanding section 323.15 of the 45  
Revised Code, a county treasurer shall accept a payment in such 46  
amount when separately tendered as payment for the full amount 47  
of such unpaid water rents or charges and associated penalties. 48~~

~~The lien shall be released immediately upon payment in full of  
the certified amount. Any amounts collected by the county  
treasurer under this division shall be placed for immediate  
distribution to the village, in the appropriate distinct fund  
established for water rents and charges.~~

~~(B) Collect~~ collect them by actions at law in the name of  
the village from an owner, tenant, or other person who is liable  
to pay the rents or charges.

The board shall have the same powers and perform the same  
duties as are provided in sections 743.01, 743.05 to 743.07,  
743.10, 743.11, 743.18, 743.24, and 735.05 to 735.09 of the  
Revised Code, and all powers and duties relating to waterworks  
in any of such sections shall extend to and include electric  
light, power, and gas plants, and such other similar public  
utilities, and such board shall have such other duties as are  
prescribed by law or ordinance not inconsistent herewith.

Each board that assesses water rents or charges shall  
determine the actual amount of rents due based upon an actual  
reading of each customer's meter at least once in each three-  
month period, and at least quarterly the board shall render a  
bill for the actual amount shown by the meter reading to be due,  
except estimated bills may be rendered if access to a customer's  
meter was unobtainable for a timely reading. Each board that  
assesses water rents or charges shall establish procedures  
providing fair and reasonable opportunity for resolution of  
billing disputes.

When property to which water service is provided is about  
to be sold, any party to the sale or ~~his~~ any party's agent may  
request the board to read the meter at that property and to  
render within ten days following the date on which the request

is made, a final bill for all outstanding rents and charges for 79  
water service. Such a request shall be made at least fourteen 80  
days prior to the transfer of the title of such property. 81

~~At any time prior to a certification under division (A) of 82  
this section, the board shall accept any partial payment of 83  
unpaid water rents or charges, in the amount of ten dollars or 84  
more. 85~~

**Sec. 743.04.** (A) For the purpose of paying the expenses of 86  
conducting and managing the waterworks of a municipal 87  
corporation, including operating expenses and the costs of 88  
permanent improvements, the director of public service or any 89  
other city official or body authorized by charter may assess and 90  
collect a water rent or charge of sufficient amount and in such 91  
manner as the director, other official, or body determines to be 92  
most equitable from all tenements and premises supplied with 93  
water. 94

(1) When water rents or charges are not paid when due, the 95  
director or other official or body may ~~do either or both of the 96  
following:~~ 97

~~(a) Certify them, together with any penalties, to the 98  
county auditor. The county auditor shall place the certified 99  
amount on the real property tax list and duplicate against the 100  
property served by the connection if the auditor also receives 101  
from the director or other official or body additional 102  
certification that the unpaid rents or charges have arisen 103  
pursuant to a service contract made directly with an owner who 104  
occupies the property served. 105~~

~~The amount placed on the tax list and duplicate shall be a 106  
lien on the property served from the date placed on the list and 107~~

~~duplicate and shall be collected in the same manner as other~~ 108  
~~taxes, except that, notwithstanding section 323.15 of the~~ 109  
~~Revised Code, a county treasurer shall accept a payment in such~~ 110  
~~amount when separately tendered as payment for the full amount~~ 111  
~~of such unpaid water rents or charges and associated penalties.~~ 112  
~~The lien shall be released immediately upon payment in full of~~ 113  
~~the certified amount. Any amounts collected by the county~~ 114  
~~treasurer under this division shall be immediately placed in the~~ 115  
~~distinct fund established by section 743.06 of the Revised Code.~~ 116

~~(b) Collect~~ collect them by actions at law, in the name 117  
of the city from an owner, tenant, or other person who is liable 118  
to pay the rents or charges. 119

(2) ~~The director or other official body shall not certify~~ 120  
~~to the county auditor for placement upon the tax list and~~ 121  
~~duplicate and the county auditor shall not place upon the tax~~ 122  
~~list and duplicate as a charge against the property the amount~~ 123  
~~of any unpaid water rents or charges together with any penalties~~ 124  
~~as described in division (A) (1) (a) of this section if any of the~~ 125  
~~following apply:~~ 126

~~(a) The property served by the connection has been~~ 127  
~~transferred or sold to an electing subdivision as defined in~~ 128  
~~section 5722.01 of the Revised Code, regardless of whether the~~ 129  
~~electing subdivision is still the owner of the property, and the~~ 130  
~~unpaid water rents or charges together with any penalties have~~ 131  
~~arisen from a period of time prior to the transfer or~~ 132  
~~confirmation of sale to the electing subdivision;~~ 133

~~(b) The property served by the connection has been sold to~~ 134  
~~a purchaser at sheriff's sale or auditor's sale, the unpaid~~ 135  
~~water rents or charges together with any penalties have arisen~~ 136  
~~from a period of time prior to the confirmation of sale, and the~~ 137

~~purchaser is not the owner of record of the property immediately~~ 138  
~~prior to the judgment of foreclosure nor any of the following:~~ 139

- ~~(i) A member of that owner's immediate family;~~ 140
- ~~(ii) A person with a power of attorney appointed by that~~ 141  
~~owner who subsequently transfers the land to the owner;~~ 142
- ~~(iii) A sole proprietorship owned by that owner or a~~ 143  
~~member of that owner's immediate family;~~ 144
- ~~(iv) A partnership, trust, business trust, corporation, or~~ 145  
~~association of which the owner or a member of the owner's~~ 146  
~~immediate family owns or controls directly or indirectly more~~ 147  
~~than fifty per cent.~~ 148

~~(c) The property served by the connection has been~~ 149  
~~forfeited to this state for delinquent taxes, unless the owner~~ 150  
~~of record redeems the property.~~ 151

~~(3) Upon valid written notice to the county auditor by any~~ 152  
~~owner possessing an ownership interest of record of the property~~ 153  
~~or by an electing subdivision previously in the chain of title~~ 154  
~~of the property that the unpaid water rents or charges together~~ 155  
~~with any penalties have been certified for placement or placed~~ 156  
~~upon the tax list and duplicate as a charge against the property~~ 157  
~~in violation of division (A) (2) of this section, the county~~ 158  
~~auditor shall promptly remove such charge from the tax~~ 159  
~~duplicate. This written notice to the county auditor shall~~ 160  
~~include all of the following:~~ 161

- ~~(a) The parcel number of the property;~~ 162
- ~~(b) The common address of the property;~~ 163
- ~~(c) The date of the recording of the transfer of the~~ 164  
~~property to the owner or electing subdivision;~~ 165

~~(d) The charge allegedly placed in violation of division  
(A) (2) of this section.~~ 166  
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~~(4) Each director or other official or body that assesses  
water rents or charges shall determine the actual amount of  
rents due based upon an actual reading of each customer's meter  
at least once in each three-month period, and at least quarterly  
the director or other official or body shall render a bill for  
the actual amount shown by the meter reading to be due, except  
estimated bills may be rendered if access to a customer's meter  
was unobtainable for a timely reading. Each director or other  
official or body that assesses water rents or charges shall  
establish procedures providing fair and reasonable opportunity  
for resolution of billing disputes.~~ 168  
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~~(5) (3) When property to which water service is provided  
is about to be sold, any party to the sale or the agent of any  
such party may request the director or other official or body to  
read the meter at that property and to render within ten days  
following the date on which the request is made, a final bill  
for all outstanding rents and charges for water service. Such a  
request shall be made at least fourteen days prior to the  
transfer of the title of such property.~~ 179  
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~~(6) At any time prior to a certification under division  
(A) (1) (a) of this section, the director or other official or  
body shall accept any partial payment of unpaid water rents or  
charges, in the amount of ten dollars or more.~~ 187  
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~~(B) (1) When title to a parcel of land that is subject to  
any of the actions an action described in division (A) (1) of  
this section is transferred to a county land reutilization  
corporation, any lien placed on the parcel under division (A) (1)  
(a) of this section shall be extinguished, and the corporation~~ 191  
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shall not be held liable for the unpaid rents or charges ~~in any~~ 196  
~~collection action brought under division (A) (1) (b) of this~~ 197  
~~section, subject~~ 198

to collection if the rents or charges ~~certified under~~ 199  
~~division (A) (1) (a) of this section or subject to collection~~ 200  
~~under division (A) (1) (b) of this section~~ were incurred before 201  
the date of the transfer to the corporation and if the 202  
corporation did not incur the rents or charges, regardless of 203  
whether ~~the rents or charges were certified, the lien was~~ 204  
~~attached, or~~ the action was brought before the date of transfer. 205  
In such a case, the corporation and its successors in title 206  
~~shall take title to the property free and clear of any such lien~~ 207  
~~and~~ shall be immune from liability in any such collection 208  
action. 209

~~If a county land reutilization corporation takes title to~~ 210  
~~property before any rents or charges have been certified or any~~ 211  
~~lien has been placed with respect to the property under division~~ 212  
~~(A) (1) of this section, the corporation shall be deemed a bona~~ 213  
~~fide purchaser for value without knowledge of such rents,~~ 214  
~~charges, or lien, regardless of whether the corporation had~~ 215  
~~actual or constructive knowledge of the rents, charges, or lien,~~ 216  
~~and any such lien shall be void and unenforceable against the~~ 217  
~~corporation and its successors in title.~~ 218

~~(2) If a lien placed on a parcel is extinguished as~~ 219  
~~provided in division (B) (1) of this section, the municipal~~ 220  
~~corporation may pursue the remedy available under division (A)~~ 221  
~~(1) (b) of this section to recoup the rents and charges incurred~~ 222  
~~with respect to the parcel from any owner, tenant, or other~~ 223  
~~person liable to pay such rents and charges.~~ 224

**Sec. 5722.03.** (A) On and after the effective date of an 225



ordinance or resolution adopted pursuant to section 5722.02 of 226  
the Revised Code, nonproductive land within an electing 227  
subdivision's boundaries that the subdivision wishes to acquire 228  
and that has either been advertised and offered for sale or is 229  
otherwise available for acquisition pursuant to a foreclosure 230  
proceeding as provided in section 323.25, sections 323.65 to 231  
323.79, or section 5721.18 of the Revised Code, but is not sold 232  
for want of a minimum bid, shall be sold or transferred to the 233  
electing subdivision in the manner set forth in this section or 234  
sections 323.65 to 323.79 of the Revised Code. 235

(B) Upon receipt of an ordinance or resolution under 236  
section 5722.02 of the Revised Code, the county prosecuting 237  
attorney shall compile and deliver to the electing subdivision a 238  
list of all delinquent land within the electing subdivision with 239  
respect to which a foreclosure proceeding pursuant to section 240  
323.25, sections 323.65 to 323.79, or section 5721.18 of the 241  
Revised Code has been instituted and is pending. The prosecuting 242  
attorney shall notify the electing subdivision of the identity 243  
of all delinquent land within the subdivision whenever a 244  
foreclosure proceeding pursuant to section 323.25, sections 245  
323.65 to 323.79, or section 5721.18 of the Revised Code is 246  
commenced with respect to that land. 247

(C) The electing subdivision shall select from such lists 248  
the delinquent lands that constitute nonproductive lands that it 249  
wishes to acquire, and shall notify the prosecuting attorney of 250  
its selection prior to the advertisement and sale of the 251  
nonproductive lands pursuant to such a foreclosure proceeding, 252  
or as otherwise provided in sections 323.65 to 323.79 of the 253  
Revised Code. Notwithstanding the sales price provisions to the 254  
contrary in division (A) of section 323.28 or in divisions (A) 255  
(1) and (C) of section 5721.19 of the Revised Code, selected 256

nonproductive lands subject to a foreclosure proceeding pursuant 257  
to section 323.25, sections 323.65 to 323.79, or section 5721.18 258  
of the Revised Code that require a sale shall be advertised for 259  
sale and be sold, without appraisal, for not less than the 260  
amount determined under division (A) (1) of section 323.28 or 261  
sections 323.65 to 323.79 of the Revised Code in the case of 262  
selected nonproductive lands subject to a foreclosure proceeding 263  
pursuant to section 323.25 or sections 323.65 to 323.79 of the 264  
Revised Code, or the amount determined under division (A) (2) of 265  
section 5721.19 in the case of selected nonproductive lands 266  
subject to a foreclosure proceeding pursuant to section 5721.18 267  
of the Revised Code, or as prescribed in sections 323.65 to 268  
323.79 of the Revised Code. Except as otherwise authorized in 269  
section 323.78 of the Revised Code, all nonproductive lands so 270  
selected, when advertised for sale pursuant to a foreclosure 271  
proceeding, shall be advertised separately from the 272  
advertisement applicable to other delinquent lands. 273  
Notwithstanding division (A) of section 5721.191 of the Revised 274  
Code, the minimum amount for which selected nonproductive lands 275  
subject to a foreclosure proceeding pursuant to section 5721.18 276  
of the Revised Code will be sold, as specified in the 277  
advertisement for sale, shall equal the sum of the taxes, 278  
assessments, charges, penalties, interest, and costs due on the 279  
parcel as determined under division (A) (2) of section 5721.19 of 280  
the Revised Code. Notwithstanding provisions to the contrary in 281  
division (A) of section 323.28 of the Revised Code, the minimum 282  
amount for which selected nonproductive lands subject to a 283  
foreclosure proceeding pursuant to section 323.25 of the Revised 284  
Code will be sold, as specified in the advertisement for sale, 285  
shall equal the amount specified in division (A) (1) of section 286  
323.28 of the Revised Code. The advertisement relating to the 287  
selected nonproductive lands also shall include a statement that 288

the lands have been determined by the electing subdivision to be 289  
nonproductive lands and that, if at a foreclosure sale no bid 290  
for the appropriate amount specified in this division is 291  
received, such lands shall be sold or transferred to the 292  
electing subdivision. 293

(D) If any nonproductive land selected by an electing 294  
subdivision is advertised and offered for sale at one sale 295  
pursuant to this section but is not sold for want of a minimum 296  
bid, the electing subdivision that selected the nonproductive 297  
land shall be deemed to have submitted the winning bid at such 298  
sale, and the land is deemed sold to the electing subdivision 299  
for no consideration other than the amounts charged under 300  
divisions (E) and (F) of this section. If both a county and a 301  
township within that county have adopted a resolution pursuant 302  
to section 5722.02 of the Revised Code and both subdivisions 303  
select the same parcel or parcels of land, the subdivision that 304  
first notifies the prosecuting attorney of such selection shall 305  
be the electing subdivision deemed to have submitted the winning 306  
bid under this division. If a municipal corporation and a county 307  
land reutilization corporation select the same parcel or parcels 308  
of land, the municipal corporation shall be deemed the winning 309  
bidder under this division. The officer conducting the sale 310  
shall announce the bid of the electing subdivision at the sale 311  
and shall report the proceedings to the court for confirmation 312  
of sale. 313

(E) Upon the sale or transfer of any nonproductive land to 314  
an electing subdivision, the county auditor shall charge the 315  
costs, as determined by the court, incurred in the foreclosure 316  
proceeding instituted under section 323.25, sections 323.65 to 317  
323.79, or section 5721.18 of the Revised Code and applicable to 318  
the nonproductive land to the taxing districts, including the 319

electing subdivision, in direct proportion to their interest in 320  
the taxes, assessments, charges, penalties, and interest on the 321  
nonproductive land due and payable at the time the land was sold 322  
pursuant to the foreclosure proceeding. The interest of each 323  
taxing district in the taxes, assessments, charges, penalties, 324  
and interest on the nonproductive land shall bear the same 325  
proportion to the amount of those taxes, assessments, charges, 326  
penalties, and interest that the amount of taxes levied by each 327  
district against the nonproductive land in the preceding tax 328  
year bears to the taxes levied by all such districts against the 329  
nonproductive land in the preceding tax year. If the electing 330  
subdivision is a county land reutilization corporation and the 331  
nonproductive land is sold or transferred to the corporation, 332  
the corporation shall be deemed to have the proportionate 333  
interest of the county on whose behalf it has been designated 334  
and organized in the taxes, assessments, charges, penalties, and 335  
interest on the nonproductive land in that county. In making a 336  
semiannual apportionment of funds, the auditor shall retain at 337  
the next apportionment the amount charged to each such taxing 338  
district, except that in the case of nonproductive land sold or 339  
transferred to a county land reutilization corporation, the 340  
auditor shall provide an invoice to the corporation for the 341  
amount charged to it. 342

(F) The officer conducting the sale shall execute and file 343  
for recording a deed conveying title to the land upon the filing 344  
of the entry of the confirmation of sale, unless the 345  
nonproductive land is redeemed under section 323.31 or 5721.18 346  
of the Revised Code. If the alternative redemption period 347  
applies under section 323.78 of the Revised Code, the officer 348  
shall not execute the deed and file it for recording until the 349  
alternative redemption period expires. In either case, once the 350

deed has been recorded, the officer shall deliver the deed to 351  
the electing subdivision; thereupon, title to the land is 352  
incontestable in the electing subdivision and free and clear of 353  
all liens and encumbrances, except those easements and covenants 354  
of record running with the land and created prior to the time at 355  
which the taxes or assessments, for the nonpayment of which the 356  
land is sold or transferred at foreclosure, became due and 357  
payable. 358

When title to a parcel of land upon which a lien has been 359  
placed under section 715.261, ~~743.04~~, or ~~6119.06~~ of the Revised 360  
Code is transferred to a county land reutilization corporation 361  
under this section, the lien on the parcel shall be extinguished 362  
if the lien is for costs or charges that were incurred before 363  
the date of the transfer to the corporation and if the 364  
corporation did not incur the costs or charges, regardless of 365  
whether the lien was attached or the costs or charges were 366  
certified before the date of transfer. In such a case, the 367  
corporation and its successors in title shall take title to the 368  
property free and clear of any such lien and shall be immune 369  
from liability in any action to collect such costs or charges. 370

If a county land reutilization corporation takes title to 371  
property under this chapter before any costs or charges have 372  
been certified or any lien has been placed with respect to the 373  
property under section 715.261, ~~743.04~~, or ~~6119.06~~ of the 374  
Revised Code, the corporation shall be deemed a bona fide 375  
purchaser for value without knowledge of such costs or lien, 376  
regardless of whether the corporation had actual or constructive 377  
knowledge of the costs or lien, and any such lien shall be void 378  
and unenforceable against the corporation and its successors in 379  
title. 380

At the time of the sale or transfer, the officer shall 381  
collect and the electing subdivision shall pay the fee required 382  
by law for transferring and recording of deeds. In accordance 383  
with section 1724.10 of the Revised Code, an electing 384  
subdivision that is a county land reutilization corporation 385  
shall not be required to pay any such fee. 386

The title is not invalid because of any irregularity, 387  
informality, or omission of any proceedings under section 388  
323.25, sections 323.65 to 323.79, this chapter, or Chapter 389  
5721. of the Revised Code, or in any processes of taxation, if 390  
such irregularity, informality, or omission does not abrogate 391  
any provision of such chapters for notice to holders of title, 392  
lien, or mortgage to, or other interests in, the foreclosed 393  
lands. 394

**Sec. 5722.04.** (A) Upon receipt of an ordinance or 395  
resolution adopted pursuant to section 5722.02 of the Revised 396  
Code, the county auditor shall deliver to the electing 397  
subdivision a list of all delinquent lands within an electing 398  
subdivision's boundaries that have been forfeited to the state 399  
pursuant to section 5723.01 of the Revised Code and thereafter 400  
shall notify the electing subdivision of any additions to or 401  
deletions from such list. 402

The electing subdivision shall select from such lists the 403  
forfeited lands that constitute nonproductive lands that the 404  
subdivision wishes to acquire, and shall notify the county 405  
auditor of its selection prior to the advertisement and sale of 406  
such lands. Notwithstanding the sales price provisions of 407  
division (A)(1) of section 5723.06 of the Revised Code, the 408  
selected nonproductive lands shall be advertised for sale and be 409  
sold to the highest bidder for an amount at least sufficient to 410

pay the amount determined under division (A) (2) of section 411  
5721.16 of the Revised Code. All nonproductive lands forfeited 412  
to the state and selected by an electing subdivision, when 413  
advertised for sale pursuant to the relevant procedures set 414  
forth in Chapter 5723. of the Revised Code, shall be advertised 415  
separately from the advertisement applicable to other forfeited 416  
lands. The advertisement relating to the selected nonproductive 417  
lands also shall include a statement that the lands have been 418  
selected by the electing subdivision as nonproductive lands that 419  
it wishes to acquire and that, if at the forfeiture sale no bid 420  
for the sum of the taxes, assessments, charges, penalties, 421  
interest, and costs due on the parcel as determined under 422  
division (A) (1) (a) of section 5723.06 of the Revised Code is 423  
received, the lands shall be sold to the electing subdivision. 424

(B) If any nonproductive land that has been forfeited to 425  
the state and selected by an electing subdivision is advertised 426  
and offered for sale by the auditor pursuant to Chapter 5723. of 427  
the Revised Code, but no minimum bid is received, the electing 428  
subdivision shall be deemed to have submitted the winning bid, 429  
and the land is deemed sold to the electing subdivision for no 430  
consideration other than the fee charged under division (C) of 431  
this section. If both a county and a township in that county 432  
have adopted a resolution pursuant to section 5722.02 of the 433  
Revised Code and both subdivisions select the same parcel or 434  
parcels of land, the electing subdivision deemed to have 435  
submitted the winning bid under this division shall be 436  
determined pursuant to division (D) of section 5722.03 of the 437  
Revised Code. 438

The auditor shall announce the bid at the sale and shall 439  
declare the selected nonproductive land to be sold to the 440  
electing subdivision. The auditor shall deliver to the electing 441

subdivision a certificate of sale. 442

(C) On the returning of the certificate of sale to the 443  
auditor, the auditor shall execute and file for recording a deed 444  
conveying title to the selected nonproductive land and, once the 445  
deed has been recorded, deliver it to the electing subdivision. 446  
Thereupon, all previous title is extinguished, and the title in 447  
the electing subdivision is incontestable and free and clear 448  
from all liens and encumbrances, except taxes and special 449  
assessments that are not due at the time of the sale and any 450  
easements and covenants of record running with the land and 451  
created prior to the time at which the taxes or assessments, for 452  
the nonpayment of which the nonproductive land was forfeited, 453  
became due and payable. 454

When title to a parcel of land upon which a lien has been 455  
placed under section 715.261, ~~743.04~~, or ~~6119.06~~ of the Revised 456  
Code is transferred to a county land reutilization corporation 457  
under this section, the lien on the parcel shall be extinguished 458  
if the lien is for costs or charges that were incurred before 459  
the date of the transfer to the corporation and if the 460  
corporation did not incur the costs or charges, regardless of 461  
whether the lien was attached or the costs or charges were 462  
certified before the date of transfer. In such a case, the 463  
corporation and its successors in title shall take title to the 464  
property free and clear of any such lien and shall be immune 465  
from liability in any action to collect such costs or charges. 466

If a county land reutilization corporation takes title to 467  
property before any costs or charges have been certified or any 468  
lien has been placed with respect to the property under section 469  
715.261, ~~743.04~~, or ~~6119.06~~ of the Revised Code, the corporation 470  
shall be deemed a bona fide purchaser for value without 471



knowledge of such costs or lien, regardless of whether the 472  
corporation had actual or constructive knowledge of the costs or 473  
lien, and any such lien shall be void and unenforceable against 474  
the corporation and its successors in title. 475

At the time of the sale, the auditor shall collect and the 476  
electing subdivision shall pay the fee required by law for 477  
transferring and recording of deeds. 478

Upon delivery of a deed conveying any nonproductive land 479  
to an electing subdivision, the county auditor shall charge all 480  
costs incurred in any proceeding instituted under section 481  
5721.14 or 5721.18 of the Revised Code or incurred as a result 482  
of the forfeiture and sale of the nonproductive land to the 483  
taxing districts, including the electing subdivision, in direct 484  
proportion to their interest in the taxes, assessments, charges, 485  
interest, and penalties on the nonproductive land due and 486  
payable at the time the land was sold at the forfeiture sale. 487  
The interest of each taxing district in the taxes, assessments, 488  
charges, penalties, and interest on the nonproductive land shall 489  
bear the same proportion to the amount of those taxes, 490  
assessments, charges, penalties, and interest that the amount of 491  
taxes levied by each district against the nonproductive land in 492  
the preceding tax year bears to the taxes levied by all such 493  
districts against the nonproductive land in the preceding tax 494  
year. If the electing subdivision is a county land reutilization 495  
corporation and the nonproductive land is sold or transferred to 496  
the corporation, the corporation shall be deemed to have the 497  
proportionate interest of the county designating or organizing 498  
such corporation in the taxes, assessments, charges, penalties, 499  
and interest on the nonproductive land in the county. In making 500  
a semiannual apportionment of funds, the auditor shall retain at 501  
the next apportionment the amount charged to each such taxing 502

district, except that in the case of nonproductive land conveyed 503  
to a county land reutilization corporation the auditor shall 504  
invoice the corporation the amount charged to it. 505

(D) If no political subdivision has requested to purchase 506  
a parcel of land at a foreclosure sale, any lands otherwise 507  
forfeited to the state for want of a bid at the foreclosure sale 508  
may, upon the request of a county land reutilization 509  
corporation, be transferred directly to the corporation without 510  
appraisal or public bidding. 511

**Sec. 5722.10.** An electing subdivision may accept a 512  
conveyance in lieu of foreclosure of delinquent land from the 513  
owners thereof. Such conveyance may only be accepted with the 514  
consent of the county auditor acting as the agent of the state 515  
pursuant to section 5721.09 of the Revised Code. If an electing 516  
subdivision or county land reutilization corporation certifies 517  
to the auditor in writing that the delinquent land is abandoned 518  
land as defined in section 323.65 of the Revised Code, the 519  
auditor shall consent to the conveyance. If the electing 520  
subdivision or county land reutilization corporation does not 521  
certify to the auditor in writing that the delinquent land is 522  
abandoned land, the auditor may consent to the conveyance for 523  
any reason authorized in this chapter. The owners or the 524  
electing municipal corporation or township shall pay all 525  
expenses incurred by the county in connection with any 526  
foreclosure or foreclosure and forfeiture proceeding filed 527  
pursuant to section 323.25, sections 323.65 to 323.79, or 528  
section 5721.18 or 5721.14 of the Revised Code relative to such 529  
land. When the electing subdivision is the county or county land 530  
reutilization corporation acting on behalf of a county, it may 531  
require the owner to pay the expenses. The owner shall present 532  
the electing subdivision with evidence satisfactory to the 533

subdivision that it will obtain by such conveyance fee simple 534  
title to such delinquent land. Unless otherwise agreed to by the 535  
electing subdivision accepting the conveyance, the title shall 536  
be free and clear of all liens and encumbrances, except such 537  
easements and covenants of record running with the land as were 538  
created prior to the time of the conveyance and delinquent 539  
taxes, assessments, penalties, interest, and charges, and taxes 540  
and special assessments that are a lien on the real property at 541  
the time of the conveyance. Any costs, charges, or liens that 542  
have been assessed, certified, or placed under section 715.261, ~~743.04,~~ 543  
~~or 6119.06~~ of the Revised Code with respect to real 544  
property acquired by or transferred to a county land 545  
reutilization corporation under this section shall, at the time 546  
of the conveyance to the corporation, be extinguished and of no 547  
force and effect as against the corporation, its successors, or 548  
its assignees, provided that the lien is for charges or costs 549  
that were incurred before the date of transfer to the 550  
corporation and that were not incurred by the corporation. 551

Real property acquired by an electing subdivision under 552  
this section shall not be subject to foreclosure or forfeiture 553  
under Chapter 5721. or 5723. of the Revised Code. The sale or 554  
other transfer, as authorized by section 5722.07 of the Revised 555  
Code, of real property acquired under this section shall 556  
extinguish the lien on the title for all taxes, assessments, 557  
penalties, interest, and charges delinquent at the time of the 558  
conveyance of the delinquent land to the electing subdivision. 559

**Sec. 5723.04.** (A) The county auditor shall maintain a list 560  
of forfeited lands and shall offer such lands for sale annually, 561  
or more frequently if the auditor determines that more frequent 562  
sales are necessary. 563

(B) Notwithstanding division (A) of this section, upon the request of a county land reutilization corporation organized under Chapter 1724. of the Revised Code, the county auditor shall promptly transfer to such corporation, by auditor's deed, the fee simple title to a parcel on the list of forfeited lands, which shall pass to such corporation free and clear of all taxes, assessments, charges, penalties, interest, and costs. Subject to division (C) of this section, any subordinate liens shall be deemed fully and forever satisfied and discharged. Upon such request, the land is deemed sold by the state for no consideration. The county land reutilization corporation shall file the deed for recording.

(C) When title to a parcel of land upon which a lien has been placed under section 715.261, ~~743.04, or 6119.06~~ of the Revised Code is transferred to a county land reutilization corporation under this section, the lien on the parcel shall be extinguished if the lien is for costs or charges that were incurred before the date of the transfer to the corporation and if the corporation did not incur the costs or charges, regardless of whether the lien was attached or the costs or charges were certified before the date of transfer. In such a case, the corporation and its successors in title shall take title to the property free and clear of any such lien and shall be immune from liability in any action to collect such costs or charges.

If a county land reutilization corporation takes title to property before any costs or charges have been certified or any lien has been placed with respect to the property under section 715.261, ~~743.04, or 6119.06~~ of the Revised Code, the corporation shall be deemed a bona fide purchaser for value without knowledge of such costs or lien, regardless of whether the

corporation had actual or constructive knowledge of the costs or 595  
lien, and any such lien shall be void and unenforceable against 596  
the corporation and its successors in title. 597

**Sec. 6103.02.** (A) For the purpose of preserving and 598  
promoting the public health and welfare, a board of county 599  
commissioners may acquire, construct, maintain, and operate any 600  
public water supply facilities within its county for one or more 601  
sewer districts and may provide for their protection and prevent 602  
their pollution and unnecessary waste. The board may negotiate 603  
and enter into a contract with any public agency or any person 604  
for the management, maintenance, operation, and repair of the 605  
facilities on behalf of the county, upon the terms and 606  
conditions as may be agreed upon with the agency or person and 607  
as may be determined by the board to be in the interests of the 608  
county. By contract with any public agency or any person 609  
operating public water supply facilities within or without its 610  
county, the board also may provide a supply of water to a sewer 611  
district from the facilities of the public agency or person. 612

(B) The county sanitary engineer or sanitary engineering 613  
department, in addition to other assigned duties, shall assist 614  
the board in the performance of its duties under this chapter 615  
and shall be charged with other duties and services in relation 616  
to the board's duties as the board prescribes. 617

(C) The board may adopt, publish, administer, and enforce 618  
rules for the construction, maintenance, protection, and use of 619  
county-owned or county-operated public water supply facilities 620  
outside municipal corporations and of public water supply 621  
facilities within municipal corporations that are owned or 622  
operated by the county or that are supplied with water from 623  
water supply facilities owned or operated by the county, 624

including, but not limited to, rules for the establishment and 625  
use of any connections, the termination in accordance with 626  
reasonable procedures of water service for nonpayment of county 627  
water rates and charges, and the establishment and use of 628  
security deposits to the extent considered necessary to ensure 629  
the payment of county water rates and charges. The rules shall 630  
not be inconsistent with the laws of the state or any applicable 631  
rules of the director of environmental protection. 632

(D) No public water supply facilities shall be constructed 633  
in any county outside municipal corporations by any person, 634  
except for the purpose of supplying water to those municipal 635  
corporations, until the plans and specifications for the 636  
facilities have been approved by the board. Construction shall 637  
be done under the supervision of the county sanitary engineer. 638  
Any person constructing public water supply facilities shall pay 639  
to the county all expenses incurred by the board in connection 640  
with the construction. 641

(E) The county sanitary engineer or the county sanitary 642  
engineer's authorized assistants or agents, when properly 643  
identified in writing or otherwise and after written notice is 644  
delivered to the owner at least five days in advance or mailed 645  
at least five days in advance by first class or certified mail 646  
to the owner's tax mailing address, may enter upon any public or 647  
private property for the purpose of making, and may make, 648  
surveys or inspections necessary for the design or evaluation of 649  
county public water supply facilities. This entry is not a 650  
trespass and is not to be considered an entry in connection with 651  
any appropriation of property proceedings under sections 163.01 652  
to 163.22 of the Revised Code that may be pending. No person or 653  
public agency shall forbid the county sanitary engineer or the 654  
county sanitary engineer's authorized assistants or agents to 655

enter, or interfere with their entry, upon the property for the 656  
purpose of making the surveys or inspections. If actual damage 657  
is done to property by the making of the surveys or inspections, 658  
the board shall pay the reasonable value of the damage to the 659  
property owner, and the cost shall be included in the cost of 660  
the facilities and may be included in any special assessments 661  
levied and collected to pay that cost. 662

(F) The board shall fix reasonable rates, including 663  
penalties for late payments, for water supplied to public 664  
agencies and persons when the source of supply or the facilities 665  
for its distribution are owned or operated by the county and may 666  
change the rates from time to time as it considers advisable. 667  
When the source of the water supply to be used by the county is 668  
owned by another public agency or person, the schedule of rates 669  
to be charged by the public agency or person shall be approved 670  
by the board at the time it enters into a contract for the use 671  
of water from the public agency or person. 672

When the distribution facilities are owned by the county, 673  
the board also may fix reasonable charges to be collected for 674  
the privilege of connecting to the distribution facilities and 675  
may require that, prior to the connection, the charges be paid 676  
in full or, if determined by the board to be equitable in a 677  
resolution relating to the payment of the charges, may require 678  
their payment in installments, as considered adequate by the 679  
board, at the times, in the amounts, and with the security, 680  
carrying charges, and penalties as may be determined by the 681  
board in that resolution to be fair and appropriate. No public 682  
agency or person shall be permitted to connect to those 683  
facilities until the charges have been paid in full or provision 684  
for their payment in installments has been made. If the 685  
connection charges are to be paid in installments, the board 686

shall certify, to the county auditor, information sufficient to 687  
identify each parcel of property served by a connection and, 688  
with respect to each parcel, the total of the charges to be paid 689  
in installments, the amount of each installment, and the total 690  
number of installments to be paid. The county auditor shall 691  
record and maintain the information so supplied in the 692  
waterworks record provided for in section 6103.16 of the Revised 693  
Code until the connection charges are paid in full. The board 694  
may include amounts attributable to connection charges being 695  
paid in installments in its billings of rates and other charges 696  
for water supplied. In addition, the board may consider payments 697  
made to a school district under section 6103.25 of the Revised 698  
Code when the board establishes rates and other charges for 699  
water supplied. 700

A board may establish discounted rates or charges or may 701  
establish another mechanism for providing a reduction in rates 702  
or charges for persons who are sixty-five years of age or older. 703  
The board shall establish eligibility requirements for such 704  
discounted or reduced rates or charges, including a requirement 705  
that a person be eligible for the homestead exemption or qualify 706  
as a low- and moderate-income person. 707

(G) When any rates or charges are not paid when due, the 708  
board may do any or all of the following: 709

~~(1) Certify the unpaid rates or charges, together with any 710  
penalties, to the county auditor. The county auditor shall place 711  
the certified amount upon the real property tax list and 712  
duplicate against the property served by the connection. The 713  
certified amount shall be a lien on the property from the date 714  
placed on the real property tax list and duplicate and shall be 715  
collected in the same manner as taxes, except that, 716~~



~~notwithstanding section 323.15 of the Revised Code, a county treasurer shall accept a payment in that amount when separately tendered as payment for the full amount of the unpaid rates or charges and associated penalties. The lien shall be released immediately upon payment in full of the certified amount.~~

~~(2)~~ Collect the unpaid rates or charges, together with any penalties, by actions at law in the name of the county from an owner, tenant, or other person or public agency that is liable for the payment of the rates or charges;

~~(3)~~ (2) Terminate, in accordance with established rules, the water service to the particular property unless and until the unpaid rates or charges, together with any penalties, are paid in full;

~~(4)~~ (3) Apply, to the extent required, any security deposit made in accordance with established rules to the payment of the unpaid rates and charges, together with any penalties, for water service to the particular property.

All moneys collected as rates, charges, or penalties fixed or established in accordance with division (F) of this section for water supply purposes in or for any sewer district shall be paid to the county treasurer and kept in a separate and distinct water fund established by the board to the credit of the district.

Each board that fixes water rates or charges may render estimated bills periodically, provided that at least quarterly it shall schedule an actual reading of each customer's meter so as to render a bill for the actual amount shown by the meter reading to be due, with credit for prior payments of any estimated bills submitted for any part of the billing period,

except that estimated bills may be rendered if a customer's 746  
meter is not accessible for a timely reading or if the 747  
circumstances preclude a scheduled reading. Each board also 748  
shall establish procedures providing a fair and reasonable 749  
opportunity for the resolution of billing disputes. 750

When property to which water service is provided is about 751  
to be sold, any party to the sale or an agent of a party may 752  
request the board to have the meter at that property read and to 753  
render, within ten days following the date on which the request 754  
is made, a final bill for all outstanding rates and charges for 755  
water service. The request shall be made at least fourteen days 756  
prior to the transfer of the title of the property. 757

~~At any time prior to a certification under division (G) (1) 758  
of this section, the board shall accept any partial payment of 759  
unpaid water rates or charges in the amount of ten dollars or 760  
more. 761~~

Except as otherwise provided in any proceedings 762  
authorizing or providing for the security for and payment of any 763  
public obligations, or in any indenture or trust or other 764  
agreement securing public obligations, moneys in the water fund 765  
shall be applied first to the payment of the cost of the 766  
management, maintenance, and operation of the water supply 767  
facilities of, or used or operated for, the sewer district, 768  
which cost may include the county's share of management, 769  
maintenance, and operation costs under cooperative contracts for 770  
the acquisition, construction, or use of water supply facilities 771  
and, in accordance with a cost allocation plan adopted under 772  
division (H) of this section, payment of all allowable direct 773  
and indirect costs of the district, the county sanitary engineer 774  
or sanitary engineering department, or a federal or state grant 775

program, incurred for the purposes of this chapter, and shall be 776  
applied second to the payment of debt charges payable on any 777  
outstanding public obligations issued or incurred for the 778  
acquisition or construction of water supply facilities for or 779  
serving the district, or for the funding of a bond retirement or 780  
other fund established for the payment of or security for the 781  
obligations. Any surplus remaining may be applied to the 782  
acquisition or construction of those facilities or for the 783  
payment of contributions to be made, or costs incurred, for the 784  
acquisition or construction of those facilities under 785  
cooperative contracts. Moneys in the water fund shall not be 786  
expended other than for the use and benefit of the district. 787

(H) A board of county commissioners may adopt a cost 788  
allocation plan that identifies, accumulates, and distributes 789  
allowable direct and indirect costs that may be paid from the 790  
water fund of the sewer district created pursuant to division 791  
(G) of this section, and that prescribes methods for allocating 792  
those costs. The plan shall authorize payment from the fund of 793  
only those costs incurred by the district, the county sanitary 794  
engineer or sanitary engineering department, or a federal or 795  
state grant program, and those costs incurred by the general and 796  
other funds of the county for a common or joint purpose, that 797  
are necessary and reasonable for the proper and efficient 798  
administration of the district under this chapter. The plan 799  
shall not authorize payment from the fund of any general 800  
government expense required to carry out the overall 801  
governmental responsibilities of a county. The plan shall 802  
conform to United States office of management and budget 803  
Circular A-87, "Cost Principles for State, Local, and Indian 804  
Tribal Governments," published May 17, 1995. 805

**Sec. 6119.06.** Upon the declaration of the court of common 806

pleas organizing the regional water and sewer district pursuant 807  
to section 6119.04 of the Revised Code and upon the qualifying 808  
of its board of trustees and the election of a president and a 809  
secretary, said district shall exercise in its own name all the 810  
rights, powers, and duties vested in it by Chapter 6119. of the 811  
Revised Code, and, subject to such reservations, limitations and 812  
qualifications as are set forth in this chapter, such district 813  
may: 814

(A) Adopt bylaws for the regulation of its affairs, the 815  
conduct of its business, and notice of its actions; 816

(B) Adopt an official seal; 817

(C) Maintain a principal office and suboffices at such 818  
places within the district as it designates; 819

(D) Sue and plead in its own name; be sued and impleaded 820  
in its own name with respect to its contracts or torts of its 821  
members, employees, or agents acting within the scope of their 822  
employment, or to enforce its obligations and covenants made 823  
under sections 6119.09, 6119.12, and 6119.14 of the Revised 824  
Code. Any such actions against the district shall be brought in 825  
the court of common pleas of the county in which the principal 826  
office of the district is located, or in the court of common 827  
pleas of the county in which the cause of action arose, and all 828  
summonses, exceptions, and notices of every kind shall be served 829  
on the district by leaving a copy thereof at the principal 830  
office with the person in charge thereof or with the secretary 831  
of the district. 832

(E) Assume any liability or obligation of any person or 833  
political subdivision, including a right on the part of such 834  
district to indemnify and save harmless the other contracting 835

party from any loss, cost, or liability by reason of the 836  
failure, refusal, neglect, or omission of such district to 837  
perform any agreement assumed by it or to act or discharge any 838  
such obligation; 839

(F) Make loans and grants to any person or political 840  
subdivisions for the design, acquisition, or construction of 841  
water resource projects by such person or political subdivisions 842  
and adopt rules, regulations, and procedures for making such 843  
loans and grants; 844

(G) Acquire, construct, reconstruct, enlarge, improve, 845  
furnish, equip, maintain, repair, operate, lease or rent to or 846  
from, or contract for operation by or for, a political 847  
subdivision or person, water resource projects within or without 848  
the district; 849

(H) Make available the use or service of any water 850  
resource project to one or more persons, one or more political 851  
subdivisions, or any combination thereof; 852

(I) Levy and collect taxes and special assessments; 853

(J) Issue bonds and notes and refunding bonds and notes as 854  
provided in Chapter 6119. of the Revised Code; 855

(K) Acquire by gift or purchase, hold, and dispose of real 856  
and personal property in the exercise of its powers and the 857  
performance of its duties under Chapter 6119. of the Revised 858  
Code; 859

(L) Dispose of, by public or private sale, or lease any 860  
real or personal property determined by the board of trustees to 861  
be no longer necessary or needed for the operation or purposes 862  
of the district; 863

(M) Acquire, in the name of the district, by purchase or 864  
otherwise, on such terms and in such manner as it considers 865  
proper, or by the exercise of the right of condemnation in the 866  
manner provided by section 6119.11 of the Revised Code, such 867  
public or private lands, including public parks, playgrounds, or 868  
reservations, or parts thereof or rights therein, rights-of-way, 869  
property, rights, easements, and interests as it considers 870  
necessary for carrying out Chapter 6119. of the Revised Code, 871  
but excluding the acquisition by the exercise of the right of 872  
condemnation of any waste water facility or water management 873  
facility owned by any person or political subdivision, and 874  
compensation shall be paid for public or private lands so taken; 875

(N) Adopt rules and regulations to protect augmented flow 876  
by the district in waters of the state, to the extent augmented 877  
by a water resource project, from depletion so it will be 878  
available for beneficial use, to provide standards for the 879  
withdrawal from waters of the state of the augmented flow 880  
created by a water resource project which is not returned to the 881  
waters of the state so augmented, and to establish reasonable 882  
charges therefor, if considered necessary by the district; 883

(O) Make and enter into all contracts and agreements and 884  
execute all instruments necessary or incidental to the 885  
performance of its duties and the execution of its powers under 886  
Chapter 6119. of the Revised Code; 887

(P) Enter into contracts with any person or any political 888  
subdivision to render services to such contracting party for any 889  
service the district is authorized to provide; 890

(Q) Enter into agreements for grants or the receipt and 891  
repayment of loans from a board of township trustees under 892  
section 505.705 of the Revised Code; 893

(R) Make provision for, contract for, or sell any of its	894
by-products or waste;	895
(S) Exercise the power of eminent domain in the manner	896
provided in Chapter 6119. of the Revised Code;	897
(T) Remove or change the location of any fence, building,	898
railroad, canal, or other structure or improvement located in or	899
out of the district, and in case it is not feasible or	900
economical to move any such building, structure, or improvement	901
situated in or upon lands required, and if the cost is	902
determined by the board to be less than that of purchase or	903
condemnation, to acquire land and construct, acquire, or install	904
therein or thereon buildings, structures, or improvements	905
similar in purpose, to be exchanged for such buildings,	906
structures, or improvements under contracts entered into between	907
the owner thereof and the district;	908
(U) Receive and accept, from any federal or state agency,	909
grants for or in aid of the construction of any water resource	910
project, and receive and accept aid or contributions from any	911
source of money, property, labor, or other things of value, to	912
be held, used, and applied only for the purposes for which such	913
grants and contributions are made;	914
(V) Purchase fire and extended coverage and liability	915
insurance for any water resource project and for the principal	916
office and suboffices of the district, insurance protecting the	917
district and its officers and employees against liability for	918
damage to property or injury to or death of persons arising from	919
its operations, and any other insurance the district may agree	920
to provide under any resolution authorizing its water resource	921
revenue bonds or in any trust agreement securing the same;	922

(W) ~~(1)~~ Charge, alter, and collect rentals and other 923  
charges for the use of services of any water resource project as 924  
provided in section 6119.09 of the Revised Code. Such district 925  
may refuse the services of any of its projects if any of such 926  
rentals or other charges, including penalties for late payment, 927  
are not paid by the user thereof, ~~and, if such rentals or other~~ 928  
~~charges are not paid when due and upon certification of~~ 929  
~~nonpayment to the county auditor, such rentals or other charges~~ 930  
~~constitute a lien upon the property so served, shall be placed~~ 931  
~~by the auditor upon the real property tax list and duplicate,~~ 932  
~~and shall be collected in the same manner as other taxes.~~ 933

~~(2) A district shall not certify to the county auditor for~~ 934  
~~placement upon the tax list and duplicate and the county auditor~~ 935  
~~shall not place upon the tax list or duplicate as a charge~~ 936  
~~against the property the amount of unpaid rentals or other~~ 937  
~~charges including any penalties for late payment as described in~~ 938  
~~division (W) (1) of this section if any of the following apply:~~ 939

~~(a) The property served has been transferred or sold to an~~ 940  
~~electing subdivision as defined in section 5722.01 of the~~ 941  
~~Revised Code, regardless of whether the electing subdivision is~~ 942  
~~still the owner of the property, and the unpaid rentals or other~~ 943  
~~charges including penalties for late payment have arisen from a~~ 944  
~~period of time prior to the transfer or confirmation of sale to~~ 945  
~~the electing subdivision.~~ 946

~~(b) The property served has been sold to a purchaser at~~ 947  
~~sheriff's sale or auditor's sale, the unpaid rentals or other~~ 948  
~~charges including penalties for late payment have arisen from a~~ 949  
~~period of time prior to the confirmation of sale, and the~~ 950  
~~purchaser is not the owner of record of the property immediately~~ 951  
~~prior to the judgment of foreclosure nor any of the following:~~ 952



<del>(i) A member of that owner's immediate family;</del>	953
<del>(ii) A person with a power of attorney appointed by that</del>	954
<del>owner who subsequently transfers the property to the owner;</del>	955
<del>(iii) A sole proprietorship owned by that owner or a</del>	956
<del>member of that owner's immediate family;</del>	957
<del>(iv) A partnership, trust, business trust, corporation, or</del>	958
<del>association of which the owner or a member of the owner's</del>	959
<del>immediate family owns or controls directly or indirectly more</del>	960
<del>than fifty per cent.</del>	961
<del>(c) The property served has been forfeited to this state</del>	962
<del>for delinquent taxes, unless the owner of record redeems the</del>	963
<del>property.</del>	964
<del>(3) Upon valid written notice to the county auditor by any</del>	965
<del>owner possessing an ownership interest of record of the property</del>	966
<del>or an electing subdivision previously in the chain of title to</del>	967
<del>the property that the unpaid water rents or charges together</del>	968
<del>with any penalties have been certified for placement or placed</del>	969
<del>upon the tax list and duplicate as a charge against the property</del>	970
<del>in violation of division (W) (2) of this section, the county</del>	971
<del>auditor shall promptly remove such charge from the tax</del>	972
<del>duplicate. This written notice to the county auditor shall</del>	973
<del>include all of the following:</del>	974
<del>(a) The parcel number of the property;</del>	975
<del>(b) The common address of the property;</del>	976
<del>(c) The date of the recording of the transfer of the</del>	977
<del>property to the owner or electing subdivision;</del>	978
<del>(d) The charge allegedly placed in violation of division</del>	979
<del>(W) (2) of this section.</del>	980

~~(4) When title to property is transferred to a county land-reutilization corporation, any lien placed on the property under this division shall be extinguished, and the corporation shall not be held liable for any rentals or charges certified under this division with respect to the property, if the rentals or charges were incurred before the date of the transfer to the corporation and if the corporation did not incur the rentals or charges, regardless of whether the rentals or charges were certified, or the lien was attached, before the date of transfer. In such a case, the corporation and its successors in title shall take title to the property free and clear of any such lien and shall be immune from liability in any collection action brought with respect to such rentals or charges. If a lien placed on property is extinguished as provided in this division, the district shall retain the ability to recoup the rents and charges incurred with respect to the property from any owner, tenant, or other person liable to pay such rents and charges before the property was transferred to the corporation.~~

(X) Provide coverage for its employees under Chapters 145., 4123., and 4141. of the Revised Code;

(Y) Merge or combine with any other regional water and sewer district into a single district, which shall be one of the constituent districts, on terms so that the surviving district shall be possessed of all rights, capacity, privileges, powers, franchises, and authority of the constituent districts and shall be subject to all the liabilities, obligations, and duties of each of the constituent districts and all rights of creditors of such constituent districts shall be preserved unimpaired, limited in lien to the property affected by such liens immediately prior to the time of the merger and all debts, liabilities, and duties of the respective constituent districts

shall thereafter attach to the surviving district and may be 1012  
enforced against it, and such other terms as are agreed upon, 1013  
provided two-thirds of the members of each of the boards consent 1014  
to such merger or combination. Such merger or combination shall 1015  
become legally effective unless, prior to the ninetieth day 1016  
following the later of the consents, qualified electors residing 1017  
in either district equal in number to a majority of the 1018  
qualified electors voting at the last general election in such 1019  
district file with the secretary of the board of trustees of 1020  
their regional water and sewer district a petition of 1021  
remonstrance against such merger or combination. The secretary 1022  
shall cause the board of elections of the proper county or 1023  
counties to check the sufficiency of the signatures on such 1024  
petition. 1025

(Z) Exercise the powers of the district without obtaining 1026  
the consent of any other political subdivision, provided that 1027  
all public or private property damaged or destroyed in carrying 1028  
out the powers of the district shall be restored or repaired and 1029  
placed in its original condition as nearly as practicable or 1030  
adequate compensation made therefor by the district; 1031

(AA) Require the owner of any premises located within the 1032  
district to connect the owner's premises to a water resource 1033  
project determined to be accessible to such premises and found 1034  
to require such connection so as to prevent or abate pollution 1035  
or protect the health and property of persons in the district. 1036  
Such connection shall be made in accordance with procedures 1037  
established by the board of trustees of such district and 1038  
pursuant to such orders as the board may find necessary to 1039  
ensure and enforce compliance with such procedures. 1040

(BB) Do all acts necessary or proper to carry out the 1041

powers granted in Chapter 6119. of the Revised Code. 1042

**Section 2.** That existing sections 735.29, 743.04, 5722.03, 1043  
5722.04, 5722.10, 5723.04, 6103.02, and 6119.06 of the Revised 1044  
Code are hereby repealed. 1045

**Section 3.** The amendment by this act of sections 735.29, 1046  
743.04, 5722.03, 5722.04, 5722.10, 5723.04, 6103.02, and 6119.06 1047  
of the Revised Code does not affect liens certified and placed 1048  
pursuant to any of those sections before the effective date of 1049  
those amendments. 1050