

SANDUSKY COUNTY TOWNSHIP ASSOCIATION

2864 County Road 170 Fremont, Ohio 43420



House Bill 315 Proponent Testimony State and Local Government Committee January 29, 2024

Chair John, Vice Chair Dean, Ranking Member Brennan and members of the State and Local Government Committee, my name is Bob Kusmer I'm the legislative representative for Sandusky County Township Association (SCTA) and Trustee for Ballville Township in Sandusky County. On behalf of the residents of my County and Township, I appreciate the opportunity to provide written testimony as a proponent of House Bill 315.

Our townships in accordance to ORC 519.99 can fine not more than \$500.00 for each zoning violation. A township has two options to collect these fines, either by civil action or criminal prosecution. Each of these methods, require the county prosecutor or their legal representative to file a complaint with the courts for a mandatory Injunction and Plaintiff's motion for default judgment to impose a fine. A township cannot impose fines for zoning violations, only a judge may.

This process has left many townships not able to enforce their zoning regulations due to the lack of commitment by the prosecutor who has to choose whether to take on these cases when there are more pressing issues. Townships in some cases can hire outside counsel at a great expense, for a simple violation like getting a resident to move their shed out of a setback area.

With the ability of a township to level a fine directly, a lot of these violations can be resolved in a more expedient and cost effect way. If the residents know the township administration has the ability to fine an individual through their legislation authority and not having to prosecute the person through a court, our zoning regulations will be respected by the residences who may want to try and skirt the law.

We understand in some cases a criminal prosecution may be necessary to enforce our zoning regulations. Our only remedy for these cases would be through the courts. However, we are asking for the ability to solve the smaller issues with the legislative rights to fine a citizen in violation of a zoning regulation. It will not only be a deterrent to the individual but be a cost-effective way for townships to handle our nuisances.

Representing 53% of the residents in Sandusky County

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Our Townships in Sandusky County strongly support House Bill 315 to create a fair and equitable solution for our everyday problems. We are asking for your support and consideration for the HB 315.

Thank you Chair John for the opportunity to submit written testimony on HB 315.

Respectfully submitted,

W. Robert Kusmer, Legislation Representative SCTA

Ballville Township Trustee