

12 February 2016

TESTIMONY

H.B. No. 375

LOCAL GOVERNMENT COMMITTEE MEETING

FEBRUARY 16, 2016

Background:

Perkins Township is at this Committee meeting to provide information and testimony concerning H.B. No. 39. That bill, if enacted, would add a new section to the Revised Code which would provide the authority for Townships to adopt a resolution requiring property owners, occupants or persons having control of a property to remove snow and ice from sidewalks abutting such properties. This bill would also contain language that would remove liability for those complying with the Township's resolution.

The proposed bill DOES NOT mandate that a township MUST adopt a resolution regarding the removal of snow or ice. The proposed bill also provides those townships interested in adopting such a resolution the ability to craft its resolution to provide for the time-frame to address the removal of snow or ice, and it contains language that enables a township to exempt individuals based on age, infirmities, etc. with complying with the resolution.

As the Committee is probably aware, Townships do not currently have the authority to require that property owners remove snow and ice from sidewalks. That authority exists for municipal corporations in the state, and it is our belief that larger urban townships should be afforded the same ability as a small village to ensure that its sidewalk network remains available to be safely used.

From Perkins Township perspective, the proposed bill would offer the authority to townships to address snow and ice removal, and it would only apply to those areas of townships so identified in any future resolutions by those subdivisions.

Township Information:

Perkins Township is located in Erie County. The Township is located in the northern part of the County, and is immediately to the south of the City of Sandusky. The Township has a population of about 13,000, and during the prime summer tourist season with the large number of visitors to the lake, Cedar Point and the waterpark resorts in the Township, that population

increases substantially. Access to and through the Township is provided by U.S. Route 250, U.S. Route 6, State Route 2 and State Route 4.

Based on population, Perkins Township is the second largest political subdivision in Erie County. Only the City of Sandusky has a larger population. The Township's population is significantly larger than that of the Cities of Huron, Vermilion and Port Clinton in nearby Ottawa County.

Significant commercial development is located in the Township, and the Township is home to the majority of businesses and retail activities in the County. The U.S. Route 250 corridor carries the highest daily traffic volumes in the area, and acts as the community's principal business corridor. That route provides access to Cedar Point and the islands, and carries substantial traffic volumes during the tourist season. The Township is also home to the NASA Plum Brook station which contains rocket/ aerospace testing facilities not available anywhere else. The Ohio Veterans Home is located in the Township and its residents benefit from sidewalk access to community facilities. The Perkins Local School District operates four (4) schools and serves a student population of about 2,400.

Perkins Township is also comprised of a diverse range of neighborhoods and housing opportunities. Many but not all of our neighborhoods and business districts have sidewalks, those sidewalks along with Township paths through parks and schools provide safe and convenient routes for pedestrians and bicyclists to access other parts of the township, shopping, churches and businesses. Sidewalks also offer the opportunity for residents to stay active by walking and biking.

While the general character of the Township can be described as being "urban" in nature due to the extent of business, industrial, institutional and residential uses, agricultural uses are found in the southern areas of the Township.

#### Importance of Enacting Such a Bill:

As mentioned earlier, Perkins Township is quite urban in character, and as the Committee is aware, there are a large number of "urbanized townships" in the state with public sidewalks. The proposed bill would afford those townships interested in requiring that sidewalks be cleared of

snow and ice after storms by property owners, occupants or persons having control of the property with the authority to do that.

As mentioned earlier, U.S. Route 250 acts as a major business and traffic corridor for through as well as local traffic. In order to provide for safe traffic movements on that road, ODOT has undertaken a major investment in improving traffic flow, intersection reconfigurations, and the installation of sidewalks in 2015 and that project will continue in 2016. The installation of sidewalks along this high volume road was included in recognition of the number of pedestrians and bicyclists using that road and in order to provide for the safe passage of pedestrian and bicycle use on that road corridor. Providing the legislative authority to ensure that this new sidewalk system remains available for use year round by requiring the removal of snow and ice makes sense in our opinion.

Perkins Township has worked closely with our School District and Regional Planning Commission/ MPO to obtain grant funding under ODOT's Safe Routes to School programming. In this regard, it is noted that sidewalks are being installed in a number of areas to connect our neighborhoods to elementary and middle schools in order to provide students with safer access to schools and facilities. The Township is currently in the process of preparing another grant under ODOT's Safe Routes to School program for submission in early March in order to continue to enhance our sidewalk network and connections to our schools. By having the ability to require that sidewalks be cleared of snow and ice after a storm, our school-age children will be able to access schools on sidewalks rather than risking walking in the streets. From our perspective, the investment in sidewalk facilities as provided for under ODOT's grant program is very important to our residents, and the inability to ensure that those sidewalks would be clear of snow or ice and available for use by the community would seem to be counterproductive to the intent of that grant program.

From the Township's perspective, we would consider crafting and adopting a resolution that would take advantage of the provisions of the proposed bill if it is enacted. The Township would also only have it applicable to the more urbanized areas and not our more rural areas.

#### Concluding Remarks:

Perkins Township's appreciates that consideration is being given to enacting a bill that would provide townships with the same authority as a municipal corporation to require that sidewalks be cleared of snow and ice.

The ability to require the removal of snow and ice will afford townships with an opportunity to make sure that our sidewalk infrastructure is available for use by our residents year round.

The proposed bill makes sense for urban townships such as ours. If this bill is enacted as drafted, it would not mandate that townships require their residents to remove snow and ice from sidewalks but it would enable those townships interested in exercising that authority to do so.

Thank you for opportunity to share these thoughts with the Committee.

Respectfully submitted,

Gary Boyle, AICP  
Township Administrator  
Perkins Township  
2610 Columbus Avenue  
Sandusky, Ohio 44870  
Tel. No.: 419-609-1435  
Fax No.: 419-609-1410