



## OHIO TOWNSHIP ASSOCIATION

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### **House Bill 315 Township Omnibus Bill Proponent Testimony January 16, 2024 House State and Local Government Committee**

Chairwoman John, Vice Chair Dean, Ranking Member Brennan, and members of the House State and Local Government Committee, my name is Kyle Brooks, and I am the Director of Governmental Affairs for the Ohio Township Association (OTA). I appreciate the opportunity to provide proponent testimony on HB 315, better known as the township omnibus bill.

As many of you know, townships are creatures of statute. Any updates to the function of Ohio townships under the law must be addressed in the Ohio Revised Code – no matter how big or small. For this reason, the OTA pursues omnibus bills to address multiple township-related items at once.

House Bill 315 and its nine provisions come as a mixture of direct requests from townships across the state and legislative priorities voted on by the OTA Board of Directors. I will briefly summarize the provisions included in HB 315.

#### **Expands Township Eligibility to Utilize New Community Authorities**

Recently enacted legislation (HB 33) authorizes a board of township trustees in a township with at least 5,000 people and in a county with a population of at least 200,000 and not more than 400,000 people (Butler, Clermont, Delaware, Lake, Lorain, Stark, and Warren) to form a new community authority or delete territory from an existing new community authority district that is entirely within the unincorporated territory of the township, rather than giving the county commissioners that authority. HB 315 will expand this permissive authority to urban townships, which have at least 15,000 in the unincorporated territory and have adopted limited home rule pursuant to R.C. Ch. 504. Attached to my testimony is a list of current urban limited home rule townships in Ohio.

*You will hear testimony from Barry Tiffany, administrator for Sugarcreek Township in Greene County on this issue.*

#### **Alters Township Public Notice Requirements**

Ohio law requires townships to publish public notices in a newspaper of general circulation within the township. Unfortunately, with the closure of many newspapers and reduced circulation of others, it has become increasingly difficult and expensive for townships to publish public notices. HB 315 will permit townships to post public notices on a township's website, social media account, or the State's public notice website rather than in a newspaper. This provision will give townships parity to municipalities given this authority in HB 33, the biennial budget.

*You will hear testimony from Barry Tiffany, administrator for Sugarcreek Township in Greene County on this issue.*

#### **Eliminates Marks and Brands Book Requirement**

According to R.C. §507.05, a township fiscal officer shall be provided with a book for the record of township roads, a book for the record of marks and brands for cattle raised in the township, and a book for the record of official oaths and bonds of township officers. Given that township fiscal officers no

longer record the marks and brands of cattle within the township, the OTA is seeking to strike the requirement to give fiscal officers such a book.

**Establishes Authority to Create a Preservation Commission (OTA Legislative Priority)**

House Bill 315 gives townships the authority to establish a Township Preservation Commission to preserve historic properties in the township. The commission format outlined in HB 315 is based on municipal commissions already in existence. Local governments with historic preservation ordinances (or, in the case of townships, resolutions) are eligible to participate in the Certified Local Government (CLG) Program through the Ohio History Connection. CLGs are eligible for federal grants to help carry out historic preservation activities. The language in HB 315 would give townships access to those grants. This provision complements the statewide efforts underway in Ohio preparing for the nation's 250<sup>th</sup> birthday celebration in 2026.

*You have written proponent testimony from Tom Shay, fiscal officer for Braceville Township in Trumbull County.*

**Alters How Zoning Citations Are Issued and Enforced**

Current law, R.C. §519.99, states that a person who violates township zoning shall be fined not more than \$500 for each offense. HB 315 keeps the dollar amount but clarifies that a zoning citation is a civil fine and establishes a process for issuing a township zoning citation.

*You have written proponent testimony from Bob Kusmer, trustee for Ballville Township in Sandusky County.*

**Initiates a Township License Plate (OTA Legislative Priority)**

Pursuant to R.C. §4503.16, titles to motor vehicles acquired by a township shall be registered. Currently, the only plates issued are "county," "state," or "city" by the BMV, so townships are given "county" plates for use on their vehicles. Township vehicles should proudly display a township vehicle plate and HB 315 will include "township" as an option for government vehicle plates in Ohio.

**Clarifies General Fund Money May Be Used for Roads**

In 2008, state law (R.C. §5705.06) was altered to specifically permit townships to use revenue derived from inside millage for road purposes. According to the latest ODOT mileage report, townships are responsible for over 77,000 lane miles, the most of any subdivision in the state. HB 315 updates R.C. §5549.21 to reflect the 2008 change, thus allowing a township to use general fund money to pay for road machinery, tools, materials, and labor.

**Provides Grant Funding to modernize Zoning Regulations & Processes (OTA Legislative Priority)**

Comprehensive plans and zoning resolutions guide future land use decision-making and policy decisions. HB 315 appropriates \$1.5 million per fiscal year to assist townships seeking to modernize regulations and processes tied to zoning efforts. Similar language was originally included in the Governor's proposed budget bill (HB33).

The economic growth in rural areas of Ohio has exploded from alternative energy to the recently announced Intel plant. While the development is excellent for Ohio's economy, many township zoning resolutions and land use plans (if a township has a land use plan) have not been updated since their initial creation. For example, the townships surrounding the Intel location in Licking and Delaware Counties will inevitably face an influx of residential and commercial growth. Their outdated zoning resolutions may not allow for the influx of development to come.

Townships are funded primarily by property tax levies and are likely to avoid placing a levy on the ballot for the updating of their zoning code, which can cost upwards of \$60,000.

*You will hear testimony from Barry Tiffany, administrator for Sugarcreek Township in Greene County, and have written proponent testimony from Jacob Barns, zoning inspector for Springfield Township in Lucas County, on this issue.*

**Reinstates Indigent Burial Reimbursement Funding**

In 2019, the General Assembly reinstated the Indigent Burial Fund. The fund helped reimburse local governments for expenses related to the unfunded mandate requiring townships and municipalities to provide for indigent burials. The State's FY '24 - '25 operating budget (HB 33) provided revenue for the fund's administration but did not include the actual funding for local government reimbursements. HB 315 re-establishes the fund by allocating \$1 million per fiscal year to be used by local governments to defray the costs of indigent burials.

The OTA thanks Representatives Hall and Seitz for sponsoring the legislation and raising these issues. We respectfully request your support of HB 315.

Madam Chair, thank you for the opportunity to testify, and I would be happy to answer any questions you or committee members may have.