

H. B. No. 315
As Introduced

_____ moved to amend as follows:

- In line 1 of the title, after "349.01" insert ", 349.03, 349.14"; 1
- after "503.162" insert ", 503.40"; after "503.41" insert ", 503.42, 2
- 503.43, 503.44, 503.47, 503.48, 503.49, 503.50" 3
- In line 4 of the title, after "505.17" insert ", 505.26" 4
- In line 5 of the title, after "505.76" insert ", 505.82" 5
- In line 6 of the title, after "507.05" insert ", 511.03, 511.04" 6
- In line 14 of the title, after "sections" insert "503.411," 7
- In line 15 of the title, delete "section" and insert "sections 8
- 503.45, 503.46," 9
- In line 16 of the title, after "504.125" insert ", 511.01, and 10
- 511.02" 11
- In line 19, after "349.01" insert ", 349.03, 349.14"; after 12
- "503.162" insert ", 503.40"; after "503.41" insert ", 503.42, 503.43, 13
- 503.44, 503.47, 503.48, 503.49, 503.50" 14
- In line 21, after "505.17" insert ", 505.26" 15



In line 22, after "505.76" insert ", 505.82" 16
In line 23, after "507.05" insert ", 511.03, 511.04" 17
In line 29, after "sections" insert "503.411," 18
In line 112, after the second "township" insert "i 19

(5) In the event that more than one body meets the 20
definitions set forth in divisions (F) (1) to (4) of this 21
section, "organizational board of commissioners" means the 22
organizational board of commissioners with which the original 23
petition was filed or another body meeting the definitions set 24
forth in divisions (F) (1) to (4) of this section appointed in a 25
resolution adopted by the organizational board of commissioners 26
with which the original petition was filed" 27

After line 221, insert: 28

"Sec. 349.03. (A) Proceedings for the organization of a 29
new community authority shall be initiated by a petition filed 30
by the developer in the office of the clerk of an organizational 31
board of commissioners determined based on where the territory 32
of the proposed new community district is located. Such petition 33
shall be signed by the developer and may be signed by each 34
proximate community. The legislative authorities of each such 35
proximate community shall act in behalf of such community. Such 36
petition shall contain: 37

(1) The name of the proposed new community authority; 38

(2) The address where the principal office of the 39
authority will be located or the manner in which the location 40
will be selected; 41

(3) A map and a full and accurate description of the 42

boundaries of the new community district together with a 43
description of the properties within such boundaries, if any, 44
which will not be included in the new community district. 45

(4) A statement setting forth the zoning regulations 46
proposed for zoning the area within the boundaries of the new 47
community district for comprehensive development as a new 48
community, and if the area has been zoned for such development, 49
a certified copy of the applicable zoning regulations therefor; 50

(5) A current plan indicating the proposed development 51
program for the new community district, the land acquisition and 52
land development activities, community facilities, services 53
proposed to be undertaken by the new community authority under 54
such program, the proposed method of financing such activities 55
and services, including a description of the bases, timing, and 56
manner of collecting any proposed community development charges, 57
and the projected total residential population of, and 58
employment within, the new community; 59

(6) A suggested number of members, consistent with section 60
349.04 of the Revised Code, for the board of trustees; 61

(7) A preliminary economic feasibility analysis, including 62
the area development pattern and demand, location and proposed 63
new community district size, present and future socio-economic 64
conditions, public services provision, financial plan, and the 65
developer's management capability; 66

(8) A statement that the development will comply with all 67
applicable environmental laws and regulations. 68

Upon the filing of such petition, the organizational board 69
of commissioners shall determine whether such petition complies 70
with the requirements of this section as to form and substance. 71

The board in subsequent proceedings may at any time permit the petition to be amended in form and substance to conform to the facts by correcting any errors in the description of the proposed new community district or in any other particular.

Upon the determination of the organizational board of commissioners that a sufficient petition has been filed in accordance with this section, the board shall fix the time and place of a hearing on the petition for the establishment of the proposed new community authority. Such hearing shall be held not less than ninety-five nor more than one hundred fifteen days after the petition filing date, except that if the petition has been signed by all proximate communities or if the organizational board of commissioners is the legislative authority of the only proximate community for the proposed new community district, such hearing shall be held not less than thirty nor more than forty-five days after the petition filing date. The clerk of the organizational board of commissioners shall give notice thereof by publication once each week for three consecutive weeks, or as provided in section 7.16 of the Revised Code, in a newspaper of general circulation in any county of which a portion is within the proposed new community district. Except where the organizational board of commissioners is the legislative authority of the only proximate community for the proposed new community district, such clerk shall also give written notice of the date, time, and place of the hearing and furnish a certified copy of the petition to the clerk of the legislative authority of each proximate community which has not signed such petition. Except where the organizational board of commissioners is the legislative authority of the only proximate community for the proposed new community district, in the event that the legislative authority of a proximate community which

did not sign the petition does not approve by ordinance, 103
resolution, or motion the establishment of the proposed new 104
community authority and does not deliver such ordinance, 105
resolution, or motion to the clerk of the organizational board 106
of commissioners within ninety days following the date of the 107
first publication of the notice of the public hearing, the 108
organizational board of commissioners shall cancel such public 109
hearing and terminate the proceedings for the establishment of 110
the new community authority. 111

Upon the hearing, if the organizational board of 112
commissioners determines by resolution that the proposed new 113
community district will be conducive to the public health, 114
safety, convenience, and welfare, and is intended to result in 115
the development of a new community, the board shall by its 116
resolution, declare the new community authority to be organized 117
and a body politic and corporate with the corporate name 118
designated in the resolution, and define the boundary of the new 119
community district. In addition, the resolution shall provide 120
the method of selecting the board of trustees of the new 121
community authority and fix the surety for their bonds in 122
accordance with section 349.04 of the Revised Code. 123

If the organizational board of commissioners finds that 124
the establishment of the district will not be conducive to the 125
public health, safety, convenience, or welfare, or is not 126
intended to result in the development of a new community, it 127
shall reject the petition thereby terminating the proceedings 128
for the establishment of the new community authority. 129

(B) (1) At any time after the creation of a new community 130
authority, the developer may file an application with the clerk 131
of the organizational board of commissioners with which the 132

original petition was filed, or the organizational board of 133
commissioners appointed pursuant to division (F)(5) of section 134
349.01 of the Revised Code, setting forth a general description 135
of territory it desires to add or to delete from such district, 136
that such change will be conducive to the public health, safety, 137
convenience, and welfare, and will be consistent with the 138
development of a new community and will not jeopardize the plan 139
of the new community. 140

(2) If the territory to be added or deleted from a new 141
community district meets the criteria described in either 142
division (F)(3) or (4) of section 349.01 of the Revised Code, 143
and the original petition was not filed with the legislative 144
authority of the municipal corporation or the board of township 145
trustees of the township ~~organizational board of commissioners~~ 146
described in those divisions, the developer shall also file a 147
copy of the application to the clerk of that ~~municipal~~ 148
legislative authority or township ~~organizational board of~~ 149
~~commissioners~~ fiscal officer. ~~A municipal or township~~ 150
~~organizational board of commissioners that receives an~~ 151
~~application under division (B)(2) of this section is the acting~~ 152
~~organizational board of commissioners for the purposes of~~ 153
~~division (B)(4) of this section. Otherwise, the organizational~~ 154
~~board of commissioners with which the original petition was~~ 155
~~filed is the acting organizational board of commissioners for~~ 156
~~the purposes of that division.~~ 157

(3) If the developer is not a municipal corporation, port 158
authority, or county, all of such an addition to such a district 159
shall be owned by, or under the control through leases of at 160
least seventy-five years' duration, options, or contracts to 161
purchase, of the developer. 162

(4) Upon the filing of the application, the ~~acting~~ 163
organizational board of commissioners shall follow the same 164
procedure as required by this section in relation to the 165
original petition for the establishment of the proposed new 166
community. The ~~acting~~ organizational board of commissioners also 167
may determine by resolution to add territory to such district, 168
provided that the owner or other person who controls such 169
territory through leases of at least forty years' duration, 170
options, or contracts to purchase files a written consent to the 171
addition of such territory with the clerk of the ~~acting~~ 172
organizational board of commissioners, and ~~neither~~ the developer 173
~~nor, if applicable, the organizational board of commissioners~~ 174
~~with which the original petition was filed objects~~ does not 175
object to the addition of such territory by filing a written 176
objection with the clerk of the ~~acting~~ organizational board of 177
commissioners before the adoption of the resolution adding such 178
territory to the district. The ~~acting~~ organizational board of 179
commissioners shall follow the same procedure as required by 180
this section in relation to the original petition for the 181
establishment of the proposed new community when adopting such a 182
resolution. 183

(C) If all or any part of the new community district is 184
annexed to one or more existing municipal corporations, their 185
legislative authorities may appoint persons to replace any 186
appointed citizen member of the board of trustees. The number of 187
such trustees to be replaced by the municipal corporation shall 188
be the number, rounded to the lowest integer, bearing the 189
proportionate relationship to the number of existing appointed 190
citizen members as the acreage of the new community district 191
within such municipal corporation bears to the total acreage of 192
the new community district. If any such municipal corporation 193

chooses to replace an appointed citizen member, it shall do so 194
by ordinance, the term of the trustee being replaced shall 195
terminate thirty days from the date of passage of such 196
ordinance, and the trustee to be replaced shall be determined by 197
lot. Each newly appointed member shall assume the term of the 198
member's predecessor. 199

Sec. 349.14. Except as provided in section 349.03 of the 200
Revised Code, or as otherwise provided in a resolution adopted 201
by the organizational board of commissioners of a new community 202
authority, a new community authority organized under this 203
chapter may be dissolved only on the vote of a majority of the 204
voters of the new community district at a special election 205
called by the board of trustees on the question of dissolution. 206
Such an election may be called only after the board has 207
determined that the new community development program has been 208
completed, when no community authority bonds or notes are 209
outstanding, and other legal indebtedness of the authority has 210
been discharged or provided for, and only after there has been 211
filed with the board of trustees a petition requesting such 212
election, signed by a number of qualified electors residing in 213
the new community district equal to not less than eight per cent 214
of the total vote cast for all candidates for governor in the 215
new community district at the most recent general election at 216
which a governor was elected. If a majority of the votes cast 217
favor dissolution, the board of trustees shall, by resolution, 218
declare the authority dissolved and thereupon the community 219
authority shall be dissolved. A certified copy of the resolution 220
shall, within fifteen days after its adoption, be filed with the 221
clerk of the organizational board of commissioners ~~with which~~ 222
~~the original petition for the organization of the new community~~ 223
~~authority was filed and with the clerk of any other~~ 224

~~organizational board of commissioners where territory of the new
community district was located.~~ 225
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Upon dissolution of a new community authority, the powers 227
thereof shall cease to exist. Any property of the new community 228
authority shall vest with a municipal corporation, county, or 229
township in which that property is located or with the developer 230
of the new community authority or the developer's designee, all 231
as provided in a resolution adopted by the organizational board 232
of commissioners. Any vesting of property in a municipal 233
corporation, township, or county shall be subject to acceptance 234
of the property by resolution of the legislative authority of 235
the municipal corporation, board of township trustees, or board 236
of county commissioners, as applicable. If the legislative 237
authority of a municipal corporation, board of township 238
trustees, or board of county commissioners declines to accept 239
the property, the property vests with the developer or the 240
developer's designee. Any funds of the community authority at 241
the time of dissolution shall be transferred to the municipal 242
corporation and county or township, as provided in a resolution, 243
in which the new community district is located in the proportion 244
to the assessed valuation of taxable real property of the new 245
community authority within such municipal corporation and 246
township or county as said valuation appears on the current 247
assessment rolls." 248

After line 283, insert: 249

"Sec. 503.40. As used in sections 503.40 to 503.49 of the 250
Revised Code: 251

(A) ~~"Massage therapy" means any method of exerting
pressure on, stroking, kneading, rubbing, tapping, pounding,
vibrating, or stimulating the external soft tissue of the body~~ 252
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~~with the hands, or with the aid of any mechanical or electrical apparatus or appliance~~ has the same meaning as in section 4731.04 of the Revised Code.

(B) "Message establishment" means any fixed place of business where ~~a person offers massages~~ message therapy is provided:

(1) In exchange for anything of value; or

(2) In connection with the provision of another legitimate service.

(C) ~~"Masseur" or "masseuse"~~ "Massage therapist" means any individual person who performs ~~massages at a message establishment~~ message therapy.

(D) ~~"Sexual or genital area" includes the genitalia, pubic area, anus, perineum of any person, and the breasts of a female~~ "Registration" means to provide information to the board of township trustees to indicate the location of the establishment, the names of individuals employed there, and evidence of current state licensure or student status of anyone providing message therapy at the establishment as provided in division (A) of section 503.411 of the Revised Code."

In line 285, strike through "and require the registration of"

In line 286, strike through "and their employees"

In line 287, after "township" insert "and may require the registration of persons performing message therapy at the message establishments"

In line 288, strike through "that purpose" and insert "those purposes"

In line 290, after "enforce" insert " <u>such establishment</u> "; after	282
"regulations" insert " <u>and registration requirements</u> "	283
In line 292, after "adopt" insert " <u>establishment</u> "; after	284
"regulations" insert " <u>, registration requirements,</u> "	285
In line 305, after "proposed" insert " <u>establishment</u> "; after	286
"regulations" insert " <u>, registration requirements,</u> "	287
In line 307, strike through "Regulations" and insert " <u>Establishment</u>	288
<u>regulations, registration requirements,</u> "	289
In line 309, after "regulations" insert " <u>, requirements,</u> "	290
In line 315, after "regulations" insert " <u>, requirements,</u> "	291
In line 319, after "No" insert " <u>establishment</u> "; after "regulation"	292
insert " <u>, registration requirement,</u> "	293
In line 321, after "regulation" insert " <u>, requirement,</u> "	294
In line 323, after "regulation" insert " <u>, requirement,</u> "	295
In line 324, after "regulation" insert " <u>, requirement,</u> "	296
In line 325, after "available" insert " <u>establishment</u> "; after	297
"regulations" insert " <u>and registration requirements</u> "	298
In line 329, after " township " insert " <u>and requirements</u> "	299
In line 337, after the second "to" insert " <u>license any massage</u>	300
<u>therapist or otherwise</u> "	301
In line 340, after "physician," insert " <u>a licensed podiatrist,</u> "	302
In line 341, strike through "a licensed podiatrist,"	303
In line 342, strike through "As" and insert:	304
<u>"As"</u>	305

In line 345, after "adopts" insert "establishment" 306

After line 347, insert: 307

"Sec. 503.411. If a board of township trustees has adopted 308
a resolution under section 503.41 of the Revised Code to 309
regulate massage establishments, all of the following apply: 310

(A) The massage establishment regulations may include a 311
requirement that all massage therapy performed in a massage 312
establishment be performed by a person who meets one or more of 313
the following conditions and that does not exclude any such 314
person: 315

(1) Is licensed by the state cosmetology and barber board, 316
or its predecessors or successors, and provides massage therapy 317
as a portion of, and incidental to, barber services in 318
accordance with Chapter 4709. of the Revised Code or cosmetology 319
services in accordance with Chapter 4713. of the Revised Code; 320

(2) Is licensed by the board of nursing, or its 321
predecessors or successors, and provides massage therapy as a 322
portion of, and incidental to, nursing services in accordance 323
with Chapter 4723. of the Revised Code; 324

(3) Is licensed by the state medical board, or its 325
predecessors or successors, and provides massage therapy as a 326
portion of, and incidental to, medical services in accordance 327
with Chapter 4730. or 4731. of the Revised Code or acupuncture 328
in accordance with Chapter 4762. of the Revised Code; 329

(4) Is licensed by the state chiropractic board, or its 330
predecessors or successors, and provides massage therapy as a 331
portion of, and incidental to, chiropractic services in 332
accordance with Chapter 4734. of the Revised Code; 333

(5) Is licensed by the state medical board, or its 334
predecessors or successors, as a massage therapist in accordance 335
with Chapter 4731. of the Revised Code; 336

(6) Is licensed by the Ohio occupational therapy, physical 337
therapy, and athletic trainers board, or its predecessors or 338
successors, and provides massage therapy as a portion of, and 339
incidental to, services provided as an occupational therapist, 340
physical therapist, or athletic trainer in accordance with 341
Chapter 4755. of the Revised Code; 342

(7) Is enrolled and regularly and actively participating 343
in a program of study to achieve the training necessary to 344
obtain the massage therapist license specified in division (A) 345
(5) of this section and the program of study is in good standing 346
as determined by the state medical board. 347

(B) If a board of township trustees has adopted a 348
resolution as described in division (A) of this section, no 349
person shall knowingly act as a massage therapist for a massage 350
establishment located in the unincorporated area of the township 351
without first having obtained a license from a board specified 352
in division (A) of this section or without being a student as 353
provided in division (A) (7) of this section. 354

(C) The massage establishment regulations may include any 355
of the following: 356

(1) A requirement that the massage establishment fully 357
comply with any applicable zoning resolution and amendments to 358
the resolution that are adopted by the board under Chapter 519. 359
of the Revised Code; 360

(2) Designated hours as prohibited hours of operation; 361

(3) The prohibitions set forth in division (B) of section 503.42 of the Revised Code; 362
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(4) Any other regulation considered by the board to be necessary for the health, safety, and welfare of the township residents, subject to division (E) of section 503.41 of the Revised Code. 364
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Sec. 503.42. If a board of township trustees has adopted a resolution under section 503.41 of the Revised Code that includes a permit requirement to operate a massage establishment: 368
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~~(A) No person shall engage in, conduct or carry on, or permit to be engaged in, conducted or carried on in the unincorporated areas of the township, the operation of~~ operate a massage establishment in the unincorporated areas of a township without first having obtained a permit from the board of township trustees as provided in section 503.43 of the Revised Code. 372
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~~(B) No individual shall act as a masseur or masseuse for a massage establishment located in the unincorporated areas of the township without first having obtained a license from the board of township trustees as provided in section 503.45 of the Revised Code.~~ 379
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~~(C) No owner or operator of a massage establishment located in the unincorporated ~~areas~~ area of the township shall knowingly do any of the following:~~ 384
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~~(1) Employ an unlicensed masseur or masseuse as a massage therapist a person who does not meet one of the criteria listed in division (A) of section 503.411 of the Revised Code;~~ 387
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(2) Refuse to allow appropriate state or local 390
authorities, including police officers, access to the massage 391
establishment for any health or safety inspection conducted 392
pursuant to a massage establishment regulation or massage 393
therapist registration requirement adopted by the township under 394
section 503.41 of the Revised Code; 395

(3) Operate during the hours designated as prohibited 396
hours of operation by the board of township trustees; 397

(4) Employ any person under the age of eighteen. 398

~~(D) No person employed in a massage establishment located~~ 399
~~in the unincorporated area of the township shall knowingly do~~ 400
~~any of the following in the performance of duties at the massage~~ 401
~~establishment:~~ 402

~~(1) Place his or her hand upon, touch with any part of his~~ 403
~~or her body, fondle in any manner, or massage the sexual or~~ 404
~~genital area of any other person;~~ 405

~~(2) Perform, offer, or agree to perform any act which~~ 406
~~would require the touching of the sexual or genital area of any~~ 407
~~other person;~~ 408

~~(3) Touch, offer, or agree to touch the sexual or genital~~ 409
~~area of any other person with any mechanical or electrical~~ 410
~~apparatus or appliance;~~ 411

~~(4) Wear unclean clothing, no clothing, transparent~~ 412
~~clothing, or clothing that otherwise reveals the sexual or~~ 413
~~genital areas of the masseur or masseuse;~~ 414

~~(5) Uncover or allow the sexual or genital area of any~~ 415
~~other person to be uncovered while providing massages.~~ 416

~~(E) No licensed masseur or masseuse shall accept or~~ 417

~~continue employment at a massage establishment that does not~~ 418
~~have a current, valid permit issued by the board of township~~ 419
~~trustees.~~ 420

Sec. 503.43. If a board of township trustees has adopted 421
a resolution under section 503.41 of the Revised Code that 422
includes a permit requirement to operate a massage 423
establishment, the application for a permit to operate a massage 424
establishment shall be made to the board and shall include the 425
following: 426

(A) An initial, nonrefundable filing fee of two hundred 427
fifty dollars and an annual nonrefundable renewal fee of one 428
hundred twenty-five dollars; 429

(B) A health and safety report of an inspection of the 430
premises performed within thirty days of the application to 431
determine compliance with applicable health and safety codes, 432
which inspection appropriate state or local authorities acting 433
pursuant to an agreement with the board shall perform; 434

(C) The full name and address of any person applying for a 435
permit, including any partner or limited partner of a 436
partnership applicant, any officer or director of a corporate 437
applicant, and any stock holder holding more than two per cent 438
of the stock of a corporate applicant having less than a total 439
of fifty employees or any stock holder holding more than twenty- 440
five per cent of the stock of a corporate applicant having more 441
than a total of fifty employees, the date of birth ~~and social-~~ 442
~~security number~~ of each individual, and the federal 443
identification number of any partnership or corporation; 444

(D) Authorization for an investigation into the criminal 445
record of any person applying for a permit; 446

(E) Proof that the massage establishment fully complies 447
with any applicable zoning resolution and amendments to the 448
resolution adopted by the board under Chapter 519. of the 449
Revised Code; 450

(F) Any other information determined by the board to be 451
necessary for the health, safety, and welfare of the township 452
residents, subject to division (E) of section 503.41 of the 453
Revised Code. 454

A permit issued under this section to a massage 455
establishment shall expire one year after the date of issuance, 456
except that no massage establishment shall be required to 457
discontinue business because of the failure of the board to act 458
on a renewal application filed in a timely manner and pending 459
before the board on the expiration date of the establishment's 460
permit. Each permit shall contain the name of the applicant, the 461
address of the massage establishment, and the expiration date of 462
the permit. 463

Sec. 503.44. If a board of township trustees has adopted 464
a resolution under section 503.41 of the Revised Code that 465
includes a permit requirement to operate a massage 466
establishment, it shall deny any application for a permit to 467
operate a massage establishment or revoke, at any time, a 468
previously issued permit, for any of the following reasons: 469

(A) Falsification of any of the information required for 470
the application or failure to fully complete the application; 471

(B) Failure to cooperate with any required health or 472
safety inspection; 473

(C) Any one of the persons named on the application is 474
under the age of eighteen; 475

(D) Any one of the persons named on the application has
been convicted of or pleaded guilty to any violation of Chapter
2907. of the Revised Code, or any violation of any municipal
ordinance that is substantially equivalent to any offense
contained in Chapter 2907. of the Revised Code, within five
years preceding the application;

~~(E) Any masseur or masseuse employed at the licensed
massage establishment has been convicted of or pleaded guilty to
a violation of division (D) of section 503.42 of the Revised
Code.~~

Sec. 503.47. If a board of township trustees has adopted
a resolution under section 503.41 of the Revised Code that
includes a permit requirement to operate a massage
establishment, the regulations adopted for that purpose may
require any of the following:

(A) A massage establishment to display its current permit
in an area open to the public;

~~(B) Each massager~~ A massage establishment to display the
~~massager's license~~ massage therapists' licenses to practice at
all times in the areas of the massage establishment where the
~~licensee is providing massages~~ massage therapy is provided;

(C) Massage establishments to undergo periodic health and
safety inspections to determine continual compliance with
applicable health and safety codes;

~~(D) Massagers to undergo periodic physical examinations~~
~~performed by a licensed physician, a physician assistant, a~~
~~clinical nurse specialist, a certified nurse practitioner, or a~~
~~certified nurse midwife certifying that the massager continues~~
~~to be free from communicable diseases;~~

~~(E)~~ Any other requirement reasonably thought necessary by the board for the health, safety, and welfare of township residents, subject to division (E) of section 503.41 of the Revised Code.

Sec. 503.48. A board of township trustees acting under sections 503.40 to 503.49 of the Revised Code that has adopted a resolution under section 503.41 of the Revised Code need not hold any hearing in connection with an order denying or revoking a permit to operate a massage establishment ~~or masseur or masseuse license~~. The board shall maintain a complete record of each proceeding and shall notify the applicant in writing of its order. Any person adversely affected by an order of the board denying or revoking a permit to operate a massage establishment ~~or masseur or masseuse license~~ may appeal from the order of the board to the court of common pleas of the county in which the township is located, ~~the place of business of the permit holder is located, or the person is a resident~~. The appeal shall be in accordance with Chapter 2506. of the Revised Code.

Sec. 503.49. If a board of township trustees has adopted a resolution under section 503.41 of the Revised Code that includes a permit requirement to operate a massage establishment, the board shall deposit the fees collected by the township for massage establishment permits ~~and masseur and masseuse licenses~~ in the township general fund and first use the fees for the cost of administering and enforcing massage establishment regulations and massage therapist registration requirements adopted under section 503.41 of the Revised Code.

Sec. 503.50. (A) Whoever violates division (A) ~~or (B)~~ of section 503.42 of the Revised Code is guilty of a misdemeanor of the first degree.

(B) Whoever violates division (B) of section 503.411 or 535
division ~~(C), (D), or (E)~~ (B) of section 503.42 of the Revised 536
Code is guilty of a misdemeanor of the third degree." 537

In line 507, after "township." insert "If publication is made by 538
posting on the township web site or social media account, the township 539
fiscal officer shall cause proof of the publication to be created, and 540
maintain the proof." 541

After line 1041, insert: 542

"Sec. 505.26. The board of township trustees may 543
purchase, appropriate, construct, enlarge, improve, rebuild, 544
repair, furnish, and equip a township hall, a township park, 545
public library buildings, and bridges and viaducts over streets, 546
streams, railroads, or other places where an overhead roadway or 547
footway is necessary, and such board may acquire sites by lease 548
or otherwise for any of such improvements, including lands and 549
buildings for recreational purposes. 550

The board of township trustees, not for purposes of 551
recreation, but for the purposes of protecting and preserving 552
the natural, scenic, open, or wooded condition of land, water, 553
or wetlands against modification or encroachment resulting from 554
occupation, development, or other use, may acquire, other than 555
by appropriation, an ownership interest in land, water, or 556
wetlands, and may restore and maintain land, water, or wetlands 557
in which it has such an interest. 558

If sufficient space for township offices is not available, 559
the board of township trustees may purchase, lease, or 560
construct, and furnish, equip, and maintain office space. When 561
such offices are to be provided by construction, a site upon 562
which to erect such offices may be acquired by purchase, lease 563

for twenty-five years or longer, or otherwise. The cost of 564
providing such office space shall be paid out of funds in the 565
township treasury. If sufficient funds are not available the 566
board shall proceed as provided in sections ~~511.01 to 511.03~~ and 567
511.04 of the Revised Code." 568

In line 1184, strike through ", with the approval of the" 569

Strike through lines 1185 through 1187 570

In line 1188, strike through "township's law director," 571

After line 1646, insert: 572

"Sec. 505.82. (A) If a board of township trustees by a 573
unanimous vote or, in the event of the unavoidable absence of 574
one trustee, by an affirmative vote of two trustees adopts a 575
resolution declaring that an emergency exists that threatens 576
life or property within the unincorporated territory of the 577
township or that such an emergency is imminent, including an 578
emergency due to a natural disaster, civil unrest, or the 579
derailment of a locomotive, the board may exercise the powers 580
described in divisions (A) (1) and (2) and (B) of this section 581
during the emergency for a period of time not exceeding six 582
months following the adoption of the resolution. The resolution 583
shall state the specific time period for which the emergency 584
powers are in effect. 585

(1) If an owner of an undedicated road or stream bank in 586
the unincorporated territory of the township has not provided 587
for the removal of snow, ice, debris, or other obstructions from 588
the road or bank, the board may provide for that removal. Prior 589
to providing for the removal, the board shall give, or make a 590
good faith attempt to give, oral notice to the owner or owners 591
of the road or bank of the board's intent to clear the road or 592

bank and to impose a service charge for doing so. The board 593
shall establish just and equitable service charges for the 594
removal to be paid, except as provided in division (B) of this 595
section, by the owners of the road or bank. 596

The board shall keep a record of the costs incurred by the 597
township in removing snow, ice, debris, or other obstructions 598
from the road or bank. The service charges shall be based on 599
these costs and shall be in an amount sufficient to recover 600
these costs. If there is more than one owner of the road or 601
bank, the board, except as provided in division (B) of this 602
section, shall allocate the service charges among the owners on 603
an equitable basis. The board shall notify, in writing, each 604
owner of the road or bank of the amount of the service charges 605
and shall certify the charges to the county auditor. The service 606
charges shall constitute a lien upon the property. The auditor 607
shall place the service charges on a special duplicate to be 608
collected as other taxes and returned to the township general 609
fund. 610

(2) The board may contract for the immediate acquisition, 611
replacement, or repair of equipment needed for the emergency 612
situation, without following the competitive bidding 613
requirements of section 5549.21 or any other section of the 614
Revised Code. 615

(B) In lieu of collecting service charges from owners for 616
the removal of snow or ice from an undedicated road by the board 617
of township trustees as provided in division (A) (1) of this 618
section, the board may enter into a contract with a developer 619
whereby the developer agrees to pay the service charges for the 620
snow and ice removal instead of the owners. 621

(C) The removal of snow, ice, debris, or other 622

obstructions from an undedicated road by a board of township trustees acting pursuant to a resolution adopted under division (A) of this section does not constitute approval or acceptance of the undedicated road.

(D) As used in this section, "undedicated road" means a road that has not been approved and accepted by the board of county commissioners and is not a part of the state, county, or township road systems as provided in section 5535.01 of the Revised Code.

(E) Nothing in this section shall be construed to waive the requirement under section 1547.82 of the Revised Code that approval of plans be obtained from the director of natural resources or the director's representative prior to modifying or causing the modification of the channel of any watercourse in a wild, scenic, or recreational river area outside the limits of a municipal corporation."

After line 1972, insert:

~~"Sec. 511.03. After an affirmative vote in an election held under sections 511.01 and 511.02 of the Revised Code, the~~
If, in a township, a town hall is to be built, improved, enlarged, or removed at a cost greater than the amount specified in section 9.17 of the Revised Code, the board of township trustees may make all contracts necessary for the purchase of a site, and the erection, improvement, or enlargement of such building. The board shall levy the necessary tax, which, in any year, shall not exceed four mills on the dollar valuation. Such tax shall not be levied for more than seven years. In anticipation of the collection of taxes, the board may borrow money and issue bonds for the whole or any part of such work, which bonds shall not bear interest to exceed the rate provided

in section 9.95 of the Revised Code payable annually. 653

The board shall have control of any town hall belonging to 654
the township, and it may rent or lease all or part of any hall, 655
lodge, or recreational facility belonging to the township, to 656
any person or organization under terms the board considers 657
proper, for which all rent shall be paid in advance or fully 658
secured. In establishing the terms of any rental agreement or 659
lease pursuant to this section, the board of township trustees 660
may give preference to persons who are residents of or 661
organizations that are headquartered in the township or that are 662
charitable or fraternal in nature. All persons or organizations 663
shall be treated on a like or similar basis, and no 664
differentiation shall be made on the basis of race, color, 665
religion, national origin, sex, or political affiliation. The 666
rents received for such facilities may be used for their repair 667
or improvement, and any balance shall be used for general 668
township purposes. 669

Sec. 511.04. The board of township trustees, whenever it 670
has ~~been authorized by an affirmative vote,~~contracted to 671
purchase a site and erect thereon a town hall, and suitable 672
lands cannot be procured by contract for such purpose on 673
reasonable terms, may appropriate land therefor, not to exceed 674
one acre, by proceedings in accordance with sections 163.01 to 675
163.22 of the Revised Code." 676

Delete lines 2764 through 2797 677

After line 2797, insert: 678

"Sec. 519.99. Whoever violates sections 519.01 to 519.25 679
of the Revised Code shall be ~~fin~~essed a civil fine of not 680
more than five hundred dollars for each offense. The fine shall 681

be collected by filing a civil action in the court of common 682
pleas in the county where the property at issue is located. The 683
complaint may combine a cause of action for collection of civil 684
finances under this section with a cause of action for injunction, 685
abatement, mandamus, or other appropriate relief under section 686
519.24 of the Revised Code. Each day the violation continues 687
from the date of a judgment granting relief under this section 688
shall constitute a separate offense." 689

In line 3466, after "349.01" insert ", 349.03, 349.14"; after 690
"503.162" insert ", 503.40" 691

In line 3467, after "503.41" insert ", 503.42, 503.43, 503.44, 692
503.47, 503.48, 503.49, 503.50" 693

In line 3468, after "505.17" insert ", 505.26" 694

In line 3469, after "505.76" insert ", 505.82" 695

In line 3470, after "507.05" insert ", 511.03, 511.04" 696

In line 3475, delete "section" and insert "sections 503.45, 697
503.46,"; after "504.125" insert ", 511.01, and 511.02"; delete "is" and 698
insert "are" 699

The motion was _____ agreed to.

SYNOPSIS 700

Township massage regulation 701

R.C. 503.40, 503.41, 503.411, 503.42, 503.43, 503.44, 702
503.47, 503.48, 503.49, 503.50; R.C. 503.45 and 503.46 703
(repealed) 704

Modifies a township's authority to regulate massage by:	705
--Limiting the regulation to only "massage therapy" (i.e., massage for the treatment of disorders of the human body), as opposed to any massage;	706 707 708
--Repealing the authority for township-issued licenses for individuals who perform massage;	709 710
--Making it optional for a township to require massage establishments to obtain permits.	711 712
Township fiscal officer proof of publication	713
R.C. 504.121	714
Requires township fiscal officers, when a required notification is published by posting on the township website or social media account, to cause proof of the publication to be created, and to maintain the proof.	715 716 717 718
Township emergencies	719
R.C. 505.82	720
Specifies that boards of township trustees' emergency powers include emergencies due to a natural disaster, civil unrest, or the derailment of a locomotive.	721 722 723
Zoning fines	724
R.C. 519.99	725
Specifies a civil enforcement process for the resolution of zoning violations and the collection of zoning fines.	726 727
Fire equipment specifications	728
R.C. 505.37	729

Eliminates the requirement that the county prosecutor approve specifications of fire equipment.	730 731
New community authority	732
R.C. 349.01, 349.03, and 349.14	733
Adds to the definition of "organizational board of commissioners" for a new community to include if more than one body meets the current law definitions in R.C. 349.01, the "organizational board of commissioners" means the organizational board of commissioners of which the original petition was filed or another body meeting those current law definitions is appointed in a resolution adopted by the organizational board of commissioners of which the original petition was filed.	734 735 736 737 738 739 740 741
Removes references to "acting" organizational board of commissioners.	742 743
Township town halls	744
R.C. 511.01 and 511.02 (repealed), conforming changes in 505.26, 511.03, and 511.04	745 746
Repeals provisions of law requiring townships, whenever the board of trustees wishes to build or improve a town hall at a cost that requires competitive bidding, to submit the question to the electors.	747 748 749 750