

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 315

Representatives Hall, Seitz

**Cosponsors: Representatives Stoltzfus, Stein, Dobos, Creech, Schmidt,
Carruthers, Abrams, Johnson, Williams, Brennan**

A BILL

To amend sections 349.01, 501.07, 503.162, 503.41, 1
504.02, 504.03, 504.12, 504.121, 504.122, 2
504.123, 504.124, 504.126, 504.21, 505.07, 3
505.10, 505.17, 505.264, 505.28, 505.37, 4
505.373, 505.55, 505.73, 505.75, 505.76, 505.86, 5
505.87, 505.871, 507.05, 511.12, 511.21, 515.01, 6
515.04, 517.07, 517.073, 517.12, 517.22, 519.06, 7
519.08, 519.09, 519.12, 519.15, 519.99, 521.03, 8
971.12, 971.99, 4503.16, 4504.18, 4504.181, 9
5535.06, 5549.21, 5571.011, 5571.20, 5573.02, 10
5573.10, 5575.01, 5575.02, and 5579.05; to 11
amend, for the purpose of adopting a new section 12
number as indicated in parentheses, section 13
504.126 (504.125); to enact sections 511.51, 14
511.52, and 511.53; and to repeal section 15
504.125 of the Revised Code to make various 16
township law changes and to make an 17
appropriation. 18

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

Section 1. That sections 349.01, 501.07, 503.162, 503.41, 19
504.02, 504.03, 504.12, 504.121, 504.122, 504.123, 504.124, 20
504.126, 504.21, 505.07, 505.10, 505.17, 505.264, 505.28, 21
505.37, 505.373, 505.55, 505.73, 505.75, 505.76, 505.86, 505.87, 22
505.871, 507.05, 511.12, 511.21, 515.01, 515.04, 517.07, 23
517.073, 517.12, 517.22, 519.06, 519.08, 519.09, 519.12, 519.15, 24
519.99, 521.03, 971.12, 971.99, 4503.16, 4504.18, 4504.181, 25
5535.06, 5549.21, 5571.011, 5571.20, 5573.02, 5573.10, 5575.01, 26
5575.02, and 5579.05 be amended; section 504.126 (504.125) be 27
amended for the purpose of adopting a new section number as 28
indicated in parentheses; and sections 511.51, 511.52, and 29
511.53 of the Revised Code be enacted to read as follows: 30

Sec. 349.01. As used in this chapter: 31

(A) "New community" means a community or development of 32
property in relation to an existing community planned so that 33
the resulting community includes facilities for the conduct of 34
industrial, commercial, residential, cultural, educational, and 35
recreational activities, and designed in accordance with 36
planning concepts for the placement of utility, open space, and 37
other supportive facilities. 38

(B) "New community development program" means a program 39
for the development of a new community characterized by well- 40
balanced and diversified land use patterns and which includes 41
land acquisition and land development, the acquisition, 42
construction, operation, and maintenance of community 43
facilities, and the provision of services authorized in this 44
chapter. 45

A new community development program may take into account 46
any existing community in relation to which a new community is 47
developed for purposes of being characterized by well-balanced 48

and diversified land use patterns. 49

(C) "New community district" means the area of land 50
described by the developer in the petition as set forth in 51
division (A) of section 349.03 of the Revised Code for 52
development as a new community and any lands added to the 53
district by amendment of the resolution establishing the 54
community authority. 55

(D) "New community authority" means a body corporate and 56
politic in this state, established pursuant to section 349.03 of 57
the Revised Code and governed by a board of trustees as provided 58
in section 349.04 of the Revised Code. 59

(E) "Developer" means any person, organized for carrying 60
out a new community development program who owns or controls, 61
through leases of at least seventy-five years' duration, 62
options, or contracts to purchase, the land within a new 63
community district, or any municipal corporation, township, 64
county, or port authority that owns the land within a new 65
community district, or has the ability to acquire such land, 66
either by voluntary acquisition or condemnation in order to 67
eliminate slum, blighted, and deteriorated or deteriorating 68
areas and to prevent the recurrence thereof. "Developer" may 69
also mean a person, municipal corporation, township, county, or 70
port authority that controls land within a new community 71
district through leases of at least seventy-five years' 72
duration. "Developer" includes a lessor that continues to own 73
and control land for purposes of this chapter pursuant to leases 74
with a ninety-nine-year renewable term, so long as all of the 75
following apply: 76

(1) The developer's new community district consists of at 77
least five leases described in this section. 78

(2) The leases are subject to forfeiture for all of the following:	79 80
(a) Failing to pay taxes and assessments;	81
(b) Failing to pay an annual fee of up to one per cent of rent for sanitary purposes and improvements made to streets;	82 83
(c) Failing to keep the premises as required by sanitary and police regulations of the developer.	84 85
(3) The new community authority is established on or before December 31, 2024.	86 87
(F) "Organizational board of commissioners" means any of the following:	88 89
(1) For a new community district that is located in only one county, the board of county commissioners of that county;	90 91
(2) For a new community district that is located in more than one county, a board consisting of the members of the board of county commissioners of each of the counties in which the district is located, provided that action of the board shall require a majority vote of the members of each separate board of county commissioners;	92 93 94 95 96 97
(3) For a new community district that is located entirely within the boundaries of a municipal corporation or for a new community district where more than half of the new community district is located within the boundaries of the most populous municipal corporation of a county, the legislative authority of the municipal corporation;	98 99 100 101 102 103
(4) For a new community district that is comprised entirely of unincorporated territory within the boundaries of a <u>township that has adopted a limited home rule government under</u>	104 105 106

<u>Chapter 504. of the Revised Code, and the unincorporated</u>	107
<u>territory of which has a population of at least fifteen</u>	108
<u>thousand, or a township with a total population of at least five</u>	109
thousand, and located in a county with a population of at least	110
two hundred thousand and not more than four hundred thousand,	111
the board of township trustees of the township.	112
(G) "Land acquisition" means the acquisition of real	113
property and interests in real property as part of a new	114
community development program.	115
(H) "Land development" means the process of clearing and	116
grading land, making, installing, or constructing water	117
distribution systems, sewers, sewage collection systems, steam,	118
gas, and electric lines, roads, streets, curbs, gutters,	119
sidewalks, storm drainage facilities, and other installations or	120
work, whether within or without the new community district, and	121
the construction of community facilities.	122
(I) "Community facilities" means all real property,	123
buildings, structures, or other facilities, including related	124
fixtures, equipment, and furnishings, to be owned, operated,	125
financed, constructed, and maintained under this chapter or in	126
furtherance of community activities, whether within or without	127
the new community district, including public, community,	128
village, neighborhood, or town buildings, centers and plazas,	129
auditoriums, child care centers, recreation halls, educational	130
facilities, health care facilities including hospital facilities	131
as defined in section 140.01 of the Revised Code,	132
telecommunications facilities, including all facilities	133
necessary to provide telecommunications service as defined in	134
section 4927.01 of the Revised Code, recreational facilities,	135
natural resource facilities, including parks and other open	136

space land, lakes and streams, cultural facilities, community 137
streets and off-street parking facilities, pathway and bikeway 138
systems, pedestrian underpasses and overpasses, lighting 139
facilities, design amenities, or other community facilities, and 140
buildings needed in connection with water supply or sewage 141
disposal installations, or energy facilities including those for 142
renewable or sustainable energy sources, and steam, gas, or 143
electric lines or installation. 144

(J) "Cost" as applied to a new community development 145
program means all costs related to land acquisition and land 146
development, the acquisition, construction, maintenance, and 147
operation of community facilities and offices of the community 148
authority, and of providing furnishings and equipment therefor, 149
financing charges including interest prior to and during 150
construction and for the duration of the new community 151
development program, planning expenses, engineering expenses, 152
administrative expenses including working capital, and all other 153
expenses necessary and incident to the carrying forward of the 154
new community development program. 155

(K) "Income source" means any and all sources of income to 156
the community authority, including community development charges 157
of which the new community authority is the beneficiary as 158
provided in section 349.07 of the Revised Code, rentals, user 159
fees and other charges received by the new community authority, 160
any gift or grant received, any moneys received from any funds 161
invested by or on behalf of the new community authority, and 162
proceeds from the sale or lease of land and community 163
facilities. 164

(L) "Community development charge" means: 165

(1) A dollar amount which shall be determined on the basis 166

of the assessed valuation of real property or interests in real 167
property in a new community district, the income of the 168
residents of such property subject to such charge under section 169
349.07 of the Revised Code, if such property is devoted to 170
residential uses or to the profits, gross receipts, or other 171
revenues of any business including, but not limited to, rentals 172
received from leases of real property located in the district, a 173
uniform or other fee on each parcel of such real property in a 174
new community district, or any combination of the foregoing 175
bases. 176

(2) If a new community authority imposes a community 177
development charge determined on the basis of rentals received 178
from leases of real property, improvements of any real property 179
located in the new community district and subject to that charge 180
may not be exempted from taxation under section 5709.40, 181
5709.41, 5709.45, 5709.48, 5709.73, or 5709.78 of the Revised 182
Code. 183

(M) "Proximate community" means the following: 184

(1) For a new community district other than a new 185
community district described in division (M) (2), (3), or (4) of 186
this section, any city that, as of the date of filing of the 187
petition under section 349.03 of the Revised Code, is the city 188
with the greatest population located in the county in which the 189
proposed new community district is located, is the city with the 190
greatest population located in an adjoining county if any 191
portion of such city is within five miles of any part of the 192
boundaries of such district, or exercises extraterritorial 193
subdivision authority under section 711.09 of the Revised Code 194
with respect to any part of such district. 195

(2) A municipal corporation in which, at the time of 196

filing the petition under section 349.03 of the Revised Code, 197
any portion of the proposed new community district is located. 198

(3) For a new community district other than a new 199
community district described in division (M) (2) or (4) of this 200
section, if at the time of filing the petition under section 201
349.03 of the Revised Code, more than one-half of the proposed 202
district is contained within a joint economic development 203
district created under sections 715.70 to 715.83 of the Revised 204
Code, the township containing the greatest portion of the 205
territory of the joint economic development district. 206

(4) For a new community district other than a new 207
community district described in division (M) (2) or (3) of this 208
section, if at the time of filing the petition under section 209
343.03 of the Revised Code the proposed new community district 210
is comprised entirely of unincorporated territory within the 211
boundaries of a township that has adopted a limited home rule 212
government under Chapter 504. of the Revised Code or a township 213
with a population of five thousand, and located in a county with 214
a population of at least two hundred thousand and not more than 215
four hundred thousand, the township in which the proposed new 216
community district is located. 217

(N) "Community activities" means cultural, educational, 218
governmental, recreational, residential, industrial, commercial, 219
distribution and research activities, or any combination 220
thereof. 221

Sec. 501.07. Lands described in division (A) of section 222
501.06 of the Revised Code shall continue to be leased under the 223
terms granted until such time as the lease may expire. At the 224
time of expiration, subject to section 501.04 of the Revised 225
Code, the land may be leased again by the board of education of 226

the school district for whose benefit the land has been 227
allocated or be offered for sale by public auction or by the 228
receipt of sealed bids with the sale awarded by the school board 229
to the highest bidder. Prior to the offering of these lands for 230
sale, the school board shall have an appraisal made of these 231
lands by at least two disinterested appraisers. Notification of 232
the sale of these lands, including the minerals in or on these 233
or other lands, shall be advertised once a week for two 234
consecutive weeks, ~~or as provided in section 7.16 of the Revised~~ 235
~~Code, in~~ using at least one of the following methods: 236

(A) In a newspaper of general circulation in the county in 237
which the land is located; 238

(B) On the official public notice web site established 239
under section 125.182 of the Revised Code; 240

(C) On the web site and social media account of the 241
township. No 242

No bids shall be accepted for less than the appraised 243
value of the land. 244

Sec. 503.162. (A) After certification of a resolution as 245
provided in section 503.161 of the Revised Code, the board of 246
elections shall submit the question of whether the township's 247
name shall be changed to the electors of the unincorporated area 248
of the township in accordance with division (C) of that section, 249
and the ballot language shall be substantially as follows: 250

"Shall the township of _____ (name) change its name 251
to _____ (proposed name)? 252

_____ For name change 253

_____ Against name change" 254

(B) (1) At least forty-five days before the election on 255
this question, the board of township trustees shall ~~provide~~ 256
publish notice of the election and an explanation of the 257
proposed name change ~~in a newspaper of general circulation in~~ 258
~~the township~~ once a week for two consecutive weeks ~~or as~~ 259
~~provided in section 7.16 of the Revised Code~~ using at least one 260
of the following methods: 261

(a) In a newspaper of general circulation in the township; 262

(b) On the official public notice web site established 263
under section 125.182 of the Revised Code; 264

(c) On the web site and social media account of the 265
township. ~~The~~ 266

The board of township trustees shall post the notice and 267
explanation in five conspicuous places in the unincorporated 268
area of the township. 269

(2) If the board of elections operates and maintains a web 270
site, notice of the election and an explanation of the proposed 271
name change shall be posted on that web site for at least thirty 272
days before the election on this question. 273

(C) If a majority of the votes cast on the proposition of 274
changing the township's name is in the affirmative, the name 275
change is adopted and becomes effective ninety days after the 276
board of elections certifies the election results to the fiscal 277
officer of the township. Upon receipt of the certification of 278
the election results from the board of elections, the fiscal 279
officer of the township shall send a copy of that certification 280
to the secretary of state. 281

(D) A change in the name of a township shall not alter the 282
rights or liabilities of the township as previously named. 283

Sec. 503.41. (A) A board of township trustees, by 284
resolution, may regulate and require the registration of massage 285
establishments and their employees within the unincorporated 286
territory of the township. In accordance with sections 503.40 to 287
503.49 of the Revised Code, for that purpose, the board, by a 288
majority vote of all members, may adopt, amend, administer, and 289
enforce regulations within the unincorporated territory of the 290
township. 291

(B) A board may adopt regulations and amendments under 292
this section only after public hearing at not fewer than two 293
regular sessions of the board. The board shall ~~cause to be~~ 294
~~published in a newspaper of general circulation in the township,~~ 295
~~or as provided in section 7.16 of the Revised Code,~~ publish 296
notice of the public hearings, including the time, date, and 297
place, once a week for two weeks immediately preceding the 298
hearings using at least one of the following methods: 299

(1) In a newspaper of general circulation in the township; 300

(2) On the official public notice web site established 301
under section 125.182 of the Revised Code; 302

(3) On the web site and social media account of the 303
township. The 304

The board shall make available proposed regulations or 305
amendments to the public at the office of the board. 306

(C) Regulations or amendments adopted by the board are 307
effective thirty days after the date of adoption unless, within 308
thirty days after the adoption of the regulations or amendments, 309
the township fiscal officer receives a petition, signed by a 310
number of qualified electors residing in the unincorporated area 311
of the township equal to not less than ten per cent of the total 312

vote cast for all candidates for governor in the area at the 313
most recent general election at which a governor was elected, 314
requesting the board to submit the regulations or amendments to 315
the electors of the area for approval or rejection at the next 316
primary or general election occurring at least ninety days after 317
the board receives the petition. 318

No regulation or amendment for which the referendum vote 319
has been requested is effective unless a majority of the votes 320
cast on the issue is in favor of the regulation or amendment. 321
Upon certification by the board of elections that a majority of 322
the votes cast on the issue was in favor of the regulation or 323
amendment, the regulation or amendment takes immediate effect. 324

(D) The board shall make available regulations it adopts 325
or amends to the public at the office of the board and shall 326
cause to be published once a notice of the availability of the 327
regulations ~~in a newspaper of general circulation in the~~ 328
~~township,~~ within ten days after their adoption or amendment, 329
using at least one of the following methods: 330

(1) In a newspaper of general circulation in the township; 331

(2) On the official public notice web site established 332
under section 125.182 of the Revised Code; 333

(3) On the web site and social media account of the 334
township. 335

(E) Nothing in sections 503.40 to 503.49 of the Revised 336
Code shall be construed to allow a board of township trustees to 337
regulate the practice of any limited branch of medicine 338
specified in section 4731.15 of the Revised Code or the practice 339
of providing therapeutic massage by a licensed physician, a 340
licensed chiropractor, a licensed podiatrist, a licensed nurse, 341

or any other licensed health professional. As used in this 342
division, "licensed" means licensed, certified, or registered to 343
practice in this state. 344

(F) If a township adopts regulations to require the 345
registration of massage establishments and their employees, the 346
township shall comply with Chapter 4796. of the Revised Code. 347

Sec. 504.02. (A) After certification of a resolution as 348
provided in division (A) of section 504.01 of the Revised Code, 349
the board of elections shall submit the question of whether to 350
adopt a limited home rule government to the electors of the 351
unincorporated area of the township, and the ballot language 352
shall be substantially as follows: 353

"Shall the township of _____ (name) adopt a limited 354
home rule government, under which government the board of 355
township trustees, by resolution, may exercise limited powers of 356
local self-government and limited police powers? 357

_____ For adoption of a limited home rule government 358

_____ Against adoption of a limited home rule government" 359

(B) (1) At least forty-five days before the election on 360
this question, the board of township trustees shall have notice 361
of the election and a description of the proposed limited home 362
rule government ~~published in a newspaper of general circulation~~ 363
~~in the township once a week for two consecutive weeks or as~~ 364
~~provided in section 7.16 of the Revised Code, and using at~~ 365
least one of the following methods: 366

(a) In a newspaper of general circulation in the township; 367

(b) On the official public notice web site established 368
under section 125.182 of the Revised Code; 369

(c) On the web site and social media account of the 370
township. 371

The board shall have the notice and description posted in 372
five conspicuous places in the unincorporated area of the 373
township. 374

(2) If a board of elections operates and maintains a web 375
site, notice of the election and a description of the proposed 376
limited home rule government shall be posted on that web site 377
for at least thirty days before the election on this question. 378

(C) If a majority of the votes cast on the proposition of 379
adopting a limited home rule government is in the affirmative, 380
that government is adopted and becomes the government of the 381
township on the first day of January immediately following the 382
election. 383

Sec. 504.03. (A) (1) If a limited home rule government is 384
adopted pursuant to section 504.02 of the Revised Code, it shall 385
remain in effect for at least three years except as otherwise 386
provided in division (B) of this section. At the end of that 387
period, if the board of township trustees determines that that 388
government is not in the best interests of the township, it may 389
adopt a resolution causing the board of elections to submit to 390
the electors of the unincorporated area of the township the 391
question of whether the township should continue the limited 392
home rule government. The question shall be voted upon at the 393
next general election occurring at least ninety days after the 394
certification of the resolution to the board of elections. After 395
certification of the resolution, the board of elections shall 396
submit the question to the electors of the unincorporated area 397
of the township, and the ballot language shall be substantially 398
as follows: 399

"Shall the township of _____ (name) continue the limited home rule government under which it is operating?"

_____ For continuation of the limited home rule government

_____ Against continuation of the limited home rule government"

(2) (a) At least forty-five days before the election on the question of continuing the limited home rule government, the board of township trustees shall have notice of the election published ~~in a newspaper of general circulation in the township~~ once a week for two consecutive weeks ~~or as provided in section 7.16 of the Revised Code, and~~ using at least one of the following methods:

(i) In a newspaper of general circulation in the township;

(ii) On the official public notice web site established under section 125.182 of the Revised Code;

(iii) On the web site and social media account of the township

The board shall have the notice posted in five conspicuous places in the unincorporated area of the township.

(b) If a board of elections operates and maintains a web site, notice of the election shall be posted on that web site for at least thirty days before the election on the question of continuing the limited home rule government.

(B) The electors of a township that has adopted a limited home rule government may propose at any time by initiative petition, in accordance with section 504.14 of the Revised Code, a resolution submitting to the electors in the unincorporated area of the township, in an election, the question set forth in division (A) (1) of this section.

(C) If a majority of the votes cast under division (A) or 428
(B) of this section on the proposition of continuing the limited 429
home rule government is in the negative, that government is 430
terminated effective on the first day of January immediately 431
following the election, and a limited home rule government shall 432
not be adopted in the unincorporated area of the township 433
pursuant to section 504.02 of the Revised Code for at least 434
three years after that date. 435

(D) If a limited home rule government is terminated under 436
this section, the board of township trustees immediately shall 437
adopt a resolution repealing all resolutions adopted pursuant to 438
this chapter that are not authorized by any other section of the 439
Revised Code outside this chapter, effective on the first day of 440
January immediately following the election described in division 441
(A) or (B) of this section. However, no resolution adopted under 442
this division shall affect or impair the obligations of the 443
township under any security issued or contracts entered into by 444
the township in connection with the financing of any water 445
supply facility or sewer improvement under sections 504.18 to 446
504.20 of the Revised Code or the authority of the township to 447
collect or enforce any assessments or other revenues 448
constituting security for or source of payments of debt service 449
charges of those securities. 450

(E) Upon the termination of a limited home rule government 451
under this section, if the township had converted its board of 452
township trustees to a five-member board before September 26, 453
2003, the current board member who received the lowest number of 454
votes of the current board members who were elected at the most 455
recent election for township trustees, and the current board 456
member who received the lowest number of votes of the current 457
board members who were elected at the second most recent 458

election for township trustees, shall cease to be township 459
trustees on the date that the limited home rule government 460
terminates. Their offices likewise shall cease to exist at that 461
time, and the board shall continue as a three-member board as 462
provided in section 505.01 of the Revised Code. 463

Sec. 504.12. No resolution and no section or numbered or 464
lettered division of a section shall be revised or amended 465
unless the new resolution contains the entire resolution, 466
section, or division as revised or amended, and the resolution, 467
section, or division so amended shall be repealed. This 468
requirement does not prevent the amendment of a resolution by 469
the addition of a new section, or division, and in this case the 470
full text of the former resolution need not be set forth, nor 471
does this section prevent repeals by implication. Except in the 472
case of a codification or recodification of resolutions, a 473
separate vote shall be taken on each resolution proposed to be 474
amended. Resolutions that have been introduced and have received 475
their first reading or their first and second readings, but have 476
not been voted on for passage, may be amended or revised by a 477
majority vote of the members of the board of township trustees, 478
and the amended or revised resolution need not receive 479
additional readings. 480

The board of township trustees of a limited home rule 481
township may revise, codify, and publish in book form the 482
resolutions of the township in the manner provided in section 483
504.123 of the Revised Code. Resolutions adopted by the board 484
shall be published in the manner provided by sections 504.121, 485
504.122, 504.124, and 504.125, ~~and 504.126~~ of the Revised Code. 486

The procedures provided in this section and sections 487
504.121 to ~~504.126~~ 504.125 of the Revised Code apply only to 488

resolutions adopted pursuant to a township's limited home rule 489
powers as authorized by this chapter. 490

Sec. 504.121. (A) A succinct summary of each resolution, 491
of all notices to bidders for the construction of public 492
improvements and notices of the sale of bonds, and of all 493
statements, orders, proclamations, notices, and reports required 494
by law or resolution to be published, shall be published ~~in~~ 495
using at least one of the following methods: 496

(1) In a newspaper of general circulation in the township; 497

(2) On the official public notice web site established 498
under section 125.182 of the Revised Code; 499

(3) On the web site and social media account of the 500
township. Proof- 501

Proof of the publication ~~and required circulation of any~~ 502
~~newspaper used as a medium of publication as provided by this~~ 503
~~section~~ shall be made by affidavit of the proprietor of the 504
newspaper or operator of the official public notice web site, as 505
applicable, and shall be filed with the fiscal officer of the 506
township. 507

(B) The publication shall contain notice that the complete 508
text of each such resolution may be obtained or viewed at the 509
office of the fiscal officer of the township and may be viewed 510
at any other location designated by the board of township 511
trustees. The township law director or the county prosecuting 512
attorney, as applicable, shall review the summary of a 513
resolution published under this section before forwarding it to 514
the fiscal officer for publication, to ensure the summary is 515
legally accurate and sufficient. 516

(C) Upon publication of a summary of a resolution in 517

accordance with this section, the fiscal officer of the township 518
shall supply a copy of the complete text of each such resolution 519
to any person, upon request, and may charge a reasonable fee, 520
set by the board of township trustees, for each copy supplied. 521
The fiscal officer of the township shall post a copy of the text 522
at the fiscal officer's office and at every other location 523
designated by the board of township trustees. 524

Sec. 504.122. The publication required in section 504.121 525
of the Revised Code shall be for the following times: 526

(A) Summaries of resolutions, and proclamations of 527
elections, once a week for two consecutive weeks ~~or as provided~~ 528
~~in section 7.16 of the Revised Code;~~ 529

(B) Notices, not less than two nor more than four 530
consecutive weeks ~~or as provided in section 7.16 of the Revised~~ 531
~~Code;~~ 532

(C) All other matters shall be published once. 533

Sec. 504.123. When resolutions are revised, codified, 534
rearranged, published in book form, and certified as correct by 535
the fiscal officer of the township and the township 536
administrator, such publication shall be a sufficient 537
publication, and the resolutions so published, under appropriate 538
titles, chapters, and sections, shall be held the same in law as 539
though they had been published in ~~a newspaper~~ accordance with 540
section 731.21 of the Revised Code. A new resolution so 541
published in book form, a summary of which has not been 542
published as required by sections 504.121 and 504.122 of the 543
Revised Code, and which contains entirely new matter, shall be 544
published as required by such sections. If such revision or 545
codification is made by a township and contains new matter, it 546

shall be a sufficient publication of such codification, 547
including the new matter, to publish, in the manner required by 548
such sections, a notice of the enactment of such codifying 549
resolution, containing the title of the resolution and a summary 550
of the new matters covered by it. Such revision and codification 551
may be made under appropriate titles, chapters, and sections and 552
in one resolution containing one or more subjects. 553

Except as provided by this section, a succinct summary of 554
all resolutions, including emergency resolutions, shall be 555
published in accordance with section 504.121 of the Revised 556
Code. 557

Sec. 504.124. Immediately after the expiration of the 558
period of publication of summaries of resolutions required by 559
section 504.122 of the Revised Code, the fiscal officer of the 560
township shall enter on the record of resolutions, in a blank to 561
be left for such purpose under the recorded resolution, a 562
certificate stating in which ~~newspaper~~ manner and on what dates 563
such publication was made, and shall sign the fiscal officer's 564
name thereto officially. Such certificate shall be prima-facie 565
evidence that legal publication of the summary of the resolution 566
was made. 567

Sec. ~~504.126~~ 504.125. It is a sufficient defense to any 568
suit or prosecution under a resolution, to show that no 569
publication or posting was made as required by sections 504.121 570
to ~~504.125~~ 504.124 of the Revised Code. 571

Sec. 504.21. (A) The board of township trustees of a 572
township that has adopted a limited home rule government may, 573
for the unincorporated territory in the township, adopt, amend, 574
and rescind rules establishing technically feasible and 575
economically reasonable standards to achieve a level of 576

management and conservation practices that will abate wind or 577
water erosion of the soil or abate the degradation of the waters 578
of the state by soil sediment in conjunction with land grading, 579
excavating, filling, or other soil disturbing activities on land 580
used or being developed in the township for nonfarm commercial, 581
industrial, residential, or other nonfarm purposes, and 582
establish criteria for determination of the acceptability of 583
those management and conservation practices. The rules shall be 584
designed to implement the applicable areawide waste treatment 585
management plan prepared under section 208 of the "Federal Water 586
Pollution Control Act," 86 Stat. 816 (1972), 33 U.S.C.A. 1228, 587
as amended, and to implement phase II of the storm water program 588
of the national pollutant discharge elimination system 589
established in 40 C.F.R. Part 122. The rules to implement phase 590
II of the storm water program of the national pollutant 591
discharge elimination system shall not be inconsistent with, 592
more stringent than, or broader in scope than the rules or 593
regulations adopted by the environmental protection agency under 594
40 C.F.R. Part 122. The rules adopted under this section shall 595
not apply inside the limits of municipal corporations, to lands 596
being used in a strip mine operation as defined in section 597
1513.01 of the Revised Code, or to land being used in a surface 598
mine operation as defined in section 1514.01 of the Revised 599
Code. 600

The rules adopted under this section may require persons 601
to file plans governing erosion control, sediment control, and 602
water management before clearing, grading, excavating, filling, 603
or otherwise wholly or partially disturbing one or more 604
contiguous acres of land owned by one person or operated as one 605
development unit for the construction of nonfarm buildings, 606
structures, utilities, recreational areas, or other similar 607

nonfarm uses. If the rules require plans to be filed, the rules shall do all of the following:

(1) Designate the board itself, its employees, or another agency or official to review and approve or disapprove the plans;

(2) Establish procedures and criteria for the review and approval or disapproval of the plans;

(3) Require the designated entity to issue a permit to a person for the clearing, grading, excavating, filling, or other project for which plans are approved and to deny a permit to a person whose plans have been disapproved;

(4) Establish procedures for the issuance of the permits;

(5) Establish procedures under which a person may appeal the denial of a permit.

Areas of less than one contiguous acre shall not be exempt from compliance with other provisions of this section or rules adopted under this section. The rules adopted under this section may impose reasonable filing fees for plan review, permit processing, and field inspections.

No permit or plan shall be required for a public highway, transportation, or drainage improvement or maintenance project undertaken by a government agency or political subdivision in accordance with a statement of its standard sediment control policies that is approved by the board or the chief of the division of soil and water resources in the department of natural resources.

(B) Rules or amendments may be adopted under this section only after public hearings at not fewer than two regular

sessions of the board of township trustees. The board shall 636
~~cause to be published, in a newspaper of general circulation in~~ 637
~~the township, publish~~ notice of the public hearings, including 638
time, date, and place, once a week for two weeks immediately 639
preceding the hearings, ~~or as provided in section 7.16 of the~~ 640
~~Revised Code~~ using at least one of the following methods: 641

(1) In a newspaper of general circulation in the township; 642

(2) On the official public notice web site established 643
under section 125.182 of the Revised Code; 644

(3) On the web site and social media account of the 645
township. ~~The~~ 646

The proposed rules or amendments shall be made available 647
by the board to the public at the board office or other location 648
indicated in the notice. The rules or amendments shall take 649
effect on the thirty-first day following the date of their 650
adoption. 651

(C) The board of township trustees may employ personnel to 652
assist in the administration of this section and the rules 653
adopted under it. The board also, if the action does not 654
conflict with the rules, may delegate duties to review sediment 655
control and water management plans to its employees, and may 656
enter into agreements with one or more political subdivisions, 657
other township officials, or other government agencies, in any 658
combination, in order to obtain reviews and comments on plans 659
governing erosion control, sediment control, and water 660
management or to obtain other services for the administration of 661
the rules adopted under this section. 662

(D) The board of township trustees or any duly authorized 663
representative of the board may, upon identification to the 664

owner or person in charge, enter any land upon obtaining 665
agreement with the owner, tenant, or manager of the land in 666
order to determine whether there is compliance with the rules 667
adopted under this section. If the board or its duly authorized 668
representative is unable to obtain such an agreement, the board 669
or representative may apply for, and a judge of the court of 670
common pleas for the county where the land is located may issue, 671
an appropriate inspection warrant as necessary to achieve the 672
purposes of this section. 673

(E) (1) If the board of township trustees or its duly 674
authorized representative determines that a violation of the 675
rules adopted under this section exists, the board or 676
representative may issue an immediate stop work order if the 677
violator failed to obtain any federal, state, or local permit 678
necessary for sediment and erosion control, earth movement, 679
clearing, or cut and fill activity. In addition, if the board or 680
representative determines such a rule violation exists, 681
regardless of whether or not the violator has obtained the 682
proper permits, the board or representative may authorize the 683
issuance of a notice of violation. If, after a period of not 684
less than thirty days has elapsed following the issuance of the 685
notice of violation, the violation continues, the board or its 686
duly authorized representative shall issue a second notice of 687
violation. Except as provided in division (E) (3) of this 688
section, if, after a period of not less than fifteen days has 689
elapsed following the issuance of the second notice of 690
violation, the violation continues, the board or its duly 691
authorized representative may issue a stop work order after 692
first obtaining the written approval of the prosecuting attorney 693
of the county in which the township is located if, in the 694
opinion of the prosecuting attorney, the violation is egregious. 695

Once a stop work order is issued, the board or its duly authorized representative shall request, in writing, the prosecuting attorney to seek an injunction or other appropriate relief in the court of common pleas to abate excessive erosion or sedimentation and secure compliance with the rules adopted under this section. If the prosecuting attorney seeks an injunction or other appropriate relief, then, in granting relief, the court of common pleas may order the construction of sediment control improvements or implementation of other control measures and may assess a civil fine of not less than one hundred or more than five hundred dollars. Each day of violation of a rule or stop work order issued under this section shall be considered a separate violation subject to a civil fine.

(2) The person to whom a stop work order is issued under this section may appeal the order to the court of common pleas of the county in which it was issued, seeking any equitable or other appropriate relief from that order.

(3) No stop work order shall be issued under this section against any public highway, transportation, or drainage improvement or maintenance project undertaken by a government agency or political subdivision in accordance with a statement of its standard sediment control policies that is approved by the board or the chief of the division of soil and water resources in the department of natural resources.

(F) No person shall violate any rule adopted or order issued under this section. Notwithstanding division (E) of this section, if the board of township trustees determines that a violation of any rule adopted or administrative order issued under this section exists, the board may request, in writing, the prosecuting attorney of the county in which the township is

located, to seek an injunction or other appropriate relief in 726
the court of common pleas to abate excessive erosion or 727
sedimentation and secure compliance with the rules or order. In 728
granting relief, the court of common pleas may order the 729
construction of sediment control improvements or implementation 730
of other control measures and may assess a civil fine of not 731
less than one hundred or more than five hundred dollars. Each 732
day of violation of a rule adopted or administrative order 733
issued under this section shall be considered a separate 734
violation subject to a civil fine. 735

Sec. 505.07. Notwithstanding any contrary provision in 736
another section of the Revised Code, section 519.12 of the 737
Revised Code, or any vote of the electors on a petition for 738
zoning referendum, a township may settle any court action by a 739
consent decree or court-approved settlement agreement which may 740
include an agreement to rezone any property involved in the 741
action as provided in the decree or court-approved settlement 742
agreement without following the procedures in section 519.12 of 743
the Revised Code and also may include township approval of a 744
development plan for any property involved in the action as 745
provided in the decree or court-approved settlement agreement, 746
provided that the court makes specific findings of fact that 747
notice has been properly made pursuant to this section and the 748
consent decree or court-approved settlement agreement is fair 749
and reasonable. 750

If the subject of the consent decree or court-approved 751
settlement agreement involves a zoning issue subject to 752
referendum under section 519.12 of the Revised Code, the board 753
of township trustees shall publish notice of their intent to 754
meet and consider and take action on the decree or court- 755
approved settlement agreement and the date and time of the 756

~~meeting in a newspaper of general circulation in the township at~~ 757
least fifteen days before the meeting, using at least one of the 758
following methods: 759

(A) In a newspaper of general circulation in the township; 760

(B) On the official public notice web site established 761
under section 125.182 of the Revised Code; 762

(C) On the web site and social media account of the 763
township. The 764

The board shall permit members of the public to express 765
their objections to the consent decree or court-approved 766
settlement agreement at the meeting. Copies of the proposed 767
consent decree or court-approved settlement agreement shall be 768
available to the public at the township fiscal officer's office 769
during normal business hours. 770

At least ten days prior to the submission of a proposed 771
consent decree or settlement agreement to the court for its 772
review and consideration, the plaintiff in the action involving 773
the consent decree or settlement agreement shall publish a 774
notice that shall include the caption of the case, the case 775
number, and the court in which the consent decree or settlement 776
agreement will be filed, the intention of the parties in the 777
action to file a consent decree or settlement agreement, and, 778
when applicable, a description of the real property involved and 779
the proposed change in zoning or permitted use, in a newspaper 780
of general circulation in the township. 781

Sec. 505.10. (A) The board of township trustees may 782
accept, on behalf of the township, the donation by bequest, 783
devise, deed of gift, or otherwise, of any real or personal 784
property for any township use. When the township has property, 785

including motor vehicles, road machinery, equipment, and tools, 786
that the board, by resolution, finds is not needed for public 787
use, is obsolete, or is unfit for the use for which it was 788
acquired, the board may sell and convey that property or 789
otherwise dispose of it in accordance with this section. Except 790
as otherwise provided in sections 505.08, 505.101, and 505.102 791
of the Revised Code, the sale or other disposition of unneeded, 792
obsolete, or unfit-for-use property shall be made in accordance 793
with one of the following: 794

(1) If the fair market value of property to be sold is, in 795
the opinion of the board, in excess of two thousand five hundred 796
dollars, the sale shall be by public auction or by sealed bid to 797
the highest bidder. The board shall publish notice of the time, 798
place, and manner of the sale once a week for two weeks ~~in~~using 799
at least one of the following methods: 800

(a) In a newspaper published, or of general circulation, 801
in the township, ~~and ;~~ 802

(b) On the official public notice web site established 803
under section 125.182 of the Revised Code; 804

(c) On the web site and social media account of the 805
township. 806

The board shall post a typewritten or printed notice of 807
the time, place, and manner of the sale in the office of the 808
board for at least ten days prior to the sale. The board may 809
also cause notice to be inserted in trade papers or other 810
publications designated by it or to be distributed by electronic 811
means, including posting the notice on the board's internet web 812
site. ~~If the board posts the notice on its web site, it may~~ 813
~~eliminate the second notice otherwise required to be published~~ 814

~~in a newspaper published or of general circulation in the~~ 815
~~township, provided that the first notice published in such~~ 816
~~newspaper meets all of the following requirements:~~ 817

~~(a) It is published at least two weeks before the sale of~~ 818
~~the property.~~ 819

~~(b) It includes a statement that the notice is posted on~~ 820
~~the board's internet web site.~~ 821

~~(c) It includes the internet address of the board's~~ 822
~~internet web site.~~ 823

~~(d) It includes instructions describing how the notice may~~ 824
~~be accessed on the board's internet web site.~~ 825

If the board conducts the sale of the property by sealed 826
bid, the form of the bid shall be as prescribed by the board, 827
and each bid shall contain the name of the person submitting it. 828
Bids received shall be opened and tabulated at the time stated 829
in the published and posted notices. The property shall be sold 830
to the highest bidder, except that the board may reject all bids 831
and hold another sale, by public auction or sealed bid, in the 832
manner prescribed by this section. 833

(2) If the fair market value of property to be sold is, in 834
the opinion of the board, two thousand five hundred dollars or 835
less, the board may do either of the following: 836

(a) Sell the property by private sale, without 837
advertisement or public notification; 838

(b) Donate the property to an eligible nonprofit 839
organization that is located in this state and is exempt from 840
federal income taxation pursuant to 26 U.S.C. 501(a) and (c)(3). 841

Before donating property, the nonprofit organization shall 842

provide the board evidence that the organization is located in 843
this state and is exempt from federal income taxation pursuant 844
to 26 U.S.C. 501(a) and (c)(3). 845

(3) If the board finds, by resolution, that the township 846
has motor vehicles, road machinery, equipment, or tools that are 847
not needed or are unfit for public use, and the board wishes to 848
sell the motor vehicles, road machinery, equipment, or tools to 849
the person or firm from which it proposes to purchase other 850
motor vehicles, road machinery, equipment, or tools, the board 851
may offer to sell the motor vehicles, road machinery, equipment, 852
or tools to that person or firm, and to have the selling price 853
credited to the person or firm against the purchase price of 854
other motor vehicles, road machinery, equipment, or tools. 855

(4) If the board advertises for bids for the sale of new 856
motor vehicles, road machinery, equipment, or tools to the 857
township, it may include in the same advertisement a notice of 858
the willingness of the board to accept bids for the purchase of 859
township-owned motor vehicles, road machinery, equipment, or 860
tools that are obsolete or not needed for public use, and to 861
have the amount of those bids subtracted from the selling price 862
of the new motor vehicles, road machinery, equipment, or tools, 863
as a means of determining the lowest responsible bidder. 864

(5) When a township has title to real property, the board 865
of township trustees, by resolution, may authorize the transfer 866
and conveyance of that property to any other political 867
subdivision of the state upon such terms as are agreed to 868
between the board and the legislative authority of that 869
political subdivision. 870

(6) When a township has title to real property and the 871
board of township trustees wishes to sell or otherwise transfer 872

the property, the board, upon a unanimous vote of its members 873
and by resolution, may authorize the transfer and conveyance of 874
that real property to any person upon whatever terms are agreed 875
to between the board and that person. 876

(7) If the board of township trustees determines that 877
township personal property is not needed for public use, or is 878
obsolete or unfit for the use for which it was acquired, and 879
that the property has no value, the board may discard or salvage 880
that property. 881

(B) When the board has offered property at public auction 882
under this section and has not received an acceptable offer, the 883
board, by resolution, may enter into a contract, without 884
advertising or bidding, for the sale of that property. The 885
resolution shall specify a minimum acceptable price and the 886
minimum acceptable terms for the contract. The minimum 887
acceptable price shall not be lower than the minimum price 888
established for the public auction. 889

(C) Members of the board shall consult with the Ohio 890
ethics commission and comply with the provisions of Chapters 891
102. and 2921. of the Revised Code, with respect to any sale or 892
donation under division (A) (2) of this section to a nonprofit 893
organization of which a township trustee, any member of the 894
township trustee's family, or any business associate of the 895
township trustee is a trustee, officer, board member, or 896
employee. 897

(D) Notwithstanding anything to the contrary in division 898
(A) or (B) of this section and regardless of the property's 899
value, the board may sell personal property, including motor 900
vehicles, road machinery, equipment, tools, or supplies, that is 901
not needed for public use, is obsolete, or is unfit for the use 902

for which it was acquired, by internet auction. The board shall 903
adopt, during each calendar year, a resolution expressing its 904
intent to sell that property by internet auction. The resolution 905
shall include a description of how the auctions will be 906
conducted and shall specify the number of days for bidding on 907
the property, which shall be no less than ten days, including 908
Saturdays, Sundays, and legal holidays. The resolution shall 909
indicate whether the township will conduct the auction or the 910
board will contract with a representative to conduct the auction 911
and shall establish the general terms and conditions of sale. If 912
a representative is known when the resolution is adopted, the 913
resolution shall provide contact information such as the 914
representative's name, address, and telephone number. 915

After adoption of the resolution, the board shall publish, ~~in a newspaper of general circulation in the township,~~ notice of 916
its intent to sell unneeded, obsolete, or unfit-for-use township 917
personal property by internet auction, using at least one of the 918
following methods: 919
920

(1) In a newspaper of general circulation in the township; 921

(2) On the official public notice web site established 922
under section 125.182 of the Revised Code; 923

(3) On the web site and social media account of the 924
township. The 925

The notice shall include a summary of the information 926
provided in the resolution and shall be published at least 927
twice. A similar notice also shall be posted continually 928
throughout the calendar year in a conspicuous place in the 929
board's office. The board may also cause notice to be inserted 930
in trade papers or other publications designated by it or to be 931

distributed by electronic means, including posting the notice on 932
the board's internet web site. ~~If the board posts the notice on~~ 933
~~its web site, it may eliminate the second notice otherwise~~ 934
~~required to be published in a newspaper of general circulation~~ 935
~~in the township, provided that the first notice published in~~ 936
~~such newspaper meets all of the following requirements:~~ 937

~~(1) It is published at least two weeks before the internet~~ 938
~~auction begins.~~ 939

~~(2) It includes a statement that the notice is posted on~~ 940
~~the board's internet web site.~~ 941

~~(3) It includes the internet address of the board's~~ 942
~~internet web site.~~ 943

~~(4) It includes instructions describing how the notice may~~ 944
~~be accessed on the board's internet web site.~~ 945

When property is to be sold by internet auction, the board 946
or its representative may establish a minimum price that will be 947
accepted for specific items and may establish any other terms 948
and conditions for the particular sale, including requirements 949
for pick-up or delivery, method of payment, and sales tax. This 950
type of information shall be provided on the internet at the 951
time of the auction and may be provided before that time upon 952
request, after the terms and conditions have been determined by 953
the board or its representative. 954

Sec. 505.17. (A) Except in a township or portion of a 955
township that is within the limits of a municipal corporation, 956
the board of township trustees may make regulations and orders 957
as are necessary to control passenger car, motorcycle, and 958
internal combustion engine noise, as permitted under section 959
4513.221 of the Revised Code, and all vehicle parking in the 960

township. This authorization includes, among other powers, the power to regulate parking on established roadways proximate to buildings on private property as necessary to provide access to the property by public safety vehicles and equipment, if the property is used for commercial purposes, the public is permitted to use the parking area, and accommodation for more than ten motor vehicles is provided, and the power to authorize the issuance of orders limiting or prohibiting parking on any township street or highway during a snow emergency declared pursuant to a snow-emergency authorization adopted under this division. All such regulations and orders shall be subject to the limitations, restrictions, and exceptions in sections 4511.01 to 4511.76 and 4513.02 to 4513.37 of the Revised Code.

A board of township trustees may adopt a general snow-emergency authorization, which becomes effective under division (B) (1) of this section, allowing the president of the board or some other person specified in the authorization to issue an order declaring a snow emergency and limiting or prohibiting parking on any township street or highway during the snow emergency. Any such order becomes effective under division (B) (2) of this section. Each general snow-emergency authorization adopted under this division shall specify the weather conditions under which a snow emergency may be declared in that township.

(B) (1) All regulations and orders, including any snow-emergency authorization established by the board under this section, except for an order declaring a snow emergency as provided in division (B) (2) of this section, shall be posted by the township fiscal officer in five conspicuous public places in the township for thirty days before becoming effective, and shall be published ~~in a newspaper of general circulation in the township~~ for three consecutive weeks ~~or as provided in section~~

7.16 of the Revised Code <u>using at least one of the following</u>	992
<u>methods:</u>	993
<u>(a) In a newspaper of general circulation in the township;</u>	994
<u>(b) On the official public notice web site established</u>	995
<u>under section 125.182 of the Revised Code;</u>	996
<u>(c) On the web site and social media account of the</u>	997
<u>township. In-</u>	998
<u>In</u> addition to these requirements, no general snow-	999
emergency authorization shall become effective until permanent	1000
signs giving notice that parking is limited or prohibited during	1001
a snow emergency are properly posted, in accordance with any	1002
applicable standards adopted by the department of	1003
transportation, along streets or highways specified in the	1004
authorization.	1005
(2) Pursuant to the adoption of a snow-emergency	1006
authorization under this section, an order declaring a snow	1007
emergency becomes effective two hours after the president of the	1008
board or the other person specified in the general snow-	1009
emergency authorization makes an announcement of a snow	1010
emergency to the local news media. The president or other	1011
specified person shall request the local news media to announce	1012
that a snow emergency has been declared, the time the	1013
declaration will go into effect, and whether the snow emergency	1014
will remain in effect for a specified period of time or	1015
indefinitely until canceled by a subsequent announcement to the	1016
local news media by the president or other specified person.	1017
(C) Such regulations and orders may be enforced where	1018
traffic control devices conforming to section 4511.09 of the	1019
Revised Code are prominently displayed. Parking regulations	1020

authorized by this section do not apply to any state highway 1021
unless the parking regulations are approved by the director of 1022
transportation. 1023

(D) A board of township trustees or its designated agent 1024
may order into storage any vehicle parked in violation of a 1025
township parking regulation or order, if the violation is not 1026
one that is required to be handled pursuant to Chapter 4521. of 1027
the Revised Code. The owner or any lienholder of a vehicle 1028
ordered into storage may claim the vehicle upon presentation of 1029
proof of ownership, which may be evidenced by a certificate of 1030
title to the vehicle, and payment of all expenses, charges, and 1031
fines incurred as a result of the parking violation and removal 1032
and storage of the vehicle. 1033

(E) Whoever violates any regulation or order adopted 1034
pursuant to this section is guilty of a minor misdemeanor, 1035
unless the township has enacted a regulation pursuant to 1036
division (A) of section 4521.02 of the Revised Code, that 1037
specifies that the violation shall not be considered a criminal 1038
offense and shall be handled pursuant to Chapter 4521. of the 1039
Revised Code. Fines levied and collected under this section 1040
shall be paid into the township general revenue fund. 1041

Sec. 505.264. (A) As used in this section, "energy 1042
conservation measure" means an installation or modification of 1043
an installation in, or remodeling of, an existing building, to 1044
reduce energy consumption. It includes the following: 1045

(1) Insulation of the building structure and of systems 1046
within the building; 1047

(2) Storm windows and doors, multiglazed windows and 1048
doors, heat-absorbing or heat-reflective glazed and coated 1049

window and door systems, additional glazing, reductions in glass area, and other window and door system modifications that reduce energy consumption;	1050 1051 1052
(3) Automatic energy control systems;	1053
(4) Heating, ventilating, or air conditioning system modifications or replacements;	1054 1055
(5) Caulking and weatherstripping;	1056
(6) Replacement or modification of lighting fixtures to increase the energy efficiency of the system without increasing the overall illumination of a facility, unless an increase in illumination is necessary to conform to the applicable state or local building code for the proposed lighting system;	1057 1058 1059 1060 1061
(7) Energy recovery systems;	1062
(8) Cogeneration systems that produce steam or forms of energy such as heat, as well as electricity, for use primarily within a building or complex of buildings;	1063 1064 1065
(9) Any other modification, installation, or remodeling approved by the board of township trustees as an energy conservation measure.	1066 1067 1068
(B) For the purpose of evaluating township buildings for energy conservation measures, a township may contract with an architect, professional engineer, energy services company, contractor, or other person experienced in the design and implementation of energy conservation measures for a report that analyzes the buildings' energy needs and presents recommendations for building installations, modifications of existing installations, or building remodeling that would significantly reduce energy consumption in the buildings owned	1069 1070 1071 1072 1073 1074 1075 1076 1077

by that township. The report shall include estimates of all 1078
costs of the installations, modifications, or remodeling, 1079
including costs of design, engineering, installation, 1080
maintenance, and repairs, and estimates of the amounts by which 1081
energy consumption could be reduced. 1082

(C) A township desiring to implement energy conservation 1083
measures may proceed under either of the following methods: 1084

(1) Using a report or any part of a report prepared under 1085
division (B) of this section, advertise for bids and comply with 1086
the bidding procedures set forth in sections 307.86 to 307.92 of 1087
the Revised Code; 1088

(2) Request proposals from at least three vendors for the 1089
implementation of energy conservation measures. ~~Prior to~~ Before 1090
sending any installer of energy conservation measures a copy of 1091
any such request, the township shall advertise its intent to 1092
request proposals for the installation of energy conservation 1093
measures ~~in a newspaper of general circulation in the township~~ 1094
~~once a week for two consecutive weeks or as provided in section~~ 1095
~~7.16 of the Revised Code~~ using at least one of the following 1096
methods: 1097

(a) In a newspaper of general circulation in the township; 1098

(b) On the official public notice web site established 1099
under section 125.182 of the Revised Code; 1100

(c) On the web site and social media account of the 1101
township. ~~The~~ 1102

The notice shall state that the township intends to 1103
request proposals for the installation of energy conservation 1104
measures; indicate the date, which shall be at least ten days 1105
after the second publication, on which the request for proposals 1106

will be mailed to installers of energy conservation measures; 1107
and state that any installer of energy conservation measures 1108
interested in receiving the request for proposal shall submit 1109
written notice to the township not later than noon of the day on 1110
which the request for proposal will be mailed. 1111

Upon receiving the proposals, the township shall analyze 1112
them and select the proposal or proposals most likely to result 1113
in the greatest energy savings considering the cost of the 1114
project and the township's ability to pay for the improvements 1115
with current revenues or by financing the improvements. The 1116
awarding of a contract to install energy conservation measures 1117
under division (C) (2) of this section shall be conditioned upon 1118
a finding by the township that the amount of money spent on 1119
energy savings measures is not likely to exceed the amount of 1120
money the township would save in energy and operating costs over 1121
ten years or a lesser period as determined by the township or, 1122
in the case of contracts for cogeneration systems, over five 1123
years or a lesser period as determined by the township. Nothing 1124
in this section prohibits a township from rejecting all 1125
proposals or from selecting more than one proposal. 1126

(D) A board of township trustees may enter into an 1127
installment payment contract for the purchase and installation 1128
of energy conservation measures. Any provisions of those 1129
installment payment contracts that deal with interest charges 1130
and financing terms shall not be subject to the competitive 1131
bidding procedures of section 307.86 of the Revised Code. Unless 1132
otherwise approved by a resolution of the board, an installment 1133
payment contract entered into by a board of township trustees 1134
under this section shall require the board to contract in 1135
accordance with the procedures set forth in section 307.86 of 1136
the Revised Code for the installation, modification, or 1137

remodeling of energy conservation measures pursuant to this 1138
section. 1139

(E) The board may issue securities of the township 1140
specifying the terms of the purchase and securing the deferred 1141
payments, payable at the times provided and bearing interest at 1142
a rate not exceeding the rate determined as provided in section 1143
9.95 of the Revised Code. The maximum maturity of the securities 1144
shall be as provided in division (B) (7) (g) of section 133.20 of 1145
the Revised Code. The securities may contain an option for 1146
prepayment and shall not be subject to Chapter 133. of the 1147
Revised Code. Revenues derived from local taxes or otherwise, 1148
for the purpose of conserving energy or for defraying the 1149
current operating expenses of the township, may be applied to 1150
the payment of interest and the retirement of the securities. 1151
The securities may be sold at private sale or given to the 1152
contractor under the installment payment contract authorized by 1153
division (D) of this section. 1154

(F) Debt incurred under this section shall not be included 1155
in the calculation of the net indebtedness of a township under 1156
section 133.09 of the Revised Code. 1157

Sec. 505.28. The board of township trustees may create a 1158
waste disposal district under sections 505.27 to 505.33 of the 1159
Revised Code, by a unanimous vote of the board and give notice 1160
thereof by ~~a publication in~~ using at least one of the following 1161
methods: 1162

(A) In a newspaper of general circulation in the township; 1163

(B) On the official public notice web site established 1164
under section 125.182 of the Revised Code; 1165

(C) On the web site and social media account of the 1166

township. ~~If,~~ 1167

If, within thirty days after such publication, a protest 1168
petition is filed with the board, signed by at least fifty per 1169
cent of the electors residing in the district, the act of the 1170
board in creating such district shall be void. If a petition is 1171
filed with the board asking for the creation of such a district 1172
in the township, accompanied by a map clearly showing the 1173
boundaries of such district, and signed by at least sixty-five 1174
per cent of the electors residing therein, with addresses of 1175
such signers, the board shall, within sixty days, create such a 1176
district. 1177

Each district shall be given a name, and the entire cost 1178
of any necessary equipment and labor shall be apportioned 1179
against each district by the respective boards. 1180

Sec. 505.37. (A) The board of township trustees may 1181
establish all necessary rules to guard against the occurrence of 1182
fires and to protect the property and lives of the citizens 1183
against damage and accidents, and may, with the approval of the 1184
specifications by the prosecuting attorney or, if the township 1185
has adopted limited home rule government under Chapter 504. of 1186
the Revised Code, with the approval of the specifications by the 1187
township's law director, purchase, lease, lease with an option 1188
to purchase, or otherwise provide any fire apparatus, mechanical 1189
resuscitators, underwater rescue and recovery equipment, or 1190
other fire equipment, appliances, materials, fire hydrants, and 1191
water supply for fire-fighting and fire and rescue purposes that 1192
seems advisable to the board. The board shall provide for the 1193
care and maintenance of such fire equipment, and, for these 1194
purposes, may purchase, lease, lease with an option to purchase, 1195
or construct and maintain necessary buildings, and it may 1196

establish and maintain lines of fire-alarm communications within 1197
the limits of the township. The board may employ one or more 1198
persons to maintain and operate such fire equipment, or it may 1199
enter into an agreement with a volunteer fire company for the 1200
use and operation of the equipment. The board may compensate the 1201
members of a volunteer fire company on any basis and in any 1202
amount that it considers equitable. 1203

When the estimated cost to purchase fire apparatus, 1204
mechanical resuscitators, underwater rescue and recovery 1205
equipment, or other fire equipment, appliances, materials, fire 1206
hydrants, buildings, or fire-alarm communications equipment or 1207
services exceeds the amount specified in section 9.17 of the 1208
Revised Code, the contract shall be let by competitive bidding. 1209
No purchase or other transaction subject to this section shall 1210
be divided into component parts in order to avoid the 1211
requirements of this section. When competitive bidding is 1212
required, the board shall advertise once a week for not less 1213
than two consecutive weeks ~~in~~ using at least one of the 1214
following methods: 1215

(1) In a newspaper of general circulation within the 1216
township; 1217

(2) On the official public notice web site established 1218
under section 125.182 of the Revised Code; 1219

(3) On the web site and social media account of the 1220
township. The 1221

The board may also cause notice to be inserted in trade 1222
papers or other publications designated by it or to be 1223
distributed by electronic means, including posting the notice on 1224
the board's internet web site. ~~If the board posts the notice on~~ 1225

~~its web site, it may eliminate the second notice otherwise~~ 1226
~~required to be published in a newspaper of general circulation~~ 1227
~~within the township, provided that the first notice published in~~ 1228
~~such newspaper meets all of the following requirements:~~ 1229

~~(1) It is published at least two weeks before the opening~~ 1230
~~of bids.~~ 1231

~~(2) It includes a statement that the notice is posted on~~ 1232
~~the board's internet web site.~~ 1233

~~(3) It includes the internet address of the board's~~ 1234
~~internet web site.~~ 1235

~~(4) It includes instructions describing how the notice may~~ 1236
~~be accessed on the board's internet web site.~~ 1237

The advertisement shall include the time, date, and place 1238
where the clerk of the township, or the clerk's designee, will 1239
read bids publicly. The time, date, and place of bid openings 1240
may be extended to a later date by the board of township 1241
trustees, provided that written or oral notice of the change 1242
shall be given to all persons who have received or requested 1243
specifications not later than ninety-six hours prior to the 1244
original time and date fixed for the opening. The board may 1245
reject all the bids or accept the lowest and best bid, provided 1246
that the successful bidder meets the requirements of section 1247
153.54 of the Revised Code when the contract is for the 1248
construction, demolition, alteration, repair, or reconstruction 1249
of an improvement. 1250

(B) The boards of township trustees of any two or more 1251
townships, or the legislative authorities of any two or more 1252
political subdivisions, or any combination of these, may, 1253
through joint action, unite in the joint purchase, lease, lease 1254

with an option to purchase, maintenance, use, and operation of 1255
fire equipment described in division (A) of this section, or for 1256
any other purpose designated in sections 505.37 to 505.42 of the 1257
Revised Code, and may prorate the expense of the joint action on 1258
any terms that are mutually agreed upon. 1259

(C) The board of township trustees of any township may, by 1260
resolution, whenever it is expedient and necessary to guard 1261
against the occurrence of fires or to protect the property and 1262
lives of the citizens against damages resulting from their 1263
occurrence, create a fire district of any portions of the 1264
township that it considers necessary. The board may purchase, 1265
lease, lease with an option to purchase, or otherwise provide 1266
any fire apparatus, mechanical resuscitators, underwater rescue 1267
and recovery equipment, or other fire equipment, appliances, 1268
materials, fire hydrants, and water supply for fire-fighting and 1269
fire and rescue purposes, or may contract for the fire 1270
protection for the fire district as provided in section 9.60 of 1271
the Revised Code. The fire district so created shall be given a 1272
separate name by which it shall be known. 1273

Additional unincorporated territory of the township may be 1274
added to a fire district upon the board's adoption of a 1275
resolution authorizing the addition. A municipal corporation, or 1276
a portion of a municipal corporation, that is within or 1277
adjoining the township may be added to a fire district upon the 1278
board's adoption of a resolution authorizing the addition and 1279
the municipal legislative authority's adoption of a resolution 1280
or ordinance requesting the addition of the municipal 1281
corporation or a portion of the municipal corporation to the 1282
fire district. 1283

If the township fire district imposes a tax, additional 1284

unincorporated territory of the township or a municipal 1285
corporation or a portion of a municipal corporation that is 1286
within or adjoining the township shall become part of the fire 1287
district only after all of the following have occurred: 1288

(1) Adoption by the board of township trustees of a 1289
resolution approving the expansion of the territorial limits of 1290
the district and, if the resolution proposes to add a municipal 1291
corporation or a portion of a municipal corporation, adoption by 1292
the municipal legislative authority of a resolution or ordinance 1293
requesting the addition of the municipal corporation or a 1294
portion of the municipal corporation to the district; 1295

(2) Adoption by the board of township trustees of a 1296
resolution recommending the extension of the tax to the 1297
additional territory; 1298

(3) The board requests and obtains from the county auditor 1299
the information required for a tax levy under section 5705.03 of 1300
the Revised Code, in the manner prescribed in that section, 1301
except that the levy's annual collections shall be estimated 1302
assuming that the additional territory has been added to the 1303
fire district. 1304

(4) Approval of the tax by the electors of the territory 1305
proposed for addition to the district. 1306

Each resolution of the board adopted under division (C) (2) 1307
of this section shall state the name of the fire district, a 1308
description of the territory to be added, the rate, expressed in 1309
mills for each one dollar of taxable value, the estimated 1310
effective rate, expressed in dollars for each one hundred 1311
thousand dollars of the county auditor's appraised value, and 1312
termination date of the tax, which shall be the rate, estimated 1313

effective rate, and termination date of the tax currently in 1314
effect in the fire district. 1315

The board of trustees shall certify each resolution 1316
adopted under division (C)(2) of this section and the county 1317
auditor's certification under division (C)(3) of this section to 1318
the board of elections in accordance with section 5705.19 of the 1319
Revised Code. The election required under division (C)(4) of 1320
this section shall be held, canvassed, and certified in the 1321
manner provided for the submission of tax levies under section 1322
5705.25 of the Revised Code, except that the question appearing 1323
on the ballot shall read: 1324

"Shall the territory within _____ 1325
(description of the proposed territory to be added) be added to 1326
_____ (name) fire district, and a property 1327
tax, that the county auditor estimates will collect \$_____ 1328
annually, at a rate not exceeding _____ mills for each \$1 of 1329
taxable value, which amounts to \$_____ (here insert 1330
estimated effective rate) for each \$100,000 of the county 1331
auditor's appraised value, be in effect for _____ (here 1332
insert the number of years the tax is to be in effect or "a 1333
continuing period of time," as applicable)?" 1334

If the question is approved by at least a majority of the 1335
electors voting on it, the joinder shall be effective as of the 1336
first day of July of the year following approval, and on that 1337
date, the township fire district tax shall be extended to the 1338
taxable property within the territory that has been added. If 1339
the territory that has been added is a municipal corporation or 1340
portion thereof and if it had adopted a tax levy for fire 1341
purposes, the levy is terminated on the effective date of the 1342
joinder in the area of the municipal corporation added to the 1343

district. 1344

Any municipal corporation may withdraw from a township 1345
fire district created under division (C) of this section by the 1346
adoption by the municipal legislative authority of a resolution 1347
or ordinance ordering withdrawal. On the first day of July of 1348
the year following the adoption of the resolution or ordinance 1349
of withdrawal, the withdrawing municipal corporation or the 1350
portion thereof ceases to be a part of the district, and the 1351
power of the fire district to levy a tax upon taxable property 1352
in the withdrawing municipal corporation or the portion thereof 1353
terminates, except that the fire district shall continue to levy 1354
and collect taxes for the payment of indebtedness within the 1355
territory of the fire district as it was composed at the time 1356
the indebtedness was incurred. 1357

Upon the withdrawal of any municipal corporation from a 1358
township fire district created under division (C) of this 1359
section, the county auditor shall ascertain, apportion, and 1360
order a division of the funds on hand, moneys and taxes in the 1361
process of collection except for taxes levied for the payment of 1362
indebtedness, credits, and real and personal property, either in 1363
money or in kind, on the basis of the valuation of the 1364
respective tax duplicates of the withdrawing municipal 1365
corporation and the remaining territory of the fire district. 1366

A board of township trustees may remove unincorporated 1367
territory of the township from the fire district upon the 1368
adoption of a resolution authorizing the removal. On the first 1369
day of July of the year following the adoption of the 1370
resolution, the unincorporated township territory described in 1371
the resolution ceases to be a part of the district, and the 1372
power of the fire district to levy a tax upon taxable property 1373

in that territory terminates, except that the fire district 1374
shall continue to levy and collect taxes for the payment of 1375
indebtedness within the territory of the fire district as it was 1376
composed at the time the indebtedness was incurred. 1377

As used in this section, "the county auditor's appraised 1378
value" and "estimated effective rate" have the same meanings as 1379
in section 5705.01 of the Revised Code. 1380

(D) The board of township trustees of any township, the 1381
board of fire district trustees of a fire district created under 1382
section 505.371 of the Revised Code, or the legislative 1383
authority of any municipal corporation may purchase, lease, or 1384
lease with an option to purchase the necessary fire equipment 1385
described in division (A) of this section, buildings, and sites 1386
for the township, fire district, or municipal corporation and 1387
issue securities for that purpose with maximum maturities as 1388
provided in section 133.20 of the Revised Code. The board of 1389
township trustees, board of fire district trustees, or 1390
legislative authority may also construct any buildings necessary 1391
to house fire equipment and issue securities for that purpose 1392
with maximum maturities as provided in section 133.20 of the 1393
Revised Code. 1394

The board of township trustees, board of fire district 1395
trustees, or legislative authority may issue the securities of 1396
the township, fire district, or municipal corporation, signed by 1397
the board or designated officer of the municipal corporation and 1398
attested by the signature of the township fiscal officer, fire 1399
district clerk, or municipal clerk, covering any deferred 1400
payments and payable at the times provided, which securities 1401
shall bear interest not to exceed the rate determined as 1402
provided in section 9.95 of the Revised Code, and shall not be 1403

subject to Chapter 133. of the Revised Code. The legislation 1404
authorizing the issuance of the securities shall provide for 1405
levying and collecting annually by taxation, amounts sufficient 1406
to pay the interest on and principal of the securities. The 1407
securities shall be offered for sale on the open market or given 1408
to the vendor or contractor if no sale is made. 1409

Section 505.40 of the Revised Code does not apply to any 1410
securities issued, or any lease with an option to purchase 1411
entered into, in accordance with this division. 1412

(E) A board of township trustees of any township or a 1413
board of fire district trustees of a fire district created under 1414
section 505.371 of the Revised Code may purchase a policy or 1415
policies of liability insurance for the officers, employees, and 1416
appointees of the fire department, fire district, or joint fire 1417
district governed by the board that includes personal injury 1418
liability coverage as to the civil liability of those officers, 1419
employees, and appointees for false arrest, detention, or 1420
imprisonment, malicious prosecution, libel, slander, defamation 1421
or other violation of the right of privacy, wrongful entry or 1422
eviction, or other invasion of the right of private occupancy, 1423
arising out of the performance of their duties. 1424

When a board of township trustees cannot, by deed of gift 1425
or by purchase and upon terms it considers reasonable, procure 1426
land for a township fire station that is needed in order to 1427
respond in reasonable time to a fire or medical emergency, the 1428
board may appropriate land for that purpose under sections 1429
163.01 to 163.22 of the Revised Code. If it is necessary to 1430
acquire additional adjacent land for enlarging or improving the 1431
fire station, the board may purchase, appropriate, or accept a 1432
deed of gift for the land for these purposes. 1433

(F) As used in this division, "emergency medical service organization" has the same meaning as in section 4766.01 of the Revised Code.

A board of township trustees, by adoption of an appropriate resolution, may choose to have the state board of emergency medical, fire, and transportation services license any emergency medical service organization it operates. If the board adopts such a resolution, Chapter 4766. of the Revised Code, except for sections 4766.06 and 4766.99 of the Revised Code, applies to the organization. All rules adopted under the applicable sections of that chapter also apply to the organization. A board of township trustees, by adoption of an appropriate resolution, may remove its emergency medical service organization from the jurisdiction of the state board of emergency medical, fire, and transportation services.

Sec. 505.373. The board of township trustees may, by resolution, adopt by incorporation by reference a standard code pertaining to fire, fire hazards, and fire prevention prepared and promulgated by the state or any department, board, or other agency of the state, or any such code prepared and promulgated by a public or private organization that publishes a model or standard code.

After the adoption of the code by the board, a notice clearly identifying the code, stating the purpose of the code, and stating that a complete copy of the code is on file with the township fiscal officer for inspection by the public and also on file in the law library of the county in which the township is located and that the fiscal officer has copies available for distribution to the public at cost, shall be posted by the fiscal officer in five conspicuous places in the township for

thirty days before becoming effective. The notice required by 1464
this section shall also be published ~~in a newspaper of general~~ 1465
~~circulation in the township~~ once a week for three consecutive 1466
weeks ~~or as provided in section 7.16 of the Revised Code~~ using at 1467
least one of the following methods: 1468

(A) In a newspaper of general circulation within the 1469
township; 1470

(B) On the official public notice web site established 1471
under section 125.182 of the Revised Code; 1472

(C) On the web site and social media account of the 1473
township. If 1474

If the adopting township amends or deletes any provision 1475
of the code, the notice shall contain a brief summary of the 1476
deletion or amendment. 1477

If the agency that originally promulgated or published the 1478
code thereafter amends the code, any township that has adopted 1479
the code pursuant to this section may adopt the amendment or 1480
change by incorporation by reference in the same manner as 1481
provided for adoption of the original code. 1482

Sec. 505.55. In the event that need for a township police 1483
district ceases to exist, the township trustees by a two-thirds 1484
vote of the board shall adopt a resolution specifying the date 1485
that the township police district shall cease to exist and 1486
provide for the disposal of all property belonging to the 1487
district by public sale. Such sale must be by public auction and 1488
upon notice thereof being published once a week for three weeks 1489
~~in~~ using at least one of the following methods: 1490

(A) In a newspaper of general circulation in such township 1491
~~or as provided in section 7.16 of the Revised Code;~~ 1492

(B) On the official public notice web site established 1493
under section 125.182 of the Revised Code; 1494

(C) On the web site and social media account of the 1495
township. The 1496

The last of such publications shall be made at least five 1497
days before the date of the sale. Any moneys remaining after the 1498
dissolution of the district or received from the public sale of 1499
property shall be paid into the treasury of the township and may 1500
be expended for any public purpose when duly authorized by the 1501
township board of trustees. 1502

Sec. 505.73. (A) The board of township trustees may, by 1503
resolution, adopt by incorporation by reference, administer, and 1504
enforce within the unincorporated area of the township an 1505
existing structures code pertaining to the repair and continued 1506
maintenance of structures and the premises of those structures. 1507
For that purpose, the board shall adopt any model or standard 1508
code prepared and promulgated by this state, any department, 1509
board, or agency of this state, or any public or private 1510
organization that publishes a recognized model or standard code 1511
on the subject. The board shall ensure that the code adopted 1512
governs subject matter not addressed by the state residential 1513
building code and that it is fully compatible with the state 1514
residential and nonresidential building codes the board of 1515
building standards adopts pursuant to section 3781.10 of the 1516
Revised Code. 1517

(B) The board shall assign the duties of administering and 1518
enforcing the existing structures code to a township officer or 1519
employee who is trained and qualified for those duties and shall 1520
establish by resolution the minimum qualifications necessary to 1521
perform those duties. 1522

(C) (1) After the board adopts an existing structures code, 1523
the township fiscal officer shall post a notice that clearly 1524
identifies the code, states the code's purpose, and states that 1525
a complete copy of the code is on file for inspection by the 1526
public with the fiscal officer and in the county law library and 1527
that the fiscal officer has copies available for distribution to 1528
the public at cost. 1529

(2) The township fiscal officer shall post the notice in 1530
five conspicuous places in the township for thirty days before 1531
the code becomes effective and shall publish the notice ~~in a~~ 1532
~~newspaper of general circulation in the township~~ for three 1533
consecutive weeks ~~or as provided in section 7.16 of the Revised~~ 1534
~~Code~~ using at least one of the following methods: 1535

(a) In a newspaper of general circulation within the 1536
township; 1537

(b) On the official public notice web site established 1538
under section 125.182 of the Revised Code; 1539

(c) On the web site and social media account of the 1540
township. ~~If~~ 1541

If the adopting township amends or deletes any provision 1542
of the code, the notice shall contain a brief summary of the 1543
deletion or amendment. 1544

(D) If the agency that originally promulgated or published 1545
the existing structures code amends the code, the board may 1546
adopt the amendment or change by incorporation by reference in 1547
the manner provided for the adoption of the original code. 1548

Sec. 505.75. (A) (1) A board of township trustees may adopt 1549
local residential building regulations governing residential 1550
buildings as defined in section 3781.06 of the Revised Code. No 1551

regulation shall differ from the state residential building code 1552
unless the regulation addresses subject matter not addressed by 1553
the state residential building code or is adopted pursuant to 1554
section 3781.01 of the Revised Code. 1555

(2) The board may adopt regulations that are necessary for 1556
participation in the national flood insurance program and that 1557
do not conflict with the residential and nonresidential building 1558
codes, governing the prohibition, location, erection, 1559
construction, or floodproofing of new buildings or structures, 1560
or substantial improvements to existing buildings or structures, 1561
in unincorporated territory within flood hazard areas identified 1562
under the "Flood Disaster Protection Act of 1973," 87 Stat. 975, 1563
42 U.S.C.A. 4002, as amended, including, but not limited to, 1564
residential, commercial, or industrial buildings or structures. 1565

(B) (1) Regulations or amendments to regulations may be 1566
adopted under this section only after a ~~public hearing~~ hearing 1567
at not fewer than two regular or special sessions of the board 1568
of township trustees and upon an affirmative vote of all members 1569
of the board. The board shall cause notice of a public hearing 1570
to be published ~~in a newspaper of general circulation in the~~ 1571
~~township~~ once a week for two weeks immediately preceding a 1572
hearing, ~~except that if the board posts the hearing notice on~~ 1573
~~the board's internet site, the board need publish only one~~ 1574
~~notice of the hearing in a newspaper of general circulation if~~ 1575
~~that newspaper notice includes that internet site and a~~ 1576
~~statement that the notice is also posted on the internet site~~ 1577
using at least one of the following methods: 1578

(a) In a newspaper of general circulation within the 1579
township; 1580

(b) On the official public notice web site established 1581

under section 125.182 of the Revised Code; 1582

(c) On the web site and social media account of the 1583
township. Any 1584

Any notice the board publishes or posts shall include the 1585
time, date, and place of the public hearing. 1586

(2) The proposed regulations shall be made available to 1587
the public at the board office. 1588

(C) (1) The board of township trustees may create a 1589
building department and employ personnel it determines necessary 1590
to administer and enforce any local residential building 1591
regulations or existing structures code the board adopts 1592
pursuant to this section. The building department may enforce 1593
state residential and nonresidential building codes the board of 1594
building standards establishes pursuant to Chapter 3781. of the 1595
Revised Code if the department is certified pursuant to section 1596
3781.10 of the Revised Code to enforce those codes. Upon 1597
certification of the building department under section 3781.10 1598
of the Revised Code, the board of township trustees may direct 1599
the building department to exercise enforcement authority and to 1600
accept and approve plans pursuant to sections 3781.03 and 1601
3791.04 of the Revised Code for the classes of buildings for 1602
which the building department and personnel are certified. 1603

(2) To administer and enforce any local residential 1604
building regulations, or existing structures code and the state 1605
residential and nonresidential building codes, the board of 1606
township trustees may create, establish, fill, and fix the 1607
compensation of the position of township building inspector to 1608
serve as the chief administrative officer of the building 1609
department. In lieu of creating the position of township 1610

building inspector, the board may assign the duties of the 1611
inspector to an existing township officer who is certified 1612
pursuant to division (E) of section 3781.10 of the Revised Code. 1613

(D) (1) The board of township trustees may enter into a 1614
contract with any other township, any municipal corporation, or 1615
a board of county commissioners for the other township, 1616
municipal corporation, or board of county commissioners to 1617
administer and enforce local residential building regulations or 1618
existing structures code in the township or to enforce the state 1619
residential and nonresidential building codes in the township if 1620
the building department of the other township, municipal 1621
corporation, or county is certified to enforce those codes. 1622

(2) Any ~~any~~ other township, any municipal corporation, or 1623
a board of county commissioners may contract with a board of 1624
township trustees to administer and enforce local building 1625
regulations or an existing structures code in the other 1626
township, the municipal corporation, or the county and, if 1627
certified, to enforce the state residential and nonresidential 1628
building codes in the other township, the municipal corporation, 1629
or the unincorporated areas of the county. 1630

Sec. 505.76. Local residential building regulations a 1631
board of township trustees adopts under section 505.75 of the 1632
Revised Code and an existing structures code the board adopts 1633
pursuant to section 505.73 of the Revised Code shall be made 1634
available to the public at the office of the board, and the 1635
section headings and numbers and a notice of the availability of 1636
the regulations shall be published ~~in at least one newspaper of~~ 1637
~~general townshipwide circulation~~ within ten days after their 1638
adoption or amendment using at least one of the following 1639
methods: 1640

(A) In a newspaper of general circulation within the 1641
township; 1642

(B) On the official public notice web site established 1643
under section 125.182 of the Revised Code; 1644

(C) On the web site and social media account of the 1645
township. 1646

Sec. 505.86. (A) As used in this section: 1647

"Party in interest" means an owner of record of the real 1648
property on which the building or structure is located, and 1649
includes a holder of a legal or equitable lien of record on the 1650
real property or the building or other structure. 1651

"Total cost" means any costs incurred due to the use of 1652
employees, materials, or equipment of the township, any costs 1653
arising out of contracts for labor, materials, or equipment, and 1654
costs of service of notice or publication required under this 1655
section. 1656

(B) A board of township trustees, by resolution, may 1657
provide for the removal, repair, or securance of buildings or 1658
other structures in the township that have been declared 1659
insecure, unsafe, or structurally defective by any fire 1660
department under contract with the township or by the county 1661
building department or other authority responsible under Chapter 1662
3781. of the Revised Code for the enforcement of building 1663
regulations or the performance of building inspections in the 1664
township, or buildings or other structures that have been 1665
declared to be in a condition dangerous to life or health, or 1666
unfit for human habitation by the board of health of the general 1667
health district of which the township is a part. 1668

At least thirty days before the removal, repair, or 1669

securance of any insecure, unsafe, or structurally defective 1670
building or other structure, the board of township trustees 1671
shall give notice by certified mail, return receipt requested, 1672
to each party in interest of its intention with respect to the 1673
removal, repair, or securance of an insecure, unsafe, or 1674
structurally defective or unfit building or other structure. 1675

If the address of a party in interest is unknown and 1676
cannot reasonably be obtained, it is sufficient to publish the 1677
notice once ~~in~~ using at least one of the following methods: 1678

(1) In a newspaper of general circulation in the township; 1679

(2) On the official public notice web site established 1680
under section 125.182 of the Revised Code; 1681

(3) On the web site and social media account of the 1682
township. 1683

(C) (1) If the board of trustees, in a resolution adopted 1684
under this section, pursues action to remove any insecure, 1685
unsafe, or structurally defective building or other structure, 1686
the notice shall include a statement informing the parties in 1687
interest that each party in interest is entitled to a hearing if 1688
the party in interest requests a hearing in writing within 1689
twenty days after the notice was mailed. The written request for 1690
a hearing shall be made to the township fiscal officer. 1691

(2) If a party in interest timely requests a hearing, the 1692
board shall set the date, time, and place for the hearing and 1693
notify the party in interest by certified mail, return receipt 1694
requested. The date set for the hearing shall be within fifteen 1695
days, but not earlier than seven days, after the party in 1696
interest has requested a hearing, unless otherwise agreed to by 1697
both the board and the party in interest. The hearing shall be 1698

recorded by stenographic or electronic means. 1699

(3) The board shall make an order deciding the matter not 1700
later than thirty days after a hearing, or not later than thirty 1701
days after mailing notice to the parties in interest if no party 1702
in interest requested a hearing. The order may dismiss the 1703
matter or direct the removal, repair, or securance of the 1704
building or other structure. At any time, a party in interest 1705
may consent to an order. 1706

(4) A party in interest who requested and participated in 1707
a hearing, and who is adversely affected by the order of the 1708
board, may appeal the order under section 2506.01 of the Revised 1709
Code. 1710

(D) At any time, a party in interest may enter into an 1711
agreement with the board of township trustees to perform the 1712
removal, repair, or securance of the insecure, unsafe, or 1713
structurally defective or unfit building or other structure. 1714

(E) If an emergency exists, as determined by the board, 1715
notice may be given other than by certified mail and less than 1716
thirty days before the removal, repair, or securance. 1717

(F) The total cost of removing, repairing, or securing 1718
buildings or other structures that have been declared insecure, 1719
unsafe, structurally defective, or unfit for human habitation, 1720
or of making emergency corrections of hazardous conditions, when 1721
approved by the board, shall be paid out of the township general 1722
fund from moneys not otherwise appropriated, except that, if the 1723
costs incurred exceed five hundred dollars, the board may borrow 1724
moneys from a financial institution to pay for the costs in 1725
whole or in part. 1726

The total cost may be collected by either of the following 1727

methods:	1728
(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.	1729 1730 1731 1732 1733 1734
(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.	1735 1736 1737
(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 to between the named insured or insureds and the company or companies is more than five thousand dollars and equals or exceeds sixty per cent of the aggregate limits of liability on all fire policies covering the building or structure on the property, accept security payments and follow the procedures of divisions (C) and (D) of section 3929.86 of the Revised Code.	1738 1739 1740 1741 1742 1743 1744 1745 1746
Sec. 505.87. (A) A board of township trustees may provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township, if the board determines that the owner's maintenance of that vegetation, garbage, refuse, or other debris constitutes a nuisance.	1747 1748 1749 1750 1751
(B) At least seven days before providing for the abatement, control, or removal of any vegetation, garbage, refuse, or other debris, the board of township trustees shall notify the owner of the land and any holders of liens of record upon the land that:	1752 1753 1754 1755 1756

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

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

The board shall send the notice to the owner of the land by certified mail if the owner is a resident of the township or is a nonresident whose address is known, and by certified mail to lienholders of record; alternatively, if the owner is a resident of the township or is a nonresident whose address is known, the board may give notice to the owner by causing any of its agents or employees to post the notice on the principal structure on the land and to photograph that posted notice with a camera capable of recording the date of the photograph on it. If the owner's address is unknown and cannot reasonably be obtained, it is sufficient to publish the notice once ~~in~~ using at least one of the following methods:

(a) In a newspaper of general circulation in the township;

(b) On the official public notice web site established under section 125.182 of the Revised Code;

(c) On the web site and social media account of the township.

(C) If a board of township trustees determines within

twelve consecutive months after a prior nuisance determination 1786
that the same owner's maintenance of vegetation, garbage, 1787
refuse, or other debris on the same land in the township 1788
constitutes a nuisance, at least four days before providing for 1789
the abatement, control, or removal of any vegetation, garbage, 1790
refuse, or other debris, the board shall give notice of the 1791
subsequent nuisance determination to the owner of the land and 1792
to any holders of liens of record upon the land as follows: 1793

(1) The board shall send written notice by first class 1794
mail to the owner of the land and to any lienholders of record. 1795
Failure of delivery of the notice shall not invalidate any 1796
action to abate, control, or remove the nuisance. Alternatively, 1797
the board may give notice to the owner by causing any of its 1798
agents or employees to post the notice on the principal 1799
structure on the land and to photograph that posted notice with 1800
a camera capable of recording the date of the photograph on it. 1801

(2) If the owner's address is unknown and cannot 1802
reasonably be obtained, it is sufficient to post the notice on 1803
the board of township trustee's internet web site for four 1804
consecutive days, or to post the notice in a conspicuous 1805
location in the board's office for four consecutive days if the 1806
board does not maintain an internet web site. 1807

(D) The owner of the land or holders of liens of record 1808
upon the land may enter into an agreement with the board of 1809
township trustees providing for either party to the agreement to 1810
perform the abatement, control, or removal before the time the 1811
board is required to provide for the abatement, control, or 1812
removal under division (E) of this section. 1813

(E) If, within seven days after notice is given under 1814
division (B) of this section, or within four days after notice 1815

is given under division (C) of this section, the owner of the 1816
land fails to abate, control, or remove the vegetation, garbage, 1817
refuse, or other debris, or no agreement for its abatement, 1818
control, or removal is entered into under division (D) of this 1819
section, the board of township trustees shall provide for the 1820
abatement, control, or removal and may employ the necessary 1821
labor, materials, and equipment to perform the task. All costs 1822
incurred, when approved by the board, shall be paid out of the 1823
township general fund from moneys not otherwise appropriated, 1824
except that if the costs incurred exceed five hundred dollars, 1825
the board may borrow moneys from a financial institution to pay 1826
for the costs in whole or in part. 1827

(F) The board of township trustees shall make a written 1828
report to the county auditor of the board's action under this 1829
section. The board shall include in the report a proper 1830
description of the premises and a statement of all costs 1831
incurred in providing for the abatement, control, or removal of 1832
any vegetation, garbage, refuse, or other debris as provided in 1833
division (E) of this section, including the board's charges for 1834
its services, the costs incurred in providing notice, any fees 1835
or interest paid to borrow moneys, and the amount paid for 1836
labor, materials, and equipment. The county auditor shall place 1837
the costs upon the tax duplicate. The costs are a lien upon the 1838
land from and after the date of the entry. The costs shall be 1839
returned to the township and placed in the township's general 1840
fund. 1841

Sec. 505.871. (A) A board of township trustees may 1842
provide, by resolution, for the removal of any vehicle in the 1843
unincorporated territory of the township that the board 1844
determines is a junk motor vehicle, as defined in section 1845
505.173 of the Revised Code. 1846

(B) If a junk motor vehicle is located on public property, 1847
the board of township trustees may provide in the resolution for 1848
the immediate removal of the vehicle. 1849

(C) (1) If a junk motor vehicle is located on private 1850
property, the board of township trustees may provide in the 1851
resolution for the removal of the vehicle not sooner than 1852
fourteen days after the board serves written notice of its 1853
intention to remove or cause the removal of the vehicle on the 1854
owner of the land and any holders of liens of record on the 1855
land. 1856

(2) The notice provided under this division shall 1857
generally describe the vehicle to be removed and indicate all of 1858
the following: 1859

(a) The board has determined that the vehicle is a junk 1860
motor vehicle. 1861

(b) If the owner of the land fails to remove the vehicle 1862
within fourteen days after service of the notice, the board may 1863
remove or cause the removal of the vehicle. 1864

(c) Any costs the board incurs in removing or causing the 1865
removal of the vehicle may be entered upon the tax duplicate and 1866
become a lien upon the land from the date of entry. 1867

(3) The board shall serve the notice under this division 1868
by sending it by certified mail, return receipt requested, to 1869
the owner of the land, if the owner resides in the 1870
unincorporated territory of the township or if the owner resides 1871
outside the unincorporated territory of the township and the 1872
owner's address is known or ascertainable through an exercise of 1873
reasonable diligence. The board also shall send notice in such 1874
manner to any holders of liens of record on the land. If a 1875

notice sent by certified mail is refused or unclaimed, or if an 1876
owner's address is unknown and cannot reasonably be ascertained 1877
by an exercise of reasonable diligence, the board shall publish 1878
the notice once ~~in a newspaper of general circulation in the~~ 1879
~~township~~ before the removal of the vehicle, ~~and, if~~ using at 1880
least one of the following methods: 1881

(a) In a newspaper of general circulation within the 1882
township; 1883

(b) On the official public notice web site established 1884
under section 125.182 of the Revised Code; 1885

(c) On the web site and social media account of the 1886
township. 1887

If the land contains any structures, the board also shall 1888
post the notice on the principal structure on the land. 1889

A notice sent by certified mail shall be deemed to be 1890
served for purposes of this section on the date it was received 1891
as indicated by the date on a signed return receipt. A notice 1892
given by publication shall be deemed to be served for purposes 1893
of this section on the date of the newspaper publication, date 1894
of the notice first being published on the official public 1895
notice web site, or date of the notice first being posted on the 1896
township's web site and social media account. 1897

(D) The board of township trustees may cause the removal 1898
or may employ the labor, materials, and equipment necessary to 1899
remove a junk motor vehicle under this section. All costs 1900
incurred in removing or causing the removal of a junk motor 1901
vehicle, when approved by the board, shall be paid out of the 1902
township general fund from moneys not otherwise appropriated, 1903
except that if the costs exceed five hundred dollars, the board 1904

may borrow moneys from a financial institution to pay the costs 1905
in whole or in part. 1906

(E) The board of township trustees may utilize any lawful 1907
means to collect the costs incurred in removing or causing the 1908
removal of a junk motor vehicle under this section, including 1909
any fees or interest paid to borrow moneys under division (D) of 1910
this section. The board may direct the township fiscal officer 1911
to certify the costs and a description of the land to the county 1912
auditor. The county auditor shall place the costs upon the tax 1913
duplicate. The costs are a lien upon the land from and after the 1914
date of entry. The costs shall be returned to the township and 1915
placed in the township's general fund. 1916

(F) (1) As used in this division: 1917

(a) "Motor vehicle salvage dealer" has the same meaning as 1918
in section 4738.01 of the Revised Code. 1919

(b) "Scrap metal processing facility" has the same meaning 1920
as in section 4737.05 of the Revised Code. 1921

(2) Notwithstanding section 4513.63 of the Revised Code, 1922
if a junk motor vehicle is removed and disposed of in accordance 1923
with this section, the clerk of courts of the county shall issue 1924
a salvage certificate of title for that junk motor vehicle to a 1925
motor vehicle salvage dealer licensed pursuant to Chapter 4738. 1926
of the Revised Code or a scrap metal processing facility 1927
licensed pursuant to sections 4737.05 to 4737.12 of the Revised 1928
Code if all of the following conditions are satisfied: 1929

(a) The board of township trustees has entered into a 1930
contract with the motor vehicle salvage dealer or scrap metal 1931
processing facility for the disposal or removal of the junk 1932
motor vehicle in accordance with section 505.85 of the Revised 1933

Code. 1934

(b) The fiscal officer for the board of township trustees 1935
executes in triplicate an affidavit prescribed by the registrar 1936
of motor vehicles describing the junk motor vehicle and the 1937
manner of removal or disposal and certifying that all 1938
requirements of this section and the notice and records search 1939
requirements of section 4505.101 of the Revised Code have been 1940
satisfied. 1941

(c) The board of township trustees retains the original 1942
affidavit for the board's records and furnishes the remaining 1943
two copies of the affidavit to the motor vehicle salvage dealer 1944
or scrap metal processing facility. 1945

(d) The motor vehicle salvage dealer or scrap metal 1946
processing facility presents one copy of the affidavit to the 1947
clerk. 1948

(3) The clerk shall issue the salvage certificate of 1949
title, free and clear of all liens and encumbrances, not later 1950
than thirty days after the motor vehicle salvage dealer or scrap 1951
metal processing facility presents the affidavit pursuant to 1952
division (F) (2) of this section. 1953

(G) Notwithstanding section 4513.65 of the Revised Code, 1954
but subject to division (H) (2) of this section, any collector's 1955
vehicle that meets the definition of a junk motor vehicle is 1956
subject to removal under this section. 1957

(H) (1) Nothing in this section affects the authority of a 1958
board of township trustees to adopt and enforce resolutions 1959
under section 505.173 of the Revised Code to regulate the 1960
storage of junk motor vehicles on private or public property in 1961
the unincorporated territory of the township. 1962

(2) A resolution adopted under this section is subject to 1963
the same restrictions specified in division (A) of section 1964
505.173 of the Revised Code for resolutions adopted under that 1965
section. 1966

Sec. 507.05. The township fiscal officer shall, in 1967
addition to the books for the record of the proceedings of the 1968
board of township trustees, be provided by the township with a 1969
book for the record of township roads, ~~a book for the record of~~ 1970
~~marks and brands,~~ and a book for the record of official oaths 1971
and bonds of township officers. 1972

Sec. 511.12. The board of township trustees may prepare 1973
plans and specifications and make contracts for the construction 1974
and erection of a memorial building, monument, statue, or 1975
memorial, for the purposes specified and within the amount 1976
authorized by section 511.08 of the Revised Code. If the total 1977
estimated cost of the construction and erection exceeds the 1978
amount specified in section 9.17 of the Revised Code, the 1979
contract shall be let by competitive bidding. If the estimated 1980
cost is the amount specified in section 9.17 of the Revised Code 1981
or less, competitive bidding may be required at the board's 1982
discretion. In making contracts under this section, the board 1983
shall be governed as follows: 1984

(A) Contracts for construction when competitive bidding is 1985
required shall be based upon detailed plans, specifications, 1986
forms of bids, and estimates of cost, adopted by the board. 1987

(B) Contracts shall be made in writing upon concurrence of 1988
a majority of the members of the board, and shall be signed by 1989
at least two of the members and by the contractor. If 1990
competitive bidding is required, no contract shall be made or 1991
signed until an advertisement has been ~~placed in a newspaper,~~ 1992

~~published or of general circulation in the township, at least~~ 1993
~~twice using at least one of the following methods:~~ 1994

~~(1) In a newspaper of general circulation within the~~ 1995
~~township;~~ 1996

~~(2) On the official public notice web site established~~ 1997
~~under section 125.182 of the Revised Code;~~ 1998

~~(3) On the web site and social media account of the~~ 1999
~~township. The~~ 2000

~~The board may also cause notice to be inserted in trade~~ 2001
~~papers or other publications designated by it or to be~~ 2002
~~distributed by electronic means, including posting the notice on~~ 2003
~~the board's internet web site. If the board posts the notice on~~ 2004
~~its web site, it may eliminate the second notice otherwise~~ 2005
~~required to be published in a newspaper published or of general~~ 2006
~~circulation in the township, provided that the first notice~~ 2007
~~published in such newspaper meets all of the following~~ 2008
~~requirements:~~ 2009

~~(1) It is published at least two weeks before the opening~~ 2010
~~of bids.~~ 2011

~~(2) It includes a statement that the notice is posted on~~ 2012
~~the board's internet web site.~~ 2013

~~(3) It includes the internet address of the board's~~ 2014
~~internet web site.~~ 2015

~~(4) It includes instructions describing how the notice may~~ 2016
~~be accessed on the board's internet web site.~~ 2017

(C) No contract shall be let by competitive bidding except 2018
to the lowest and best bidder, who shall meet the requirements 2019
of section 153.54 of the Revised Code. 2020

(D) When, in the opinion of the board, it becomes
necessary in the prosecution of such work to make alterations or
modifications in any contract, the alterations or modifications
shall be made only by order of the board, and that order shall
be of no effect until the price to be paid for the work or
materials under the altered or modified contract has been agreed
upon in writing and signed by the contractor and at least two
members of the board.

(E) No contract or alteration or modification of it shall
be valid unless made in the manner provided in this section.

(F) No project subject to this section shall be divided
into component parts, separate projects, or separate items of
work in order to avoid the requirements of this section.

Sec. 511.21. Upon the filing of the report of the board of
park commissioners as provided by section 511.20 of the Revised
Code, the board of township trustees shall direct the township
fiscal officer to give thirty days' notice, by posting in five
public places in the township and by publication ~~in using at~~
least one or more newspapers of the following methods:

(A) In a newspaper of general circulation in the township,
i

(B) On the official public notice web site established
under section 125.182 of the Revised Code;

(C) On the web site and social media account of the
township.

The notice shall state that an election will be held at
the next general election to determine whether one or more
public parks are to be established within the township, and the
estimated cost of the land recommended for that purpose.

Sec. 511.51. (A) A board of township trustees by 2050
resolution may establish a township preservation commission. The 2051
commission shall consist of seven members appointed by the board 2052
of township trustees. Initially, two members shall serve a term 2053
of one year, two members shall serve a term of two years, and 2054
three members shall serve a term of three years. All subsequent 2055
terms shall be for a period of three years. The board of 2056
township trustees shall appoint members to fill vacancies caused 2057
by death, resignation, or removal for the unexpired term. 2058
Members shall serve without compensation. 2059

(B) Not later than thirty days after the appointment of 2060
all initial members by the board of township trustees, the 2061
commission shall meet and select a chairperson and vice- 2062
chairperson. The commission shall adopt rules of procedure, 2063
which shall be approved by resolution of the board of township 2064
trustees. Four members shall be required for official action and 2065
constitute a quorum. The commission shall take official action 2066
only by a vote of a majority of the members voting on the 2067
question on the table, during a public meeting open to the 2068
public. A record of proceedings shall be maintained and 2069
available for inspection. 2070

(C) Not later than six months after the appointment of all 2071
initial members by the board of township trustees, the 2072
commission shall adopt procedures and guidelines by which the 2073
commission shall perform the duties enumerated under section 2074
511.52 of the Revised Code, which shall be approved by the board 2075
of township trustees. 2076

Sec. 511.52. A township preservation commission has the 2077
following duties: 2078

(A) Promote the importance of historic preservation 2079

throughout the unincorporated territory of the township; 2080

(B) Maintain a register of historic properties located 2081
within the unincorporated territory of the township. Upon 2082
recommendation of the commission, the board of township trustees 2083
by resolution may designate appropriate properties as registered 2084
properties; 2085

(C) Protect the unique historical and architectural 2086
character of registered properties and promote the conservation 2087
of the registered properties by considering applications, and 2088
issuing certificates, for exterior alterations at registered 2089
properties. 2090

Sec. 511.53. Within the unincorporated territory of a 2091
township that has established a township preservation commission 2092
under section 511.51 of the Revised Code, no person may alter 2093
the exterior of a registered property without first obtaining 2094
from the commission a certificate under division (C) of section 2095
511.52 of the Revised Code. 2096

Sec. 515.01. The board of township trustees may provide 2097
artificial lights for any road, highway, public place, or 2098
building under its supervision or control, or for any territory 2099
within the township and outside the boundaries of any municipal 2100
corporation, when the board determines that the public safety or 2101
welfare requires that the road, highway, public place, building, 2102
or territory shall be lighted. The lighting may be procured 2103
either by the township installing a lighting system or by 2104
contracting with any person or corporation to furnish lights. 2105

If lights are furnished under contract, the contract may 2106
provide that the equipment employed may be owned by the township 2107
or by the person or corporation supplying the lights. 2108

If the board determines to procure lighting by contract 2109
and the total estimated cost of the contract exceeds the amount 2110
specified in section 9.17 of the Revised Code, the board shall 2111
prepare plans and specifications for the lighting equipment and 2112
shall, for two weeks, advertise for bids for furnishing the 2113
lighting equipment, either by posting the advertisement in three 2114
conspicuous places in the township or by publication of the 2115
advertisement once a week, for two consecutive weeks, ~~in using~~ 2116
at least one of the following methods: 2117

(A) In a newspaper of general circulation in the township; 2118

(B) On the official public notice web site established 2119
under section 125.182 of the Revised Code; 2120

(C) On the web site and social media account of the 2121
township. Any 2122

Any such contract for lighting shall be made with the 2123
lowest and best bidder. 2124

The board may also cause notice to be inserted in trade 2125
papers or other publications designated by it or to be 2126
distributed by electronic means, ~~including posting the notice on~~ 2127
~~the board's internet web site. If the board posts the notice on~~ 2128
~~its web site, it may eliminate the second notice otherwise~~ 2129
~~required to be published in a newspaper of general circulation~~ 2130
~~in the township, provided that the first notice published in~~ 2131
~~such newspaper meets all of the following requirements:~~ 2132

~~(A) It is published at least two weeks before the opening~~ 2133
~~of bids.~~ 2134

~~(B) It includes a statement that the notice is posted on~~ 2135
~~the board's internet web site.~~ 2136

~~(C) It includes the internet address of the board's
internet web site.~~ 2137
2138

~~(D) It includes instructions describing how the notice may
be accessed on the board's internet web site.~~ 2139
2140

No lighting contract awarded by the board shall be made to 2141
cover a period of more than twenty years. The cost of installing 2142
and operating any lighting system or any light furnished under 2143
contract shall be paid from the general fund of the township 2144
treasury. 2145

No procurement subject to this section shall be divided 2146
into component parts, separate projects, or separate items of 2147
work in order to avoid the requirements of this section. 2148

Sec. 515.04. The township fiscal officer shall fix a day, 2149
not more than thirty days from the date of notice to the board 2150
of township trustees, for the hearing of the petition authorized 2151
by section 515.02 or 515.16 of the Revised Code. The township 2152
fiscal officer or the fiscal officer's designee shall prepare 2153
and deliver to any of the petitioners a notice in writing 2154
directed to the lot and land owners and to the corporations, 2155
either public or private, affected by the improvement. The 2156
notice shall set forth the substance, pendency, and prayer of 2157
the petition and the time and place of the hearing on it. 2158

A copy of the notice shall be served upon each lot or land 2159
owner or left at the lot or land owner's usual place of 2160
residence, and upon an officer or agent of each corporation 2161
having its place of business in the district or area, at least 2162
fifteen days before the date set for the hearing. On or before 2163
the day of the hearing, the person serving the notice shall make 2164
return on it, under oath, of the time and manner of service and 2165

shall file the return with the township fiscal officer. 2166

The township fiscal officer or the fiscal officer's 2167
designee shall give the notice to each nonresident lot or land 2168
owner, by publication once, ~~in a newspaper of general~~ 2169
~~circulation in the county in which the district or area is~~ 2170
~~situated,~~ at least two weeks before the day set for hearing, 2171
using at least one of the following methods: 2172

(A) In a newspaper of general circulation in the county in 2173
which the district or area is situated; 2174

(B) On the official public notice web site established 2175
under section 125.182 of the Revised Code; 2176

(C) On the web site and social media account of the 2177
township. The 2178

The notice shall be verified by affidavit of the printer 2179
or other person knowing the fact and shall be filed with the 2180
township fiscal officer or the fiscal officer's designee on or 2181
before the day of hearing. No further notice of the petition or 2182
the proceedings under it shall thereafter be required. 2183

Sec. 517.07. ~~Upon~~ (A) Upon application, the board of 2184
township trustees shall sell at a reasonable price the number of 2185
lots as public wants demand for burial purposes. Purchasers of 2186
lots or other interment rights, upon complying with the terms of 2187
sale, may receive deeds for the lots or rights which the board 2188
shall execute. The township fiscal officer shall record each 2189
deed in a book the township keeps for that purpose or with the 2190
county recorder under section 317.08 of the Revised Code. The 2191
expense of recording shall be paid by the person receiving the 2192
deed. Upon the application of a head of a family living in the 2193
township, the board shall, without charge, make and deliver to 2194

the applicant a deed for a suitable lot or right for the 2195
interment of the applicant's family, if, in the opinion of the 2196
board and by reason of the circumstances of the family, the 2197
payment would be oppressive. 2198

(B) The terms of sale and any deed for lots executed after 2199
July 24, 1986, for an entombment, including a mausoleum, 2200
columbarium, or other interment right executed on or after 2201
September 29, 2015, may include the following requirements: 2202

~~(A)~~ (1) The grantee shall provide to the board of township 2203
trustees, in writing, a list of the names and addresses of the 2204
persons to whom the grantee's property would pass by intestate 2205
succession. 2206

~~(B)~~ (2) The grantee shall notify the board in writing of 2207
any subsequent changes in the name or address of any persons to 2208
whom property would descend. 2209

~~(C)~~ (3) Any person who receives a township cemetery lot or 2210
right by gift, inheritance, or any other means other than the 2211
original conveyance shall, within one year after receiving the 2212
interest, give written notice of the person's name and address 2213
to the board having control of the cemetery, and shall notify 2214
the board of any subsequent changes in the person's name or 2215
address. 2216

(C) The terms of sale and any deed for any lots or rights 2217
executed in compliance with the notification requirements set 2218
forth in ~~divisions (A),~~ division (B), ~~and (C)~~ of this section 2219
shall state that the board of township trustees shall have right 2220
of reentry to the cemetery lot or right if the notification 2221
requirements are not met. At least ninety days before 2222
establishing reentry, the board shall publish a notice on the 2223

board's internet web site, if applicable, and shall send a 2224
notice by certified mail to the last known owner at the owner's 2225
last known address to inform the owner that the owner's interest 2226
in the lot or right will cease unless the notification 2227
requirements are met. If the owner's address is unknown and 2228
cannot reasonably be obtained, it is sufficient to publish the 2229
notice once ~~in~~ using at least one of the following methods: 2230

(1) In a newspaper of general circulation in the county; 2231

(2) On the official public notice web site established 2232
under section 125.182 of the Revised Code; 2233

(3) On the web site and social media account of the 2234
township. ~~In~~ 2235

In order to establish reentry, the board shall pass a 2236
resolution stating that the conditions of the sale or of the 2237
deed have not been fulfilled, and that the board reclaims its 2238
interest in the lot or right. 2239

(D) The board may limit the terms of sale or the deed for 2240
a cemetery lot or right by specifying that the owner, a member 2241
of the owner's family, or an owner's descendant must use the 2242
lot, tomb, including a mausoleum, or columbarium, or at least a 2243
portion of the lot, tomb, including a mausoleum, or columbarium, 2244
within a specified time period. The board may specify this time 2245
period to be at least twenty but not more than fifty years, with 2246
right of renewal provided at no cost. At least ninety days 2247
before the termination date for use of the cemetery lot, tomb, 2248
including a mausoleum, or columbarium, the board shall publish a 2249
notice on the board's internet web site, if applicable, and 2250
shall send a notice to the owner to inform the owner that the 2251
owner's interest in the lot or right will cease on the 2252

termination date unless the owner contracts for renewal by that 2253
date. The board shall send the notice by certified mail to the 2254
owner if the owner is a resident of the township or is a 2255
nonresident whose address is known. If the owner's address is 2256
unknown and cannot reasonably be obtained, it is sufficient to 2257
publish the notice once in using at least one of the following 2258
methods: 2259

(1) In a newspaper of general circulation in the county; 2260

(2) On the official public notice web site established 2261
under section 125.182 of the Revised Code; 2262

(3) On the web site and social media account of the 2263
township. 2264

The terms of sale and any deed for lots or rights conveyed 2265
with a termination date shall state that the board shall have 2266
right of reentry to the lot or right at the end of the specified 2267
time period if the lot, tomb, including a mausoleum, or 2268
columbarium, is not used within this time period or renewed for 2269
an extended period. In order to establish reentry, the board 2270
shall pass a resolution stating that the conditions of the sale 2271
or of the deed have not been fulfilled, and that the board 2272
reclaims its interest in the lot or right. The board shall 2273
compensate owners of unused lots or rights who do not renew the 2274
terms of sale or the deed by offering to pay the owner eighty 2275
per cent of the purchase price or to provide another available 2276
lot or right, as applicable, at no additional cost. The board 2277
may repurchase any cemetery lot or right from its owner at any 2278
time at a price that is mutually agreed upon by the board and 2279
the owner. 2280

Sec. 517.073. (A) The board of township trustees may 2281

reenter a lot for which the terms of sale or deed was executed 2282
before July 24, 1986, or an entombment, including a mausoleum, 2283
columbarium, or other interment right for which the terms of 2284
sale or deed was executed before September 29, 2015, if the 2285
board determines the lot or right is unused and adopts a 2286
resolution creating a procedure for right of reentry in 2287
accordance with this section. The resolution shall state that 2288
the board of township trustees has the right of reentry to the 2289
cemetery lot or right purchased before July 24, 1986, or before 2290
September 29, 2015. At least one hundred eighty days before 2291
reentering a lot or right, the board shall publish a notice on 2292
the board's internet web site, if applicable, and shall send a 2293
notice by certified mail to the last known owner at the owner's 2294
last known address to inform the owner that the owner's interest 2295
in the lot or right will cease unless the owner or owner's heir 2296
responds by that date. If the owner's address is unknown and 2297
cannot be obtained reasonably, it is sufficient to publish the 2298
notice once ~~in~~ using at least one of the following methods: 2299

(1) In a newspaper of general circulation in the county; 2300

(2) On the official public notice web site established 2301
under section 125.182 of the Revised Code; 2302

(3) On the web site and social media account of the 2303
township. 2304

(B) If the owner responds by the specified date, the 2305
township shall offer the owner all of the following: 2306

(1) To continue the owner's interest in the lot or right; 2307

(2) To compensate the owner by paying the owner eighty per 2308
cent of the owner's original purchase price; or 2309

(3) To compensate the owner by providing the owner an 2310

available lot or right, as applicable. 2311

To establish reentry, the board shall pass a resolution 2312
stating that the owner has not responded by the specified date 2313
or has opted to receive other compensation, and that the board 2314
reclaims its interest in the lot or right. The board may 2315
repurchase a cemetery lot or right from its owner at any time at 2316
a price that is mutually agreed upon by the board and the owner. 2317

~~(B)~~ (C) At least one hundred eighty days before a 2318
termination date for use of a cemetery lot for which the terms 2319
of sale or deed was executed before July 24, 1986, and contained 2320
a termination date, or an entombment, including a mausoleum or 2321
columbarium, for which the terms of sale or deed was executed 2322
before September 29, 2015, and contained a termination date, the 2323
board shall publish a notice on the board's internet web site, 2324
if applicable, and shall send a notice to the owner of an unused 2325
lot or right to inform the owner that the owner's interest in 2326
the lot or right will cease on the termination date unless the 2327
owner or owner's heir responds by that date. The board shall 2328
send the notice by certified mail to the owner if the owner is a 2329
resident of the township or is a nonresident whose address is 2330
known. If the owner's address is unknown and cannot reasonably 2331
be obtained, it is sufficient to publish the notice once ~~in~~ 2332
using at least one of the following methods: 2333

(1) In a newspaper of general circulation in the county; 2334

(2) On the official public notice web site established 2335
under section 125.182 of the Revised Code; 2336

(3) On the web site and social media account of the 2337
township. 2338

(D) If the owner responds by the termination date, the 2339

township shall offer the owner all of the following: 2340

(1) To contract for renewal; 2341

(2) To compensate the owner by paying the owner eighty per 2342
cent of the owner's original purchase price; or 2343

(3) To compensate the owner by providing the owner an 2344
available lot or right, as applicable. 2345

In order to establish reentry, the board shall pass a 2346
resolution stating that because of the lack of response to 2347
notice that provided a termination date or because the owner 2348
opted to receive other compensation, the board reclaims its 2349
interest in the lot or right. The board may repurchase a 2350
cemetery lot or right for which there is a termination date from 2351
its owner at any time at a price that is mutually agreed upon by 2352
the board and the owner. 2353

Sec. 517.12. The board of township trustees may make rules 2354
specifying the times when cemeteries under its control shall be 2355
closed to the public. The board shall cause the rules to be 2356
published once a week for two consecutive weeks in using at 2357
least one of the following methods: 2358

(A) In a newspaper of general circulation within the 2359
township or as provided in section 7.16 of the Revised Code, and 2360
i 2361

(B) On the official public notice web site established 2362
under section 125.182 of the Revised Code; 2363

(C) On the web site and social media account of the 2364
township. 2365

The board also may post appropriate notice in the township 2366
as considered necessary. 2367

The purposes of such rules shall be to assure a reasonable
time of access to the cemeteries in view of the differences in
attendance anticipated from past experience as to each, to
exclude attendance at times when no proper purposes could
normally be expected, to permit exceptions to the normal hours
of access on reasonable request with adequate reason provided,
and to facilitate the task of protecting the premises from
vandalism, desecration, and other improper usage.

Whoever violates these rules is guilty of a minor
misdemeanor.

Sec. 517.22. The board of township trustees or the
trustees or directors of a cemetery association, ~~after notice~~
~~has first been given in a newspaper of general circulation in~~
~~the county,~~ may dispose of, at public sale, and convey any
cemetery under their control that they have determined to
discontinue as burial grounds, but possession after notice has
first been given using at least one of the following methods:

(A) In a newspaper of general circulation in the county;

(B) On the official public notice web site established
under section 125.182 of the Revised Code;

(C) On the web site and social media account of the
township.

Possession of the cemetery shall not be given to a grantee
until after the remains buried in that cemetery, together with
stones and monuments, have been removed as provided by section
517.21 of the Revised Code.

Sec. 519.06. Before certifying its recommendations of a
zoning plan to the board of township trustees, the township
zoning commission shall hold at least one public hearing, notice

of which shall be given by one publication ~~in one or more~~ 2397
~~newspapers of general circulation in the township~~ at least 2398
thirty days before the date of such hearing, using at least one 2399
of the following methods: 2400

(A) In one or more newspapers of general circulation in 2401
the township; 2402

(B) On the official public notice web site established 2403
under section 125.182 of the Revised Code; 2404

(C) On the web site and social media account of the 2405
township. The 2406

The notice shall state the place and time at which the 2407
text and maps of the proposed zoning resolution may be examined. 2408

Sec. 519.08. After receiving the certification of a zoning 2409
plan from the township zoning commission, and before adoption of 2410
any zoning resolution, the board of township trustees shall hold 2411
a public hearing on the resolution, at least thirty days' notice 2412
of the time and place of which shall be given by one publication 2413
~~in~~ using at least one of the following methods: 2414

(A) In a newspaper of general circulation in the township; 2415

(B) On the official public notice web site established 2416
under section 125.182 of the Revised Code; 2417

(C) On the web site and social media account of the 2418
township. 2419

Sec. 519.09. No change in or departure from the text or 2420
maps, as certified by the township zoning commission, shall be 2421
made by the board of township trustees unless it is first 2422
resubmitted to the commission for approval, disapproval, or 2423
suggestions. Upon receipt of the recommendations of the township 2424

rural zoning commission regarding the proposed changes, the 2425
board of township trustees shall hold a second public hearing, 2426
at least ten days notice of the time and place of which shall be 2427
given by one publication ~~in~~ using at least one of the following 2428
methods: 2429

(A) In one or more newspapers of general circulation in 2430
the township affected; 2431

(B) On the official public notice web site established 2432
under section 125.182 of the Revised Code; 2433

(C) On the web site and social media account of the 2434
township. If- 2435

If such changes are disapproved by the zoning commission, 2436
the provision so disapproved must receive the favorable vote of 2437
the entire membership of the board of township trustees in order 2438
to be adopted. 2439

Sec. 519.12. (A) (1) Amendments to the zoning resolution 2440
may be initiated by motion of the township zoning commission, by 2441
the passage of a resolution by the board of township trustees, 2442
or by the filing of an application by one or more of the owners 2443
or lessees of property within the area proposed to be changed or 2444
affected by the proposed amendment with the township zoning 2445
commission. The board of township trustees may require that the 2446
owner or lessee of property filing an application to amend the 2447
zoning resolution pay a fee to defray the cost of advertising, 2448
mailing, filing with the county recorder, and other expenses. If 2449
the board of township trustees requires such a fee, it shall be 2450
required generally, for each application. The board of township 2451
trustees, upon the passage of such a resolution, shall certify 2452
it to the township zoning commission. 2453

(2) Upon the adoption of a motion by the township zoning commission, the certification of a resolution by the board of township trustees to the commission, or the filing of an application by property owners or lessees as described in division (A)(1) of this section with the commission, the commission shall set a date for a public hearing, which date shall not be less than twenty nor more than forty days from the date of the certification of such a resolution, the date of adoption of such a motion, or the date of the filing of such an application. Notice of the hearing shall be given by the commission by one publication ~~in one or more newspapers of general circulation in the township~~ at least ten days before the date of the hearing using at least one of the following methods:

(a) In one or more newspapers of general circulation in the township;

(b) On the official public notice web site established under section 125.182 of the Revised Code;

(c) On the web site and social media account of the township.

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

(C) If the proposed amendment intends to rezone or	2483
redistrict ten or fewer parcels of land as listed on the county	2484
auditor's current tax list, the published and mailed notices	2485
shall set forth the time, date, and place of the public hearing	2486
and include all of the following:	2487
(1) The name of the township zoning commission that will	2488
be conducting the hearing;	2489
(2) A statement indicating that the motion, resolution, or	2490
application is an amendment to the zoning resolution;	2491
(3) A list of the addresses of all properties to be	2492
rezoned or redistricted by the proposed amendment and of the	2493
names of owners of those properties, as they appear on the	2494
county auditor's current tax list;	2495
(4) The present zoning classification of property named in	2496
the proposed amendment and the proposed zoning classification of	2497
that property;	2498
(5) The time and place where the motion, resolution, or	2499
application proposing to amend the zoning resolution will be	2500
available for examination for a period of at least ten days	2501
prior to the hearing;	2502
(6) The name of the person responsible for giving notice	2503
of the hearing by publication, by mail, or by both publication	2504
and mail;	2505
(7) A statement that, after the conclusion of the hearing,	2506
the matter will be submitted to the board of township trustees	2507
for its action;	2508
(8) Any other information requested by the commission.	2509
(D) If the proposed amendment alters the text of the	2510

zoning resolution, or rezones or redistricts more than ten 2511
parcels of land as listed on the county auditor's current tax 2512
list, the published notice shall set forth the time, date, and 2513
place of the public hearing and include all of the following: 2514

(1) The name of the township zoning commission that will 2515
be conducting the hearing on the proposed amendment; 2516

(2) A statement indicating that the motion, application, 2517
or resolution is an amendment to the zoning resolution; 2518

(3) The time and place where the text and maps of the 2519
proposed amendment will be available for examination for a 2520
period of at least ten days prior to the hearing; 2521

(4) The name of the person responsible for giving notice 2522
of the hearing by publication; 2523

(5) A statement that, after the conclusion of the hearing, 2524
the matter will be submitted to the board of township trustees 2525
for its action; 2526

(6) Any other information requested by the commission. 2527

(E) (1) (a) Except as provided in division (E) (1) (b) of this 2528
section, within five days after the adoption of the motion 2529
described in division (A) of this section, the certification of 2530
the resolution described in division (A) of this section, or the 2531
filing of the application described in division (A) of this 2532
section, the township zoning commission shall transmit a copy of 2533
it together with text and map pertaining to it to the county or 2534
regional planning commission, if there is such a commission, for 2535
approval, disapproval, or suggestions. 2536

The county or regional planning commission shall recommend 2537
the approval or denial of the proposed amendment or the approval 2538

of some modification of it and shall submit its recommendation 2539
to the township zoning commission. The recommendation shall be 2540
considered at the public hearing held by the township zoning 2541
commission on the proposed amendment. 2542

(b) The township zoning commission of a township that has 2543
adopted a limited home rule government under Chapter 504. of the 2544
Revised Code is not subject to division (E) (1) (a) of this 2545
section but may choose to comply with division (E) (1) (a) of this 2546
section. 2547

(2) The township zoning commission, within thirty days 2548
after the hearing, shall recommend the approval or denial of the 2549
proposed amendment, or the approval of some modification of it, 2550
and submit that recommendation together with the motion, 2551
application, or resolution involved, the text and map pertaining 2552
to the proposed amendment, and the recommendation of the county 2553
or regional planning commission on it to the board of township 2554
trustees. 2555

(3) The board of township trustees, upon receipt of that 2556
recommendation, shall set a time for a public hearing on the 2557
proposed amendment, which date shall not be more than thirty 2558
days from the date of the receipt of that recommendation. Notice 2559
of the hearing shall be given by the board by one publication ~~in~~ 2560
~~one or more newspapers of general circulation in the township,~~ 2561
at least ten days before the date of the hearing using at least 2562
one of the following methods: 2563

(a) In one or more newspapers of general circulation in 2564
the township; 2565

(b) On the official public notice web site established 2566
under section 125.182 of the Revised Code; 2567

<u>(c) On the web site and social media account of the</u>	2568
<u>township.</u>	2569
(F) If the proposed amendment intends to rezone or	2570
redistrict ten or fewer parcels of land as listed on the county	2571
auditor's current tax list, the published notice shall set forth	2572
the time, date, and place of the public hearing and include all	2573
of the following:	2574
(1) The name of the board of township trustees that will	2575
be conducting the hearing;	2576
(2) A statement indicating that the motion, application,	2577
or resolution is an amendment to the zoning resolution;	2578
(3) A list of the addresses of all properties to be	2579
rezoned or redistricted by the proposed amendment and of the	2580
names of owners of those properties, as they appear on the	2581
county auditor's current tax list;	2582
(4) The present zoning classification of property named in	2583
the proposed amendment and the proposed zoning classification of	2584
that property;	2585
(5) The time and place where the motion, application, or	2586
resolution proposing to amend the zoning resolution will be	2587
available for examination for a period of at least ten days	2588
prior to the hearing;	2589
(6) The name of the person responsible for giving notice	2590
of the hearing by publication, by mail, or by both publication	2591
and mail;	2592
(7) Any other information requested by the board.	2593
(G) If the proposed amendment alters the text of the	2594
zoning resolution, or rezones or redistricts more than ten	2595

parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and include all of the following:

(1) The name of the board of township trustees that will be conducting the hearing on the proposed amendment;

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

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

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

(5) Any other information requested by the board.

(H) Within twenty days after its public hearing, the board of township trustees shall either adopt or deny the recommendations of the township zoning commission or adopt some modification of them. If the board denies or modifies the commission's recommendations, a majority vote of the board shall be required.

The proposed amendment, if adopted by the board, shall become effective in thirty days after the date of its adoption, unless, within thirty days after the adoption, there is presented to the board of township trustees a petition, signed by a number of registered electors residing in the unincorporated area of the township or part of that unincorporated area included in the zoning plan equal to not less than fifteen per cent of the total vote cast for all candidates for governor in that area at the most recent general election at which a governor was elected, requesting the board

of township trustees to submit the amendment to the electors of 2625
that area for approval or rejection at a special election to be 2626
held on the day of the next primary or general election that 2627
occurs at least ninety days after the petition is filed. Each 2628
part of this petition shall contain the number and the full and 2629
correct title, if any, of the zoning amendment resolution, 2630
motion, or application, furnishing the name by which the 2631
amendment is known and a brief summary of its contents. In 2632
addition to meeting the requirements of this section, each 2633
petition shall be governed by the rules specified in section 2634
3501.38 of the Revised Code. 2635

The form of a petition calling for a zoning referendum and 2636
the statement of the circulator shall be substantially as 2637
follows: 2638

"PETITION FOR ZONING REFERENDUM 2639

(if the proposal is identified by a particular name or 2640
number, or both, these should be inserted here) 2641
_____ 2642

A proposal to amend the zoning map of the unincorporated 2643
area of _____ Township, _____ County, Ohio, 2644
adopted ____ (date) ____ (followed by brief summary of the 2645
proposal). 2646

To the Board of Township Trustees of _____ 2647
Township, _____ County, Ohio: 2648

We, the undersigned, being electors residing in the 2649
unincorporated area of _____ Township, 2650
included within the _____ Township Zoning Plan, equal to 2651
not less than fifteen per cent of the total vote cast for all 2652
candidates for governor in the area at the preceding general 2653

election at which a governor was elected, request the Board of 2654
Township Trustees to submit this amendment of the zoning 2655
resolution to the electors of _____ Township 2656
residing within the unincorporated area of the township included 2657
in the _____ Township Zoning Resolution, for 2658
approval or rejection at a special election to be held on the 2659
day of the primary or general election to be held on 2660
_____(date)_____, pursuant to section 519.12 of the Revised 2661
Code. 2662

Street Address	Date of	2663
Signature or R.F.D.	Township Precinct County Signing	2664
_____		2665
_____		2666

STATEMENT OF CIRCULATOR 2668

I, _____ (name of circulator)_____, declare 2669
under penalty of election falsification that I am an elector of 2670
the state of Ohio and reside at the address appearing below my 2671
signature; that I am the circulator of the foregoing part 2672
petition containing _____ (number)_____ signatures; that I 2673
have witnessed the affixing of every signature; that all signers 2674
were to the best of my knowledge and belief qualified to sign; 2675
and that every signature is to the best of my knowledge and 2676
belief the signature of the person whose signature it purports 2677
to be or of an attorney in fact acting pursuant to section 2678
3501.382 of the Revised Code. 2679

(Signature of circulator) 2680
2681

_____	2682
(Address of circulator's permanent	2683
residence in this state)	2684
_____	2685
(City, village, or township,	2686
and zip code)	2687
WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A	2688
FELONY OF THE FIFTH DEGREE."	2689
The petition shall be filed with the board of township	2690
trustees and shall be accompanied by an appropriate map of the	2691
area affected by the zoning proposal. Within two weeks after	2692
receiving a petition filed under this section, the board of	2693
township trustees shall certify the petition to the board of	2694
elections. A petition filed under this section shall be	2695
certified to the board of elections not less than ninety days	2696
prior to the election at which the question is to be voted upon.	2697
The board of elections shall determine the sufficiency and	2698
validity of each petition certified to it by a board of township	2699
trustees under this section. If the board of elections	2700
determines that a petition is sufficient and valid, the question	2701
shall be voted upon at a special election to be held on the day	2702
of the next primary or general election that occurs at least	2703
ninety days after the date the petition is filed with the board	2704
of township trustees, regardless of whether any election will be	2705
held to nominate or elect candidates on that day.	2706
No amendment for which such a referendum vote has been	2707
requested shall be put into effect unless a majority of the vote	2708
cast on the issue is in favor of the amendment. Upon	2709

certification by the board of elections that the amendment has 2710
been approved by the voters, it shall take immediate effect. 2711

Within five working days after an amendment's effective 2712
date, the board of township trustees shall file the text and 2713
maps of the amendment in the office of the county recorder and 2714
with the county or regional planning commission, if one exists. 2715

The failure to file any amendment, or any text and maps, 2716
or duplicates of any of these documents, with the office of the 2717
county recorder or the county or regional planning commission as 2718
required by this section does not invalidate the amendment and 2719
is not grounds for an appeal of any decision of the board of 2720
zoning appeals. 2721

Sec. 519.15. The township board of zoning appeals shall 2722
organize and adopt rules in accordance with the zoning 2723
resolution. Meetings of the board of zoning appeals shall be 2724
held at the call of the chairperson, and at such other times as 2725
the board determines. The chairperson, or in the chairperson's 2726
absence the acting chairperson, may administer oaths, and the 2727
board of zoning appeals may compel the attendance of witnesses. 2728
All meetings of the board of zoning appeals shall be open to the 2729
public. The board of zoning appeals shall keep minutes of its 2730
proceedings showing the vote of each regular or alternate member 2731
upon each question, or, if absent or failing to vote, indicating 2732
such fact, and shall keep records of its examinations and other 2733
official actions, all of which shall be immediately filed in the 2734
office of the board of township trustees and be a public record. 2735

Appeals to the board of zoning appeals may be taken by any 2736
person aggrieved or by any officer of the township affected by 2737
any decision of the administrative officer. Such appeal shall be 2738
taken within twenty days after the decision by filing, with the 2739

officer from whom the appeal is taken and with the board of 2740
zoning appeals, a notice of appeal specifying the grounds. The 2741
officer from whom the appeal is taken shall transmit to the 2742
board of zoning appeals all the papers constituting the record 2743
upon which the action appealed from was taken. 2744

The board of zoning appeals shall fix a reasonable time 2745
for the public hearing of the appeal, give at least ten days' 2746
notice in writing to the parties in interest, ~~give~~ publish 2747
notice of such public hearing ~~by one publication in one or more~~ 2748
~~newspapers of general circulation in the county~~ at least ten 2749
days before the date of such hearing, ~~and~~ using at least one of 2750
the following methods: 2751

(A) In one or more newspapers of general circulation in 2752
the county; 2753

(B) On the official public notice web site established 2754
under section 125.182 of the Revised Code; 2755

(C) On the web site and social media account of the 2756
township. 2757

The board shall decide the appeal within a reasonable time 2758
after it is submitted. Upon the hearing, any person may appear 2759
in person or by attorney. 2760

The board of township trustees may require a person making 2761
an appeal to pay a fee to defray the cost of advertising, 2762
mailing, and other expenses. 2763

Sec. 519.99. ~~Whoever violates sections 519.01 to 519.25 of~~ 2764
~~the Revised Code shall be fined~~ (A) The board of township 2765
trustees may adopt a resolution to impose a civil fine of not 2766
more than five hundred dollars for ~~each offense~~ a violation of a 2767
resolution adopted pursuant to sections 519.01 to 519.25 of the 2768

Revised Code. 2769

(B) A police constable designated under Chapter 509. of 2770
the Revised Code, or a peace officer serving the township via 2771
contract or otherwise, may issue citations to persons who 2772
violate sections 519.01 to 519.25 of the Revised Code. Each 2773
citation shall contain provisions that do all of the following: 2774

(1) Advise the person upon whom the citation is served 2775
that the person must answer in relation to the violation charged 2776
in the citation not later than fourteen days after the citation 2777
is served upon the person; 2778

(2) Indicate the allowable answers that may be made and 2779
that the person will be afforded a court hearing if the person 2780
denies in the person's answer having committed the violation; 2781

(3) Specify that the answer must be made in person or by 2782
mail to the township fiscal officer; 2783

(4) Indicate the amount of the fine that arises from the 2784
violation. 2785

(C) A constable or peace officer who issues a citation 2786
under this section shall complete the citation by identifying 2787
the violation charged and by indicating the date, time, and 2788
place of the violation charged. The constable or peace officer 2789
shall sign the citation, affirm the facts that it contains, and 2790
without unnecessary delay file the original citation with the 2791
court having jurisdiction over the violation. A copy of a 2792
citation issued pursuant to this section shall be served 2793
pursuant to the Rules of Civil Procedure upon the person who 2794
violated the resolution. No constable or peace officer is 2795
entitled to receive witness fees in a cause prosecuted under a 2796
township resolution adopted pursuant to this chapter. 2797

Sec. 521.03. On receiving a petition filed under section 2798
521.02 of the Revised Code, or at the request of the board of 2799
township trustees, the township fiscal officer shall fix a time, 2800
not more than thirty days after the date of giving notice of the 2801
filing to the board or the date of receiving the request from 2802
the board, and place for a hearing on the issue of repair or 2803
maintenance of the tiles. The township fiscal officer shall 2804
prepare a notice in writing directed to the lot and land owners 2805
and to the corporations, either public or private, affected by 2806
the improvement. The notice shall set forth the substance of the 2807
petition or board request, and the time and place of the hearing 2808
on it. 2809

If the hearing is to be held in response to a petition, 2810
the township fiscal officer shall deliver a copy of the notice 2811
to any of the petitioners, who shall see that the notice is 2812
served on each lot or land owner or left at the lot or land 2813
owner's usual place of residence, and served on an officer or 2814
agent of each corporation affected by the improvement, at least 2815
fifteen days before the date set for the hearing. If the hearing 2816
is to be held at the request of the board, the board shall see 2817
that the notice is so served. On or before the day of the 2818
hearing, the person serving the notice shall certify, under 2819
oath, the time and manner of service, and shall file this 2820
certification with the township fiscal officer. 2821

The township fiscal officer shall give notice of the 2822
hearing to each nonresident lot or land owner, by publication 2823
once, ~~in a newspaper of general circulation in the county in~~ 2824
~~which the township is situated,~~ at least two weeks before the 2825
day set for the hearing, using at least one of the following 2826
methods: 2827

<u>(A) In a newspaper of general circulation in the county in</u>	2828
<u>which the township is situated;</u>	2829
<u>(B) On the official public notice web site established</u>	2830
<u>under section 125.182 of the Revised Code;</u>	2831
<u>(C) On the web site and social media account of the</u>	2832
<u>township. This</u>	2833
<u>This</u> notice shall be verified by affidavit of the printer	2834
or other person knowing the fact, and shall be filed with the	2835
township fiscal officer on or before the day of the hearing. No	2836
further notice of the petition or the proceedings under it shall	2837
thereafter be required.	2838
Sec. 971.12. (A) If either owner fails to build or	2839
maintain in good repair the portion of a partition fence	2840
assigned to the owner under section 971.09 of the Revised Code,	2841
the board of township trustees, upon the application of the	2842
aggrieved owner, shall award the contract to the lowest	2843
responsible bidder agreeing to furnish the labor and material,	2844
and build or maintain the fence according to the specifications	2845
proposed by the board, after advertising for bids once a week	2846
for two consecutive weeks <u>in using at least one of the following</u>	2847
<u>methods:</u>	2848
<u>(1) In a newspaper of general circulation in the county in</u>	2849
<u>which the township is situated;</u>	2850
<u>(2) On the official public notice web site established</u>	2851
<u>under section 125.182 of the Revised Code;</u>	2852
<u>(3) On the web site and social media account of the</u>	2853
<u>township.</u>	2854
<u>(B) The board may also cause notice to be inserted in</u>	2855

trade papers or other publications designated by it or to be 2856
distributed by electronic means, ~~including posting the notice on~~ 2857
~~the board's internet web site. If the board posts the notice on~~ 2858
~~its web site, it may eliminate the second notice otherwise~~ 2859
~~required to be published in a newspaper of general circulation~~ 2860
~~in the county, provided that the first notice published in such~~ 2861
~~newspaper meets all of the following requirements:~~ 2862

~~(1) It is published at least two weeks before the opening~~ 2863
~~of bids.~~ 2864

~~(2) It includes a statement that the notice is posted on~~ 2865
~~the board's internet web site.~~ 2866

~~(3) It includes the internet address of the board's~~ 2867
~~internet web site.~~ 2868

~~(4) It includes instructions describing how the notice may~~ 2869
~~be accessed on the board's internet web site.~~ 2870

~~(B)~~ (C) If no bids are received from responsible bidders 2871
as provided in this section, the trustees shall procure labor 2872
and materials at prevailing rates and cause the fence to be 2873
constructed or maintained. 2874

~~(C)~~ (D) No person shall obstruct or interfere with anyone 2875
lawfully engaged in construction or maintenance of a partition 2876
fence or in the performance of any other act described in this 2877
section. 2878

Sec. 971.99. (A) Except as otherwise provided in division 2879
(B), (C), or (D) of this section, whoever violates division (B) 2880
of section 971.08 or division ~~(C)~~ (D) of section 971.12 of the 2881
Revised Code is guilty of a misdemeanor of the third degree. 2882

(B) Whoever violates division (B) of section 971.08 or 2883

division ~~(C)~~ (D) of section 971.12 of the Revised Code is guilty 2884
of a misdemeanor of the second degree if, in committing the 2885
offense, the violator made a threat of physical harm to the 2886
person that was building or maintaining a partition fence. 2887

(C) Whoever violates division (B) of section 971.08 or 2888
division ~~(C)~~ (D) of section 971.12 of the Revised Code is guilty 2889
of a misdemeanor of the first degree if, in committing the 2890
offense, the violator caused physical harm to the person that 2891
was building or maintaining a partition fence. 2892

(D) Whoever violates division (B) of section 971.08 or 2893
division ~~(C)~~ (D) of section 971.12 of the Revised Code is guilty 2894
of a felony of the fifth degree if, in committing the offense, 2895
the violator caused serious physical harm or death to the person 2896
that was building or maintaining a partition fence. 2897

(E) Prosecution for a violation of division (B) of section 2898
971.08 or division ~~(C)~~ (D) of section 971.12 of the Revised Code 2899
does not preclude prosecution for a violation of any other 2900
section of the Revised Code. One or more acts, a series of acts, 2901
or a course of behavior that can be prosecuted under this 2902
section or any other section of the Revised Code may be 2903
prosecuted under this section, the other section, or both 2904
sections. 2905

Sec. 4503.16. As used in this section, "original owner" 2906
includes, with respect to any motor vehicle owned by the federal 2907
government and loaned to the state or any of its political 2908
subdivisions for use in a federal program, the state or the 2909
political subdivision to which the motor vehicle has been loaned 2910
and in the name of which the vehicle is registered. 2911

Title to motor vehicles acquired by the state or any of 2912

its political subdivisions, whether used for either governmental 2913
or proprietary functions, shall be registered. Motor vehicles 2914
owned by the federal government and loaned to the state or any 2915
of its political subdivisions for use in a federal program shall 2916
be registered in the name of the state or political subdivision 2917
without the presentation of a certificate of title or other 2918
evidence of ownership as required by section 4503.10 of the 2919
Revised Code, when the registrar is satisfied that the motor 2920
vehicles are on loan from the federal government and are being 2921
used exclusively in a federal program. Such vehicles that have 2922
been registered and that are used exclusively in the performance 2923
of the governmental or proprietary functions of the state or any 2924
political subdivision thereof shall not be subject to charge of 2925
any kind; but this provision does not exempt the operation of 2926
such vehicles from any other provision of Chapters 4501., 4503, 2927
4505., 4507., 4509., 4511., 4515., and 4517. of the Revised 2928
Code, and the penal laws relating to them. 2929

The registrar of motor vehicles shall accept any 2930
application to register a motor vehicle owned by the federal 2931
government that may be made by any officer, department, or agent 2932
of such government. 2933

The registrar shall issue permanent license plates for 2934
motor vehicles acquired by the state or any of its political 2935
subdivisions, or loaned to the state or any of its political 2936
subdivisions by the federal government for use in a federal 2937
program, which have been registered and that are used 2938
exclusively in the performance of the governmental or 2939
proprietary functions of the state or any political subdivision 2940
thereof, or are used exclusively in a federal program. With 2941
respect to permanent license plates issued for motor vehicles 2942
owned and used by a township for governmental or proprietary 2943

functions, such license plates shall display upon them the term 2944
"township" in bold letters. 2945

The registrar shall also issue permanent license plates 2946
for all motor vehicles owned and registered by the federal 2947
government. Such permanent license plates if lost, stolen, or 2948
destroyed, shall be replaced gratis with another permanent 2949
number. 2950

Upon the transfer of ownership of a motor vehicle or 2951
termination by the federal government of any loan of a motor 2952
vehicle for which permanent license plates are issued, the 2953
registration of such motor vehicle shall expire and the original 2954
owner shall immediately remove such license plates from such 2955
motor vehicle. Should the original owner at any time make 2956
application for the registration of another motor vehicle, ~~he~~ 2957
the original owner may file an application for transfer of 2958
registration accompanied by the original certificate of 2959
registration, for which there shall be no transfer fee. 2960

Sec. 4504.18. For the purpose of paying the costs and 2961
expenses of enforcing and administering the tax provided for in 2962
this section; for the construction, reconstruction, improvement, 2963
maintenance, and repair of township roads, bridges, and 2964
culverts; for purchasing, erecting, and maintaining traffic 2965
signs, markers, lights, and signals; for purchasing road 2966
machinery and equipment, and planning, constructing, and 2967
maintaining suitable buildings to house such equipment; for 2968
paying any costs apportioned to the township under section 2969
4907.47 of the Revised Code; and to supplement revenue already 2970
available for such purposes, the board of township trustees may 2971
levy an annual license tax, in addition to the tax levied by 2972
sections 4503.02, 4503.07, and 4503.18 of the Revised Code, upon 2973

the operation of motor vehicles on the public roads and highways 2974
in the unincorporated territory of the township. The tax shall 2975
be at the rate of five dollars per motor vehicle on all motor 2976
vehicles the owners of which reside in the unincorporated area 2977
of the township and shall be in addition to the taxes at the 2978
rates specified in sections 4503.04 and 4503.16 of the Revised 2979
Code, subject to reductions in the manner provided in section 2980
4503.11 of the Revised Code and the exemptions provided in 2981
sections 4503.16, 4503.17, 4503.171, 4503.41, and 4503.43 of the 2982
Revised Code. 2983

Prior to the adoption of any resolution under this 2984
section, the board of township trustees shall conduct two public 2985
hearings thereon, the second hearing to be not less than three 2986
nor more than ten days after the first. Notice of the date, 2987
time, and place of such hearings shall be given by publication 2988
~~in a newspaper of general circulation in the township or as~~ 2989
~~provided in section 7.16 of the Revised Code,~~ once a week on the 2990
same day of the week for two consecutive weeks, the second 2991
publication being not less than ten nor more than thirty days 2992
prior to the first hearing, using at least one of the following 2993
methods: 2994

(A) In a newspaper of general circulation in the township; 2995

(B) On the official public notice web site established 2996
under section 125.182 of the Revised Code; 2997

(C) On the web site and social media account of the 2998
township. 2999

No resolution under this section shall become effective 3000
sooner than thirty days following its adoption, and such 3001
resolution is subject to a referendum in the same manner, except 3002

as to the form of the petition, as provided in division (H) of 3003
section 519.12 of the Revised Code for a proposed amendment to a 3004
township zoning resolution. In addition, a petition under this 3005
section shall be governed by the rules specified in section 3006
3501.38 of the Revised Code. No resolution levying a tax under 3007
this section for which a referendum vote has been requested 3008
shall go into effect unless approved by a majority of those 3009
voting upon it. 3010

A township license tax levied under this section shall 3011
continue in effect until repealed. 3012

Sec. 4504.181. (A) (1) The board of township trustees of a 3013
township may, by resolution, levy an annual license tax upon the 3014
operation of motor vehicles on the public roads and highways in 3015
the unincorporated territory of the township for any authorized 3016
purpose. A tax levied under this section is in addition to the 3017
tax levied by sections 4503.02 and 4503.07 of the Revised Code 3018
and any other tax levied under this chapter. The tax shall be at 3019
the rate of five dollars per motor vehicle on all motor vehicles 3020
the district of registration of which is located in the 3021
unincorporated area of the township levying the tax, as defined 3022
in section 4503.10 of the Revised Code. The rate of the tax is 3023
in addition to the tax rates prescribed in sections 4503.04 and 3024
4503.042 of the Revised Code and is subject to both of the 3025
following: 3026

(a) The reductions in the manner provided in section 3027
4503.11 of the Revised Code; 3028

(b) The exemptions provided in sections 4503.16, 4503.17, 3029
4503.172, 4503.173, 4503.18, 4503.41, 4503.43, 4503.46, and 3030
4503.571 of the Revised Code. 3031

(2) As used in division (A) (1) of this section,	3032
"authorized purpose" means any of the following:	3033
(a) Paying the costs and expenses of enforcing and administering the tax provided for in this section;	3034 3035
(b) Paying for construction, reconstruction, improvement, maintenance, and repair of township roads, bridges, and culverts;	3036 3037 3038
(c) Purchasing, erecting, and maintaining traffic signs, markers, lights, and signals;	3039 3040
(d) Purchasing road machinery and equipment, and planning, constructing, and maintaining suitable buildings to house such equipment;	3041 3042 3043
(e) Paying any costs apportioned to the township under section 4907.47 of the Revised Code;	3044 3045
(f) Supplementing revenue already available for the aforementioned purposes.	3046 3047
(B) Prior to the adoption of any resolution under this section, the board of township trustees shall conduct two public hearings on the resolution, the second hearing to be not less than three but not more than ten days after the first hearing. The board shall provide notice of the date, time, and place of both hearings by publication in a newspaper of general circulation in the township, or as provided in section 7.16 of the Revised Code, once a week on the same day of the week for two consecutive weeks <u>using at least one of the following publications:</u>	3048 3049 3050 3051 3052 3053 3054 3055 3056 3057
<u>(1) In a newspaper of general circulation in the township;</u>	3058
<u>(2) On the official public notice web site established</u>	3059

under section 125.182 of the Revised Code; 3060

(3) On the web site and social media account of the 3061
township. The 3062

The second publication shall be not less than ten but not 3063
more than thirty days prior to the first hearing. 3064

(C) No resolution adopted under this section shall become 3065
effective sooner than thirty days following its adoption. A 3066
resolution under this section is subject to a referendum in the 3067
same manner, except as to the form of the petition, as provided 3068
in division (H) of section 519.12 of the Revised Code for a 3069
proposed amendment to a township zoning resolution. In addition, 3070
a petition under this section shall be governed by the rules 3071
specified in section 3501.38 of the Revised Code. 3072

No resolution levying a tax under this section for which a 3073
referendum vote has been requested shall go into effect unless 3074
approved by a majority of those voting upon it. 3075

(D) A township license tax levied under this section 3076
continues in effect until repealed. 3077

Sec. 5535.06. In all cases where a county or township has 3078
constructed or improved any intercounty road, the director of 3079
transportation, upon request, shall, within sixty days, indicate 3080
what changes or improvements will be required in the road in 3081
order to bring it up to the approved standard of construction of 3082
such roads. In any case where such road is about to be 3083
constructed, reconstructed, or improved, the director shall, 3084
upon application, indicate within sixty days what changes will 3085
be required in the plans and specifications to bring the road up 3086
to the standard required by the state for the construction of 3087
intercounty highways. Whenever the changes specified by the 3088

director have been made, or when such roads have been 3089
constructed according to the plans and specifications approved 3090
by ~~him~~ the director, the roads shall at once become state roads. 3091

The board of county commissioners, upon application by the 3092
board of township trustees, shall specify in like manner what 3093
changes are required in any township road in order to bring it 3094
up to the standard of construction maintained for county roads, 3095
or, in case of the construction of any new improvement, the 3096
board of county commissioners shall indicate what changes in the 3097
plans and specifications will be required to bring the road up 3098
to the standard of construction required for county highways, 3099
and when a township highway is so improved or constructed, in 3100
accordance with the standard fixed, it shall be a county road. 3101

In any circumstance in which a county road becomes a 3102
township road, and the county intends for the township to 3103
maintain the road to the county standard of construction, the 3104
board of township trustees of the township and the board of 3105
county commissioners of the county shall enter into an agreement 3106
to provide financial assistance for the ongoing maintenance and 3107
repair of that road. 3108

Sec. 5549.21. The board of township trustees may purchase 3109
or lease such machinery and tools as are necessary for use in 3110
constructing, reconstructing, maintaining, and repairing roads 3111
and culverts within the township, and shall provide suitable 3112
places for housing and storing machinery and tools owned by the 3113
township. It may purchase such material and employ such labor as 3114
is necessary for carrying into effect this section, or it may 3115
authorize the purchase or employment of such material and labor 3116
by one of its number, or by the township highway superintendent, 3117
at a price to be fixed by the board. All payments on account of 3118

machinery, tools, material, and labor shall be made from the 3119
township road fund or the township's general fund. Except as 3120
otherwise provided in sections 505.08, 505.101, and 5513.01 of 3121
the Revised Code, all purchases of materials, machinery, and 3122
tools shall, if the amount involved exceeds the amount specified 3123
in section 9.17 of the Revised Code, be made from the lowest 3124
responsible bidder after advertisement, as provided in section 3125
5575.01 of the Revised Code. 3126

If, in compliance with section 505.10 of the Revised Code, 3127
the board wishes to sell machinery, equipment, or tools owned by 3128
the township to the person from whom it is to purchase other 3129
machinery, equipment, or tools, the board may offer, if the 3130
amount of the purchase alone involved does not exceed the amount 3131
specified in section 9.17 of the Revised Code, to sell such 3132
machinery, equipment, or tools and have the amount credited by 3133
the vendor against the purchase of the other machinery, 3134
equipment, or tools. If the purchase price of the other 3135
machinery, equipment, or tools alone exceeds the amount 3136
specified in section 9.17 of the Revised Code, the board may 3137
give notice to the competitive bidders of its willingness to 3138
accept offers for the purchase of the old machinery, equipment, 3139
or tools, and those offers shall be subtracted from the selling 3140
price of the other machinery, equipment, or tools as bid, in 3141
determining the lowest responsible bidder. Notice of the 3142
willingness of the board to accept offers for the purchase of 3143
the old machinery, equipment, or tools shall be made as a part 3144
of the advertisement for bids. 3145

Sec. 5571.011. If a person through whose land a public 3146
road has been established which is under the jurisdiction of a 3147
board of township trustees, desires to turn or change or 3148
relocate such road or any part thereof through any part of the 3149

person's land, the person may file a petition with such board of 3150
township trustees setting forth briefly the particular change 3151
desired. Upon receipt of such petition, the board of township 3152
trustees shall give notice by publication once, not later than 3153
two weeks ~~prior to~~ before the date which such board shall fix 3154
for a hearing on such petition, ~~in~~ using at least one of the 3155
following methods: 3156

(A) In a newspaper of general circulation in said 3157
township, ~~stating;~~ 3158

(B) On the official public notice web site established 3159
under section 125.182 of the Revised Code; 3160

(C) On the web site and social media account of the 3161
township. 3162

The notice shall state that such petition has been filed 3163
and setting forth the change desired in such road and the date 3164
and place of such hearing. 3165

Upon receipt of such a petition the board of township 3166
trustees shall cause a competent engineer to make a survey of 3167
the ground over which the road is proposed to be changed, and to 3168
make a report in writing, together with a plat and survey of the 3169
proposed change and the engineer's opinion as to its advantage 3170
or disadvantage. The report of such engineer shall be filed with 3171
the board prior to the hearing of such petition. 3172

At the hearing had on the petition the board of township 3173
trustees may hear evidence for or against changing the road, and 3174
if the board is satisfied that the proposed change will not 3175
cause serious injury or disadvantage to the public, it may make 3176
a finding of such fact in its journal and authorize the 3177
petitioner to change such road in conformity with the prayer of 3178

the petition. The board may grant the change as prayed for in 3179
the petition, or it may order such change of the route of such 3180
road as will, in its judgment, be for the best interest of the 3181
public. 3182

Upon receiving satisfactory evidence that the road has 3183
been changed as authorized by it, and opened to the legal width 3184
and improved as required by it, the board of township trustees 3185
shall declare such new road a public highway and cause a record 3186
thereof to be made and at the same time vacate so much of the 3187
old road as is rendered unnecessary by the new road. The person 3188
petitioning for such change shall in all cases pay all costs and 3189
expenses in connection with the proceeding, as found and 3190
determined by the board, and the expense of making such change, 3191
including the cost of relocation of any conduits, cables, wires, 3192
towers, poles or other equipment or appliances of any public 3193
utility, located on, over or under such road. The petitioner 3194
shall, on the filing of the petition for such change, give bond 3195
to the satisfaction of the board in such amount as it determines 3196
to secure payment of the costs of the proceeding and to cover 3197
the expense of making the change asked for by the petition. 3198

Sec. 5571.20. (A) Except as otherwise provided in division 3199
(D) of this section, a board of township trustees by resolution 3200
may place a graveled or unimproved township road under its 3201
jurisdiction that is not passable year-round or any portion of 3202
such a road on nonmaintained status. Prior to adopting a 3203
resolution that places a road on nonmaintained status, the board 3204
shall hold at least two public hearings to allow for public 3205
comment on the proposed resolution. The board, at special or 3206
regular meetings, shall publicize the times and places of the 3207
hearings by causing a notice to be published ~~in a newspaper of~~ 3208
~~general circulation in the county in which the road is located~~ 3209

at least ten days prior to the date of the first meeting using 3210
at least one of the following methods: 3211

(1) In a newspaper of general circulation in the county in 3212
which the road is located; 3213

(2) On the official public notice web site established 3214
under section 125.182 of the Revised Code; 3215

(3) On the web site and social media account of the 3216
township. If- 3217

If the township maintains a web site on the internet, the 3218
same notice also shall be posted on the web site at least ten 3219
days prior to the date of the first meeting. Upon adoption of 3220
such a resolution, the board is not required to cause the road 3221
to be dragged at any time, or to cut, destroy, or remove any 3222
brush, weeds, briars, bushes, or thistles upon or along the 3223
road, or to remove snow from the road, or to maintain or repair 3224
the road in any manner. The board, in its discretion, may cause 3225
any of these actions to be performed on or to a road that it has 3226
placed on nonmaintained status. 3227

(B) Prior to adopting a resolution under division (A) of 3228
this section, the board shall request the county engineer to 3229
issue an advisory opinion regarding the consequences of placing 3230
the road on nonmaintained status, including any impact such 3231
action would have on adjoining property owners. A board may 3232
adopt a resolution under division (A) of this section only after 3233
the county engineer issues the advisory opinion and the county 3234
engineer, in the advisory opinion, finds that placing the road 3235
on nonmaintained status will not unduly adversely affect the 3236
flow of motor vehicle traffic on that road or on any adjacent 3237
road. 3238

(C) (1) A board may terminate the nonmaintained status of a township road by adopting a resolution to that effect. If the owner of land adjoining a road that has been placed on nonmaintained status requests the board to terminate the nonmaintained status of the road, the board, in its resolution that terminates that nonmaintained status, may require the owner to pay the costs of upgrading the road to locally adopted township standards.

(2) If the owner of land adjoining a road that has been placed on nonmaintained status upgrades the road to the standards most recently certified by the county engineer for the road, the board shall terminate the nonmaintained status of the road and then shall maintain and repair the road according to such standards. However, division (C) (2) of this section does not apply to a road or portion of a road that, prior to being placed on nonmaintained status, was not certified by the board of township trustees to the director of transportation in accordance with division (E) of section 4501.04 of the Revised Code as mileage in the township used by and maintained for the public.

(3) The owner of land adjoining a road that was placed on nonmaintained status prior to April 7, 2009, or land owner of land whose only access to such a road is by easement may petition the board for review of the nonmaintained status of the road if the road provides the exclusive means for obtaining access to the land. Upon receipt of a petition, the board shall review the status of the road and shall terminate the nonmaintained status if the board finds that the road provides such exclusive means for obtaining access to the land. After completing the review, the board shall adopt a resolution either retaining or terminating the nonmaintained status of the road.

If the board terminates the nonmaintained status of a road under 3270
division (C) (3) of this section, the board shall not require the 3271
owner to pay the costs of upgrading, maintaining, or repairing 3272
the road. However, division (C) (3) of this section does not 3273
apply to a road or portion of a road that, prior to being placed 3274
on nonmaintained status, was not certified by the board of 3275
township trustees to the director in accordance with division 3276
(E) of section 4501.04 of the Revised Code as mileage in the 3277
township used by and maintained for the public. 3278

(D) A graveled or unimproved road may not be placed on 3279
nonmaintained status if the road is the exclusive means for 3280
obtaining access to land that adjoins that road and the road is 3281
passable year-round. 3282

(E) For purposes of this section, a road is passable year- 3283
round if a four-wheeled, two-wheel drive passenger motor vehicle 3284
can be driven on the road year-round, apart from seasonal 3285
conditions caused by weather-related events. 3286

Sec. 5573.02. Upon the completion of the surveys, plans, 3287
profiles, cross sections, estimates, and specifications for a 3288
road improvement by the county engineer, the engineer shall 3289
transmit to the board of township trustees copies of the same. 3290
Except in cases of reconstruction or repair of roads, where no 3291
land or property is taken, the board shall then ~~cause to be~~ 3292
~~published in a newspaper of general circulation within the~~ 3293
~~township~~publish, once a week for two consecutive weeks ~~or as~~ 3294
~~provided in section 7.16 of the Revised Code~~, a notice using at 3295
least one of the following methods: 3296

(A) In a newspaper of general circulation within the 3297
township; 3298

(B) On the official public notice web site established 3299
under section 125.182 of the Revised Code; 3300

(C) On the web site and social media account of the 3301
township. 3302

The notice shall state that such improvement is to be made 3303
and that copies of the surveys, plans, profiles, cross sections, 3304
estimates, and specifications for it are on file with the board 3305
for the inspection and examination of all persons interested. 3306

In the event that land or property is to be taken for such 3307
improvement, proceedings shall be had in accordance with 3308
sections 163.01 to 163.22 of the Revised Code. 3309

Sec. 5573.10. As soon as all questions of compensation and 3310
damages have been determined for any road improvement, the 3311
county engineer shall make, upon actual view, an estimated 3312
assessment, upon the real estate to be charged, of such part of 3313
the compensation, damages, and costs of such improvement as is 3314
to be specially assessed. Such assessment shall be according to 3315
the benefits which will result to the real estate. In making 3316
such assessment the engineer may take into consideration any 3317
previous special assessment made upon such real estate for road 3318
improvements. 3319

The schedule for such assessments shall be filed with the 3320
board of township trustees for the inspection of the persons 3321
interested. Before adopting the estimated assessment, the board 3322
shall publish a notice once each week for two consecutive weeks, ~~7-~~ 3323
~~in~~ using at least one of the following methods: 3324

(A) In a newspaper of general circulation within such 3325
township ~~or as provided in section 7.16 of the Revised Code,~~ ~~;~~ 3326

(B) On the official public notice web site established 3327

under section 125.182 of the Revised Code; 3328

(C) On the web site and social media account of the 3329
township. 3330

The notice shall state that such assessment has been made 3331
and is on file with the board, and the date when objections will 3332
be heard to such assessment. 3333

If any owner of property affected desires to make 3334
objections, the owner may file objections to such assessments, 3335
in writing, with the board, before the time of such hearing. If 3336
any objections are filed the board shall hear them and act as an 3337
equalizing board, and may change assessments if, in its opinion, 3338
any changes are necessary to make them just and equitable. The 3339
board shall approve and confirm assessments as reported by the 3340
engineer or modified by the board. Such assessments, when 3341
approved and confirmed, shall be a lien on the land chargeable 3342
therewith. 3343

Sec. 5575.01. (A) In the maintenance and repair of roads, 3344
the board of township trustees may proceed either by contract or 3345
force account, but, unless the exemption specified in division 3346
(C) of this section applies, if the board wishes to proceed by 3347
force account, it first shall cause the county engineer to 3348
complete the force account assessment form developed by the 3349
auditor of state under section 117.16 of the Revised Code. 3350
Except as otherwise provided in sections 505.08 and 505.101 of 3351
the Revised Code, when the board proceeds by contract, the 3352
contract shall, if the amount involved exceeds one hundred five 3353
thousand dollars, be let by the board to the lowest responsible 3354
bidder after advertisement for bids once, not later than two 3355
weeks, prior to the date fixed for the letting of the contract, 3356
in using at least one of the following methods: 3357

(1) In a newspaper of general circulation within the township; 3358
3359

(2) On the official public notice web site established under section 125.182 of the Revised Code; 3360
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(3) On the web site and social media account of the township. If- 3362
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If the amount involved is one hundred five thousand dollars or less, a contract may be let without competitive bidding, or the work may be done by force account. Such a contract shall be performed under the supervision of a member of the board or the township road superintendent. 3364
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(B) Before undertaking the construction or reconstruction of a township road, the board shall cause to be made by the county engineer an estimate of the cost of the work, which estimate shall include labor, material, freight, fuel, hauling, use of machinery and equipment, and all other items of cost. If the board finds it in the best interest of the public, it may, in lieu of constructing the road by contract, proceed to construct the road by force account. Except as otherwise provided under sections 505.08 and 505.101 of the Revised Code, where the total estimated cost of the work exceeds thirty-five thousand dollars per mile, the board shall invite and receive competitive bids for furnishing all the labor, materials, and equipment and doing the work, as provided in section 5575.02 of the Revised Code, and shall consider and reject them before ordering the work done by force account. When such bids are received, considered, and rejected, and the work is done by force account, the work shall be performed in compliance with the plans and specifications upon which the bids were based. 3369
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(C) Force account assessment forms are not required under 3387
division (A) of this section for road maintenance or repair 3388
projects or under division (B) of this section for road 3389
construction or reconstruction projects of less than one-third 3390
of the applicable force account limit. 3391

(D) On the first day of July of every year beginning in 3392
2024, the threshold amounts established in divisions (A) and (B) 3393
of this section shall increase by an amount not to exceed the 3394
lesser of five per cent, or the percentage amount of any 3395
increase in the department of transportation's construction cost 3396
index as annualized and totaled for the prior calendar year. The 3397
director of transportation shall notify each appropriate county 3398
engineer of the increased amount. 3399

(E) All force account work under this section shall be 3400
done under the direction of a member of the board or the 3401
township road superintendent. 3402

Sec. 5575.02. After the board of township trustees has 3403
decided to proceed with a road improvement, it shall advertise 3404
for bids once, not later than two weeks prior to the date fixed 3405
for the letting of contracts, in using at least one of the 3406
following methods: 3407

(A) In a newspaper of general circulation within the 3408
township; 3409

(B) On the official public notice web site established 3410
under section 125.182 of the Revised Code; 3411

(C) On the web site and social media account of the 3412
township. Such- 3413

Such notice shall state that copies of the surveys, plans, 3414
profiles, cross sections, and specifications for such 3415

improvement are on file with the board, and the time within 3416
which bids will be received. The board may let the work as a 3417
whole or in convenient sections, as it determines. The contract 3418
shall be awarded to the lowest and best bidder who meets the 3419
requirements of section 153.54 of the Revised Code, and shall be 3420
let upon the basis of lump sum bids, unless the board orders 3421
that it be let upon the basis of unit price bids, in which event 3422
it shall be let upon such basis. 3423

The board is not required to provide notice of the project 3424
cost estimate when advertising for bids under this section. 3425

Sec. 5579.05. (A) Upon receiving written information that 3426
noxious weeds, wild parsnip, wild carrot, oxeye daisy, wild 3427
mustard, or other harmful weeds are growing on land in a 3428
township, other than land owned or managed by the department of 3429
natural resources, or park land owned or managed by the state or 3430
a political subdivision, the board of township trustees shall 3431
notify the owner, lessee, agent, or tenant having charge of the 3432
land of the receipt of the information and of the obligations 3433
imposed by this section. Within five days after the notification 3434
is given, the person notified shall cut or destroy the weeds or 3435
show the board why there is no need for doing so. 3436

If the person in charge of the land is a resident of the 3437
township or a nonresident whose address is known, the notice 3438
shall be sent to his the resident's or nonresident's address by 3439
certified mail. If the person's address is unknown, it is 3440
sufficient to publish the notice once in using at least one of 3441
the following methods: 3442

(1) In a newspaper of general circulation in the county; 3443

(2) On the official public notice web site established 3444

under section 125.182 of the Revised Code; 3445

(3) On the web site and social media account of the 3446
township. 3447

(B) Upon receiving information that wild parsnip, wild 3448
carrot, oxeye daisy, wild mustard, or noxious weeds are growing 3449
in a township on land owned or managed by the department of 3450
natural resources, or on park land owned or managed by the state 3451
or a political subdivision, the board of township trustees shall 3452
notify the county extension agent for the county in which the 3453
township is located of the receipt of the information. Within 3454
five days after the notification is given, the extension agent 3455
shall meet in committee with a person designated for this 3456
purpose by the governing authority of the land and, if the land 3457
is within a soil and water conservation district, with a 3458
supervisor of the district designated by the district 3459
supervisors, to consider ways to deal with the problem, and 3460
shall, within such five days, report the committee's findings 3461
and recommendations to the board of township trustees. 3462

This section and sections 5579.06 and 5579.07 of the 3463
Revised Code do not apply to persons subject to section 4959.11 3464
of the Revised Code. 3465

Section 2. That existing sections 349.01, 501.07, 503.162, 3466
503.41, 504.02, 504.03, 504.12, 504.121, 504.122, 504.123, 3467
504.124, 504.126, 504.21, 505.07, 505.10, 505.17, 505.264, 3468
505.28, 505.37, 505.373, 505.55, 505.73, 505.75, 505.76, 505.86, 3469
505.87, 505.871, 507.05, 511.12, 511.21, 515.01, 515.04, 517.07, 3470
517.073, 517.12, 517.22, 519.06, 519.08, 519.09, 519.12, 519.15, 3471
519.99, 521.03, 971.12, 971.99, 4503.16, 4504.18, 4504.181, 3472
5535.06, 5549.21, 5571.011, 5571.20, 5573.02, 5573.10, 5575.01, 3473
5575.02, and 5579.05 of the Revised Code are hereby repealed. 3474

Section 3. That section 504.125 of the Revised Code is 3475
hereby repealed. 3476

Section 4. All items in this act are hereby appropriated 3477
as designated out of any moneys in the state treasury to the 3478
credit of the designated fund. For all operating appropriations 3479
made in this act, those in the first column are for fiscal year 3480
2024 and those in the second column are for fiscal year 2025. 3481
The operating appropriations made in this act are in addition to 3482
any other operating appropriations made for these fiscal years. 3483

Section 5. 3484

3485

	1	2	3	4	5
A	DEV DEPARTMENT OF DEVELOPMENT				
B	General Revenue Fund				
C	GRF	195586	Township Zoning Assistance	\$1,500,000	\$1,500,000
D	TOTAL GRF General Revenue Fund			\$1,500,000	\$1,500,000
E	TOTAL ALL BUDGET FUND GROUPS			\$1,500,000	\$1,500,000

TOWNSHIP ZONING ASSISTANCE 3486

The foregoing appropriation item 195586, Township Zoning 3487
Assistance, shall be used to offer grants to townships seeking 3488
to modernize regulations and processes tied to zoning efforts. 3489

Section 6. 3490

3491

1	2	3	4	5
A	FUN STATE BOARD OF EMBALMERS AND FUNERAL DIRECTORS			
B	General Revenue Fund			
C	GRF 881500	Indigent Burial and Cremation Support	\$1,000,000	\$1,000,000
D	TOTAL GRF General Revenue Fund		\$1,000,000	\$1,000,000
E	TOTAL ALL BUDGET FUND GROUPS		\$1,000,000	\$1,000,000

Section 7. Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the manner in which appropriation accounts shall be maintained. Expenditures from operating appropriations contained in this act shall be accounted for as though made in, and are subject to all applicable provisions of, H.B. 33 of the 135th General Assembly.

Section 8. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 505.75 of the Revised Code as amended by both H.B. 175 and S.B. 115 of the 125th General Assembly.

Section 971.07 (971.12) of the Revised Code as amended and	3510
renumbered by H.B. 323 and as amended by S.B. 268, both of the	3511
127th General Assembly.	3512