

As Introduced

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

S. B. No. 193

Senator Williams

Cosponsors: Senators Thomas, Yuko, Maharath, Antonio



A BILL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

subdivision a certificate of sale. 442

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) Adopt an official seal; 817

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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