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Sub. H. B. No. 315

Representatives Hall, Seitz

Cosponsors: Representatives Stoltzfus, Stein, Dobos, Creech, Schmidt, Carruthers, Abrams, Johnson, Williams, Brennan, Baker, Brown, Claggett, Dell'Aquila, Edwards, Ghanbari, Hillyer, John, Jones, Kick, Klopfenstein, Lampton, Lorenz, Loychik, Manning, Mathews, McClain, Patton, Pavliga, Peterson, Plummer, Robb Blasdel

Senators Antonio, Chavez, Cirino, Craig, DeMora, Gavarone, Hicks-Hudson, Huffman, S., Ingram, Landis, Lang, Manning, Reineke, Reynolds, Roegner, Sykes, Wilson

A BILL

To amend sections 7.10, 7.16, 122.6511, 125.182, 1
149.311, 149.43, 319.28, 349.01, 349.03, 349.14, 2
501.07, 503.162, 503.41, 504.02, 504.03, 504.12, 3
504.121, 504.122, 504.123, 504.124, 504.126, 4
504.21, 505.07, 505.10, 505.17, 505.26, 505.264, 5
505.28, 505.37, 505.373, 505.55, 505.73, 505.75, 6
505.76, 505.82, 505.86, 505.87, 505.871, 507.05, 7
511.03, 511.04, 511.12, 511.21, 515.01, 515.04, 8
517.07, 517.073, 517.12, 517.22, 519.06, 519.08, 9
519.09, 519.12, 519.15, 519.99, 521.03, 701.07, 10
755.13, 971.12, 971.99, 3781.34, 3781.36, 11
4112.01, 4503.16, 4504.18, 4504.181, 4913.15, 12
4913.17, 5549.21, 5571.011, 5571.20, 5573.02, 13
5573.10, 5575.01, 5575.02, 5579.05, 6101.16, and 14
6101.44; to amend, for the purpose of adopting a 15
new section number as indicated in parentheses, 16
section 504.126 (504.125); to enact sections 17
124.92, 503.54, 511.51, 511.52, 511.53, 18

3781.361, 4112.20, and 6101.47; and to repeal 19
sections 504.125, 511.01, and 511.02 of the 20
Revised Code and to amend Section 223.20 of H.B. 21
33 of the 135th General Assembly to make various 22
changes to township and other local and state 23
government law, and to make an appropriation. 24

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

Section 1. That sections 7.10, 7.16, 122.6511, 125.182, 25
149.311, 149.43, 319.28, 349.01, 349.03, 349.14, 501.07, 26
503.162, 503.41, 504.02, 504.03, 504.12, 504.121, 504.122, 27
504.123, 504.124, 504.126, 504.21, 505.07, 505.10, 505.17, 28
505.26, 505.264, 505.28, 505.37, 505.373, 505.55, 505.73, 29
505.75, 505.76, 505.82, 505.86, 505.87, 505.871, 507.05, 511.03, 30
511.04, 511.12, 511.21, 515.01, 515.04, 517.07, 517.073, 517.12, 31
517.22, 519.06, 519.08, 519.09, 519.12, 519.15, 519.99, 521.03, 32
701.07, 755.13, 971.12, 971.99, 3781.34, 3781.36, 4112.01, 33
4503.16, 4504.18, 4504.181, 4913.15, 4913.17, 5549.21, 5571.011, 34
5571.20, 5573.02, 5573.10, 5575.01, 5575.02, 5579.05, 6101.16, 35
and 6101.44 be amended; section 504.126 (504.125) be amended for 36
the purpose of adopting a new section number as indicated in 37
parentheses; and sections 124.92, 503.54, 511.51, 511.52, 38
511.53, 3781.361, 4112.20, and 6101.47 of the Revised Code be 39
enacted to read as follows: 40

Sec. 7.10. For the publication of advertisements, notices, 41
and proclamations, except those relating to proposed amendments 42
to the Ohio Constitution, required to be published by a public 43
officer of the state, a benevolent or other public institution, 44
a trustee, assignee, executor, or administrator, or by or in any 45

court of record, except when the rate is otherwise fixed by law, 46
publishers of newspapers may charge and receive for such 47
advertisements, notices, and proclamations rates charged on 48
annual contracts by them for a like amount of space to other 49
advertisers who advertise in its general display advertising 50
columns. 51

For the publication of advertisements, notices, or 52
proclamations required to be published by a public officer of a 53
county, municipal corporation, township, school, or other 54
political subdivision, publishers of newspapers shall establish 55
a government rate. The government rate shall not exceed the 56
lowest classified advertising rate and lowest insert rate paid 57
by other advertisers. 58

Legal advertising appearing in print, except that relating 59
to proposed amendments to the Ohio Constitution, shall be set up 60
in a compact form, without unnecessary spaces, blanks, or 61
headlines, and printed in not smaller than six-point type. The 62
type used must be of such proportions that the body of the 63
capital letter M is no wider than it is high and all other 64
letters and characters are in proportion. 65

Except as provided in section 2701.09 of the Revised Code, 66
all legal advertisements, notices, and proclamations shall be 67
printed in a newspaper of general circulation ~~and shall be~~ or 68
posted by the publisher of the newspaper on the newspaper's 69
internet web site, if the newspaper has one. A publisher of a 70
newspaper shall ~~not charge~~ establish a government rate, which 71
shall not exceed the lowest classified advertising rate and 72
lowest insert rate paid by other advertisers, for posting legal 73
advertisements, notices, and proclamations that are required by 74
law to be published in a newspaper of general ~~circulation~~ 75

circulation's digital edition on the newspaper's internet web 76
site. 77

Whenever a notice or advertisement is required by a 78
section of the Revised Code or an administrative rule to be 79
published in a newspaper of general circulation, or posted by 80
the publisher of the newspaper in the newspaper's digital 81
edition on the newspaper's internet web site, the notice or 82
advertisement also shall be posted on the official public notice 83
web site, established under section 125.182 of the Revised Code, 84
by the publisher of the newspaper. 85

Sec. 7.16. (A) As used in this section: 86

(1) "State agency" means any organized body, office, 87
agency, institution, or other entity established by the laws of 88
the state for the exercise of any function of state government, 89
including state institutions of higher education, as defined in 90
section 3345.011 of the Revised Code. 91

(2) "Political subdivision" has the meaning defined in 92
section 2744.01 of the Revised Code. 93

(B) If a section of the Revised Code or an administrative 94
rule requires a state agency or a political subdivision to 95
publish a notice or advertisement two or more times in a 96
newspaper of general circulation and the section or 97
administrative rule refers to this section, the first 98
publication of the notice or advertisement shall be made in its 99
entirety in a newspaper of general circulation and may be made 100
in a preprinted insert in the newspaper, but the second 101
publication otherwise required by that section or administrative 102
rule may be made in abbreviated form in a newspaper of general 103
circulation in the state or in the political subdivision, as 104

designated in that section or administrative rule, and on the 105
newspaper's internet web site, if the newspaper has one. The 106
state agency or political subdivision may eliminate any further 107
newspaper publications required by that section or 108
administrative rule, provided that the second, abbreviated 109
notice or advertisement meets all of the following requirements: 110

(1) It is published in the newspaper of general 111
circulation in which the first publication of the notice or 112
advertisement was made. 113

(2) It is posted by the publisher of the newspaper on the 114
official public notice web site established under section 115
125.182 of the Revised Code. ~~The publisher shall post the~~ 116
~~required notice or advertisement on the web site at no~~ 117
~~additional cost.~~ 118

(3) It includes a title, followed by a summary paragraph 119
or statement that clearly describes the specific purpose of the 120
notice or advertisement, and includes a statement that the 121
notice or advertisement is posted in its entirety on the 122
official public notice web site. The notice or advertisement 123
also may be posted on the state agency's or political 124
subdivision's internet web site. 125

(4) It includes the internet address of the official 126
public notice web site and the name, address, telephone number, 127
and electronic mail address of the state agency, political 128
subdivision, or other party responsible for publication of the 129
notice or advertisement. 130

(C) A notice or advertisement published under this section 131
on an internet web site shall be published in its entirety in 132
accordance with the section of the Revised Code or the 133

administrative rule that requires the publication. 134

(D) If the official public notice web site established 135
under section 125.182 of the Revised Code is not operational, 136
the state agency or political subdivision shall not publish a 137
notice or advertisement under this section, but instead shall 138
comply with the publication requirements of the section of the 139
Revised Code or the administrative rule that refers to this 140
section. 141

Sec. 122.6511. (A) As used in this section and section 142
122.6512 of the Revised Code: 143

(1) "Brownfield" means an abandoned, idled, or under-used 144
industrial, commercial, or institutional property where 145
expansion or redevelopment is complicated by known or potential 146
releases of hazardous substances or petroleum. 147

(2) "Lead entity" means ~~the award recipient and the~~ 148
~~responsible party with whom the department of development~~ 149
~~executes a grant agreement for the grant funds~~a county, 150
township, municipal corporation, port authority, conservancy 151
district, park district or other similar park authority, county 152
land reutilization corporation, or organization for profit. 153

(3) "Remediation" means any action to contain, remove, or 154
dispose of hazardous substances or petroleum at a brownfield. 155
~~"Cleanup or remediation"~~"Remediation" includes the acquisition 156
of a brownfield, demolition performed at a brownfield, and the 157
installation or upgrade of the minimum amount of infrastructure 158
that is necessary to make a brownfield operational for economic 159
development activity. 160

(4) "County land reutilization corporation" has the same 161
meaning as in section 1724.01 of the Revised Code. 162

(B) (1) There is hereby created the brownfield remediation program to award grants for the remediation of brownfield sites throughout Ohio. The program shall be administered by the director of development pursuant to this section and rules adopted pursuant to division (B) (2) of this section.

(2) The director shall adopt rules, under Chapter 119. of the Revised Code, for the administration of the program. The rules shall include provisions for determining project and project sponsor eligibility, program administration, and any other provisions the director finds necessary.

~~(3) The director shall ensure that the program is operational and accepting proposals for grants not later than ninety days after September 30, 2021.~~

~~(4) To streamline funding through the program, each county shall have one lead entity designated in accordance with the following:~~

~~(a) If the county has a population of less than one hundred thousand according to the most recent federal decennial census, the director shall select the lead entity from a list of recommendations made by the board of county commissioners of the county. The board shall submit a lead entity letter of intent and any other documentation required by the director in order for the director to select a lead entity for that county.~~

~~(b) If the county has a population of one hundred thousand or more according to the most recent federal decennial census and the county does not have a county land reutilization corporation, the director shall select the lead entity from a list of recommendations made by the board of county commissioners of the county. The board shall submit a lead~~

~~entity letter of intent and any other documentation required by~~ 192
~~the director in order for the director to select a lead entity~~ 193
~~for that county.~~ 194

~~(c) If the county has a population of one hundred thousand~~ 195
~~or more according to the most recent federal decennial census~~ 196
~~and the county has a county land reutilization corporation, the~~ 197
~~county land reutilization corporation is the lead entity for~~ 198
~~that county.~~ 199

~~(5) The lead entity of each county shall submit all grant~~ 200
~~applications for that county. The lead entity shall submit with~~ 201
~~a grant application any agreements executed between the lead~~ 202
~~entity with other recipients that will receive grant money~~ 203
~~through the lead entity, if applicable. Such recipients may~~ 204
~~include local governments, nonprofit organizations, community~~ 205
~~development corporations, regional planning commissions, county~~ 206
~~land reutilization corporations, and community action agencies.~~ 207

(C) (1) There is hereby created in the state treasury the 208
brownfield remediation fund. The fund shall consist of moneys 209
appropriated to it by the general assembly, and investment 210
earnings on moneys in the fund shall be credited to the fund. 211

The director shall reserve funds from each appropriation 212
to the fund to each county in the state. The amount reserved 213
shall be one million dollars per county, or, if an appropriation 214
is less than eighty-eight million dollars, a proportionate 215
amount to each county. Amounts reserved pursuant to this section 216
are reserved for one calendar year from the date of the 217
appropriation. After one calendar year, the funds shall be 218
available pursuant to division (D) of this section. 219

(2) A lead entity may submit an initial grant application 220

for the use of funds reserved under division (C) (1) of this 221
section to the director. The lead entity may later submit an 222
amended application to the director, and the director may accept 223
and approve that application for use of funds up to the amount 224
reserved for that county. 225

(D) Funds from an appropriation not reserved under 226
division (C) (1) of this section shall be available for grants to 227
projects located anywhere in the state, and grants from those 228
funds shall be awarded to qualifying projects on a first-come, 229
first-served basis. ~~Grants awarded pursuant to this division~~ 230
~~shall be limited to seventy five per cent of a project's total~~ 231
~~cost.~~ 232

(E) The amendments to this section by this act apply to 233
new projects that are applied for and awarded funding by the 234
director of development on and after the effective date of this 235
amendment. Projects that are applied for or were applied for 236
under this section prior to that date shall be governed by this 237
section as it existed prior to that date. 238

Sec. 124.92. For the purposes of anti-discrimination and 239
anti-bias training for state agency employees, the definition of 240
antisemitism in section 4112.01 of the Revised Code shall be 241
used as an educational tool to familiarize staff and officials 242
with antisemitism. 243

Sec. 125.182. (A) An Ohio trade association that 244
represents the majority of newspapers of general circulation as 245
defined in section 7.12 of the Revised Code shall operate and 246
maintain the official public notice web site. 247

Not later than one hundred eighty days after September 15, 248
2014, in all cases in which a notice or advertisement is 249

required by a section of the Revised Code or an administrative 250
rule to be published in a newspaper of general circulation, or 251
in a daily law journal as required by section 2701.09 of the 252
Revised Code, the notice or advertisement also shall be posted 253
on the official public notice web site by the publisher of the 254
newspaper or journal. 255

The operator of the official public notice web site shall: 256

(1) Use a domain name for the web site that will be easily 257
recognizable and remembered by and understandable to users of 258
the web site; 259

(2) Maintain the web site on the internet so that it is 260
fully accessible to and searchable by members of the public at 261
all times, other than during maintenance or acts of God outside 262
the operator's control; 263

(3) Not charge a fee to a person that accesses the web 264
site to view notices or advertisements or to perform searches of 265
the web site, provided that the operator may charge a fee for 266
enhanced search and customized content delivery features; 267

~~(4) Not charge a fee to a state agency or political 268
subdivision for publishing a notice or advertisement on the web- 269
site, including when the notice or advertisement is not 270
otherwise published in a newspaper or journal; 271~~

~~(5)~~ Ensure that notices and advertisements displayed on 272
the web site conform to the requirements that would apply to the 273
notices and advertisements if they were being published in a 274
newspaper, as directed in section 7.16 of the Revised Code or in 275
the relevant provision of the statute or rule that requires the 276
notice, as applicable; 277

~~(6)~~ (5) Ensure that notices and advertisements continue to 278

be displayed on the web site for not less than the length of 279
time required by the relevant provision of the statute or rule 280
that requires the notice or advertisement; 281

~~(7)~~(6) Maintain an archive of notices and advertisements 282
that no longer are displayed on the web site; 283

~~(8)~~(7) Enable notices and advertisements, both those 284
currently displayed and those archived, to be accessed by key 285
word, by party name, by case number, by county, and by other 286
useful identifiers; 287

~~(9)~~(8) Maintain adequate systemic security and backup 288
features, and develop and maintain a contingency plan for coping 289
with and recovering from power outages, systemic failures, and 290
other unforeseeable difficulties; 291

~~(10)~~(9) Provide access to the web site to the publisher of 292
any Ohio newspaper or daily law journal that qualifies under the 293
Revised Code to publish notices and advertisements, for the 294
posting of notices and advertisements at no cost, or for a 295
reasonable, uniform fee for the service; and 296

~~(11)~~(10) Provide, if requested, a regularly scheduled feed 297
or similar data transfer to the department of administrative 298
services of notices and advertisements posted on the web site, 299
provided that the operator of the web site shall not be required 300
to provide the feed or transfer more often than once every 301
business day. 302

(B) An error in a notice or advertisement posted on the 303
official public notice web site, or a temporary web site outage 304
or service interruption preventing the posting or display of a 305
notice or advertisement on that web site, does not constitute a 306
defect in making legal publication of the notice or 307

advertisement, and publication requirements shall be considered 308
met if the notice or advertisement published in the newspaper or 309
daily law journal is correct. 310

(C) The official public notice web site shall not contain 311
any political publications or political advertising described in 312
division (A) (1) (a), (b), or (c) of section 3517.20 of the 313
Revised Code. 314

(D) The publisher of a newspaper of general circulation or 315
of a daily law journal that maintains a web site shall include 316
on its web site a link to the official public notice web site. 317

Sec. 149.311. (A) As used in this section: 318

(1) "Historic building" means a building, including its 319
structural components, that is located in this state and that is 320
either individually listed on the national register of historic 321
places under 16 U.S.C. 470a, located in a registered historic 322
district, and certified by the state historic preservation 323
officer as being of historic significance to the district, or is 324
individually listed as an historic landmark designated by a 325
local government certified under 16 U.S.C. 470a(c). 326

(2) "Qualified rehabilitation expenditures" means 327
expenditures paid or incurred during the rehabilitation period, 328
and before and after that period as determined under 26 U.S.C. 329
47, by an owner or qualified lessee of an historic building to 330
rehabilitate the building. "Qualified rehabilitation 331
expenditures" includes architectural or engineering fees paid or 332
incurred in connection with the rehabilitation, and expenses 333
incurred in the preparation of nomination forms for listing on 334
the national register of historic places. "Qualified 335
rehabilitation expenditures" does not include any of the 336

following:	337
(a) The cost of acquiring, expanding, or enlarging an historic building;	338 339
(b) Expenditures attributable to work done to facilities related to the building, such as parking lots, sidewalks, and landscaping;	340 341 342
(c) New building construction costs.	343
(3) "Owner" of an historic building means a person holding the fee simple interest in the building. "Owner" does not include the state or a state agency, or any political subdivision as defined in section 9.23 of the Revised Code.	344 345 346 347
(4) "Qualified lessee" means a person subject to a lease agreement for an historic building and eligible for the federal rehabilitation tax credit under 26 U.S.C. 47. "Qualified lessee" does not include the state or a state agency or political subdivision as defined in section 9.23 of the Revised Code.	348 349 350 351 352
(5) "Certificate owner" means the owner or qualified lessee of an historic building to which a rehabilitation tax credit certificate was issued under this section.	353 354 355
(6) "Registered historic district" means an historic district listed in the national register of historic places under 16 U.S.C. 470a, an historic district designated by a local government certified under 16 U.S.C. 470a(c), or a local historic district certified under 36 C.F.R. 67.8 and 67.9.	356 357 358 359 360
(7) "Rehabilitation" means the process of repairing or altering an historic building or buildings, making possible an efficient use while preserving those portions and features of the building and its site and environment that are significant	361 362 363 364

to its historic, architectural, and cultural values. 365

(8) "Rehabilitation period" means one of the following: 366

(a) If the rehabilitation initially was not planned to be 367
completed in stages, a period chosen by the owner or qualified 368
lessee not to exceed twenty-four months during which 369
rehabilitation occurs; 370

(b) If the rehabilitation initially was planned to be 371
completed in stages, a period chosen by the owner or qualified 372
lessee not to exceed sixty months during which rehabilitation 373
occurs. Each stage shall be reviewed as a phase of a 374
rehabilitation as determined under 26 C.F.R. 1.48-12 or a 375
successor to that section. 376

(9) "State historic preservation officer" or "officer" 377
means the state historic preservation officer appointed by the 378
governor under 16 U.S.C. 470a. 379

(10) "Catalytic project" means the rehabilitation of an 380
historic building, the rehabilitation of which will foster 381
economic development within two thousand five hundred feet of 382
the historic building. 383

(B) The owner or qualified lessee of an historic building 384
may apply to the director of development for a rehabilitation 385
tax credit certificate for qualified rehabilitation expenditures 386
paid or incurred by such owner or qualified lessee after April 387
4, 2007, for rehabilitation of an historic building. If the 388
owner of an historic building enters a pass-through agreement 389
with a qualified lessee for the purposes of the federal 390
rehabilitation tax credit under 26 U.S.C. 47, the qualified 391
rehabilitation expenditures paid or incurred by the owner after 392
April 4, 2007, may be attributed to the qualified lessee. 393

The form and manner of filing such applications shall be 394
prescribed by rule of the director. Each application shall state 395
the amount of qualified rehabilitation expenditures the 396
applicant estimates will be paid or incurred and shall indicate 397
whether the historic building was used as a theater before, and 398
is intended to be used as a theater after, the rehabilitation. 399
The director may require applicants to furnish documentation of 400
such estimates. 401

The director, after consultation with the tax commissioner 402
and in accordance with Chapter 119. of the Revised Code, shall 403
adopt rules that establish all of the following: 404

(1) Forms and procedures by which applicants may apply for 405
rehabilitation tax credit certificates; 406

(2) Criteria for reviewing, evaluating, and approving 407
applications for certificates within the limitations under 408
division (D) of this section, criteria for assuring that the 409
certificates issued encompass a mixture of high and low 410
qualified rehabilitation expenditures, and criteria for issuing 411
certificates under division (C) (3) (b) of this section; 412

(3) Eligibility requirements for obtaining a certificate 413
under this section; 414

(4) The form of rehabilitation tax credit certificates; 415

(5) Reporting requirements and monitoring procedures; 416

(6) Procedures and criteria for conducting cost-benefit 417
analyses of historic buildings that are the subjects of 418
applications filed under this section. The purpose of a cost- 419
benefit analysis shall be to determine whether rehabilitation of 420
the historic building will result in a net revenue gain in state 421
and local taxes once the building is used. 422

(7) Any other rules necessary to implement and administer this section.	423 424
(C) The director shall review the applications with the assistance of the state historic preservation officer and determine whether all of the following criteria are met:	425 426 427
(1) That the building that is the subject of the application is an historic building and the applicant is the owner or qualified lessee of the building;	428 429 430
(2) That the rehabilitation will satisfy standards prescribed by the United States secretary of the interior under 16 U.S.C. 470, et seq., as amended, and 36 C.F.R. 67.7 or a successor to that section;	431 432 433 434
(3) That receiving a rehabilitation tax credit certificate under this section is a major factor in:	435 436
(a) The applicant's decision to rehabilitate the historic building; or	437 438
(b) To increase the level of investment in such rehabilitation.	439 440
(4) The historic building that is the subject of the application is not, and will not upon completion of the rehabilitation project be, part of a qualified low-income housing project allocated a tax credit pursuant to section 42 of the Internal Revenue Code.	441 442 443 444 445
An applicant shall demonstrate to the satisfaction of the state historic preservation officer and director that the rehabilitation will satisfy the standards described in division (C) (2) of this section before the applicant begins the physical rehabilitation of the historic building.	446 447 448 449 450

(D) (1) If the director determines that an application 451
meets the criteria in division (C) of this section, the director 452
shall conduct a cost-benefit analysis for the historic building 453
that is the subject of the application to determine whether 454
rehabilitation of the historic building will result in a net 455
revenue gain in state and local taxes once the building is used. 456
The director shall consider the results of the cost-benefit 457
analysis in determining whether to approve the application. The 458
director shall also consider the potential economic impact and 459
the regional distributive balance of the credits throughout the 460
state. The director shall not consider whether the historic 461
building is located in or will benefit an economically 462
distressed area, including by weighting preference based on the 463
poverty rate in the jurisdiction or census tract in which the 464
building is located. The director may approve an application 465
only after completion of the cost-benefit analysis. 466

(2) A rehabilitation tax credit certificate shall not be 467
issued for an amount greater than the estimated amount furnished 468
by the applicant on the application for such certificate and 469
approved by the director. The director shall not approve more 470
than a total of one hundred twenty million dollars of 471
rehabilitation tax credits for each of fiscal years 2023 and 472
2024, and sixty million dollars of rehabilitation tax credits 473
for each fiscal year thereafter but the director may reallocate 474
unused tax credits from a prior fiscal year for new applicants 475
and such reallocated credits shall not apply toward the dollar 476
limit of this division. 477

(3) For rehabilitations with a rehabilitation period not 478
exceeding twenty-four months as provided in division (A) (8) (a) 479
of this section, a rehabilitation tax credit certificate shall 480
not be issued before the rehabilitation of the historic building 481

is completed. 482

(4) For rehabilitations with a rehabilitation period not 483
exceeding sixty months as provided in division (A) (8) (b) of this 484
section, a rehabilitation tax credit certificate shall not be 485
issued before a stage of rehabilitation is completed. After all 486
stages of rehabilitation are completed, if the director cannot 487
determine that the criteria in division (C) of this section are 488
satisfied for all stages of rehabilitations, the director shall 489
certify this finding to the tax commissioner, and any 490
rehabilitation tax credits received by the applicant shall be 491
repaid by the applicant and may be collected by assessment as 492
unpaid tax by the commissioner. 493

(5) The director shall require the applicant to provide a 494
third-party cost certification by a certified public accountant 495
of the actual costs attributed to the rehabilitation of the 496
historic building when qualified rehabilitation expenditures 497
exceed two hundred thousand dollars. 498

If an applicant whose application is approved for receipt 499
of a rehabilitation tax credit certificate fails to provide to 500
the director sufficient evidence of reviewable progress, 501
including a viable financial plan, copies of final construction 502
drawings, and evidence that the applicant has obtained all 503
historic approvals within twelve months after the date the 504
applicant received notification of approval, and if the 505
applicant fails to provide evidence to the director that the 506
applicant has secured and closed on financing for the 507
rehabilitation within eighteen months after receiving 508
notification of approval, the director may rescind the approval 509
of the application. The director shall notify the applicant if 510
the approval has been rescinded. Credits that would have been 511

available to an applicant whose approval was rescinded shall be 512
available for other qualified applicants. Nothing in this 513
division prohibits an applicant whose approval has been 514
rescinded from submitting a new application for a rehabilitation 515
tax credit certificate. 516

(6) The director may approve the application of, and issue 517
a rehabilitation tax credit certificate to, the owner of a 518
catalytic project, provided the application otherwise meets the 519
criteria described in divisions (C) and (D) of this section. The 520
director may not approve more than one application for a 521
rehabilitation tax credit certificate under division (D) (6) of 522
this section during each state fiscal biennium. The director 523
shall not approve an application for a rehabilitation tax credit 524
certificate under division (D) (6) of this section during the 525
state fiscal biennium beginning July 1, 2017, or during any 526
state fiscal biennium thereafter. The director shall consider 527
the following criteria in determining whether to approve an 528
application for a certificate under division (D) (6) of this 529
section: 530

(a) Whether the historic building is a catalytic project; 531

(b) The effect issuance of the certificate would have on 532
the availability of credits for other applicants that qualify 533
for a credit certificate within the credit dollar limit 534
described in division (D) (2) of this section; 535

(c) The number of jobs, if any, the catalytic project will 536
create. 537

(7) (a) The owner or qualified lessee of a historic 538
building may apply for a rehabilitation tax credit certificate 539
under both divisions (B) and (D) (6) of this section. In such a 540

case, the director shall consider each application at the time 541
the application is submitted. 542

(b) The director shall not issue more than one certificate 543
under this section with respect to the same qualified 544
rehabilitation expenditures. 545

(8) The director shall give consideration for tax credits 546
awarded under this section to rehabilitations of historic 547
buildings used as a theater before, and intended to be used as a 548
theater after, the rehabilitation. In determining whether to 549
approve an application for such a rehabilitation, the director 550
shall consider the extent to which the rehabilitation will 551
increase attendance at the theater and increase the theater's 552
gross revenue. 553

(9) The director shall rescind the approval of any 554
application if the building that is the subject of the 555
application is part of a qualified low-income housing project 556
allocated a tax credit pursuant to section 42 of the Internal 557
Revenue Code at any time before the building's rehabilitation is 558
complete. 559

(E) Issuance of a certificate represents a finding by the 560
director of the matters described in divisions (C) (1), (2), and 561
(3) of this section only; issuance of a certificate does not 562
represent a verification or certification by the director of the 563
amount of qualified rehabilitation expenditures for which a tax 564
credit may be claimed under section 5725.151, 5725.34, 5726.52, 565
5729.17, 5733.47, or 5747.76 of the Revised Code. The amount of 566
qualified rehabilitation expenditures for which a tax credit may 567
be claimed is subject to inspection and examination by the tax 568
commissioner or employees of the commissioner under section 569
5703.19 of the Revised Code and any other applicable law. Upon 570

the issuance of a certificate, the director shall certify to the 571
tax commissioner, in the form and manner requested by the tax 572
commissioner, the name of the applicant, the amount of qualified 573
rehabilitation expenditures shown on the certificate, and any 574
other information required by the rules adopted under this 575
section. 576

(F) (1) On or before the first day of August each year, the 577
director and tax commissioner jointly shall submit to the 578
president of the senate and the speaker of the house of 579
representatives a report on the tax credit program established 580
under this section and sections 5725.151, 5725.34, 5726.52, 581
5729.17, 5733.47, and 5747.76 of the Revised Code. The report 582
shall present an overview of the program and shall include 583
information on the number of rehabilitation tax credit 584
certificates issued under this section during the preceding 585
fiscal year, an update on the status of each historic building 586
for which an application was approved under this section, the 587
dollar amount of the tax credits granted under sections 588
5725.151, 5725.34, 5726.52, 5729.17, 5733.47, and 5747.76 of the 589
Revised Code, and any other information the director and 590
commissioner consider relevant to the topics addressed in the 591
report. 592

(2) On or before December 1, 2015, the director and tax 593
commissioner jointly shall submit to the president of the senate 594
and the speaker of the house of representatives a comprehensive 595
report that includes the information required by division (F) (1) 596
of this section and a detailed analysis of the effectiveness of 597
issuing tax credits for rehabilitating historic buildings. The 598
report shall be prepared with the assistance of an economic 599
research organization jointly chosen by the director and 600
commissioner. 601

(G) There is hereby created in the state treasury the 602
historic rehabilitation tax credit operating fund. The director 603
is authorized to charge reasonable application and other fees in 604
connection with the administration of tax credits authorized by 605
this section and sections 5725.151, 5725.34, 5726.52, 5729.17, 606
5733.47, and 5747.76 of the Revised Code. Any such fees 607
collected shall be credited to the fund and used to pay 608
reasonable costs incurred by the department of development in 609
administering this section and sections 5725.151, 5725.34, 610
5726.52, 5729.17, 5733.47, and 5747.76 of the Revised Code. 611

The Ohio historic preservation office is authorized to 612
charge reasonable fees in connection with its review and 613
approval of applications under this section. Any such fees 614
collected shall be credited to the fund and used to pay 615
administrative costs incurred by the Ohio historic preservation 616
office pursuant to this section. 617

(H) Notwithstanding sections 5725.151, 5725.34, 5726.52, 618
5729.17, 5733.47, and 5747.76 of the Revised Code, the 619
certificate owner of a tax credit certificate issued under 620
division (D)(6) of this section may claim a tax credit equal to 621
twenty-five per cent of the dollar amount indicated on the 622
certificate for a total credit of not more than twenty-five 623
million dollars. The credit claimed by such a certificate owner 624
for any calendar year, tax year, or taxable year under section 625
5725.151, 5725.34, 5726.52, 5729.17, 5733.47, or 5747.76 of the 626
Revised Code shall not exceed five million dollars. If the 627
certificate owner is eligible for more than five million dollars 628
in total credits, the certificate owner may carry forward the 629
balance of the credit in excess of the amount claimed for that 630
year for not more than five ensuing calendar years, tax years, 631
or taxable years. If the credit claimed in any calendar year, 632

tax year, or taxable year exceeds the tax otherwise due, the 633
excess shall be refunded to the taxpayer. 634

(I) Notwithstanding sections 5725.151, 5725.34, 5726.52, 635
5729.17, 5733.47, and 5747.76 of the Revised Code, the following 636
apply to a tax credit approved under this section after 637
September 13, 2022, and before July 1, 2024: 638

(1) The certificate holder may claim a tax credit equal to 639
thirty-five per cent of the dollar amount indicated on the tax 640
credit certificate if any county, township, or municipal 641
corporation within which the project is located has a population 642
of less than three hundred thousand according to the 2020 643
decennial census. The tax credit equals twenty-five per cent of 644
the dollar amount indicated on the certificate if the project is 645
not located within such a county, township, or municipal 646
corporation. 647

(2) The total tax credit claimed under section 5725.151, 648
5725.34, 5726.52, 5729.17, 5733.47, or 5747.76 of the Revised 649
Code for any one project shall not exceed ten million dollars 650
for any calendar year, tax year, or taxable year. 651

(3) If the credit claimed in any calendar year, tax year, 652
or taxable year exceeds the tax otherwise due, the excess shall 653
be refunded to the taxpayer, subject to division (I)(2) of this 654
section. 655

(J) The director of development, in consultation with the 656
director of budget and management, shall develop and adopt a 657
system of tracking any information necessary to anticipate the 658
impact of credits issued under this section on tax revenues for 659
current and future fiscal years. Such information may include 660
the number of applications approved, the estimated 661

rehabilitation expenditures and rehabilitation period associated 662
with such applications, the number and amount of tax credit 663
certificates issued, and any other information the director of 664
budget and management requires for the purposes of this 665
division. 666

(K) For purposes of this section and Chapter 122:19-1 of 667
the Ohio Administrative Code, a tax credit certificate issued 668
under this section is effective on the date that all historic 669
buildings rehabilitated by the project are "placed in service," 670
as that term is used in section 47 of the Internal Revenue Code. 671

Sec. 149.43. (A) As used in this section: 672

(1) "Public record" means records kept by any public 673
office, including, but not limited to, state, county, city, 674
village, township, and school district units, and records 675
pertaining to the delivery of educational services by an 676
alternative school in this state kept by the nonprofit or for- 677
profit entity operating the alternative school pursuant to 678
section 3313.533 of the Revised Code. "Public record" does not 679
mean any of the following: 680

(a) Medical records; 681

(b) Records pertaining to probation and parole 682
proceedings, to proceedings related to the imposition of 683
community control sanctions and post-release control sanctions, 684
or to proceedings related to determinations under section 685
2967.271 of the Revised Code regarding the release or maintained 686
incarceration of an offender to whom that section applies; 687

(c) Records pertaining to actions under section 2151.85 688
and division (C) of section 2919.121 of the Revised Code and to 689
appeals of actions arising under those sections; 690

(d) Records pertaining to adoption proceedings, including the contents of an adoption file maintained by the department of health under sections 3705.12 to 3705.124 of the Revised Code;	691 692 693
(e) Information in a record contained in the putative father registry established by section 3107.062 of the Revised Code, regardless of whether the information is held by the department of job and family services or, pursuant to section 3111.69 of the Revised Code, the office of child support in the department or a child support enforcement agency;	694 695 696 697 698 699
(f) Records specified in division (A) of section 3107.52 of the Revised Code;	700 701
(g) Trial preparation records;	702
(h) Confidential law enforcement investigatory records;	703
(i) Records containing information that is confidential under section 2710.03 or 4112.05 of the Revised Code;	704 705
(j) DNA records stored in the DNA database pursuant to section 109.573 of the Revised Code;	706 707
(k) Inmate records released by the department of rehabilitation and correction to the department of youth services or a court of record pursuant to division (E) of section 5120.21 of the Revised Code;	708 709 710 711
(l) Records maintained by the department of youth services pertaining to children in its custody released by the department of youth services to the department of rehabilitation and correction pursuant to section 5139.05 of the Revised Code;	712 713 714 715
(m) Intellectual property records;	716
(n) Donor profile records;	717

(o) Records maintained by the department of job and family services pursuant to section 3121.894 of the Revised Code;	718 719
(p) Designated public service worker residential and familial information;	720 721
(q) In the case of a county hospital operated pursuant to Chapter 339. of the Revised Code or a municipal hospital operated pursuant to Chapter 749. of the Revised Code, information that constitutes a trade secret, as defined in section 1333.61 of the Revised Code;	722 723 724 725 726
(r) Information pertaining to the recreational activities of a person under the age of eighteen;	727 728
(s) In the case of a child fatality review board acting under sections 307.621 to 307.629 of the Revised Code or a review conducted pursuant to guidelines established by the director of health under section 3701.70 of the Revised Code, records provided to the board or director, statements made by board members during meetings of the board or by persons participating in the director's review, and all work products of the board or director, and in the case of a child fatality review board, child fatality review data submitted by the board to the department of health or a national child death review database, other than the report prepared pursuant to division (A) of section 307.626 of the Revised Code;	729 730 731 732 733 734 735 736 737 738 739 740
(t) Records provided to and statements made by the executive director of a public children services agency or a prosecuting attorney acting pursuant to section 5153.171 of the Revised Code other than the information released under that section;	741 742 743 744 745
(u) Test materials, examinations, or evaluation tools used	746

in an examination for licensure as a nursing home administrator	747
that the board of executives of long-term services and supports	748
administers under section 4751.15 of the Revised Code or	749
contracts under that section with a private or government entity	750
to administer;	751
(v) Records the release of which is prohibited by state or	752
federal law;	753
(w) Proprietary information of or relating to any person	754
that is submitted to or compiled by the Ohio venture capital	755
authority created under section 150.01 of the Revised Code;	756
(x) Financial statements and data any person submits for	757
any purpose to the Ohio housing finance agency or the	758
controlling board in connection with applying for, receiving, or	759
accounting for financial assistance from the agency, and	760
information that identifies any individual who benefits directly	761
or indirectly from financial assistance from the agency;	762
(y) Records listed in section 5101.29 of the Revised Code;	763
(z) Discharges recorded with a county recorder under	764
section 317.24 of the Revised Code, as specified in division (B)	765
(2) of that section;	766
(aa) Usage information including names and addresses of	767
specific residential and commercial customers of a municipally	768
owned or operated public utility;	769
(bb) Records described in division (C) of section 187.04	770
of the Revised Code that are not designated to be made available	771
to the public as provided in that division;	772
(cc) Information and records that are made confidential,	773
privileged, and not subject to disclosure under divisions (B)	774

and (C) of section 2949.221 of the Revised Code; 775

(dd) Personal information, as defined in section 149.45 of 776
the Revised Code; 777

(ee) The confidential name, address, and other personally 778
identifiable information of a program participant in the address 779
confidentiality program established under sections 111.41 to 780
111.47 of the Revised Code, including the contents of any 781
application for absent voter's ballots, absent voter's ballot 782
identification envelope statement of voter, or provisional 783
ballot affirmation completed by a program participant who has a 784
confidential voter registration record; records or portions of 785
records pertaining to that program that identify the number of 786
program participants that reside within a precinct, ward, 787
township, municipal corporation, county, or any other geographic 788
area smaller than the state; and any real property 789
confidentiality notice filed under section 111.431 of the 790
Revised Code and the information described in division (C) of 791
that section. As used in this division, "confidential address" 792
and "program participant" have the meaning defined in section 793
111.41 of the Revised Code. 794

(ff) Orders for active military service of an individual 795
serving or with previous service in the armed forces of the 796
United States, including a reserve component, or the Ohio 797
organized militia, except that, such order becomes a public 798
record on the day that is fifteen years after the published date 799
or effective date of the call to order; 800

(gg) The name, address, contact information, or other 801
personal information of an individual who is less than eighteen 802
years of age that is included in any record related to a traffic 803
accident involving a school vehicle in which the individual was 804

an occupant at the time of the accident; 805

(hh) Protected health information, as defined in 45 C.F.R. 806
160.103, that is in a claim for payment for a health care 807
product, service, or procedure, as well as any other health 808
claims data in another document that reveals the identity of an 809
individual who is the subject of the data or could be used to 810
reveal that individual's identity; 811

(ii) Any depiction by photograph, film, videotape, or 812
printed or digital image under either of the following 813
circumstances: 814

(i) The depiction is that of a victim of an offense the 815
release of which would be, to a reasonable person of ordinary 816
sensibilities, an offensive and objectionable intrusion into the 817
victim's expectation of bodily privacy and integrity. 818

(ii) The depiction captures or depicts the victim of a 819
sexually oriented offense, as defined in section 2950.01 of the 820
Revised Code, at the actual occurrence of that offense. 821

(jj) Restricted portions of a body-worn camera or 822
dashboard camera recording; 823

(kk) In the case of a fetal-infant mortality review board 824
acting under sections 3707.70 to 3707.77 of the Revised Code, 825
records, documents, reports, or other information presented to 826
the board or a person abstracting such materials on the board's 827
behalf, statements made by review board members during board 828
meetings, all work products of the board, and data submitted by 829
the board to the department of health or a national infant death 830
review database, other than the report prepared pursuant to 831
section 3707.77 of the Revised Code. 832

(ll) Records, documents, reports, or other information 833

presented to the pregnancy-associated mortality review board 834
established under section 3738.01 of the Revised Code, 835
statements made by board members during board meetings, all work 836
products of the board, and data submitted by the board to the 837
department of health, other than the biennial reports prepared 838
under section 3738.08 of the Revised Code; 839

(mm) Except as otherwise provided in division (A) (1) (oo) 840
of this section, telephone numbers for a victim, as defined in 841
section 2930.01 of the Revised Code or a witness to a crime that 842
are listed on any law enforcement record or report. 843

(nn) A preneed funeral contract, as defined in section 844
4717.01 of the Revised Code, and contract terms and personally 845
identifying information of a preneed funeral contract, that is 846
contained in a report submitted by or for a funeral home to the 847
board of embalmers and funeral directors under division (C) of 848
section 4717.13, division (J) of section 4717.31, or section 849
4717.41 of the Revised Code. 850

(oo) Telephone numbers for a party to a motor vehicle 851
accident subject to the requirements of section 5502.11 of the 852
Revised Code that are listed on any law enforcement record or 853
report, except that the telephone numbers described in this 854
division are not excluded from the definition of "public record" 855
under this division on and after the thirtieth day after the 856
occurrence of the motor vehicle accident. 857

(pp) Records pertaining to individuals who complete 858
training under section 5502.703 of the Revised Code to be 859
permitted by a school district board of education or governing 860
body of a community school established under Chapter 3314. of 861
the Revised Code, a STEM school established under Chapter 3326. 862
of the Revised Code, or a chartered nonpublic school to convey 863

deadly weapons or dangerous ordnance into a school safety zone;	864
(qq) Records, documents, reports, or other information	865
presented to a domestic violence fatality review board	866
established under section 307.651 of the Revised Code,	867
statements made by board members during board meetings, all work	868
products of the board, and data submitted by the board to the	869
department of health, other than a report prepared pursuant to	870
section 307.656 of the Revised Code;	871
(rr) Records, documents, and information the release of	872
which is prohibited under sections 2930.04 and 2930.07 of the	873
Revised Code;	874
(ss) Records of an existing qualified nonprofit	875
corporation that creates a special improvement district under	876
Chapter 1710. of the Revised Code that do not pertain to a	877
purpose for which the district is created;	878
(tt) Educational support services data, as defined in	879
section 3319.325 of the Revised Code.	880
A record that is not a public record under division (A) (1)	881
of this section and that, under law, is permanently retained	882
becomes a public record on the day that is seventy-five years	883
after the day on which the record was created, except for any	884
record protected by the attorney-client privilege, a trial	885
preparation record as defined in this section, a statement	886
prohibiting the release of identifying information signed under	887
section 3107.083 of the Revised Code, a denial of release form	888
filed pursuant to section 3107.46 of the Revised Code, or any	889
record that is exempt from release or disclosure under section	890
149.433 of the Revised Code. If the record is a birth	891
certificate and a biological parent's name redaction request	892

form has been accepted under section 3107.391 of the Revised 893
Code, the name of that parent shall be redacted from the birth 894
certificate before it is released under this paragraph. If any 895
other section of the Revised Code establishes a time period for 896
disclosure of a record that conflicts with the time period 897
specified in this section, the time period in the other section 898
prevails. 899

(2) "Confidential law enforcement investigatory record" 900
means any record that pertains to a law enforcement matter of a 901
criminal, quasi-criminal, civil, or administrative nature, but 902
only to the extent that the release of the record would create a 903
high probability of disclosure of any of the following: 904

(a) The identity of a suspect who has not been charged 905
with the offense to which the record pertains, or of an 906
information source or witness to whom confidentiality has been 907
reasonably promised; 908

(b) Information provided by an information source or 909
witness to whom confidentiality has been reasonably promised, 910
which information would reasonably tend to disclose the source's 911
or witness's identity; 912

(c) Specific confidential investigatory techniques or 913
procedures or specific investigatory work product; 914

(d) Information that would endanger the life or physical 915
safety of law enforcement personnel, a crime victim, a witness, 916
or a confidential information source. 917

(3) "Medical record" means any document or combination of 918
documents, except births, deaths, and the fact of admission to 919
or discharge from a hospital, that pertains to the medical 920
history, diagnosis, prognosis, or medical condition of a patient 921

and that is generated and maintained in the process of medical 922
treatment. 923

(4) "Trial preparation record" means any record that 924
contains information that is specifically compiled in reasonable 925
anticipation of, or in defense of, a civil or criminal action or 926
proceeding, including the independent thought processes and 927
personal trial preparation of an attorney. 928

(5) "Intellectual property record" means a record, other 929
than a financial or administrative record, that is produced or 930
collected by or for faculty or staff of a state institution of 931
higher learning in the conduct of or as a result of study or 932
research on an educational, commercial, scientific, artistic, 933
technical, or scholarly issue, regardless of whether the study 934
or research was sponsored by the institution alone or in 935
conjunction with a governmental body or private concern, and 936
that has not been publicly released, published, or patented. 937

(6) "Donor profile record" means all records about donors 938
or potential donors to a public institution of higher education 939
except the names and reported addresses of the actual donors and 940
the date, amount, and conditions of the actual donation. 941

(7) "Designated public service worker" means a peace 942
officer, parole officer, probation officer, bailiff, prosecuting 943
attorney, assistant prosecuting attorney, correctional employee, 944
county or multicounty corrections officer, community-based 945
correctional facility employee, designated Ohio national guard 946
member, protective services worker, youth services employee, 947
firefighter, EMT, medical director or member of a cooperating 948
physician advisory board of an emergency medical service 949
organization, state board of pharmacy employee, investigator of 950
the bureau of criminal identification and investigation, 951

emergency service telecommunicator, forensic mental health 952
provider, mental health evaluation provider, regional 953
psychiatric hospital employee, judge, magistrate, ~~or~~ federal law 954
enforcement officer, or election official. 955

(8) "Designated public service worker residential and 956
familial information" means any information that discloses any 957
of the following about a designated public service worker: 958

(a) The address of the actual personal residence of a 959
designated public service worker, except for the following 960
information: 961

(i) The address of the actual personal residence of a 962
prosecuting attorney or judge; and 963

(ii) The state or political subdivision in which a 964
designated public service worker resides. 965

(b) Information compiled from referral to or participation 966
in an employee assistance program; 967

(c) The social security number, the residential telephone 968
number, any bank account, debit card, charge card, or credit 969
card number, or the emergency telephone number of, or any 970
medical information pertaining to, a designated public service 971
worker; 972

(d) The name of any beneficiary of employment benefits, 973
including, but not limited to, life insurance benefits, provided 974
to a designated public service worker by the designated public 975
service worker's employer; 976

(e) The identity and amount of any charitable or 977
employment benefit deduction made by the designated public 978
service worker's employer from the designated public service 979

worker's compensation, unless the amount of the deduction is	980
required by state or federal law;	981
(f) The name, the residential address, the name of the	982
employer, the address of the employer, the social security	983
number, the residential telephone number, any bank account,	984
debit card, charge card, or credit card number, or the emergency	985
telephone number of the spouse, a former spouse, or any child of	986
a designated public service worker;	987
(g) A photograph of a peace officer who holds a position	988
or has an assignment that may include undercover or plain	989
clothes positions or assignments as determined by the peace	990
officer's appointing authority.	991
(9) As used in divisions (A) (7) and (15) to (17) of this	992
section:	993
"Peace officer" has the meaning defined in section 109.71	994
of the Revised Code and also includes the superintendent and	995
troopers of the state highway patrol; it does not include the	996
sheriff of a county or a supervisory employee who, in the	997
absence of the sheriff, is authorized to stand in for, exercise	998
the authority of, and perform the duties of the sheriff.	999
"Correctional employee" means any employee of the	1000
department of rehabilitation and correction who in the course of	1001
performing the employee's job duties has or has had contact with	1002
inmates and persons under supervision.	1003
"County or multicounty corrections officer" means any	1004
corrections officer employed by any county or multicounty	1005
correctional facility.	1006
"Designated Ohio national guard member" means a member of	1007
the Ohio national guard who is participating in duties related	1008

to remotely piloted aircraft, including, but not limited to, 1009
pilots, sensor operators, and mission intelligence personnel, 1010
duties related to special forces operations, or duties related 1011
to cybersecurity, and is designated by the adjutant general as a 1012
designated public service worker for those purposes. 1013

"Protective services worker" means any employee of a 1014
county agency who is responsible for child protective services, 1015
child support services, or adult protective services. 1016

"Youth services employee" means any employee of the 1017
department of youth services who in the course of performing the 1018
employee's job duties has or has had contact with children 1019
committed to the custody of the department of youth services. 1020

"Firefighter" means any regular, paid or volunteer, member 1021
of a lawfully constituted fire department of a municipal 1022
corporation, township, fire district, or village. 1023

"EMT" means EMTs-basic, EMTs-I, and paramedics that 1024
provide emergency medical services for a public emergency 1025
medical service organization. "Emergency medical service 1026
organization," "EMT-basic," "EMT-I," and "paramedic" have the 1027
meanings defined in section 4765.01 of the Revised Code. 1028

"Investigator of the bureau of criminal identification and 1029
investigation" has the meaning defined in section 2903.11 of the 1030
Revised Code. 1031

"Emergency service telecommunicator" means an individual 1032
employed by an emergency service provider as defined under 1033
section 128.01 of the Revised Code, whose primary responsibility 1034
is to be an operator for the receipt or processing of calls for 1035
emergency services made by telephone, radio, or other electronic 1036
means. 1037

"Forensic mental health provider" means any employee of a community mental health service provider or local alcohol, drug addiction, and mental health services board who, in the course of the employee's duties, has contact with persons committed to a local alcohol, drug addiction, and mental health services board by a court order pursuant to section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised Code.

"Mental health evaluation provider" means an individual who, under Chapter 5122. of the Revised Code, examines a respondent who is alleged to be a mentally ill person subject to court order, as defined in section 5122.01 of the Revised Code, and reports to the probate court the respondent's mental condition.

"Regional psychiatric hospital employee" means any employee of the department of mental health and addiction services who, in the course of performing the employee's duties, has contact with patients committed to the department of mental health and addiction services by a court order pursuant to section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised Code.

"Federal law enforcement officer" has the meaning defined in section 9.88 of the Revised Code.

"Election official" has the same meaning as in section 3501.01 of the Revised Code but does not include a precinct election official or a temporary or part-time employee of a board of elections.

(10) "Information pertaining to the recreational activities of a person under the age of eighteen" means information that is kept in the ordinary course of business by a

public office, that pertains to the recreational activities of a 1067
person under the age of eighteen years, and that discloses any 1068
of the following: 1069

(a) The address or telephone number of a person under the 1070
age of eighteen or the address or telephone number of that 1071
person's parent, guardian, custodian, or emergency contact 1072
person; 1073

(b) The social security number, birth date, or 1074
photographic image of a person under the age of eighteen; 1075

(c) Any medical record, history, or information pertaining 1076
to a person under the age of eighteen; 1077

(d) Any additional information sought or required about a 1078
person under the age of eighteen for the purpose of allowing 1079
that person to participate in any recreational activity 1080
conducted or sponsored by a public office or to use or obtain 1081
admission privileges to any recreational facility owned or 1082
operated by a public office. 1083

(11) "Community control sanction" has the meaning defined 1084
in section 2929.01 of the Revised Code. 1085

(12) "Post-release control sanction" has the meaning 1086
defined in section 2967.01 of the Revised Code. 1087

(13) "Redaction" means obscuring or deleting any 1088
information that is exempt from the duty to permit public 1089
inspection or copying from an item that otherwise meets the 1090
definition of a "record" in section 149.011 of the Revised Code. 1091

(14) "Designee," "elected official," and "future official" 1092
have the meanings defined in section 109.43 of the Revised Code. 1093

(15) "Body-worn camera" means a visual and audio recording 1094

device worn on the person of a correctional employee, youth 1095
services employee, or peace officer while the correctional 1096
employee, youth services employee, or peace officer is engaged 1097
in the performance of official duties. 1098

(16) "Dashboard camera" means a visual and audio recording 1099
device mounted on a peace officer's vehicle or vessel that is 1100
used while the peace officer is engaged in the performance of 1101
the peace officer's duties. 1102

(17) "Restricted portions of a body-worn camera or 1103
dashboard camera recording" means any visual or audio portion of 1104
a body-worn camera or dashboard camera recording that shows, 1105
communicates, or discloses any of the following: 1106

(a) The image or identity of a child or information that 1107
could lead to the identification of a child who is a primary 1108
subject of the recording when the department of rehabilitation 1109
and correction, department of youth services, or the law 1110
enforcement agency knows or has reason to know the person is a 1111
child based on the department's or law enforcement agency's 1112
records or the content of the recording; 1113

(b) The death of a person or a deceased person's body, 1114
unless the death was caused by a correctional employee, youth 1115
services employee, or peace officer or, subject to division (H) 1116
(1) of this section, the consent of the decedent's executor or 1117
administrator has been obtained; 1118

(c) The death of a correctional employee, youth services 1119
employee, peace officer, firefighter, paramedic, or other first 1120
responder, occurring while the decedent was engaged in the 1121
performance of official duties, unless, subject to division (H) 1122
(1) of this section, the consent of the decedent's executor or 1123

administrator has been obtained; 1124

(d) Grievous bodily harm, unless the injury was effected 1125
by a correctional employee, youth services employee, or peace 1126
officer or, subject to division (H)(1) of this section, the 1127
consent of the injured person or the injured person's guardian 1128
has been obtained; 1129

(e) An act of severe violence against a person that 1130
results in serious physical harm to the person, unless the act 1131
and injury was effected by a correctional employee, youth 1132
services employee, or peace officer or, subject to division (H) 1133
(1) of this section, the consent of the injured person or the 1134
injured person's guardian has been obtained; 1135

(f) Grievous bodily harm to a correctional employee, youth 1136
services employee, peace officer, firefighter, paramedic, or 1137
other first responder, occurring while the injured person was 1138
engaged in the performance of official duties, unless, subject 1139
to division (H)(1) of this section, the consent of the injured 1140
person or the injured person's guardian has been obtained; 1141

(g) An act of severe violence resulting in serious 1142
physical harm against a correctional employee, youth services 1143
employee, peace officer, firefighter, paramedic, or other first 1144
responder, occurring while the injured person was engaged in the 1145
performance of official duties, unless, subject to division (H) 1146
(1) of this section, the consent of the injured person or the 1147
injured person's guardian has been obtained; 1148

(h) A person's nude body, unless, subject to division (H) 1149
(1) of this section, the person's consent has been obtained; 1150

(i) Protected health information, the identity of a person 1151
in a health care facility who is not the subject of a 1152

correctional, youth services, or law enforcement encounter, or 1153
any other information in a health care facility that could 1154
identify a person who is not the subject of a correctional, 1155
youth services, or law enforcement encounter; 1156

(j) Information that could identify the alleged victim of 1157
a sex offense, menacing by stalking, or domestic violence; 1158

(k) Information, that does not constitute a confidential 1159
law enforcement investigatory record, that could identify a 1160
person who provides sensitive or confidential information to the 1161
department of rehabilitation and correction, the department of 1162
youth services, or a law enforcement agency when the disclosure 1163
of the person's identity or the information provided could 1164
reasonably be expected to threaten or endanger the safety or 1165
property of the person or another person; 1166

(l) Personal information of a person who is not arrested, 1167
cited, charged, or issued a written warning by a peace officer; 1168

(m) Proprietary correctional, youth services, or police 1169
contingency plans or tactics that are intended to prevent crime 1170
and maintain public order and safety; 1171

(n) A personal conversation unrelated to work between 1172
correctional employees, youth services employees, or peace 1173
officers or between a correctional employee, youth services 1174
employee, or peace officer and an employee of a law enforcement 1175
agency; 1176

(o) A conversation between a correctional employee, youth 1177
services employee, or peace officer and a member of the public 1178
that does not concern correctional, youth services, or law 1179
enforcement activities; 1180

(p) The interior of a residence, unless the interior of a 1181

residence is the location of an adversarial encounter with, or a use of force by, a correctional employee, youth services employee, or peace officer;

(q) Any portion of the interior of a private business that is not open to the public, unless an adversarial encounter with, or a use of force by, a correctional employee, youth services employee, or peace officer occurs in that location.

As used in division (A)(17) of this section:

"Grievous bodily harm" has the same meaning as in section 5924.120 of the Revised Code.

"Health care facility" has the same meaning as in section 1337.11 of the Revised Code.

"Protected health information" has the same meaning as in 45 C.F.R. 160.103.

"Law enforcement agency" means a government entity that employs peace officers to perform law enforcement duties.

"Personal information" means any government-issued identification number, date of birth, address, financial information, or criminal justice information from the law enforcement automated data system or similar databases.

"Sex offense" has the same meaning as in section 2907.10 of the Revised Code.

"Firefighter," "paramedic," and "first responder" have the same meanings as in section 4765.01 of the Revised Code.

(B)(1) Upon request by any person and subject to division (B)(8) of this section, all public records responsive to the request shall be promptly prepared and made available for

inspection to the requester at all reasonable times during 1209
regular business hours. Subject to division (B)(8) of this 1210
section, upon request by any person, a public office or person 1211
responsible for public records shall make copies of the 1212
requested public record available to the requester at cost and 1213
within a reasonable period of time. If a public record contains 1214
information that is exempt from the duty to permit public 1215
inspection or to copy the public record, the public office or 1216
the person responsible for the public record shall make 1217
available all of the information within the public record that 1218
is not exempt. When making that public record available for 1219
public inspection or copying that public record, the public 1220
office or the person responsible for the public record shall 1221
notify the requester of any redaction or make the redaction 1222
plainly visible. A redaction shall be deemed a denial of a 1223
request to inspect or copy the redacted information, except if 1224
federal or state law authorizes or requires a public office to 1225
make the redaction. When the auditor of state receives a request 1226
to inspect or to make a copy of a record that was provided to 1227
the auditor of state for purposes of an audit, but the original 1228
public office has asserted to the auditor of state that the 1229
record is not a public record, the auditor of state may handle 1230
the requests by directing the requestor to the original public 1231
office that provided the record to the auditor of state. 1232

(2) To facilitate broader access to public records, a 1233
public office or the person responsible for public records shall 1234
organize and maintain public records in a manner that they can 1235
be made available for inspection or copying in accordance with 1236
division (B) of this section. A public office also shall have 1237
available a copy of its current records retention schedule at a 1238
location readily available to the public. If a requester makes 1239

an ambiguous or overly broad request or has difficulty in making 1240
a request for copies or inspection of public records under this 1241
section such that the public office or the person responsible 1242
for the requested public record cannot reasonably identify what 1243
public records are being requested, the public office or the 1244
person responsible for the requested public record may deny the 1245
request but shall provide the requester with an opportunity to 1246
revise the request by informing the requester of the manner in 1247
which records are maintained by the public office and accessed 1248
in the ordinary course of the public office's or person's 1249
duties. 1250

(3) If a request is ultimately denied, in part or in 1251
whole, the public office or the person responsible for the 1252
requested public record shall provide the requester with an 1253
explanation, including legal authority, setting forth why the 1254
request was denied. If the initial request was provided in 1255
writing, the explanation also shall be provided to the requester 1256
in writing. The explanation shall not preclude the public office 1257
or the person responsible for the requested public record from 1258
relying upon additional reasons or legal authority in defending 1259
an action commenced under division (C) of this section. 1260

(4) Unless specifically required or authorized by state or 1261
federal law or in accordance with division (B) of this section, 1262
no public office or person responsible for public records may 1263
limit or condition the availability of public records by 1264
requiring disclosure of the requester's identity or the intended 1265
use of the requested public record. Any requirement that the 1266
requester disclose the requester's identity or the intended use 1267
of the requested public record constitutes a denial of the 1268
request. 1269

(5) A public office or person responsible for public records may ask a requester to make the request in writing, may ask for the requester's identity, and may inquire about the intended use of the information requested, but may do so only after disclosing to the requester that a written request is not mandatory, that the requester may decline to reveal the requester's identity or the intended use, and when a written request or disclosure of the identity or intended use would benefit the requester by enhancing the ability of the public office or person responsible for public records to identify, locate, or deliver the public records sought by the requester.

(6) If any person requests a copy of a public record in accordance with division (B) of this section, the public office or person responsible for the public record may require the requester to pay in advance the cost involved in providing the copy of the public record in accordance with the choice made by the requester under this division. The public office or the person responsible for the public record shall permit the requester to choose to have the public record duplicated upon paper, upon the same medium upon which the public office or person responsible for the public record keeps it, or upon any other medium upon which the public office or person responsible for the public record determines that it reasonably can be duplicated as an integral part of the normal operations of the public office or person responsible for the public record. When the requester makes a choice under this division, the public office or person responsible for the public record shall provide a copy of it in accordance with the choice made by the requester. Nothing in this section requires a public office or person responsible for the public record to allow the requester of a copy of the public record to make the copies of the public

record. 1301

(7) (a) Upon a request made in accordance with division (B) 1302
of this section and subject to division (B) (6) of this section, 1303
a public office or person responsible for public records shall 1304
transmit a copy of a public record to any person by United 1305
States mail or by any other means of delivery or transmission 1306
within a reasonable period of time after receiving the request 1307
for the copy. The public office or person responsible for the 1308
public record may require the person making the request to pay 1309
in advance the cost of postage if the copy is transmitted by 1310
United States mail or the cost of delivery if the copy is 1311
transmitted other than by United States mail, and to pay in 1312
advance the costs incurred for other supplies used in the 1313
mailing, delivery, or transmission. 1314

(b) Any public office may adopt a policy and procedures 1315
that it will follow in transmitting, within a reasonable period 1316
of time after receiving a request, copies of public records by 1317
United States mail or by any other means of delivery or 1318
transmission pursuant to division (B) (7) of this section. A 1319
public office that adopts a policy and procedures under division 1320
(B) (7) of this section shall comply with them in performing its 1321
duties under that division. 1322

(c) In any policy and procedures adopted under division 1323
(B) (7) of this section: 1324

(i) A public office may limit the number of records 1325
requested by a person that the office will physically deliver by 1326
United States mail or by another delivery service to ten per 1327
month, unless the person certifies to the office in writing that 1328
the person does not intend to use or forward the requested 1329
records, or the information contained in them, for commercial 1330

purposes; 1331

(ii) A public office that chooses to provide some or all 1332
of its public records on a web site that is fully accessible to 1333
and searchable by members of the public at all times, other than 1334
during acts of God outside the public office's control or 1335
maintenance, and that charges no fee to search, access, 1336
download, or otherwise receive records provided on the web site, 1337
may limit to ten per month the number of records requested by a 1338
person that the office will deliver in a digital format, unless 1339
the requested records are not provided on the web site and 1340
unless the person certifies to the office in writing that the 1341
person does not intend to use or forward the requested records, 1342
or the information contained in them, for commercial purposes. 1343

(iii) For purposes of division (B) (7) of this section, 1344
"commercial" shall be narrowly construed and does not include 1345
reporting or gathering news, reporting or gathering information 1346
to assist citizen oversight or understanding of the operation or 1347
activities of government, or nonprofit educational research. 1348

(8) A public office or person responsible for public 1349
records is not required to permit a person who is incarcerated 1350
pursuant to a criminal conviction or a juvenile adjudication to 1351
inspect or to obtain a copy of any public record concerning a 1352
criminal investigation or prosecution or concerning what would 1353
be a criminal investigation or prosecution if the subject of the 1354
investigation or prosecution were an adult, unless the request 1355
to inspect or to obtain a copy of the record is for the purpose 1356
of acquiring information that is subject to release as a public 1357
record under this section and the judge who imposed the sentence 1358
or made the adjudication with respect to the person, or the 1359
judge's successor in office, finds that the information sought 1360

in the public record is necessary to support what appears to be 1361
a justiciable claim of the person. 1362

(9) (a) Upon written request made and signed by a 1363
journalist, a public office, or person responsible for public 1364
records, having custody of the records of the agency employing a 1365
specified designated public service worker shall disclose to the 1366
journalist the address of the actual personal residence of the 1367
designated public service worker and, if the designated public 1368
service worker's spouse, former spouse, or child is employed by 1369
a public office, the name and address of the employer of the 1370
designated public service worker's spouse, former spouse, or 1371
child. The request shall include the journalist's name and title 1372
and the name and address of the journalist's employer and shall 1373
state that disclosure of the information sought would be in the 1374
public interest. 1375

(b) Division (B) (9) (a) of this section also applies to 1376
journalist requests for: 1377

(i) Customer information maintained by a municipally owned 1378
or operated public utility, other than social security numbers 1379
and any private financial information such as credit reports, 1380
payment methods, credit card numbers, and bank account 1381
information; 1382

(ii) Information about minors involved in a school vehicle 1383
accident as provided in division (A) (1) (gg) of this section, 1384
other than personal information as defined in section 149.45 of 1385
the Revised Code. 1386

(c) As used in division (B) (9) of this section, 1387
"journalist" means a person engaged in, connected with, or 1388
employed by any news medium, including a newspaper, magazine, 1389

press association, news agency, or wire service, a radio or 1390
television station, or a similar medium, for the purpose of 1391
gathering, processing, transmitting, compiling, editing, or 1392
disseminating information for the general public. 1393

(10) Upon a request made by a victim, victim's attorney, 1394
or victim's representative, as that term is used in section 1395
2930.02 of the Revised Code, a public office or person 1396
responsible for public records shall transmit a copy of a 1397
depiction of the victim as described in division (A) (1) (ii) of 1398
this section to the victim, victim's attorney, or victim's 1399
representative. 1400

(C) (1) If a person allegedly is aggrieved by the failure 1401
of a public office or the person responsible for public records 1402
to promptly prepare a public record and to make it available to 1403
the person for inspection in accordance with division (B) of 1404
this section or by any other failure of a public office or the 1405
person responsible for public records to comply with an 1406
obligation in accordance with division (B) of this section, the 1407
person allegedly aggrieved may do only one of the following, and 1408
not both: 1409

(a) File a complaint with the clerk of the court of claims 1410
or the clerk of the court of common pleas under section 2743.75 1411
of the Revised Code; 1412

(b) Commence a mandamus action to obtain a judgment that 1413
orders the public office or the person responsible for the 1414
public record to comply with division (B) of this section, that 1415
awards court costs and reasonable attorney's fees to the person 1416
that instituted the mandamus action, and, if applicable, that 1417
includes an order fixing statutory damages under division (C) (2) 1418
of this section. The mandamus action may be commenced in the 1419

court of common pleas of the county in which division (B) of 1420
this section allegedly was not complied with, in the supreme 1421
court pursuant to its original jurisdiction under Section 2 of 1422
Article IV, Ohio Constitution, or in the court of appeals for 1423
the appellate district in which division (B) of this section 1424
allegedly was not complied with pursuant to its original 1425
jurisdiction under Section 3 of Article IV, Ohio Constitution. 1426

(2) If a requester transmits a written request by hand 1427
delivery, electronic submission, or certified mail to inspect or 1428
receive copies of any public record in a manner that fairly 1429
describes the public record or class of public records to the 1430
public office or person responsible for the requested public 1431
records, except as otherwise provided in this section, the 1432
requester shall be entitled to recover the amount of statutory 1433
damages set forth in this division if a court determines that 1434
the public office or the person responsible for public records 1435
failed to comply with an obligation in accordance with division 1436
(B) of this section. 1437

The amount of statutory damages shall be fixed at one 1438
hundred dollars for each business day during which the public 1439
office or person responsible for the requested public records 1440
failed to comply with an obligation in accordance with division 1441
(B) of this section, beginning with the day on which the 1442
requester files a mandamus action to recover statutory damages, 1443
up to a maximum of one thousand dollars. The award of statutory 1444
damages shall not be construed as a penalty, but as compensation 1445
for injury arising from lost use of the requested information. 1446
The existence of this injury shall be conclusively presumed. The 1447
award of statutory damages shall be in addition to all other 1448
remedies authorized by this section. 1449

The court may reduce an award of statutory damages or not 1450
award statutory damages if the court determines both of the 1451
following: 1452

(a) That, based on the ordinary application of statutory 1453
law and case law as it existed at the time of the conduct or 1454
threatened conduct of the public office or person responsible 1455
for the requested public records that allegedly constitutes a 1456
failure to comply with an obligation in accordance with division 1457
(B) of this section and that was the basis of the mandamus 1458
action, a well-informed public office or person responsible for 1459
the requested public records reasonably would believe that the 1460
conduct or threatened conduct of the public office or person 1461
responsible for the requested public records did not constitute 1462
a failure to comply with an obligation in accordance with 1463
division (B) of this section; 1464

(b) That a well-informed public office or person 1465
responsible for the requested public records reasonably would 1466
believe that the conduct or threatened conduct of the public 1467
office or person responsible for the requested public records 1468
would serve the public policy that underlies the authority that 1469
is asserted as permitting that conduct or threatened conduct. 1470

(3) In a mandamus action filed under division (C)(1) of 1471
this section, the following apply: 1472

(a) (i) If the court orders the public office or the person 1473
responsible for the public record to comply with division (B) of 1474
this section, the court shall determine and award to the relator 1475
all court costs, which shall be construed as remedial and not 1476
punitive. 1477

(ii) If the court makes a determination described in 1478

division (C) (3) (b) (iii) of this section, the court shall 1479
determine and award to the relator all court costs, which shall 1480
be construed as remedial and not punitive. 1481

(b) If the court renders a judgment that orders the public 1482
office or the person responsible for the public record to comply 1483
with division (B) of this section or if the court determines any 1484
of the following, the court may award reasonable attorney's fees 1485
to the relator, subject to division (C) (4) of this section: 1486

(i) The public office or the person responsible for the 1487
public records failed to respond affirmatively or negatively to 1488
the public records request in accordance with the time allowed 1489
under division (B) of this section. 1490

(ii) The public office or the person responsible for the 1491
public records promised to permit the relator to inspect or 1492
receive copies of the public records requested within a 1493
specified period of time but failed to fulfill that promise 1494
within that specified period of time. 1495

(iii) The public office or the person responsible for the 1496
public records acted in bad faith when the office or person 1497
voluntarily made the public records available to the relator for 1498
the first time after the relator commenced the mandamus action, 1499
but before the court issued any order concluding whether or not 1500
the public office or person was required to comply with division 1501
(B) of this section. No discovery may be conducted on the issue 1502
of the alleged bad faith of the public office or person 1503
responsible for the public records. This division shall not be 1504
construed as creating a presumption that the public office or 1505
the person responsible for the public records acted in bad faith 1506
when the office or person voluntarily made the public records 1507
available to the relator for the first time after the relator 1508

commenced the mandamus action, but before the court issued any order described in this division.

(c) The court shall not award attorney's fees to the relator if the court determines both of the following:

(i) That, based on the ordinary application of statutory law and case law as it existed at the time of the conduct or threatened conduct of the public office or person responsible for the requested public records that allegedly constitutes a failure to comply with an obligation in accordance with division (B) of this section and that was the basis of the mandamus action, a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records did not constitute a failure to comply with an obligation in accordance with division (B) of this section;

(ii) That a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records would serve the public policy that underlies the authority that is asserted as permitting that conduct or threatened conduct.

(4) All of the following apply to any award of reasonable attorney's fees awarded under division (C) (3) (b) of this section:

(a) The fees shall be construed as remedial and not punitive.

(b) The fees awarded shall not exceed the total of the reasonable attorney's fees incurred before the public record was

made available to the relator and the fees described in division 1538
(C) (4) (c) of this section. 1539

(c) Reasonable attorney's fees shall include reasonable 1540
fees incurred to produce proof of the reasonableness and amount 1541
of the fees and to otherwise litigate entitlement to the fees. 1542

(d) The court may reduce the amount of fees awarded if the 1543
court determines that, given the factual circumstances involved 1544
with the specific public records request, an alternative means 1545
should have been pursued to more effectively and efficiently 1546
resolve the dispute that was subject to the mandamus action 1547
filed under division (C) (1) of this section. 1548

(5) If the court does not issue a writ of mandamus under 1549
division (C) of this section and the court determines at that 1550
time that the bringing of the mandamus action was frivolous 1551
conduct as defined in division (A) of section 2323.51 of the 1552
Revised Code, the court may award to the public office all court 1553
costs, expenses, and reasonable attorney's fees, as determined 1554
by the court. 1555

(D) Chapter 1347. of the Revised Code does not limit the 1556
provisions of this section. 1557

(E) (1) To ensure that all employees of public offices are 1558
appropriately educated about a public office's obligations under 1559
division (B) of this section, all elected officials or their 1560
appropriate designees shall attend training approved by the 1561
attorney general as provided in section 109.43 of the Revised 1562
Code. A future official may satisfy the requirements of this 1563
division by attending the training before taking office, 1564
provided that the future official may not send a designee in the 1565
future official's place. 1566

(2) All public offices shall adopt a public records policy 1567
in compliance with this section for responding to public records 1568
requests. In adopting a public records policy under this 1569
division, a public office may obtain guidance from the model 1570
public records policy developed and provided to the public 1571
office by the attorney general under section 109.43 of the 1572
Revised Code. Except as otherwise provided in this section, the 1573
policy may not limit the number of public records that the 1574
public office will make available to a single person, may not 1575
limit the number of public records that it will make available 1576
during a fixed period of time, and may not establish a fixed 1577
period of time before it will respond to a request for 1578
inspection or copying of public records, unless that period is 1579
less than eight hours. 1580

The public office shall distribute the public records 1581
policy adopted by the public office under this division to the 1582
employee of the public office who is the records custodian or 1583
records manager or otherwise has custody of the records of that 1584
office. The public office shall require that employee to 1585
acknowledge receipt of the copy of the public records policy. 1586
The public office shall create a poster that describes its 1587
public records policy and shall post the poster in a conspicuous 1588
place in the public office and in all locations where the public 1589
office has branch offices. The public office may post its public 1590
records policy on the internet web site of the public office if 1591
the public office maintains an internet web site. A public 1592
office that has established a manual or handbook of its general 1593
policies and procedures for all employees of the public office 1594
shall include the public records policy of the public office in 1595
the manual or handbook. 1596

(F) (1) The bureau of motor vehicles may adopt rules 1597

pursuant to Chapter 119. of the Revised Code to reasonably limit 1598
the number of bulk commercial special extraction requests made 1599
by a person for the same records or for updated records during a 1600
calendar year. The rules may include provisions for charges to 1601
be made for bulk commercial special extraction requests for the 1602
actual cost of the bureau, plus special extraction costs, plus 1603
ten per cent. The bureau may charge for expenses for redacting 1604
information, the release of which is prohibited by law. 1605

(2) As used in division (F)(1) of this section: 1606

(a) "Actual cost" means the cost of depleted supplies, 1607
records storage media costs, actual mailing and alternative 1608
delivery costs, or other transmitting costs, and any direct 1609
equipment operating and maintenance costs, including actual 1610
costs paid to private contractors for copying services. 1611

(b) "Bulk commercial special extraction request" means a 1612
request for copies of a record for information in a format other 1613
than the format already available, or information that cannot be 1614
extracted without examination of all items in a records series, 1615
class of records, or database by a person who intends to use or 1616
forward the copies for surveys, marketing, solicitation, or 1617
resale for commercial purposes. "Bulk commercial special 1618
extraction request" does not include a request by a person who 1619
gives assurance to the bureau that the person making the request 1620
does not intend to use or forward the requested copies for 1621
surveys, marketing, solicitation, or resale for commercial 1622
purposes. 1623

(c) "Commercial" means profit-seeking production, buying, 1624
or selling of any good, service, or other product. 1625

(d) "Special extraction costs" means the cost of the time 1626

spent by the lowest paid employee competent to perform the task, 1627
the actual amount paid to outside private contractors employed 1628
by the bureau, or the actual cost incurred to create computer 1629
programs to make the special extraction. "Special extraction 1630
costs" include any charges paid to a public agency for computer 1631
or records services. 1632

(3) For purposes of divisions (F) (1) and (2) of this 1633
section, "surveys, marketing, solicitation, or resale for 1634
commercial purposes" shall be narrowly construed and does not 1635
include reporting or gathering news, reporting or gathering 1636
information to assist citizen oversight or understanding of the 1637
operation or activities of government, or nonprofit educational 1638
research. 1639

(G) A request by a defendant, counsel of a defendant, or 1640
any agent of a defendant in a criminal action that public 1641
records related to that action be made available under this 1642
section shall be considered a demand for discovery pursuant to 1643
the Criminal Rules, except to the extent that the Criminal Rules 1644
plainly indicate a contrary intent. The defendant, counsel of 1645
the defendant, or agent of the defendant making a request under 1646
this division shall serve a copy of the request on the 1647
prosecuting attorney, director of law, or other chief legal 1648
officer responsible for prosecuting the action. 1649

(H) (1) Any portion of a body-worn camera or dashboard 1650
camera recording described in divisions (A) (17) (b) to (h) of 1651
this section may be released by consent of the subject of the 1652
recording or a representative of that person, as specified in 1653
those divisions, only if either of the following applies: 1654

(a) The recording will not be used in connection with any 1655
probable or pending criminal proceedings; 1656

(b) The recording has been used in connection with a 1657
criminal proceeding that was dismissed or for which a judgment 1658
has been entered pursuant to Rule 32 of the Rules of Criminal 1659
Procedure, and will not be used again in connection with any 1660
probable or pending criminal proceedings. 1661

(2) If a public office denies a request to release a 1662
restricted portion of a body-worn camera or dashboard camera 1663
recording, as defined in division (A) (17) of this section, any 1664
person may file a mandamus action pursuant to this section or a 1665
complaint with the clerk of the court of claims pursuant to 1666
section 2743.75 of the Revised Code, requesting the court to 1667
order the release of all or portions of the recording. If the 1668
court considering the request determines that the filing 1669
articulates by clear and convincing evidence that the public 1670
interest in the recording substantially outweighs privacy 1671
interests and other interests asserted to deny release, the 1672
court shall order the public office to release the recording. 1673

Sec. 319.28. (A) Except as otherwise provided in division 1674
(B) of this section, on or before the first Monday of August, 1675
annually, the county auditor shall compile and make up a general 1676
tax list of real and public utility property in the county, 1677
either in tabular form and alphabetical order, or, with the 1678
consent of the county treasurer, by listing all parcels in a 1679
permanent parcel number sequence to which a separate 1680
alphabetical index is keyed, containing the names of the several 1681
persons, companies, firms, partnerships, associations, and 1682
corporations in whose names real property has been listed in 1683
each township, municipal corporation, special district, or 1684
separate school district, or part of either in the auditor's 1685
county, placing separately, in appropriate columns opposite each 1686
name, the description of each tract, lot, or parcel of real 1687

estate, the value of each tract, lot, or parcel, the value of 1688
the improvements thereon, and of the names of the several public 1689
utilities whose property, subject to taxation on the general tax 1690
list and duplicate, has been apportioned by the department of 1691
taxation to the county, and the amount so apportioned to each 1692
township, municipal corporation, special district, or separate 1693
school district or part of either in the auditor's county, as 1694
shown by the certificates of apportionment of public utility 1695
property. If the name of the owner of any tract, lot, or parcel 1696
of real estate is unknown to the auditor, "unknown" shall be 1697
entered in the column of names opposite said tract, lot, or 1698
parcel. Such lists shall be prepared in duplicate. On or before 1699
the first Monday of September in each year, the auditor shall 1700
correct such lists in accordance with the additions and 1701
deductions ordered by the tax commissioner and by the county 1702
board of revision, and shall certify and on the first day of 1703
October deliver one copy thereof to the county treasurer. The 1704
copies prepared by the auditor shall constitute the auditor's 1705
general tax list and treasurer's general duplicate of real and 1706
public utility property for the current year. 1707

Once a permanent parcel numbering system has been 1708
established in any county as provided by the preceding 1709
paragraph, such system shall remain in effect until otherwise 1710
agreed upon by the county auditor and county treasurer. 1711

(B) (1) ~~An individual, or the spouse of that individual,~~ 1712
~~whose residential and familial information is not a public~~ 1713
~~record~~ A designated public service worker under ~~divisions (A) (1)~~ 1714
~~(p) and division (A) (7)~~ of section 149.43 of the Revised Code, 1715
or the designated public service worker's spouse, may submit an 1716
affidavit to the county auditor requesting the county auditor to 1717
remove the name of the individual filing the affidavit from any 1718

record made available to the general public on the internet or a 1719
publicly accessible database, and from the general tax list and 1720
duplicate of real and public utility property, and to instead 1721
insert the individual's initials on any such record, and on the 1722
general tax list and duplicate of real and public utility 1723
property as the name of the individual that appears on the deed. 1724

(2) Upon receiving an affidavit described in division (B) 1725
(1) of this section, the county auditor shall act within five 1726
business days in accordance with the request to remove the 1727
individual's name from any record made available to the general 1728
public on the internet or a publicly accessible database, and 1729
from the general tax list and duplicate of real and public 1730
utility property and insert the individual's initials on any 1731
such record and on the general tax list and duplicate of real 1732
and public utility property, if practicable. If the removal and 1733
insertion is not practicable, the county auditor shall verbally 1734
or in writing within five business days after receiving the 1735
affidavit explain to the individual why the removal and 1736
insertion is impracticable. 1737

(C) The county auditor shall keep confidential information 1738
that is subject to a real property confidentiality notice under 1739
section 111.431 of the Revised Code, in accordance with that 1740
section. 1741

Sec. 349.01. As used in this chapter: 1742

(A) "New community" means a community or development of 1743
property in relation to an existing community planned so that 1744
the resulting community includes facilities for the conduct of 1745
industrial, commercial, residential, cultural, educational, and 1746
recreational activities, and designed in accordance with 1747
planning concepts for the placement of utility, open space, and 1748

other supportive facilities. 1749

(B) "New community development program" means a program 1750
for the development of a new community characterized by well- 1751
balanced and diversified land use patterns and which includes 1752
land acquisition and land development, the acquisition, 1753
construction, operation, and maintenance of community 1754
facilities, and the provision of services authorized in this 1755
chapter. 1756

A new community development program may take into account 1757
any existing community in relation to which a new community is 1758
developed for purposes of being characterized by well-balanced 1759
and diversified land use patterns. 1760

(C) "New community district" means the area of land 1761
described by the developer in the petition as set forth in 1762
division (A) of section 349.03 of the Revised Code for 1763
development as a new community and any lands added to the 1764
district by amendment of the resolution establishing the 1765
community authority. 1766

(D) "New community authority" means a body corporate and 1767
politic in this state, established pursuant to section 349.03 of 1768
the Revised Code and governed by a board of trustees as provided 1769
in section 349.04 of the Revised Code. 1770

(E) "Developer" means any person, organized for carrying 1771
out a new community development program who owns or controls, 1772
through leases of at least seventy-five years' duration, 1773
options, or contracts to purchase, the land within a new 1774
community district, or any municipal corporation, township, 1775
county, or port authority that owns the land within a new 1776
community district, or has the ability to acquire such land, 1777

either by voluntary acquisition or condemnation in order to 1778
eliminate slum, blighted, and deteriorated or deteriorating 1779
areas and to prevent the recurrence thereof. "Developer" may 1780
also mean a person, municipal corporation, township, county, or 1781
port authority that controls land within a new community 1782
district through leases of at least seventy-five years' 1783
duration. "Developer" includes a lessor that continues to own 1784
and control land for purposes of this chapter pursuant to leases 1785
with a ninety-nine-year renewable term, so long as all of the 1786
following apply: 1787

(1) The developer's new community district consists of at 1788
least five leases described in this section. 1789

(2) The leases are subject to forfeiture for all of the 1790
following: 1791

(a) Failing to pay taxes and assessments; 1792

(b) Failing to pay an annual fee of up to one per cent of 1793
rent for sanitary purposes and improvements made to streets; 1794

(c) Failing to keep the premises as required by sanitary 1795
and police regulations of the developer. 1796

(3) The new community authority is established on or 1797
before December 31, 2024. 1798

(F) "Organizational board of commissioners" means any of 1799
the following: 1800

(1) For a new community district that is located in only 1801
one county, the board of county commissioners of that county; 1802

(2) For a new community district that is located in more 1803
than one county, a board consisting of the members of the board 1804
of county commissioners of each of the counties in which the 1805

district is located, provided that action of the board shall 1806
require a majority vote of the members of each separate board of 1807
county commissioners; 1808

(3) For a new community district that is located entirely 1809
within the boundaries of a municipal corporation or for a new 1810
community district where more than half of the new community 1811
district is located within the boundaries of the most populous 1812
municipal corporation of a county, the legislative authority of 1813
the municipal corporation; 1814

(4) For a new community district that is comprised 1815
entirely of unincorporated territory within the boundaries of a 1816
township with a population of at least five thousand, and 1817
located in a county with a population of at least two hundred 1818
thousand and not more than four hundred thousand, the board of 1819
township trustees of the township; 1820

(5) In the event that more than one body meets the 1821
definitions set forth in divisions (F)(1) to (4) of this 1822
section, "organizational board of commissioners" means the 1823
organizational board of commissioners with which the original 1824
petition was filed or another body meeting the definitions set 1825
forth in divisions (F)(1) to (4) of this section appointed in a 1826
resolution adopted by the organizational board of commissioners 1827
with which the original petition was filed. 1828

(G) "Land acquisition" means the acquisition of real 1829
property and interests in real property as part of a new 1830
community development program. 1831

(H) "Land development" means the process of clearing and 1832
grading land, making, installing, or constructing water 1833
distribution systems, sewers, sewage collection systems, steam, 1834

gas, and electric lines, roads, streets, curbs, gutters, 1835
sidewalks, storm drainage facilities, and other installations or 1836
work, whether within or without the new community district, and 1837
the construction of community facilities. 1838

(I) "Community facilities" means all real property, 1839
buildings, structures, or other facilities, including related 1840
fixtures, equipment, and furnishings, to be owned, operated, 1841
financed, constructed, and maintained under this chapter or in 1842
furtherance of community activities, whether within or without 1843
the new community district, including public, community, 1844
village, neighborhood, or town buildings, centers and plazas, 1845
auditoriums, child care centers, recreation halls, educational 1846
facilities, health care facilities including hospital facilities 1847
as defined in section 140.01 of the Revised Code, 1848
telecommunications facilities, including all facilities 1849
necessary to provide telecommunications service as defined in 1850
section 4927.01 of the Revised Code, recreational facilities, 1851
natural resource facilities, including parks and other open 1852
space land, lakes and streams, cultural facilities, community 1853
streets and off-street parking facilities, pathway and bikeway 1854
systems, pedestrian underpasses and overpasses, lighting 1855
facilities, design amenities, or other community facilities, and 1856
buildings needed in connection with water supply or sewage 1857
disposal installations, or energy facilities including those for 1858
renewable or sustainable energy sources, and steam, gas, or 1859
electric lines or installation. 1860

(J) "Cost" as applied to a new community development 1861
program means all costs related to land acquisition and land 1862
development, the acquisition, construction, maintenance, and 1863
operation of community facilities and offices of the community 1864
authority, and of providing furnishings and equipment therefor, 1865

financing charges including interest prior to and during 1866
construction and for the duration of the new community 1867
development program, planning expenses, engineering expenses, 1868
administrative expenses including working capital, and all other 1869
expenses necessary and incident to the carrying forward of the 1870
new community development program. 1871

(K) "Income source" means any and all sources of income to 1872
the community authority, including community development charges 1873
of which the new community authority is the beneficiary as 1874
provided in section 349.07 of the Revised Code, rentals, user 1875
fees and other charges received by the new community authority, 1876
any gift or grant received, any moneys received from any funds 1877
invested by or on behalf of the new community authority, and 1878
proceeds from the sale or lease of land and community 1879
facilities. 1880

(L) "Community development charge" means: 1881

(1) A dollar amount which shall be determined on the basis 1882
of the assessed valuation of real property or interests in real 1883
property in a new community district, the income of the 1884
residents of such property subject to such charge under section 1885
349.07 of the Revised Code, if such property is devoted to 1886
residential uses or to the profits, gross receipts, or other 1887
revenues of any business including, but not limited to, rentals 1888
received from leases of real property located in the district, a 1889
uniform or other fee on each parcel of such real property in a 1890
new community district, or any combination of the foregoing 1891
bases. 1892

(2) If a new community authority imposes a community 1893
development charge determined on the basis of rentals received 1894
from leases of real property, improvements of any real property 1895

located in the new community district and subject to that charge 1896
may not be exempted from taxation under section 5709.40, 1897
5709.41, 5709.45, 5709.48, 5709.73, or 5709.78 of the Revised 1898
Code. 1899

(M) "Proximate community" means the following: 1900

(1) For a new community district other than a new 1901
community district described in division (M) (2), (3), or (4) of 1902
this section, any city that, as of the date of filing of the 1903
petition under section 349.03 of the Revised Code, is the city 1904
with the greatest population located in the county in which the 1905
proposed new community district is located, is the city with the 1906
greatest population located in an adjoining county if any 1907
portion of such city is within five miles of any part of the 1908
boundaries of such district, or exercises extraterritorial 1909
subdivision authority under section 711.09 of the Revised Code 1910
with respect to any part of such district. 1911

(2) A municipal corporation in which, at the time of 1912
filing the petition under section 349.03 of the Revised Code, 1913
any portion of the proposed new community district is located. 1914

(3) For a new community district other than a new 1915
community district described in division (M) (2) or (4) of this 1916
section, if at the time of filing the petition under section 1917
349.03 of the Revised Code, more than one-half of the proposed 1918
district is contained within a joint economic development 1919
district created under sections 715.70 to 715.83 of the Revised 1920
Code, the township containing the greatest portion of the 1921
territory of the joint economic development district. 1922

(4) For a new community district other than a new 1923
community district described in division (M) (2) or (3) of this 1924

section, if at the time of filing the petition under section 1925
343.03 of the Revised Code the proposed new community district 1926
is comprised entirely of unincorporated territory within the 1927
boundaries of a township with a population of five thousand, and 1928
located in a county with a population of at least two hundred 1929
thousand and not more than four hundred thousand, the township 1930
in which the proposed new community district is located. 1931

(N) "Community activities" means cultural, educational, 1932
governmental, recreational, residential, industrial, commercial, 1933
distribution and research activities, or any combination 1934
thereof. 1935

Sec. 349.03. (A) Proceedings for the organization of a new 1936
community authority shall be initiated by a petition filed by 1937
the developer in the office of the clerk of an organizational 1938
board of commissioners determined based on where the territory 1939
of the proposed new community district is located. Such petition 1940
shall be signed by the developer and may be signed by each 1941
proximate community. The legislative authorities of each such 1942
proximate community shall act in behalf of such community. Such 1943
petition shall contain: 1944

(1) The name of the proposed new community authority; 1945

(2) The address where the principal office of the 1946
authority will be located or the manner in which the location 1947
will be selected; 1948

(3) A map and a full and accurate description of the 1949
boundaries of the new community district together with a 1950
description of the properties within such boundaries, if any, 1951
which will not be included in the new community district. 1952

(4) A statement setting forth the zoning regulations 1953

proposed for zoning the area within the boundaries of the new 1954
community district for comprehensive development as a new 1955
community, and if the area has been zoned for such development, 1956
a certified copy of the applicable zoning regulations therefor; 1957

(5) A current plan indicating the proposed development 1958
program for the new community district, the land acquisition and 1959
land development activities, community facilities, services 1960
proposed to be undertaken by the new community authority under 1961
such program, the proposed method of financing such activities 1962
and services, including a description of the bases, timing, and 1963
manner of collecting any proposed community development charges, 1964
and the projected total residential population of, and 1965
employment within, the new community; 1966

(6) A suggested number of members, consistent with section 1967
349.04 of the Revised Code, for the board of trustees; 1968

(7) A preliminary economic feasibility analysis, including 1969
the area development pattern and demand, location and proposed 1970
new community district size, present and future socio-economic 1971
conditions, public services provision, financial plan, and the 1972
developer's management capability; 1973

(8) A statement that the development will comply with all 1974
applicable environmental laws and regulations. 1975

Upon the filing of such petition, the organizational board 1976
of commissioners shall determine whether such petition complies 1977
with the requirements of this section as to form and substance. 1978
The board in subsequent proceedings may at any time permit the 1979
petition to be amended in form and substance to conform to the 1980
facts by correcting any errors in the description of the 1981
proposed new community district or in any other particular. 1982

Upon the determination of the organizational board of 1983
commissioners that a sufficient petition has been filed in 1984
accordance with this section, the board shall fix the time and 1985
place of a hearing on the petition for the establishment of the 1986
proposed new community authority. Such hearing shall be held not 1987
less than ninety-five nor more than one hundred fifteen days 1988
after the petition filing date, except that if the petition has 1989
been signed by all proximate communities or if the 1990
organizational board of commissioners is the legislative 1991
authority of the only proximate community for the proposed new 1992
community district, such hearing shall be held not less than 1993
thirty nor more than forty-five days after the petition filing 1994
date. The clerk of the organizational board of commissioners 1995
shall give notice thereof by publication once each week for 1996
three consecutive weeks, or as provided in section 7.16 of the 1997
Revised Code, in a newspaper of general circulation in any 1998
county of which a portion is within the proposed new community 1999
district. Except where the organizational board of commissioners 2000
is the legislative authority of the only proximate community for 2001
the proposed new community district, such clerk shall also give 2002
written notice of the date, time, and place of the hearing and 2003
furnish a certified copy of the petition to the clerk of the 2004
legislative authority of each proximate community which has not 2005
signed such petition. Except where the organizational board of 2006
commissioners is the legislative authority of the only proximate 2007
community for the proposed new community district, in the event 2008
that the legislative authority of a proximate community which 2009
did not sign the petition does not approve by ordinance, 2010
resolution, or motion the establishment of the proposed new 2011
community authority and does not deliver such ordinance, 2012
resolution, or motion to the clerk of the organizational board 2013
of commissioners within ninety days following the date of the 2014

first publication of the notice of the public hearing, the 2015
organizational board of commissioners shall cancel such public 2016
hearing and terminate the proceedings for the establishment of 2017
the new community authority. 2018

Upon the hearing, if the organizational board of 2019
commissioners determines by resolution that the proposed new 2020
community district will be conducive to the public health, 2021
safety, convenience, and welfare, and is intended to result in 2022
the development of a new community, the board shall by its 2023
resolution, declare the new community authority to be organized 2024
and a body politic and corporate with the corporate name 2025
designated in the resolution, and define the boundary of the new 2026
community district. In addition, the resolution shall provide 2027
the method of selecting the board of trustees of the new 2028
community authority and fix the surety for their bonds in 2029
accordance with section 349.04 of the Revised Code. 2030

If the organizational board of commissioners finds that 2031
the establishment of the district will not be conducive to the 2032
public health, safety, convenience, or welfare, or is not 2033
intended to result in the development of a new community, it 2034
shall reject the petition thereby terminating the proceedings 2035
for the establishment of the new community authority. 2036

(B) (1) At any time after the creation of a new community 2037
authority, the developer may file an application with the clerk 2038
of the organizational board of commissioners with which the 2039
original petition was filed, or the organizational board of 2040
commissioners appointed pursuant to division (F) (5) of section 2041
349.01 of the Revised Code, setting forth a general description 2042
of territory it desires to add or to delete from such district, 2043
that such change will be conducive to the public health, safety, 2044

convenience, and welfare, and will be consistent with the 2045
development of a new community and will not jeopardize the plan 2046
of the new community. 2047

(2) If the territory to be added or deleted from a new 2048
community district meets the criteria described in either 2049
division (F) (3) or (4) of section 349.01 of the Revised Code, 2050
and the original petition was not filed with the legislative 2051
authority of the municipal corporation or the board of township 2052
trustees of the township ~~organizational board of commissioners~~ 2053
described in those divisions, the developer shall also file a 2054
copy of the application to the clerk of that ~~municipal~~ 2055
legislative authority or township ~~organizational board of~~ 2056
~~commissioners~~ fiscal officer. ~~A municipal or township~~ 2057
~~organizational board of commissioners that receives an~~ 2058
~~application under division (B) (2) of this section is the acting~~ 2059
~~organizational board of commissioners for the purposes of~~ 2060
~~division (B) (4) of this section. Otherwise, the organizational~~ 2061
~~board of commissioners with which the original petition was~~ 2062
~~filed is the acting organizational board of commissioners for~~ 2063
~~the purposes of that division.~~ 2064

(3) If the developer is not a municipal corporation, port 2065
authority, or county, all of such an addition to such a district 2066
shall be owned by, or under the control through leases of at 2067
least seventy-five years' duration, options, or contracts to 2068
purchase, of the developer. 2069

(4) Upon the filing of the application, the ~~acting~~ 2070
organizational board of commissioners shall follow the same 2071
procedure as required by this section in relation to the 2072
original petition for the establishment of the proposed new 2073
community. The ~~acting~~ organizational board of commissioners also 2074

may determine by resolution to add territory to such district, 2075
provided that the owner or other person who controls such 2076
territory through leases of at least forty years' duration, 2077
options, or contracts to purchase files a written consent to the 2078
addition of such territory with the clerk of the ~~acting~~ 2079
organizational board of commissioners, and ~~neither~~ the developer 2080
~~nor, if applicable, the organizational board of commissioners~~ 2081
~~with which the original petition was filed~~ objects does not 2082
object to the addition of such territory by filing a written 2083
objection with the clerk of the ~~acting~~ organizational board of 2084
commissioners before the adoption of the resolution adding such 2085
territory to the district. The ~~acting~~ organizational board of 2086
commissioners shall follow the same procedure as required by 2087
this section in relation to the original petition for the 2088
establishment of the proposed new community when adopting such a 2089
resolution. 2090

(C) If all or any part of the new community district is 2091
annexed to one or more existing municipal corporations, their 2092
legislative authorities may appoint persons to replace any 2093
appointed citizen member of the board of trustees. The number of 2094
such trustees to be replaced by the municipal corporation shall 2095
be the number, rounded to the lowest integer, bearing the 2096
proportionate relationship to the number of existing appointed 2097
citizen members as the acreage of the new community district 2098
within such municipal corporation bears to the total acreage of 2099
the new community district. If any such municipal corporation 2100
chooses to replace an appointed citizen member, it shall do so 2101
by ordinance, the term of the trustee being replaced shall 2102
terminate thirty days from the date of passage of such 2103
ordinance, and the trustee to be replaced shall be determined by 2104
lot. Each newly appointed member shall assume the term of the 2105

member's predecessor. 2106

Sec. 349.14. Except as provided in section 349.03 of the 2107
Revised Code, or as otherwise provided in a resolution adopted 2108
by the organizational board of commissioners of a new community 2109
authority, a new community authority organized under this 2110
chapter may be dissolved only on the vote of a majority of the 2111
voters of the new community district at a special election 2112
called by the board of trustees on the question of dissolution. 2113
Such an election may be called only after the board has 2114
determined that the new community development program has been 2115
completed, when no community authority bonds or notes are 2116
outstanding, and other legal indebtedness of the authority has 2117
been discharged or provided for, and only after there has been 2118
filed with the board of trustees a petition requesting such 2119
election, signed by a number of qualified electors residing in 2120
the new community district equal to not less than eight per cent 2121
of the total vote cast for all candidates for governor in the 2122
new community district at the most recent general election at 2123
which a governor was elected. If a majority of the votes cast 2124
favor dissolution, the board of trustees shall, by resolution, 2125
declare the authority dissolved and thereupon the community 2126
authority shall be dissolved. A certified copy of the resolution 2127
shall, within fifteen days after its adoption, be filed with the 2128
clerk of the organizational board of commissioners ~~with which~~ 2129
~~the original petition for the organization of the new community~~ 2130
~~authority was filed and with the clerk of any other~~ 2131
~~organizational board of commissioners where territory of the new~~ 2132
~~community district was located.~~ 2133

Upon dissolution of a new community authority, the powers 2134
thereof shall cease to exist. Any property of the new community 2135
authority shall vest with a municipal corporation, county, or 2136

township in which that property is located or with the developer 2137
of the new community authority or the developer's designee, all 2138
as provided in a resolution adopted by the organizational board 2139
of commissioners. Any vesting of property in a municipal 2140
corporation, township, or county shall be subject to acceptance 2141
of the property by resolution of the legislative authority of 2142
the municipal corporation, board of township trustees, or board 2143
of county commissioners, as applicable. If the legislative 2144
authority of a municipal corporation, board of township 2145
trustees, or board of county commissioners declines to accept 2146
the property, the property vests with the developer or the 2147
developer's designee. Any funds of the community authority at 2148
the time of dissolution shall be transferred to the municipal 2149
corporation and county or township, as provided in a resolution, 2150
in which the new community district is located in the proportion 2151
to the assessed valuation of taxable real property of the new 2152
community authority within such municipal corporation and 2153
township or county as said valuation appears on the current 2154
assessment rolls. 2155

Sec. 501.07. Lands described in division (A) of section 2156
501.06 of the Revised Code shall continue to be leased under the 2157
terms granted until such time as the lease may expire. At the 2158
time of expiration, subject to section 501.04 of the Revised 2159
Code, the land may be leased again by the board of education of 2160
the school district for whose benefit the land has been 2161
allocated or be offered for sale by public auction or by the 2162
receipt of sealed bids with the sale awarded by the school board 2163
to the highest bidder. Prior to the offering of these lands for 2164
sale, the school board shall have an appraisal made of these 2165
lands by at least two disinterested appraisers. Notification of 2166
the sale of these lands, including the minerals in or on these 2167

or other lands, shall be advertised once a week for two 2168
consecutive weeks, ~~or as provided in section 7.16 of the Revised~~ 2169
~~Code, in~~ using at least one of the following methods: 2170

(A) In the print or digital edition of a newspaper of 2171
general circulation in the county in which the land is located; 2172

(B) On the official public notice web site established 2173
under section 125.182 of the Revised Code; 2174

(C) On the web site and social media account of the 2175
township. ~~No~~ 2176

No bids shall be accepted for less than the appraised 2177
value of the land. 2178

Sec. 503.162. (A) After certification of a resolution as 2179
provided in section 503.161 of the Revised Code, the board of 2180
elections shall submit the question of whether the township's 2181
name shall be changed to the electors of the unincorporated area 2182
of the township in accordance with division (C) of that section, 2183
and the ballot language shall be substantially as follows: 2184

"Shall the township of _____ (name) change its name 2185
to _____ (proposed name)? 2186

_____ For name change 2187

_____ Against name change" 2188

(B) (1) At least forty-five days before the election on 2189
this question, the board of township trustees shall ~~provide~~ 2190
publish notice of the election and an explanation of the 2191
proposed name change ~~in a newspaper of general circulation in~~ 2192
~~the township~~ once a week for two consecutive weeks ~~or as~~ 2193
~~provided in section 7.16 of the Revised Code~~ using at least one 2194
of the following methods: 2195

(a) In the print or digital edition of a newspaper of 2196
general circulation in the township; 2197

(b) On the official public notice web site established 2198
under section 125.182 of the Revised Code; 2199

(c) On the web site and social media account of the 2200
township. The 2201

The board of township trustees shall post the notice and 2202
explanation in five conspicuous places in the unincorporated 2203
area of the township. 2204

(2) If the board of elections operates and maintains a web 2205
site, notice of the election and an explanation of the proposed 2206
name change shall be posted on that web site for at least thirty 2207
days before the election on this question. 2208

(C) If a majority of the votes cast on the proposition of 2209
changing the township's name is in the affirmative, the name 2210
change is adopted and becomes effective ninety days after the 2211
board of elections certifies the election results to the fiscal 2212
officer of the township. Upon receipt of the certification of 2213
the election results from the board of elections, the fiscal 2214
officer of the township shall send a copy of that certification 2215
to the secretary of state. 2216

(D) A change in the name of a township shall not alter the 2217
rights or liabilities of the township as previously named. 2218

Sec. 503.41. (A) A board of township trustees, by 2219
resolution, may regulate and require the registration of massage 2220
establishments and their employees within the unincorporated 2221
territory of the township. In accordance with sections 503.40 to 2222
503.49 of the Revised Code, for that purpose, the board, by a 2223
majority vote of all members, may adopt, amend, administer, and 2224

enforce regulations within the unincorporated territory of the township. 2225
2226

(B) A board may adopt regulations and amendments under 2227
this section only after public hearing at not fewer than two 2228
regular sessions of the board. The board shall ~~cause to be~~ 2229
~~published in a newspaper of general circulation in the township,~~ 2230
~~or as provided in section 7.16 of the Revised Code,~~ publish 2231
notice of the public hearings, including the time, date, and 2232
place, once a week for two weeks immediately preceding the 2233
hearings using at least one of the following methods: 2234

(1) In the print or digital edition of a newspaper of 2235
general circulation in the township; 2236

(2) On the official public notice web site established 2237
under section 125.182 of the Revised Code; 2238

(3) On the web site and social media account of the 2239
township. The 2240

The board shall make available proposed regulations or 2241
amendments to the public at the office of the board. 2242

(C) Regulations or amendments adopted by the board are 2243
effective thirty days after the date of adoption unless, within 2244
thirty days after the adoption of the regulations or amendments, 2245
the township fiscal officer receives a petition, signed by a 2246
number of qualified electors residing in the unincorporated area 2247
of the township equal to not less than ten per cent of the total 2248
vote cast for all candidates for governor in the area at the 2249
most recent general election at which a governor was elected, 2250
requesting the board to submit the regulations or amendments to 2251
the electors of the area for approval or rejection at the next 2252
primary or general election occurring at least ninety days after 2253

the board receives the petition. 2254

No regulation or amendment for which the referendum vote 2255
has been requested is effective unless a majority of the votes 2256
cast on the issue is in favor of the regulation or amendment. 2257
Upon certification by the board of elections that a majority of 2258
the votes cast on the issue was in favor of the regulation or 2259
amendment, the regulation or amendment takes immediate effect. 2260

(D) The board shall make available regulations it adopts 2261
or amends to the public at the office of the board and shall 2262
cause to be published once a notice of the availability of the 2263
regulations ~~in a newspaper of general circulation in the~~ 2264
~~township~~ within ten days after their adoption or amendment, 2265
using at least one of the following methods: 2266

(1) In the print or digital edition of a newspaper of 2267
general circulation in the township; 2268

(2) On the official public notice web site established 2269
under section 125.182 of the Revised Code; 2270

(3) On the web site and social media account of the 2271
township. 2272

(E) Nothing in sections 503.40 to 503.49 of the Revised 2273
Code shall be construed to allow a board of township trustees to 2274
regulate the practice of any limited branch of medicine 2275
specified in section 4731.15 of the Revised Code or the practice 2276
of providing therapeutic massage by a licensed physician, a 2277
licensed chiropractor, a licensed podiatrist, a licensed nurse, 2278
or any other licensed health professional. ~~As~~ As used in this 2279
division, "licensed" means licensed, certified, or registered to 2280
practice in this state. 2281

(F) If a township adopts regulations to require the 2282

registration of massage establishments and their employees, the 2283
township shall comply with Chapter 4796. of the Revised Code. 2284

Sec. 503.54. (A) As used in this section: 2285

(1) "Admission" means the right or privilege to enter into 2286
any place. 2287

(2) "Qualifying township" means a township that has all or 2288
any part of a qualifying event venue within its boundaries. 2289

(3) "Qualifying event venue" means a theater, concert 2290
hall, entertainment venue, or similar space for hosting 2291
performances or events that meets both of the following 2292
requirements: 2293

(a) The venue has a capacity of at least two thousand 2294
attendees; 2295

(b) The venue, and the land on which it is situated, is 2296
exempt from property taxation. 2297

(B) For the purposes of providing revenue for police, 2298
fire, and emergency medical services and of paying the costs of 2299
administering the fee, the legislative authority of a qualifying 2300
township may, by resolution, impose a fee upon the sale of 2301
admission to any qualifying event venue in the township. 2302

(C) The resolution shall state that the fee does not apply 2303
to amounts paid for admission to any of the following: 2304

(1) A county fairground; 2305

(2) Events or activities sponsored by the state or a 2306
political subdivision, including any city, local, or exempted 2307
village school district; 2308

(3) Events or activities wherein the charge for admission 2309

is ten dollars or less. 2310

(D) The rate of a fee imposed under this section shall 2311
equal a fixed amount per admission, but shall not exceed one 2312
dollar per admission. Every person receiving any payment for a 2313
sale on which a fee is imposed under this section shall collect 2314
the amount of the fee from the person making the admission 2315
payment and remit the fee to the qualifying township in the 2316
manner and at the times prescribed by the regulations adopted by 2317
the board of township trustees. 2318

(E) The resolution shall state that the fee shall be 2319
referred to as a "protect and serve charge." Before adopting the 2320
resolution, the board of township trustees shall conduct two 2321
public hearings on the resolution, the second hearing to be not 2322
less than three nor more than ten days after the first. Notice 2323
of the date, time, and place of such hearings shall be given by 2324
publication in a newspaper of general circulation in the 2325
township or as provided in section 7.16 of the Revised Code once 2326
a week on the same day of the week for two consecutive weeks, 2327
the second publication being not less than ten nor more than 2328
thirty days before the first hearing. 2329

No resolution under this section shall become effective 2330
sooner than thirty days following its adoption, and such 2331
resolution is subject to a referendum in the same manner, except 2332
as to the form of the petition, as provided in division (H) of 2333
section 519.12 of the Revised Code for a proposed amendment to a 2334
township zoning resolution. In addition, a petition under this 2335
section shall be governed by the rules specified in section 2336
3501.38 of the Revised Code. No resolution imposing a fee under 2337
this section for which a referendum vote has been requested 2338
shall go into effect unless approved by a majority of those 2339

voting upon it. 2340

(F) The legislative authority of a qualifying township 2341
imposing a fee pursuant to this section shall establish all 2342
regulations necessary to provide for the administration of the 2343
fee. The regulations shall provide, after deducting the real and 2344
actual costs of administering the fee, that the revenue be used 2345
exclusively for providing police, fire, and emergency medical 2346
services within the township. 2347

(G) A fee imposed pursuant to this section continues in 2348
effect until repealed by resolution adopted by the board of 2349
township trustees. 2350

Sec. 504.02. (A) After certification of a resolution as 2351
provided in division (A) of section 504.01 of the Revised Code, 2352
the board of elections shall submit the question of whether to 2353
adopt a limited home rule government to the electors of the 2354
unincorporated area of the township, and the ballot language 2355
shall be substantially as follows: 2356

"Shall the township of _____ (name) adopt a limited 2357
home rule government, under which government the board of 2358
township trustees, by resolution, may exercise limited powers of 2359
local self-government and limited police powers? 2360

_____ For adoption of a limited home rule government 2361

_____ Against adoption of a limited home rule government" 2362

(B) (1) At least forty-five days before the election on 2363
this question, the board of township trustees shall have notice 2364
of the election and a description of the proposed limited home 2365
rule government published ~~in a newspaper of general circulation~~ 2366
~~in the township~~ once a week for two consecutive weeks ~~or as~~ 2367
~~provided in section 7.16 of the Revised Code, and using at~~ 2368

<u>least one of the following methods:</u>	2369
<u>(a) In the print or digital edition of a newspaper of</u>	2370
<u>general circulation in the township;</u>	2371
<u>(b) On the official public notice web site established</u>	2372
<u>under section 125.182 of the Revised Code;</u>	2373
<u>(c) On the web site and social media account of the</u>	2374
<u>township.</u>	2375
<u>The board shall have the notice and description posted in</u>	2376
five conspicuous places in the unincorporated area of the	2377
township.	2378
(2) If a board of elections operates and maintains a web	2379
site, notice of the election and a description of the proposed	2380
limited home rule government shall be posted on that web site	2381
for at least thirty days before the election on this question.	2382
(C) If a majority of the votes cast on the proposition of	2383
adopting a limited home rule government is in the affirmative,	2384
that government is adopted and becomes the government of the	2385
township on the first day of January immediately following the	2386
election.	2387
Sec. 504.03. (A) (1) If a limited home rule government is	2388
adopted pursuant to section 504.02 of the Revised Code, it shall	2389
remain in effect for at least three years except as otherwise	2390
provided in division (B) of this section. At the end of that	2391
period, if the board of township trustees determines that that	2392
government is not in the best interests of the township, it may	2393
adopt a resolution causing the board of elections to submit to	2394
the electors of the unincorporated area of the township the	2395
question of whether the township should continue the limited	2396
home rule government. The question shall be voted upon at the	2397

next general election occurring at least ninety days after the certification of the resolution to the board of elections. After certification of the resolution, the board of elections shall submit the question to the electors of the unincorporated area of the township, and the ballot language shall be substantially as follows:

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

_____ For continuation of the limited home rule government

_____ Against continuation of the limited home rule government"

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

(i) In the print or digital edition of a newspaper of general circulation in the township;

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

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

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

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

continuing the limited home rule government. 2426

(B) The electors of a township that has adopted a limited 2427
home rule government may propose at any time by initiative 2428
petition, in accordance with section 504.14 of the Revised Code, 2429
a resolution submitting to the electors in the unincorporated 2430
area of the township, in an election, the question set forth in 2431
division (A) (1) of this section. 2432

(C) If a majority of the votes cast under division (A) or 2433
(B) of this section on the proposition of continuing the limited 2434
home rule government is in the negative, that government is 2435
terminated effective on the first day of January immediately 2436
following the election, and a limited home rule government shall 2437
not be adopted in the unincorporated area of the township 2438
pursuant to section 504.02 of the Revised Code for at least 2439
three years after that date. 2440

(D) If a limited home rule government is terminated under 2441
this section, the board of township trustees immediately shall 2442
adopt a resolution repealing all resolutions adopted pursuant to 2443
this chapter that are not authorized by any other section of the 2444
Revised Code outside this chapter, effective on the first day of 2445
January immediately following the election described in division 2446
(A) or (B) of this section. However, no resolution adopted under 2447
this division shall affect or impair the obligations of the 2448
township under any security issued or contracts entered into by 2449
the township in connection with the financing of any water 2450
supply facility or sewer improvement under sections 504.18 to 2451
504.20 of the Revised Code or the authority of the township to 2452
collect or enforce any assessments or other revenues 2453
constituting security for or source of payments of debt service 2454
charges of those securities. 2455

(E) Upon the termination of a limited home rule government 2456
under this section, if the township had converted its board of 2457
township trustees to a five-member board before September 26, 2458
2003, the current board member who received the lowest number of 2459
votes of the current board members who were elected at the most 2460
recent election for township trustees, and the current board 2461
member who received the lowest number of votes of the current 2462
board members who were elected at the second most recent 2463
election for township trustees, shall cease to be township 2464
trustees on the date that the limited home rule government 2465
terminates. Their offices likewise shall cease to exist at that 2466
time, and the board shall continue as a three-member board as 2467
provided in section 505.01 of the Revised Code. 2468

Sec. 504.12. No resolution and no section or numbered or 2469
lettered division of a section shall be revised or amended 2470
unless the new resolution contains the entire resolution, 2471
section, or division as revised or amended, and the resolution, 2472
section, or division so amended shall be repealed. This 2473
requirement does not prevent the amendment of a resolution by 2474
the addition of a new section, or division, and in this case the 2475
full text of the former resolution need not be set forth, nor 2476
does this section prevent repeals by implication. Except in the 2477
case of a codification or recodification of resolutions, a 2478
separate vote shall be taken on each resolution proposed to be 2479
amended. Resolutions that have been introduced and have received 2480
their first reading or their first and second readings, but have 2481
not been voted on for passage, may be amended or revised by a 2482
majority vote of the members of the board of township trustees, 2483
and the amended or revised resolution need not receive 2484
additional readings. 2485

The board of township trustees of a limited home rule 2486

township may revise, codify, and publish in book form the 2487
resolutions of the township in the manner provided in section 2488
504.123 of the Revised Code. Resolutions adopted by the board 2489
shall be published in the manner provided by sections 504.121, 2490
504.122, 504.124, and 504.125, ~~and 504.126~~ of the Revised Code. 2491

The procedures provided in this section and sections 2492
504.121 to ~~504.126~~ 504.125 of the Revised Code apply only to 2493
resolutions adopted pursuant to a township's limited home rule 2494
powers as authorized by this chapter. 2495

Sec. 504.121. (A) A succinct summary of each resolution, 2496
of all notices to bidders for the construction of public 2497
improvements and notices of the sale of bonds, and of all 2498
statements, orders, proclamations, notices, and reports required 2499
by law or resolution to be published, shall be published ~~in~~ 2500
using at least one of the following methods: 2501

(1) In the print or digital edition of a newspaper of 2502
general circulation in the township; 2503

(2) On the official public notice web site established 2504
under section 125.182 of the Revised Code; 2505

(3) On the web site and social media account of the 2506
township. Proof- 2507

Proof of the publication and required circulation of any 2508
newspaper used as a medium of publication as provided by this 2509
section shall be made by affidavit of the proprietor of the 2510
newspaper or operator of the official public notice web site, as 2511
applicable, and shall be filed with the fiscal officer of the 2512
township. If publication is made by posting on the township web 2513
site or social media account, the township fiscal officer shall 2514
cause proof of the publication to be created, and maintain the 2515

proof. 2516

(B) The publication shall contain notice that the complete 2517
text of each such resolution may be obtained or viewed at the 2518
office of the fiscal officer of the township and may be viewed 2519
at any other location designated by the board of township 2520
trustees. The township law director or the county prosecuting 2521
attorney, as applicable, shall review the summary of a 2522
resolution published under this section before forwarding it to 2523
the fiscal officer for publication, to ensure the summary is 2524
legally accurate and sufficient. 2525

(C) Upon publication of a summary of a resolution in 2526
accordance with this section, the fiscal officer of the township 2527
shall supply a copy of the complete text of each such resolution 2528
to any person, upon request, and may charge a reasonable fee, 2529
set by the board of township trustees, for each copy supplied. 2530
The fiscal officer of the township shall post a copy of the text 2531
at the fiscal officer's office and at every other location 2532
designated by the board of township trustees. 2533

Sec. 504.122. The publication required in section 504.121 2534
of the Revised Code shall be for the following times: 2535

(A) Summaries of resolutions, and proclamations of 2536
elections, once a week for two consecutive weeks ~~or as provided~~ 2537
~~in section 7.16 of the Revised Code;~~ 2538

(B) Notices, not less than two nor more than four 2539
consecutive weeks ~~or as provided in section 7.16 of the Revised~~ 2540
~~Code;~~ 2541

(C) All other matters shall be published once. 2542

Sec. 504.123. When resolutions are revised, codified, 2543
rearranged, published in book form, and certified as correct by 2544

the fiscal officer of the township and the township administrator, such publication shall be a sufficient publication, and the resolutions so published, under appropriate titles, chapters, and sections, shall be held the same in law as though they had been published in ~~a newspaper~~ accordance with section 731.21 of the Revised Code. A new resolution so published in book form, a summary of which has not been published as required by sections 504.121 and 504.122 of the Revised Code, and which contains entirely new matter, shall be published as required by such sections. If such revision or codification is made by a township and contains new matter, it shall be a sufficient publication of such codification, including the new matter, to publish, in the manner required by such sections, a notice of the enactment of such codifying resolution, containing the title of the resolution and a summary of the new matters covered by it. Such revision and codification may be made under appropriate titles, chapters, and sections and in one resolution containing one or more subjects.

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

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

was made. 2576

Sec. ~~504.126~~ 504.125. It is a sufficient defense to any 2577
suit or prosecution under a resolution, to show that no 2578
publication or posting was made as required by sections 504.121 2579
to ~~504.125~~ 504.124 of the Revised Code. 2580

Sec. 504.21. (A) The board of township trustees of a 2581
township that has adopted a limited home rule government may, 2582
for the unincorporated territory in the township, adopt, amend, 2583
and rescind rules establishing technically feasible and 2584
economically reasonable standards to achieve a level of 2585
management and conservation practices that will abate wind or 2586
water erosion of the soil or abate the degradation of the waters 2587
of the state by soil sediment in conjunction with land grading, 2588
excavating, filling, or other soil disturbing activities on land 2589
used or being developed in the township for nonfarm commercial, 2590
industrial, residential, or other nonfarm purposes, and 2591
establish criteria for determination of the acceptability of 2592
those management and conservation practices. The rules shall be 2593
designed to implement the applicable areawide waste treatment 2594
management plan prepared under section 208 of the "Federal Water 2595
Pollution Control Act," 86 Stat. 816 (1972), 33 U.S.C.A. 1228, 2596
as amended, and to implement phase II of the storm water program 2597
of the national pollutant discharge elimination system 2598
established in 40 C.F.R. Part 122. The rules to implement phase 2599
II of the storm water program of the national pollutant 2600
discharge elimination system shall not be inconsistent with, 2601
more stringent than, or broader in scope than the rules or 2602
regulations adopted by the environmental protection agency under 2603
40 C.F.R. Part 122. The rules adopted under this section shall 2604
not apply inside the limits of municipal corporations, to lands 2605
being used in a strip mine operation as defined in section 2606

1513.01 of the Revised Code, or to land being used in a surface 2607
mine operation as defined in section 1514.01 of the Revised 2608
Code. 2609

The rules adopted under this section may require persons 2610
to file plans governing erosion control, sediment control, and 2611
water management before clearing, grading, excavating, filling, 2612
or otherwise wholly or partially disturbing one or more 2613
contiguous acres of land owned by one person or operated as one 2614
development unit for the construction of nonfarm buildings, 2615
structures, utilities, recreational areas, or other similar 2616
nonfarm uses. If the rules require plans to be filed, the rules 2617
shall do all of the following: 2618

(1) Designate the board itself, its employees, or another 2619
agency or official to review and approve or disapprove the 2620
plans; 2621

(2) Establish procedures and criteria for the review and 2622
approval or disapproval of the plans; 2623

(3) Require the designated entity to issue a permit to a 2624
person for the clearing, grading, excavating, filling, or other 2625
project for which plans are approved and to deny a permit to a 2626
person whose plans have been disapproved; 2627

(4) Establish procedures for the issuance of the permits; 2628

(5) Establish procedures under which a person may appeal 2629
the denial of a permit. 2630

Areas of less than one contiguous acre shall not be exempt 2631
from compliance with other provisions of this section or rules 2632
adopted under this section. The rules adopted under this section 2633
may impose reasonable filing fees for plan review, permit 2634
processing, and field inspections. 2635

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

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

(1) In the print or digital edition of a newspaper of general circulation in the township;

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

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

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

(C) The board of township trustees may employ personnel to assist in the administration of this section and the rules adopted under it. The board also, if the action does not

conflict with the rules, may delegate duties to review sediment 2665
control and water management plans to its employees, and may 2666
enter into agreements with one or more political subdivisions, 2667
other township officials, or other government agencies, in any 2668
combination, in order to obtain reviews and comments on plans 2669
governing erosion control, sediment control, and water 2670
management or to obtain other services for the administration of 2671
the rules adopted under this section. 2672

(D) The board of township trustees or any duly authorized 2673
representative of the board may, upon identification to the 2674
owner or person in charge, enter any land upon obtaining 2675
agreement with the owner, tenant, or manager of the land in 2676
order to determine whether there is compliance with the rules 2677
adopted under this section. If the board or its duly authorized 2678
representative is unable to obtain such an agreement, the board 2679
or representative may apply for, and a judge of the court of 2680
common pleas for the county where the land is located may issue, 2681
an appropriate inspection warrant as necessary to achieve the 2682
purposes of this section. 2683

(E) (1) If the board of township trustees or its duly 2684
authorized representative determines that a violation of the 2685
rules adopted under this section exists, the board or 2686
representative may issue an immediate stop work order if the 2687
violator failed to obtain any federal, state, or local permit 2688
necessary for sediment and erosion control, earth movement, 2689
clearing, or cut and fill activity. In addition, if the board or 2690
representative determines such a rule violation exists, 2691
regardless of whether or not the violator has obtained the 2692
proper permits, the board or representative may authorize the 2693
issuance of a notice of violation. If, after a period of not 2694
less than thirty days has elapsed following the issuance of the 2695

notice of violation, the violation continues, the board or its 2696
duly authorized representative shall issue a second notice of 2697
violation. Except as provided in division (E) (3) of this 2698
section, if, after a period of not less than fifteen days has 2699
elapsed following the issuance of the second notice of 2700
violation, the violation continues, the board or its duly 2701
authorized representative may issue a stop work order after 2702
first obtaining the written approval of the prosecuting attorney 2703
of the county in which the township is located if, in the 2704
opinion of the prosecuting attorney, the violation is egregious. 2705

Once a stop work order is issued, the board or its duly 2706
authorized representative shall request, in writing, the 2707
prosecuting attorney to seek an injunction or other appropriate 2708
relief in the court of common pleas to abate excessive erosion 2709
or sedimentation and secure compliance with the rules adopted 2710
under this section. If the prosecuting attorney seeks an 2711
injunction or other appropriate relief, then, in granting 2712
relief, the court of common pleas may order the construction of 2713
sediment control improvements or implementation of other control 2714
measures and may assess a civil fine of not less than one 2715
hundred or more than five hundred dollars. Each day of violation 2716
of a rule or stop work order issued under this section shall be 2717
considered a separate violation subject to a civil fine. 2718

(2) The person to whom a stop work order is issued under 2719
this section may appeal the order to the court of common pleas 2720
of the county in which it was issued, seeking any equitable or 2721
other appropriate relief from that order. 2722

(3) No stop work order shall be issued under this section 2723
against any public highway, transportation, or drainage 2724
improvement or maintenance project undertaken by a government 2725

agency or political subdivision in accordance with a statement 2726
of its standard sediment control policies that is approved by 2727
the board or the chief of the division of soil and water 2728
resources in the department of natural resources. 2729

(F) No person shall violate any rule adopted or order 2730
issued under this section. Notwithstanding division (E) of this 2731
section, if the board of township trustees determines that a 2732
violation of any rule adopted or administrative order issued 2733
under this section exists, the board may request, in writing, 2734
the prosecuting attorney of the county in which the township is 2735
located, to seek an injunction or other appropriate relief in 2736
the court of common pleas to abate excessive erosion or 2737
sedimentation and secure compliance with the rules or order. In 2738
granting relief, the court of common pleas may order the 2739
construction of sediment control improvements or implementation 2740
of other control measures and may assess a civil fine of not 2741
less than one hundred or more than five hundred dollars. Each 2742
day of violation of a rule adopted or administrative order 2743
issued under this section shall be considered a separate 2744
violation subject to a civil fine. 2745

Sec. 505.07. Notwithstanding any contrary provision in 2746
another section of the Revised Code, section 519.12 of the 2747
Revised Code, or any vote of the electors on a petition for 2748
zoning referendum, a township may settle any court action by a 2749
consent decree or court-approved settlement agreement which may 2750
include an agreement to rezone any property involved in the 2751
action as provided in the decree or court-approved settlement 2752
agreement without following the procedures in section 519.12 of 2753
the Revised Code and also may include township approval of a 2754
development plan for any property involved in the action as 2755
provided in the decree or court-approved settlement agreement, 2756

provided that the court makes specific findings of fact that 2757
notice has been properly made pursuant to this section and the 2758
consent decree or court-approved settlement agreement is fair 2759
and reasonable. 2760

If the subject of the consent decree or court-approved 2761
settlement agreement involves a zoning issue subject to 2762
referendum under section 519.12 of the Revised Code, the board 2763
of township trustees shall publish notice of their intent to 2764
meet and consider and take action on the decree or court- 2765
approved settlement agreement and the date and time of the 2766
meeting ~~in a newspaper of general circulation in the township~~ at 2767
least fifteen days before the meeting, using at least one of the 2768
following methods: 2769

(A) In the print or digital edition of a newspaper of 2770
general circulation in the township; 2771

(B) On the official public notice web site established 2772
under section 125.182 of the Revised Code; 2773

(C) On the web site and social media account of the 2774
township. ~~The~~ 2775

The board shall permit members of the public to express 2776
their objections to the consent decree or court-approved 2777
settlement agreement at the meeting. Copies of the proposed 2778
consent decree or court-approved settlement agreement shall be 2779
available to the public at the township fiscal officer's office 2780
during normal business hours. 2781

At least ten days prior to the submission of a proposed 2782
consent decree or settlement agreement to the court for its 2783
review and consideration, the plaintiff in the action involving 2784
the consent decree or settlement agreement shall publish a 2785

notice that shall include the caption of the case, the case 2786
number, and the court in which the consent decree or settlement 2787
agreement will be filed, the intention of the parties in the 2788
action to file a consent decree or settlement agreement, and, 2789
when applicable, a description of the real property involved and 2790
the proposed change in zoning or permitted use, in a newspaper 2791
of general circulation in the township. 2792

Sec. 505.10. (A) The board of township trustees may 2793
accept, on behalf of the township, the donation by bequest, 2794
devise, deed of gift, or otherwise, of any real or personal 2795
property for any township use. When the township has property, 2796
including motor vehicles, road machinery, equipment, and tools, 2797
that the board, by resolution, finds is not needed for public 2798
use, is obsolete, or is unfit for the use for which it was 2799
acquired, the board may sell and convey that property or 2800
otherwise dispose of it in accordance with this section. Except 2801
as otherwise provided in sections 505.08, 505.101, and 505.102 2802
of the Revised Code, the sale or other disposition of unneeded, 2803
obsolete, or unfit-for-use property shall be made in accordance 2804
with one of the following: 2805

(1) If the fair market value of property to be sold is, in 2806
the opinion of the board, in excess of two thousand five hundred 2807
dollars, the sale shall be by public auction or by sealed bid to 2808
the highest bidder. The board shall publish notice of the time, 2809
place, and manner of the sale once a week for two weeks ~~in using~~ 2810
at least one of the following methods: 2811

(a) In the print or digital edition of a newspaper 2812
published, or of general circulation, in the township, ~~and;~~ 2813

(b) On the official public notice web site established 2814
under section 125.182 of the Revised Code; 2815

(c) On the web site and social media account of the 2816
township. 2817

The board shall post a typewritten or printed notice of 2818
the time, place, and manner of the sale in the office of the 2819
board for at least ten days prior to the sale. The board may 2820
also cause notice to be inserted in trade papers or other 2821
publications designated by it or to be distributed by electronic 2822
means, including posting the notice on the board's internet web 2823
site. ~~If the board posts the notice on its web site, it may~~ 2824
~~eliminate the second notice otherwise required to be published~~ 2825
~~in a newspaper published or of general circulation in the~~ 2826
~~township, provided that the first notice published in such~~ 2827
~~newspaper meets all of the following requirements:~~ 2828

~~(a) It is published at least two weeks before the sale of~~ 2829
~~the property.~~ 2830

~~(b) It includes a statement that the notice is posted on~~ 2831
~~the board's internet web site.~~ 2832

~~(c) It includes the internet address of the board's~~ 2833
~~internet web site.~~ 2834

~~(d) It includes instructions describing how the notice may~~ 2835
~~be accessed on the board's internet web site.~~ 2836

If the board conducts the sale of the property by sealed 2837
bid, the form of the bid shall be as prescribed by the board, 2838
and each bid shall contain the name of the person submitting it. 2839
Bids received shall be opened and tabulated at the time stated 2840
in the published and posted notices. The property shall be sold 2841
to the highest bidder, except that the board may reject all bids 2842
and hold another sale, by public auction or sealed bid, in the 2843
manner prescribed by this section. 2844

(2) If the fair market value of property to be sold is, in 2845
the opinion of the board, two thousand five hundred dollars or 2846
less, the board may do either of the following: 2847

(a) Sell the property by private sale, without 2848
advertisement or public notification; 2849

(b) Donate the property to an eligible nonprofit 2850
organization that is located in this state and is exempt from 2851
federal income taxation pursuant to 26 U.S.C. 501(a) and (c) (3). 2852

Before donating property, the nonprofit organization shall 2853
provide the board evidence that the organization is located in 2854
this state and is exempt from federal income taxation pursuant 2855
to 26 U.S.C. 501(a) and (c) (3). 2856

(3) If the board finds, by resolution, that the township 2857
has motor vehicles, road machinery, equipment, or tools that are 2858
not needed or are unfit for public use, and the board wishes to 2859
sell the motor vehicles, road machinery, equipment, or tools to 2860
the person or firm from which it proposes to purchase other 2861
motor vehicles, road machinery, equipment, or tools, the board 2862
may offer to sell the motor vehicles, road machinery, equipment, 2863
or tools to that person or firm, and to have the selling price 2864
credited to the person or firm against the purchase price of 2865
other motor vehicles, road machinery, equipment, or tools. 2866

(4) If the board advertises for bids for the sale of new 2867
motor vehicles, road machinery, equipment, or tools to the 2868
township, it may include in the same advertisement a notice of 2869
the willingness of the board to accept bids for the purchase of 2870
township-owned motor vehicles, road machinery, equipment, or 2871
tools that are obsolete or not needed for public use, and to 2872
have the amount of those bids subtracted from the selling price 2873

of the new motor vehicles, road machinery, equipment, or tools, 2874
as a means of determining the lowest responsible bidder. 2875

(5) When a township has title to real property, the board 2876
of township trustees, by resolution, may authorize the transfer 2877
and conveyance of that property to any other political 2878
subdivision of the state upon such terms as are agreed to 2879
between the board and the legislative authority of that 2880
political subdivision. 2881

(6) When a township has title to real property and the 2882
board of township trustees wishes to sell or otherwise transfer 2883
the property, the board, upon a unanimous vote of its members 2884
and by resolution, may authorize the transfer and conveyance of 2885
that real property to any person upon whatever terms are agreed 2886
to between the board and that person. 2887

(7) If the board of township trustees determines that 2888
township personal property is not needed for public use, or is 2889
obsolete or unfit for the use for which it was acquired, and 2890
that the property has no value, the board may discard or salvage 2891
that property. 2892

(B) When the board has offered property at public auction 2893
under this section and has not received an acceptable offer, the 2894
board, by resolution, may enter into a contract, without 2895
advertising or bidding, for the sale of that property. The 2896
resolution shall specify a minimum acceptable price and the 2897
minimum acceptable terms for the contract. The minimum 2898
acceptable price shall not be lower than the minimum price 2899
established for the public auction. 2900

(C) Members of the board shall consult with the Ohio 2901
ethics commission and comply with the provisions of Chapters 2902

102. and 2921. of the Revised Code, with respect to any sale or 2903
donation under division (A)(2) of this section to a nonprofit 2904
organization of which a township trustee, any member of the 2905
township trustee's family, or any business associate of the 2906
township trustee is a trustee, officer, board member, or 2907
employee. 2908

(D) Notwithstanding anything to the contrary in division 2909
(A) or (B) of this section and regardless of the property's 2910
value, the board may sell personal property, including motor 2911
vehicles, road machinery, equipment, tools, or supplies, that is 2912
not needed for public use, is obsolete, or is unfit for the use 2913
for which it was acquired, by internet auction. The board shall 2914
adopt, during each calendar year, a resolution expressing its 2915
intent to sell that property by internet auction. The resolution 2916
shall include a description of how the auctions will be 2917
conducted and shall specify the number of days for bidding on 2918
the property, which shall be no less than ten days, including 2919
Saturdays, Sundays, and legal holidays. The resolution shall 2920
indicate whether the township will conduct the auction or the 2921
board will contract with a representative to conduct the auction 2922
and shall establish the general terms and conditions of sale. If 2923
a representative is known when the resolution is adopted, the 2924
resolution shall provide contact information such as the 2925
representative's name, address, and telephone number. 2926

After adoption of the resolution, the board shall publish, ~~2927
in a newspaper of general circulation in the township,~~ notice of 2928
its intent to sell unneeded, obsolete, or unfit-for-use township 2929
personal property by internet auction, using at least one of the 2930
following methods: 2931

(1) In the print or digital edition of a newspaper of 2932

<u>general circulation in the township;</u>	2933
<u>(2) On the official public notice web site established</u>	2934
<u>under section 125.182 of the Revised Code;</u>	2935
<u>(3) On the web site and social media account of the</u>	2936
<u>township. The</u>	2937
<u>The</u> notice shall include a summary of the information	2938
provided in the resolution and shall be published at least	2939
twice. A similar notice also shall be posted continually	2940
throughout the calendar year in a conspicuous place in the	2941
board's office. The board may also cause notice to be inserted	2942
in trade papers or other publications designated by it or to be	2943
distributed by electronic means, including posting the notice on	2944
the board's internet web site. If the board posts the notice on	2945
its web site, it may eliminate the second notice otherwise	2946
required to be published in a newspaper of general circulation	2947
in the township, provided that the first notice published in	2948
such newspaper meets all of the following requirements:	2949
(1) It is published at least two weeks before the internet	2950
auction begins.	2951
(2) It includes a statement that the notice is posted on	2952
the board's internet web site.	2953
(3) It includes the internet address of the board's	2954
internet web site.	2955
(4) It includes instructions describing how the notice may	2956
be accessed on the board's internet web site.	2957
When property is to be sold by internet auction, the board	2958
or its representative may establish a minimum price that will be	2959
accepted for specific items and may establish any other terms	2960

and conditions for the particular sale, including requirements 2961
for pick-up or delivery, method of payment, and sales tax. This 2962
type of information shall be provided on the internet at the 2963
time of the auction and may be provided before that time upon 2964
request, after the terms and conditions have been determined by 2965
the board or its representative. 2966

Sec. 505.17. (A) Except in a township or portion of a 2967
township that is within the limits of a municipal corporation, 2968
the board of township trustees may make regulations and orders 2969
as are necessary to control passenger car, motorcycle, and 2970
internal combustion engine noise, as permitted under section 2971
4513.221 of the Revised Code, and all vehicle parking in the 2972
township. This authorization includes, among other powers, the 2973
power to regulate parking on established roadways proximate to 2974
buildings on private property as necessary to provide access to 2975
the property by public safety vehicles and equipment, if the 2976
property is used for commercial purposes, the public is 2977
permitted to use the parking area, and accommodation for more 2978
than ten motor vehicles is provided, and the power to authorize 2979
the issuance of orders limiting or prohibiting parking on any 2980
township street or highway during a snow emergency declared 2981
pursuant to a snow-emergency authorization adopted under this 2982
division. All such regulations and orders shall be subject to 2983
the limitations, restrictions, and exceptions in sections 2984
4511.01 to 4511.76 and 4513.02 to 4513.37 of the Revised Code. 2985

A board of township trustees may adopt a general snow- 2986
emergency authorization, which becomes effective under division 2987
(B) (1) of this section, allowing the president of the board or 2988
some other person specified in the authorization to issue an 2989
order declaring a snow emergency and limiting or prohibiting 2990
parking on any township street or highway during the snow 2991

emergency. Any such order becomes effective under division (B) 2992
(2) of this section. Each general snow-emergency authorization 2993
adopted under this division shall specify the weather conditions 2994
under which a snow emergency may be declared in that township. 2995

(B) (1) All regulations and orders, including any snow- 2996
emergency authorization established by the board under this 2997
section, except for an order declaring a snow emergency as 2998
provided in division (B) (2) of this section, shall be posted by 2999
the township fiscal officer in five conspicuous public places in 3000
the township for thirty days before becoming effective, and 3001
shall be published ~~in a newspaper of general circulation in the~~ 3002
~~township~~ for three consecutive weeks ~~or as provided in section~~ 3003
~~7.16 of the Revised Code~~ using at least one of the following 3004
methods: 3005

(a) In the print or digital edition of a newspaper of 3006
general circulation in the township; 3007

(b) On the official public notice web site established 3008
under section 125.182 of the Revised Code; 3009

(c) On the web site and social media account of the 3010
township. ~~In~~ 3011

In addition to these requirements, no general snow- 3012
emergency authorization shall become effective until permanent 3013
signs giving notice that parking is limited or prohibited during 3014
a snow emergency are properly posted, in accordance with any 3015
applicable standards adopted by the department of 3016
transportation, along streets or highways specified in the 3017
authorization. 3018

(2) Pursuant to the adoption of a snow-emergency 3019
authorization under this section, an order declaring a snow 3020

emergency becomes effective two hours after the president of the 3021
board or the other person specified in the general snow- 3022
emergency authorization makes an announcement of a snow 3023
emergency to the local news media. The president or other 3024
specified person shall request the local news media to announce 3025
that a snow emergency has been declared, the time the 3026
declaration will go into effect, and whether the snow emergency 3027
will remain in effect for a specified period of time or 3028
indefinitely until canceled by a subsequent announcement to the 3029
local news media by the president or other specified person. 3030

(C) Such regulations and orders may be enforced where 3031
traffic control devices conforming to section 4511.09 of the 3032
Revised Code are prominently displayed. Parking regulations 3033
authorized by this section do not apply to any state highway 3034
unless the parking regulations are approved by the director of 3035
transportation. 3036

(D) A board of township trustees or its designated agent 3037
may order into storage any vehicle parked in violation of a 3038
township parking regulation or order, if the violation is not 3039
one that is required to be handled pursuant to Chapter 4521. of 3040
the Revised Code. The owner or any lienholder of a vehicle 3041
ordered into storage may claim the vehicle upon presentation of 3042
proof of ownership, which may be evidenced by a certificate of 3043
title to the vehicle, and payment of all expenses, charges, and 3044
fines incurred as a result of the parking violation and removal 3045
and storage of the vehicle. 3046

(E) Whoever violates any regulation or order adopted 3047
pursuant to this section is guilty of a minor misdemeanor, 3048
unless the township has enacted a regulation pursuant to 3049
division (A) of section 4521.02 of the Revised Code, that 3050

specifies that the violation shall not be considered a criminal 3051
offense and shall be handled pursuant to Chapter 4521. of the 3052
Revised Code. Fines levied and collected under this section 3053
shall be paid into the township general revenue fund. 3054

Sec. 505.26. The board of township trustees may purchase, 3055
appropriate, construct, enlarge, improve, rebuild, repair, 3056
furnish, and equip a township hall, a township park, public 3057
library buildings, and bridges and viaducts over streets, 3058
streams, railroads, or other places where an overhead roadway or 3059
footway is necessary, and such board may acquire sites by lease 3060
or otherwise for any of such improvements, including lands and 3061
buildings for recreational purposes. 3062

The board of township trustees, not for purposes of 3063
recreation, but for the purposes of protecting and preserving 3064
the natural, scenic, open, or wooded condition of land, water, 3065
or wetlands against modification or encroachment resulting from 3066
occupation, development, or other use, may acquire, other than 3067
by appropriation, an ownership interest in land, water, or 3068
wetlands, and may restore and maintain land, water, or wetlands 3069
in which it has such an interest. 3070

If sufficient space for township offices is not available, 3071
the board of township trustees may purchase, lease, or 3072
construct, and furnish, equip, and maintain office space. When 3073
such offices are to be provided by construction, a site upon 3074
which to erect such offices may be acquired by purchase, lease 3075
for twenty-five years or longer, or otherwise. The cost of 3076
providing such office space shall be paid out of funds in the 3077
township treasury. If sufficient funds are not available the 3078
board shall proceed as provided in sections ~~511.01 to 511.03~~ and 3079
511.04 of the Revised Code. 3080

Sec. 505.264. (A) As used in this section, "energy	3081
conservation measure" means an installation or modification of	3082
an installation in, or remodeling of, an existing building, to	3083
reduce energy consumption. It includes the following:	3084
(1) Insulation of the building structure and of systems	3085
within the building;	3086
(2) Storm windows and doors, multiglazed windows and	3087
doors, heat-absorbing or heat-reflective glazed and coated	3088
window and door systems, additional glazing, reductions in glass	3089
area, and other window and door system modifications that reduce	3090
energy consumption;	3091
(3) Automatic energy control systems;	3092
(4) Heating, ventilating, or air conditioning system	3093
modifications or replacements;	3094
(5) Caulking and weatherstripping;	3095
(6) Replacement or modification of lighting fixtures to	3096
increase the energy efficiency of the system without increasing	3097
the overall illumination of a facility, unless an increase in	3098
illumination is necessary to conform to the applicable state or	3099
local building code for the proposed lighting system;	3100
(7) Energy recovery systems;	3101
(8) Cogeneration systems that produce steam or forms of	3102
energy such as heat, as well as electricity, for use primarily	3103
within a building or complex of buildings;	3104
(9) Any other modification, installation, or remodeling	3105
approved by the board of township trustees as an energy	3106
conservation measure.	3107

(B) For the purpose of evaluating township buildings for energy conservation measures, a township may contract with an architect, professional engineer, energy services company, contractor, or other person experienced in the design and implementation of energy conservation measures for a report that analyzes the buildings' energy needs and presents recommendations for building installations, modifications of existing installations, or building remodeling that would significantly reduce energy consumption in the buildings owned by that township. The report shall include estimates of all costs of the installations, modifications, or remodeling, including costs of design, engineering, installation, maintenance, and repairs, and estimates of the amounts by which energy consumption could be reduced.

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

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

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

(a) In the print or digital edition of a newspaper of

general circulation in the township; 3138

(b) On the official public notice web site established 3139
under section 125.182 of the Revised Code; 3140

(c) On the web site and social media account of the 3141
township. The 3142

The notice shall state that the township intends to 3143
request proposals for the installation of energy conservation 3144
measures; indicate the date, which shall be at least ten days 3145
after the second publication, on which the request for proposals 3146
will be mailed to installers of energy conservation measures; 3147
and state that any installer of energy conservation measures 3148
interested in receiving the request for proposal shall submit 3149
written notice to the township not later than noon of the day on 3150
which the request for proposal will be mailed. 3151

Upon receiving the proposals, the township shall analyze 3152
them and select the proposal or proposals most likely to result 3153
in the greatest energy savings considering the cost of the 3154
project and the township's ability to pay for the improvements 3155
with current revenues or by financing the improvements. The 3156
awarding of a contract to install energy conservation measures 3157
under division (C) (2) of this section shall be conditioned upon 3158
a finding by the township that the amount of money spent on 3159
energy savings measures is not likely to exceed the amount of 3160
money the township would save in energy and operating costs over 3161
ten years or a lesser period as determined by the township or, 3162
in the case of contracts for cogeneration systems, over five 3163
years or a lesser period as determined by the township. Nothing 3164
in this section prohibits a township from rejecting all 3165
proposals or from selecting more than one proposal. 3166

(D) A board of township trustees may enter into an 3167
installment payment contract for the purchase and installation 3168
of energy conservation measures. Any provisions of those 3169
installment payment contracts that deal with interest charges 3170
and financing terms shall not be subject to the competitive 3171
bidding procedures of section 307.86 of the Revised Code. Unless 3172
otherwise approved by a resolution of the board, an installment 3173
payment contract entered into by a board of township trustees 3174
under this section shall require the board to contract in 3175
accordance with the procedures set forth in section 307.86 of 3176
the Revised Code for the installation, modification, or 3177
remodeling of energy conservation measures pursuant to this 3178
section. 3179

(E) The board may issue securities of the township 3180
specifying the terms of the purchase and securing the deferred 3181
payments, payable at the times provided and bearing interest at 3182
a rate not exceeding the rate determined as provided in section 3183
9.95 of the Revised Code. The maximum maturity of the securities 3184
shall be as provided in division (B) (7) (g) of section 133.20 of 3185
the Revised Code. The securities may contain an option for 3186
prepayment and shall not be subject to Chapter 133. of the 3187
Revised Code. Revenues derived from local taxes or otherwise, 3188
for the purpose of conserving energy or for defraying the 3189
current operating expenses of the township, may be applied to 3190
the payment of interest and the retirement of the securities. 3191
The securities may be sold at private sale or given to the 3192
contractor under the installment payment contract authorized by 3193
division (D) of this section. 3194

(F) Debt incurred under this section shall not be included 3195
in the calculation of the net indebtedness of a township under 3196
section 133.09 of the Revised Code. 3197

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

(A) In the print or digital edition of a newspaper of general circulation in the township;

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

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

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

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

Sec. 505.37. (A) The board of township trustees may establish all necessary rules to guard against the occurrence of fires and to protect the property and lives of the citizens against damage and accidents, and may, ~~with the approval of the specifications by the prosecuting attorney or, if the township~~

~~has adopted limited home rule government under Chapter 504. of~~ 3227
~~the Revised Code, with the approval of the specifications by the~~ 3228
~~township's law director,~~ purchase, lease, lease with an option 3229
to purchase, or otherwise provide any fire apparatus, mechanical 3230
resuscitators, underwater rescue and recovery equipment, or 3231
other fire equipment, appliances, materials, fire hydrants, and 3232
water supply for fire-fighting and fire and rescue purposes that 3233
seems advisable to the board. The board shall provide for the 3234
care and maintenance of such fire equipment, and, for these 3235
purposes, may purchase, lease, lease with an option to purchase, 3236
or construct and maintain necessary buildings, and it may 3237
establish and maintain lines of fire-alarm communications within 3238
the limits of the township. The board may employ one or more 3239
persons to maintain and operate such fire equipment, or it may 3240
enter into an agreement with a volunteer fire company for the 3241
use and operation of the equipment. The board may compensate the 3242
members of a volunteer fire company on any basis and in any 3243
amount that it considers equitable. 3244

When the estimated cost to purchase fire apparatus, 3245
mechanical resuscitators, underwater rescue and recovery 3246
equipment, or other fire equipment, appliances, materials, fire 3247
hydrants, buildings, or fire-alarm communications equipment or 3248
services exceeds the amount specified in section 9.17 of the 3249
Revised Code, the contract shall be let by competitive bidding. 3250
No purchase or other transaction subject to this section shall 3251
be divided into component parts in order to avoid the 3252
requirements of this section. When competitive bidding is 3253
required, the board shall advertise once a week for not less 3254
than two consecutive weeks in using at least one of the 3255
following methods: 3256

(1) In the print or digital edition of a newspaper of 3257

general circulation within the township; 3258

(2) On the official public notice web site established 3259
under section 125.182 of the Revised Code; 3260

(3) On the web site and social media account of the 3261
township. The 3262

The board may also cause notice to be inserted in trade 3263
papers or other publications designated by it or to be 3264
distributed by electronic means, including posting the notice on 3265
the board's internet web site. ~~If the board posts the notice on~~ 3266
~~its web site, it may eliminate the second notice otherwise~~ 3267
~~required to be published in a newspaper of general circulation~~ 3268
~~within the township, provided that the first notice published in~~ 3269
~~such newspaper meets all of the following requirements:~~ 3270

~~(1) It is published at least two weeks before the opening~~ 3271
~~of bids.~~ 3272

~~(2) It includes a statement that the notice is posted on~~ 3273
~~the board's internet web site.~~ 3274

~~(3) It includes the internet address of the board's~~ 3275
~~internet web site.~~ 3276

~~(4) It includes instructions describing how the notice may~~ 3277
~~be accessed on the board's internet web site.~~ 3278

The advertisement shall include the time, date, and place 3279
where the clerk of the township, or the clerk's designee, will 3280
read bids publicly. The time, date, and place of bid openings 3281
may be extended to a later date by the board of township 3282
trustees, provided that written or oral notice of the change 3283
shall be given to all persons who have received or requested 3284
specifications not later than ninety-six hours prior to the 3285

original time and date fixed for the opening. The board may 3286
reject all the bids or accept the lowest and best bid, provided 3287
that the successful bidder meets the requirements of section 3288
153.54 of the Revised Code when the contract is for the 3289
construction, demolition, alteration, repair, or reconstruction 3290
of an improvement. 3291

(B) The boards of township trustees of any two or more 3292
townships, or the legislative authorities of any two or more 3293
political subdivisions, or any combination of these, may, 3294
through joint action, unite in the joint purchase, lease, lease 3295
with an option to purchase, maintenance, use, and operation of 3296
fire equipment described in division (A) of this section, or for 3297
any other purpose designated in sections 505.37 to 505.42 of the 3298
Revised Code, and may prorate the expense of the joint action on 3299
any terms that are mutually agreed upon. 3300

(C) The board of township trustees of any township may, by 3301
resolution, whenever it is expedient and necessary to guard 3302
against the occurrence of fires or to protect the property and 3303
lives of the citizens against damages resulting from their 3304
occurrence, create a fire district of any portions of the 3305
township that it considers necessary. The board may purchase, 3306
lease, lease with an option to purchase, or otherwise provide 3307
any fire apparatus, mechanical resuscitators, underwater rescue 3308
and recovery equipment, or other fire equipment, appliances, 3309
materials, fire hydrants, and water supply for fire-fighting and 3310
fire and rescue purposes, or may contract for the fire 3311
protection for the fire district as provided in section 9.60 of 3312
the Revised Code. The fire district so created shall be given a 3313
separate name by which it shall be known. 3314

Additional unincorporated territory of the township may be 3315

added to a fire district upon the board's adoption of a 3316
resolution authorizing the addition. A municipal corporation, or 3317
a portion of a municipal corporation, that is within or 3318
adjoining the township may be added to a fire district upon the 3319
board's adoption of a resolution authorizing the addition and 3320
the municipal legislative authority's adoption of a resolution 3321
or ordinance requesting the addition of the municipal 3322
corporation or a portion of the municipal corporation to the 3323
fire district. 3324

If the township fire district imposes a tax, additional 3325
unincorporated territory of the township or a municipal 3326
corporation or a portion of a municipal corporation that is 3327
within or adjoining the township shall become part of the fire 3328
district only after all of the following have occurred: 3329

(1) Adoption by the board of township trustees of a 3330
resolution approving the expansion of the territorial limits of 3331
the district and, if the resolution proposes to add a municipal 3332
corporation or a portion of a municipal corporation, adoption by 3333
the municipal legislative authority of a resolution or ordinance 3334
requesting the addition of the municipal corporation or a 3335
portion of the municipal corporation to the district; 3336

(2) Adoption by the board of township trustees of a 3337
resolution recommending the extension of the tax to the 3338
additional territory; 3339

(3) The board requests and obtains from the county auditor 3340
the information required for a tax levy under section 5705.03 of 3341
the Revised Code, in the manner prescribed in that section, 3342
except that the levy's annual collections shall be estimated 3343
assuming that the additional territory has been added to the 3344
fire district. 3345

(4) Approval of the tax by the electors of the territory 3346
proposed for addition to the district. 3347

Each resolution of the board adopted under division (C) (2) 3348
of this section shall state the name of the fire district, a 3349
description of the territory to be added, the rate, expressed in 3350
mills for each one dollar of taxable value, the estimated 3351
effective rate, expressed in dollars for each one hundred 3352
thousand dollars of the county auditor's appraised value, and 3353
termination date of the tax, which shall be the rate, estimated 3354
effective rate, and termination date of the tax currently in 3355
effect in the fire district. 3356

The board of trustees shall certify each resolution 3357
adopted under division (C) (2) of this section and the county 3358
auditor's certification under division (C) (3) of this section to 3359
the board of elections in accordance with section 5705.19 of the 3360
Revised Code. The election required under division (C) (4) of 3361
this section shall be held, canvassed, and certified in the 3362
manner provided for the submission of tax levies under section 3363
5705.25 of the Revised Code, except that the question appearing 3364
on the ballot shall read: 3365

"Shall the territory within _____ 3366
(description of the proposed territory to be added) be added to 3367
_____ (name) fire district, and a property 3368
tax, that the county auditor estimates will collect \$_____ 3369
annually, at a rate not exceeding _____ mills for each \$1 of 3370
taxable value, which amounts to \$_____ (here insert 3371
estimated effective rate) for each \$100,000 of the county 3372
auditor's appraised value, be in effect for _____ (here 3373
insert the number of years the tax is to be in effect or "a 3374
continuing period of time," as applicable)?" 3375

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

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

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

corporation and the remaining territory of the fire district. 3407

A board of township trustees may remove unincorporated 3408
territory of the township from the fire district upon the 3409
adoption of a resolution authorizing the removal. On the first 3410
day of July of the year following the adoption of the 3411
resolution, the unincorporated township territory described in 3412
the resolution ceases to be a part of the district, and the 3413
power of the fire district to levy a tax upon taxable property 3414
in that territory terminates, except that the fire district 3415
shall continue to levy and collect taxes for the payment of 3416
indebtedness within the territory of the fire district as it was 3417
composed at the time the indebtedness was incurred. 3418

As used in this section, "the county auditor's appraised 3419
value" and "estimated effective rate" have the same meanings as 3420
in section 5705.01 of the Revised Code. 3421

(D) The board of township trustees of any township, the 3422
board of fire district trustees of a fire district created under 3423
section 505.371 of the Revised Code, or the legislative 3424
authority of any municipal corporation may purchase, lease, or 3425
lease with an option to purchase the necessary fire equipment 3426
described in division (A) of this section, buildings, and sites 3427
for the township, fire district, or municipal corporation and 3428
issue securities for that purpose with maximum maturities as 3429
provided in section 133.20 of the Revised Code. The board of 3430
township trustees, board of fire district trustees, or 3431
legislative authority may also construct any buildings necessary 3432
to house fire equipment and issue securities for that purpose 3433
with maximum maturities as provided in section 133.20 of the 3434
Revised Code. 3435

The board of township trustees, board of fire district 3436

trustees, or legislative authority may issue the securities of 3437
the township, fire district, or municipal corporation, signed by 3438
the board or designated officer of the municipal corporation and 3439
attested by the signature of the township fiscal officer, fire 3440
district clerk, or municipal clerk, covering any deferred 3441
payments and payable at the times provided, which securities 3442
shall bear interest not to exceed the rate determined as 3443
provided in section 9.95 of the Revised Code, and shall not be 3444
subject to Chapter 133. of the Revised Code. The legislation 3445
authorizing the issuance of the securities shall provide for 3446
levying and collecting annually by taxation, amounts sufficient 3447
to pay the interest on and principal of the securities. The 3448
securities shall be offered for sale on the open market or given 3449
to the vendor or contractor if no sale is made. 3450

Section 505.40 of the Revised Code does not apply to any 3451
securities issued, or any lease with an option to purchase 3452
entered into, in accordance with this division. 3453

(E) A board of township trustees of any township or a 3454
board of fire district trustees of a fire district created under 3455
section 505.371 of the Revised Code may purchase a policy or 3456
policies of liability insurance for the officers, employees, and 3457
appointees of the fire department, fire district, or joint fire 3458
district governed by the board that includes personal injury 3459
liability coverage as to the civil liability of those officers, 3460
employees, and appointees for false arrest, detention, or 3461
imprisonment, malicious prosecution, libel, slander, defamation 3462
or other violation of the right of privacy, wrongful entry or 3463
eviction, or other invasion of the right of private occupancy, 3464
arising out of the performance of their duties. 3465

When a board of township trustees cannot, by deed of gift 3466

or by purchase and upon terms it considers reasonable, procure 3467
land for a township fire station that is needed in order to 3468
respond in reasonable time to a fire or medical emergency, the 3469
board may appropriate land for that purpose under sections 3470
163.01 to 163.22 of the Revised Code. If it is necessary to 3471
acquire additional adjacent land for enlarging or improving the 3472
fire station, the board may purchase, appropriate, or accept a 3473
deed of gift for the land for these purposes. 3474

(F) As used in this division, "emergency medical service 3475
organization" has the same meaning as in section 4766.01 of the 3476
Revised Code. 3477

A board of township trustees, by adoption of an 3478
appropriate resolution, may choose to have the state board of 3479
emergency medical, fire, and transportation services license any 3480
emergency medical service organization it operates. If the board 3481
adopts such a resolution, Chapter 4766. of the Revised Code, 3482
except for sections 4766.06 and 4766.99 of the Revised Code, 3483
applies to the organization. All rules adopted under the 3484
applicable sections of that chapter also apply to the 3485
organization. A board of township trustees, by adoption of an 3486
appropriate resolution, may remove its emergency medical service 3487
organization from the jurisdiction of the state board of 3488
emergency medical, fire, and transportation services. 3489

Sec. 505.373. The board of township trustees may, by 3490
resolution, adopt by incorporation by reference a standard code 3491
pertaining to fire, fire hazards, and fire prevention prepared 3492
and promulgated by the state or any department, board, or other 3493
agency of the state, or any such code prepared and promulgated 3494
by a public or private organization that publishes a model or 3495
standard code. 3496

After the adoption of the code by the board, a notice 3497
clearly identifying the code, stating the purpose of the code, 3498
and stating that a complete copy of the code is on file with the 3499
township fiscal officer for inspection by the public and also on 3500
file in the law library of the county in which the township is 3501
located and that the fiscal officer has copies available for 3502
distribution to the public at cost, shall be posted by the 3503
fiscal officer in five conspicuous places in the township for 3504
thirty days before becoming effective. The notice required by 3505
this section shall also be published ~~in a newspaper of general-~~ 3506
~~circulation in the township~~ once a week for three consecutive 3507
weeks ~~or as provided in section 7.16 of the Revised Code~~ using at 3508
least one of the following methods: 3509

(A) In the print or digital edition of a newspaper of 3510
general circulation within the township; 3511

(B) On the official public notice web site established 3512
under section 125.182 of the Revised Code; 3513

(C) On the web site and social media account of the 3514
township. If- 3515

If the adopting township amends or deletes any provision 3516
of the code, the notice shall contain a brief summary of the 3517
deletion or amendment. 3518

If the agency that originally promulgated or published the 3519
code thereafter amends the code, any township that has adopted 3520
the code pursuant to this section may adopt the amendment or 3521
change by incorporation by reference in the same manner as 3522
provided for adoption of the original code. 3523

Sec. 505.55. In the event that need for a township police 3524
district ceases to exist, the township trustees by a two-thirds 3525

vote of the board shall adopt a resolution specifying the date 3526
that the township police district shall cease to exist and 3527
provide for the disposal of all property belonging to the 3528
district by public sale. Such sale must be by public auction and 3529
upon notice thereof being published once a week for three weeks 3530
~~in using at least one of the following methods:~~ 3531

(A) In the print or digital edition of a newspaper of 3532
general circulation in such township ~~or as provided in section~~ 3533
~~7.16 of the Revised Code;~~ 3534

(B) On the official public notice web site established 3535
under section 125.182 of the Revised Code; 3536

(C) On the web site and social media account of the 3537
township. ~~The~~ 3538

The last of such publications shall be made at least five 3539
days before the date of the sale. Any moneys remaining after the 3540
dissolution of the district or received from the public sale of 3541
property shall be paid into the treasury of the township and may 3542
be expended for any public purpose when duly authorized by the 3543
township board of trustees. 3544

Sec. 505.73. (A) The board of township trustees may, by 3545
resolution, adopt by incorporation by reference, administer, and 3546
enforce within the unincorporated area of the township an 3547
existing structures code pertaining to the repair and continued 3548
maintenance of structures and the premises of those structures. 3549
For that purpose, the board shall adopt any model or standard 3550
code prepared and promulgated by this state, any department, 3551
board, or agency of this state, or any public or private 3552
organization that publishes a recognized model or standard code 3553
on the subject. The board shall ensure that the code adopted 3554

governs subject matter not addressed by the state residential 3555
building code and that it is fully compatible with the state 3556
residential and nonresidential building codes the board of 3557
building standards adopts pursuant to section 3781.10 of the 3558
Revised Code. 3559

(B) The board shall assign the duties of administering and 3560
enforcing the existing structures code to a township officer or 3561
employee who is trained and qualified for those duties and shall 3562
establish by resolution the minimum qualifications necessary to 3563
perform those duties. 3564

(C) (1) After the board adopts an existing structures code, 3565
the township fiscal officer shall post a notice that clearly 3566
identifies the code, states the code's purpose, and states that 3567
a complete copy of the code is on file for inspection by the 3568
public with the fiscal officer and in the county law library and 3569
that the fiscal officer has copies available for distribution to 3570
the public at cost. 3571

(2) The township fiscal officer shall post the notice in 3572
five conspicuous places in the township for thirty days before 3573
the code becomes effective and shall publish the notice ~~in a~~ 3574
~~newspaper of general circulation in the township~~ for three 3575
~~consecutive weeks or as provided in section 7.16 of the Revised~~ 3576
~~Code~~ using at least one of the following methods: 3577

(a) In the print or digital edition of a newspaper of 3578
general circulation within the township; 3579

(b) On the official public notice web site established 3580
under section 125.182 of the Revised Code; 3581

(c) On the web site and social media account of the 3582
township. If 3583

If the adopting township amends or deletes any provision 3584
of the code, the notice shall contain a brief summary of the 3585
deletion or amendment. 3586

(D) If the agency that originally promulgated or published 3587
the existing structures code amends the code, the board may 3588
adopt the amendment or change by incorporation by reference in 3589
the manner provided for the adoption of the original code. 3590

Sec. 505.75. (A) (1) A board of township trustees may adopt 3591
local residential building regulations governing residential 3592
buildings as defined in section 3781.06 of the Revised Code. No 3593
regulation shall differ from the state residential building code 3594
unless the regulation addresses subject matter not addressed by 3595
the state residential building code or is adopted pursuant to 3596
section 3781.01 of the Revised Code. 3597

(2) The board may adopt regulations that are necessary for 3598
participation in the national flood insurance program and that 3599
do not conflict with the residential and nonresidential building 3600
codes, governing the prohibition, location, erection, 3601
construction, or floodproofing of new buildings or structures, 3602
or substantial improvements to existing buildings or structures, 3603
in unincorporated territory within flood hazard areas identified 3604
under the "Flood Disaster Protection Act of 1973," 87 Stat. 975, 3605
42 U.S.C.A. 4002, as amended, including, but not limited to, 3606
residential, commercial, or industrial buildings or structures. 3607

(B) (1) Regulations or amendments to regulations may be 3608
adopted under this section only after a ~~public hearing~~ hearing 3609
at not fewer than two regular or special sessions of the board 3610
of township trustees and upon an affirmative vote of all members 3611
of the board. The board shall cause notice of a public hearing 3612
to be published ~~in a newspaper of general circulation in the~~ 3613

~~township~~ once a week for two weeks immediately preceding a 3614
hearing, ~~except that if the board posts the hearing notice on~~ 3615
~~the board's internet site, the board need publish only one~~ 3616
~~notice of the hearing in a newspaper of general circulation if~~ 3617
~~that newspaper notice includes that internet site and a~~ 3618
~~statement that the notice is also posted on the internet site~~ 3619
using at least one of the following methods: 3620

(a) In the print or digital edition of a newspaper of 3621
general circulation within the township; 3622

(b) On the official public notice web site established 3623
under section 125.182 of the Revised Code; 3624

(c) On the web site and social media account of the 3625
township. Any 3626

Any notice the board publishes or posts shall include the 3627
time, date, and place of the public hearing. 3628

(2) The proposed regulations shall be made available to 3629
the public at the board office. 3630

(C) (1) The board of township trustees may create a 3631
building department and employ personnel it determines necessary 3632
to administer and enforce any local residential building 3633
regulations or existing structures code the board adopts 3634
pursuant to this section. The building department may enforce 3635
state residential and nonresidential building codes the board of 3636
building standards establishes pursuant to Chapter 3781. of the 3637
Revised Code if the department is certified pursuant to section 3638
3781.10 of the Revised Code to enforce those codes. Upon 3639
certification of the building department under section 3781.10 3640
of the Revised Code, the board of township trustees may direct 3641
the building department to exercise enforcement authority and to 3642

accept and approve plans pursuant to sections 3781.03 and 3643
3791.04 of the Revised Code for the classes of buildings for 3644
which the building department and personnel are certified. 3645

(2) To administer and enforce any local residential 3646
building regulations, or existing structures code and the state 3647
residential and nonresidential building codes, the board of 3648
township trustees may create, establish, fill, and fix the 3649
compensation of the position of township building inspector to 3650
serve as the chief administrative officer of the building 3651
department. In lieu of creating the position of township 3652
building inspector, the board may assign the duties of the 3653
inspector to an existing township officer who is certified 3654
pursuant to division (E) of section 3781.10 of the Revised Code. 3655

(D) (1) The board of township trustees may enter into a 3656
contract with any other township, any municipal corporation, or 3657
a board of county commissioners for the other township, 3658
municipal corporation, or board of county commissioners to 3659
administer and enforce local residential building regulations or 3660
existing structures code in the township or to enforce the state 3661
residential and nonresidential building codes in the township if 3662
the building department of the other township, municipal 3663
corporation, or county is certified to enforce those codes. 3664

(2) Any ~~any~~ other township, any municipal corporation, or 3665
a board of county commissioners may contract with a board of 3666
township trustees to administer and enforce local building 3667
regulations or an existing structures code in the other 3668
township, the municipal corporation, or the county and, if 3669
certified, to enforce the state residential and nonresidential 3670
building codes in the other township, the municipal corporation, 3671
or the unincorporated areas of the county. 3672

Sec. 505.76. Local residential building regulations a 3673
board of township trustees adopts under section 505.75 of the 3674
Revised Code and an existing structures code the board adopts 3675
pursuant to section 505.73 of the Revised Code shall be made 3676
available to the public at the office of the board, and the 3677
section headings and numbers and a notice of the availability of 3678
the regulations shall be published ~~in at least one newspaper of~~ 3679
~~general townshipwide circulation~~ within ten days after their 3680
adoption or amendment using at least one of the following 3681
methods: 3682

(A) In the print or digital edition of a newspaper of 3683
general circulation within the township; 3684

(B) On the official public notice web site established 3685
under section 125.182 of the Revised Code; 3686

(C) On the web site and social media account of the 3687
township. 3688

Sec. 505.82. (A) If a board of township trustees by a 3689
unanimous vote or, in the event of the unavoidable absence of 3690
one trustee, by an affirmative vote of two trustees adopts a 3691
resolution declaring that an emergency exists that threatens 3692
life or property within the unincorporated territory of the 3693
township or that such an emergency is imminent, including an 3694
emergency due to a natural disaster, civil unrest, cyber attack, 3695
or the derailment of a train, the board may exercise the powers 3696
described in divisions (A) (1) and (2) and (B) of this section 3697
during the emergency for a period of time not exceeding six 3698
months following the adoption of the resolution. The resolution 3699
shall state the specific time period for which the emergency 3700
powers are in effect. 3701

(1) If an owner of an undedicated road or stream bank in 3702
the unincorporated territory of the township has not provided 3703
for the removal of snow, ice, debris, or other obstructions from 3704
the road or bank, the board may provide for that removal. Prior 3705
to providing for the removal, the board shall give, or make a 3706
good faith attempt to give, oral notice to the owner or owners 3707
of the road or bank of the board's intent to clear the road or 3708
bank and to impose a service charge for doing so. The board 3709
shall establish just and equitable service charges for the 3710
removal to be paid, except as provided in division (B) of this 3711
section, by the owners of the road or bank. 3712

The board shall keep a record of the costs incurred by the 3713
township in removing snow, ice, debris, or other obstructions 3714
from the road or bank. The service charges shall be based on 3715
these costs and shall be in an amount sufficient to recover 3716
these costs. If there is more than one owner of the road or 3717
bank, the board, except as provided in division (B) of this 3718
section, shall allocate the service charges among the owners on 3719
an equitable basis. The board shall notify, in writing, each 3720
owner of the road or bank of the amount of the service charges 3721
and shall certify the charges to the county auditor. The service 3722
charges shall constitute a lien upon the property. The auditor 3723
shall place the service charges on a special duplicate to be 3724
collected as other taxes and returned to the township general 3725
fund. 3726

(2) The board may contract for the immediate acquisition, 3727
replacement, or repair of equipment needed for the emergency 3728
situation, without following the competitive bidding 3729
requirements of section 5549.21 or any other section of the 3730
Revised Code. 3731

(B) In lieu of collecting service charges from owners for 3732
the removal of snow or ice from an undedicated road by the board 3733
of township trustees as provided in division (A) (1) of this 3734
section, the board may enter into a contract with a developer 3735
whereby the developer agrees to pay the service charges for the 3736
snow and ice removal instead of the owners. 3737

(C) The removal of snow, ice, debris, or other 3738
obstructions from an undedicated road by a board of township 3739
trustees acting pursuant to a resolution adopted under division 3740
(A) of this section does not constitute approval or acceptance 3741
of the undedicated road. 3742

(D) As used in this section, "undedicated road" means a 3743
road that has not been approved and accepted by the board of 3744
county commissioners and is not a part of the state, county, or 3745
township road systems as provided in section 5535.01 of the 3746
Revised Code. 3747

(E) Nothing in this section shall be construed to waive 3748
the requirement under section 1547.82 of the Revised Code that 3749
approval of plans be obtained from the director of natural 3750
resources or the director's representative prior to modifying or 3751
causing the modification of the channel of any watercourse in a 3752
wild, scenic, or recreational river area outside the limits of a 3753
municipal corporation. 3754

Sec. 505.86. (A) As used in this section: 3755

"Party in interest" means an owner of record of the real 3756
property on which the building or structure is located, and 3757
includes a holder of a legal or equitable lien of record on the 3758
real property or the building or other structure. 3759

"Total cost" means any costs incurred due to the use of 3760

employees, materials, or equipment of the township, any costs 3761
arising out of contracts for labor, materials, or equipment, and 3762
costs of service of notice or publication required under this 3763
section. 3764

(B) A board of township trustees, by resolution, may 3765
provide for the removal, repair, or securance of buildings or 3766
other structures in the township that have been declared 3767
insecure, unsafe, or structurally defective by any fire 3768
department under contract with the township or by the county 3769
building department or other authority responsible under Chapter 3770
3781. of the Revised Code for the enforcement of building 3771
regulations or the performance of building inspections in the 3772
township, or buildings or other structures that have been 3773
declared to be in a condition dangerous to life or health, or 3774
unfit for human habitation by the board of health of the general 3775
health district of which the township is a part. 3776

At least thirty days before the removal, repair, or 3777
securance of any insecure, unsafe, or structurally defective 3778
building or other structure, the board of township trustees 3779
shall give notice by certified mail, return receipt requested, 3780
to each party in interest of its intention with respect to the 3781
removal, repair, or securance of an insecure, unsafe, or 3782
structurally defective or unfit building or other structure. 3783

If the address of a party in interest is unknown and 3784
cannot reasonably be obtained, it is sufficient to publish the 3785
notice once ~~in~~ using at least one of the following methods: 3786

(1) In the print or digital edition of a newspaper of 3787
general circulation in the township; 3788

(2) On the official public notice web site established 3789

under section 125.182 of the Revised Code; 3790

(3) On the web site and social media account of the 3791
township. 3792

(C) (1) If the board of trustees, in a resolution adopted 3793
under this section, pursues action to remove any insecure, 3794
unsafe, or structurally defective building or other structure, 3795
the notice shall include a statement informing the parties in 3796
interest that each party in interest is entitled to a hearing if 3797
the party in interest requests a hearing in writing within 3798
twenty days after the notice was mailed. The written request for 3799
a hearing shall be made to the township fiscal officer. 3800

(2) If a party in interest timely requests a hearing, the 3801
board shall set the date, time, and place for the hearing and 3802
notify the party in interest by certified mail, return receipt 3803
requested. The date set for the hearing shall be within fifteen 3804
days, but not earlier than seven days, after the party in 3805
interest has requested a hearing, unless otherwise agreed to by 3806
both the board and the party in interest. The hearing shall be 3807
recorded by stenographic or electronic means. 3808

(3) The board shall make an order deciding the matter not 3809
later than thirty days after a hearing, or not later than thirty 3810
days after mailing notice to the parties in interest if no party 3811
in interest requested a hearing. The order may dismiss the 3812
matter or direct the removal, repair, or securance of the 3813
building or other structure. At any time, a party in interest 3814
may consent to an order. 3815

(4) A party in interest who requested and participated in 3816
a hearing, and who is adversely affected by the order of the 3817
board, may appeal the order under section 2506.01 of the Revised 3818

Code. 3819

(D) At any time, a party in interest may enter into an 3820
agreement with the board of township trustees to perform the 3821
removal, repair, or securance of the insecure, unsafe, or 3822
structurally defective or unfit building or other structure. 3823

(E) If an emergency exists, as determined by the board, 3824
notice may be given other than by certified mail and less than 3825
thirty days before the removal, repair, or securance. 3826

(F) The total cost of removing, repairing, or securing 3827
buildings or other structures that have been declared insecure, 3828
unsafe, structurally defective, or unfit for human habitation, 3829
or of making emergency corrections of hazardous conditions, when 3830
approved by the board, shall be paid out of the township general 3831
fund from moneys not otherwise appropriated, except that, if the 3832
costs incurred exceed five hundred dollars, the board may borrow 3833
moneys from a financial institution to pay for the costs in 3834
whole or in part. 3835

The total cost may be collected by either of the following 3836
methods: 3837

(1) The board may have the fiscal officer of the township 3838
certify the total costs, together with a proper description of 3839
the lands to the county auditor who shall place the costs upon 3840
the tax duplicate. The costs are a lien upon the lands from and 3841
after the date of entry. The costs shall be returned to the 3842
township and placed in the township's general fund. 3843

(2) The board may commence a civil action to recover the 3844
total costs from the owner of record of the real property on 3845
which the building or structure is located. 3846

(G) Any board of township trustees may, whenever a policy 3847

or policies of insurance are in force providing coverage against 3848
the peril of fire on a building or structure and the loss agreed 3849
to between the named insured or insureds and the company or 3850
companies is more than five thousand dollars and equals or 3851
exceeds sixty per cent of the aggregate limits of liability on 3852
all fire policies covering the building or structure on the 3853
property, accept security payments and follow the procedures of 3854
divisions (C) and (D) of section 3929.86 of the Revised Code. 3855

Sec. 505.87. (A) A board of township trustees may provide 3856
for the abatement, control, or removal of vegetation, garbage, 3857
refuse, and other debris from land in the township, if the board 3858
determines that the owner's maintenance of that vegetation, 3859
garbage, refuse, or other debris constitutes a nuisance. 3860

(B) At least seven days before providing for the 3861
abatement, control, or removal of any vegetation, garbage, 3862
refuse, or other debris, the board of township trustees shall 3863
notify the owner of the land and any holders of liens of record 3864
upon the land that: 3865

(1) The owner is ordered to abate, control, or remove the 3866
vegetation, garbage, refuse, or other debris, the owner's 3867
maintenance of which has been determined by the board to be a 3868
nuisance; 3869

(2) If that vegetation, garbage, refuse, or other debris 3870
is not abated, controlled, or removed, or if provision for its 3871
abatement, control, or removal is not made, within seven days, 3872
the board shall provide for the abatement, control, or removal, 3873
and any costs incurred by the board in performing that task 3874
shall be entered upon the tax duplicate and become a lien upon 3875
the land from the date of entry. 3876

The board shall send the notice to the owner of the land 3877
by certified mail if the owner is a resident of the township or 3878
is a nonresident whose address is known, and by certified mail 3879
to lienholders of record; alternatively, if the owner is a 3880
resident of the township or is a nonresident whose address is 3881
known, the board may give notice to the owner by causing any of 3882
its agents or employees to post the notice on the principal 3883
structure on the land and to photograph that posted notice with 3884
a camera capable of recording the date of the photograph on it. 3885
If the owner's address is unknown and cannot reasonably be 3886
obtained, it is sufficient to publish the notice ~~once~~ using 3887
at least one of the following methods: 3888

(a) In the print or digital edition of a newspaper of 3889
general circulation in the township; 3890

(b) On the official public notice web site established 3891
under section 125.182 of the Revised Code; 3892

(c) On the web site and social media account of the 3893
township. 3894

(C) If a board of township trustees determines within 3895
twelve consecutive months after a prior nuisance determination 3896
that the same owner's maintenance of vegetation, garbage, 3897
refuse, or other debris on the same land in the township 3898
constitutes a nuisance, at least four days before providing for 3899
the abatement, control, or removal of any vegetation, garbage, 3900
refuse, or other debris, the board shall give notice of the 3901
subsequent nuisance determination to the owner of the land and 3902
to any holders of liens of record upon the land as follows: 3903

(1) The board shall send written notice by first class 3904
mail to the owner of the land and to any lienholders of record. 3905

Failure of delivery of the notice shall not invalidate any 3906
action to abate, control, or remove the nuisance. Alternatively, 3907
the board may give notice to the owner by causing any of its 3908
agents or employees to post the notice on the principal 3909
structure on the land and to photograph that posted notice with 3910
a camera capable of recording the date of the photograph on it. 3911

(2) If the owner's address is unknown and cannot 3912
reasonably be obtained, it is sufficient to post the notice on 3913
the board of township trustee's internet web site for four 3914
consecutive days, or to post the notice in a conspicuous 3915
location in the board's office for four consecutive days if the 3916
board does not maintain an internet web site. 3917

(D) The owner of the land or holders of liens of record 3918
upon the land may enter into an agreement with the board of 3919
township trustees providing for either party to the agreement to 3920
perform the abatement, control, or removal before the time the 3921
board is required to provide for the abatement, control, or 3922
removal under division (E) of this section. 3923

(E) If, within seven days after notice is given under 3924
division (B) of this section, or within four days after notice 3925
is given under division (C) of this section, the owner of the 3926
land fails to abate, control, or remove the vegetation, garbage, 3927
refuse, or other debris, or no agreement for its abatement, 3928
control, or removal is entered into under division (D) of this 3929
section, the board of township trustees shall provide for the 3930
abatement, control, or removal and may employ the necessary 3931
labor, materials, and equipment to perform the task. All costs 3932
incurred, when approved by the board, shall be paid out of the 3933
township general fund from moneys not otherwise appropriated, 3934
except that if the costs incurred exceed five hundred dollars, 3935

the board may borrow moneys from a financial institution to pay 3936
for the costs in whole or in part. 3937

(F) The board of township trustees shall make a written 3938
report to the county auditor of the board's action under this 3939
section. The board shall include in the report a proper 3940
description of the premises and a statement of all costs 3941
incurred in providing for the abatement, control, or removal of 3942
any vegetation, garbage, refuse, or other debris as provided in 3943
division (E) of this section, including the board's charges for 3944
its services, the costs incurred in providing notice, any fees 3945
or interest paid to borrow moneys, and the amount paid for 3946
labor, materials, and equipment. The county auditor shall place 3947
the costs upon the tax duplicate. The costs are a lien upon the 3948
land from and after the date of the entry. The costs shall be 3949
returned to the township and placed in the township's general 3950
fund. 3951

Sec. 505.871. (A) A board of township trustees may 3952
provide, by resolution, for the removal of any vehicle in the 3953
unincorporated territory of the township that the board 3954
determines is a junk motor vehicle, as defined in section 3955
505.173 of the Revised Code. 3956

(B) If a junk motor vehicle is located on public property, 3957
the board of township trustees may provide in the resolution for 3958
the immediate removal of the vehicle. 3959

(C) (1) If a junk motor vehicle is located on private 3960
property, the board of township trustees may provide in the 3961
resolution for the removal of the vehicle not sooner than 3962
fourteen days after the board serves written notice of its 3963
intention to remove or cause the removal of the vehicle on the 3964
owner of the land and any holders of liens of record on the 3965

land. 3966

(2) The notice provided under this division shall 3967
generally describe the vehicle to be removed and indicate all of 3968
the following: 3969

(a) The board has determined that the vehicle is a junk 3970
motor vehicle. 3971

(b) If the owner of the land fails to remove the vehicle 3972
within fourteen days after service of the notice, the board may 3973
remove or cause the removal of the vehicle. 3974

(c) Any costs the board incurs in removing or causing the 3975
removal of the vehicle may be entered upon the tax duplicate and 3976
become a lien upon the land from the date of entry. 3977

(3) The board shall serve the notice under this division 3978
by sending it by certified mail, return receipt requested, to 3979
the owner of the land, if the owner resides in the 3980
unincorporated territory of the township or if the owner resides 3981
outside the unincorporated territory of the township and the 3982
owner's address is known or ascertainable through an exercise of 3983
reasonable diligence. The board also shall send notice in such 3984
manner to any holders of liens of record on the land. If a 3985
notice sent by certified mail is refused or unclaimed, or if an 3986
owner's address is unknown and cannot reasonably be ascertained 3987
by an exercise of reasonable diligence, the board shall publish 3988
the notice once ~~in a newspaper of general circulation in the~~ 3989
~~township~~ before the removal of the vehicle, ~~and, if~~ using at 3990
least one of the following methods: 3991

(a) In the print or digital edition of a newspaper of 3992
general circulation within the township; 3993

(b) On the official public notice web site established 3994

under section 125.182 of the Revised Code; 3995

(c) On the web site and social media account of the 3996
township. 3997

If the land contains any structures, the board also shall 3998
post the notice on the principal structure on the land. 3999

A notice sent by certified mail shall be deemed to be 4000
served for purposes of this section on the date it was received 4001
as indicated by the date on a signed return receipt. A notice 4002
given by publication shall be deemed to be served for purposes 4003
of this section on the date of the newspaper publication, date 4004
of the notice first being published on the official public 4005
notice web site, or date of the notice first being posted on the 4006
township's web site and social media account. 4007

(D) The board of township trustees may cause the removal 4008
or may employ the labor, materials, and equipment necessary to 4009
remove a junk motor vehicle under this section. All costs 4010
incurred in removing or causing the removal of a junk motor 4011
vehicle, when approved by the board, shall be paid out of the 4012
township general fund from moneys not otherwise appropriated, 4013
except that if the costs exceed five hundred dollars, the board 4014
may borrow moneys from a financial institution to pay the costs 4015
in whole or in part. 4016

(E) The board of township trustees may utilize any lawful 4017
means to collect the costs incurred in removing or causing the 4018
removal of a junk motor vehicle under this section, including 4019
any fees or interest paid to borrow moneys under division (D) of 4020
this section. The board may direct the township fiscal officer 4021
to certify the costs and a description of the land to the county 4022
auditor. The county auditor shall place the costs upon the tax 4023

duplicate. The costs are a lien upon the land from and after the 4024
date of entry. The costs shall be returned to the township and 4025
placed in the township's general fund. 4026

(F) (1) As used in this division: 4027

(a) "Motor vehicle salvage dealer" has the same meaning as 4028
in section 4738.01 of the Revised Code. 4029

(b) "Scrap metal processing facility" has the same meaning 4030
as in section 4737.05 of the Revised Code. 4031

(2) Notwithstanding section 4513.63 of the Revised Code, 4032
if a junk motor vehicle is removed and disposed of in accordance 4033
with this section, the clerk of courts of the county shall issue 4034
a salvage certificate of title for that junk motor vehicle to a 4035
motor vehicle salvage dealer licensed pursuant to Chapter 4738. 4036
of the Revised Code or a scrap metal processing facility 4037
licensed pursuant to sections 4737.05 to 4737.12 of the Revised 4038
Code if all of the following conditions are satisfied: 4039

(a) The board of township trustees has entered into a 4040
contract with the motor vehicle salvage dealer or scrap metal 4041
processing facility for the disposal or removal of the junk 4042
motor vehicle in accordance with section 505.85 of the Revised 4043
Code. 4044

(b) The fiscal officer for the board of township trustees 4045
executes in triplicate an affidavit prescribed by the registrar 4046
of motor vehicles describing the junk motor vehicle and the 4047
manner of removal or disposal and certifying that all 4048
requirements of this section and the notice and records search 4049
requirements of section 4505.101 of the Revised Code have been 4050
satisfied. 4051

(c) The board of township trustees retains the original 4052

affidavit for the board's records and furnishes the remaining 4053
two copies of the affidavit to the motor vehicle salvage dealer 4054
or scrap metal processing facility. 4055

(d) The motor vehicle salvage dealer or scrap metal 4056
processing facility presents one copy of the affidavit to the 4057
clerk. 4058

(3) The clerk shall issue the salvage certificate of 4059
title, free and clear of all liens and encumbrances, not later 4060
than thirty days after the motor vehicle salvage dealer or scrap 4061
metal processing facility presents the affidavit pursuant to 4062
division (F) (2) of this section. 4063

(G) Notwithstanding section 4513.65 of the Revised Code, 4064
but subject to division (H) (2) of this section, any collector's 4065
vehicle that meets the definition of a junk motor vehicle is 4066
subject to removal under this section. 4067

(H) (1) Nothing in this section affects the authority of a 4068
board of township trustees to adopt and enforce resolutions 4069
under section 505.173 of the Revised Code to regulate the 4070
storage of junk motor vehicles on private or public property in 4071
the unincorporated territory of the township. 4072

(2) A resolution adopted under this section is subject to 4073
the same restrictions specified in division (A) of section 4074
505.173 of the Revised Code for resolutions adopted under that 4075
section. 4076

Sec. 507.05. The township fiscal officer shall, in 4077
addition to the books for the record of the proceedings of the 4078
board of township trustees, be provided by the township with a 4079
book for the record of township roads, ~~a book for the record of~~ 4080
~~marks and brands,~~ and a book for the record of official oaths 4081

and bonds of township officers. 4082

~~Sec. 511.03. After an affirmative vote in an election held~~ 4083
~~under sections 511.01 and 511.02 of the Revised Code, the~~ 4084
~~If, in~~ 4085
~~a township, a town hall is to be built, improved, enlarged, or~~ 4086
~~removed at a cost greater than the amount specified in section~~ 4087
~~9.17 of the Revised Code, the~~ board of township trustees may 4088
make all contracts necessary for the purchase of a site, and the 4089
erection, improvement, or enlargement of such building. The
board shall levy the necessary tax, which, in any year, shall 4090
not exceed four mills on the dollar valuation. Such tax shall 4091
not be levied for more than seven years. In anticipation of the 4092
collection of taxes, the board may borrow money and issue bonds 4093
for the whole or any part of such work, which bonds shall not 4094
bear interest to exceed the rate provided in section 9.95 of the 4095
Revised Code payable annually. 4096

The board shall have control of any town hall belonging to 4097
the township, and it may rent or lease all or part of any hall, 4098
lodge, or recreational facility belonging to the township, to 4099
any person or organization under terms the board considers 4100
proper, for which all rent shall be paid in advance or fully 4101
secured. In establishing the terms of any rental agreement or 4102
lease pursuant to this section, the board of township trustees 4103
may give preference to persons who are residents of or 4104
organizations that are headquartered in the township or that are 4105
charitable or fraternal in nature. All persons or organizations 4106
shall be treated on a like or similar basis, and no 4107
differentiation shall be made on the basis of race, color, 4108
religion, national origin, sex, or political affiliation. The 4109
rents received for such facilities may be used for their repair 4110
or improvement, and any balance shall be used for general 4111
township purposes. 4112

Sec. 511.04. The board of township trustees, whenever it 4113
has ~~been authorized by an affirmative vote,~~contracted to 4114
purchase a site and erect thereon a town hall, and suitable 4115
lands cannot be procured by contract for such purpose on 4116
reasonable terms, may appropriate land therefor, not to exceed 4117
one acre, by proceedings in accordance with sections 163.01 to 4118
163.22 of the Revised Code. 4119

Sec. 511.12. The board of township trustees may prepare 4120
plans and specifications and make contracts for the construction 4121
and erection of a memorial building, monument, statue, or 4122
memorial, for the purposes specified and within the amount 4123
authorized by section 511.08 of the Revised Code. If the total 4124
estimated cost of the construction and erection exceeds the 4125
amount specified in section 9.17 of the Revised Code, the 4126
contract shall be let by competitive bidding. If the estimated 4127
cost is the amount specified in section 9.17 of the Revised Code 4128
or less, competitive bidding may be required at the board's 4129
discretion. In making contracts under this section, the board 4130
shall be governed as follows: 4131

(A) Contracts for construction when competitive bidding is 4132
required shall be based upon detailed plans, specifications, 4133
forms of bids, and estimates of cost, adopted by the board. 4134

(B) Contracts shall be made in writing upon concurrence of 4135
a majority of the members of the board, and shall be signed by 4136
at least two of the members and by the contractor. If 4137
competitive bidding is required, no contract shall be made or 4138
signed until an advertisement has been ~~placed in a newspaper,~~ 4139
~~published or of general circulation in the township,~~ at least 4140
twice using at least one of the following methods: 4141

(1) In the print or digital edition of a newspaper of 4142

general circulation within the township; 4143

(2) On the official public notice web site established 4144
under section 125.182 of the Revised Code; 4145

(3) On the web site and social media account of the 4146
township. The 4147

The board may also cause notice to be inserted in trade 4148
papers or other publications designated by it or to be 4149
distributed by electronic means, including posting the notice on 4150
the board's internet web site. If the board posts the notice on 4151
its web site, it may eliminate the second notice otherwise 4152
required to be published in a newspaper published or of general 4153
circulation in the township, provided that the first notice 4154
published in such newspaper meets all of the following 4155
requirements: 4156

(1) It is published at least two weeks before the opening 4157
of bids. 4158

(2) It includes a statement that the notice is posted on 4159
the board's internet web site. 4160

(3) It includes the internet address of the board's 4161
internet web site. 4162

(4) It includes instructions describing how the notice may 4163
be accessed on the board's internet web site. 4164

(C) No contract shall be let by competitive bidding except 4165
to the lowest and best bidder, who shall meet the requirements 4166
of section 153.54 of the Revised Code. 4167

(D) When, in the opinion of the board, it becomes 4168
necessary in the prosecution of such work to make alterations or 4169
modifications in any contract, the alterations or modifications 4170

shall be made only by order of the board, and that order shall 4171
be of no effect until the price to be paid for the work or 4172
materials under the altered or modified contract has been agreed 4173
upon in writing and signed by the contractor and at least two 4174
members of the board. 4175

(E) No contract or alteration or modification of it shall 4176
be valid unless made in the manner provided in this section. 4177

(F) No project subject to this section shall be divided 4178
into component parts, separate projects, or separate items of 4179
work in order to avoid the requirements of this section. 4180

Sec. 511.21. Upon the filing of the report of the board of 4181
park commissioners as provided by section 511.20 of the Revised 4182
Code, the board of township trustees shall direct the township 4183
fiscal officer to give thirty days' notice, by posting in five 4184
public places in the township and by publication in using at 4185
least one or more newspapers of the following methods: 4186

(A) In the print or digital edition of a newspaper of 4187
general circulation in the township; 4188

(B) On the official public notice web site established 4189
under section 125.182 of the Revised Code; 4190

(C) On the web site and social media account of the 4191
township. 4192

The notice shall state that an election will be held at 4193
the next general election to determine whether one or more 4194
public parks are to be established within the township, and the 4195
estimated cost of the land recommended for that purpose. 4196

Sec. 511.51. (A) A board of township trustees by 4197
resolution may establish a township preservation commission. The 4198

commission shall consist of seven members appointed by the board 4199
of township trustees. Initially, two members shall serve a term 4200
of one year, two members shall serve a term of two years, and 4201
three members shall serve a term of three years. All subsequent 4202
terms shall be for a period of three years. The board of 4203
township trustees shall appoint members to fill vacancies caused 4204
by death, resignation, or removal for the unexpired term. 4205
Members shall serve without compensation. 4206

(B) Not later than thirty days after the appointment of 4207
all initial members by the board of township trustees, the 4208
commission shall meet and select a chairperson and vice- 4209
chairperson. The commission shall adopt rules of procedure, 4210
which shall be approved by resolution of the board of township 4211
trustees. Four members shall be required for official action and 4212
constitute a quorum. The commission shall take official action 4213
only by a vote of a majority of the members voting on the 4214
question on the table, during a public meeting open to the 4215
public. A record of proceedings shall be maintained and 4216
available for inspection. 4217

(C) Not later than six months after the appointment of all 4218
initial members by the board of township trustees, the 4219
commission shall adopt procedures and guidelines by which the 4220
commission shall perform the duties enumerated under section 4221
511.52 of the Revised Code, which shall be approved by the board 4222
of township trustees. 4223

Sec. 511.52. A township preservation commission has the 4224
following duties: 4225

(A) Promote the importance of historic preservation 4226
throughout the unincorporated territory of the township; 4227

(B) Maintain a register of historic properties located 4228
within the unincorporated territory of the township. Upon 4229
recommendation of the commission, the board of township trustees 4230
by resolution may designate appropriate properties as registered 4231
properties; 4232

(C) Protect the unique historical and architectural 4233
character of registered properties and promote the conservation 4234
of the registered properties by considering applications, and 4235
issuing certificates, for exterior alterations at registered 4236
properties. 4237

Sec. 511.53. Within the unincorporated territory of a 4238
township that has established a township preservation commission 4239
under section 511.51 of the Revised Code, no person may alter 4240
the exterior of a registered property without first obtaining 4241
from the commission a certificate under division (C) of section 4242
511.52 of the Revised Code. 4243

Sec. 515.01. The board of township trustees may provide 4244
artificial lights for any road, highway, public place, or 4245
building under its supervision or control, or for any territory 4246
within the township and outside the boundaries of any municipal 4247
corporation, when the board determines that the public safety or 4248
welfare requires that the road, highway, public place, building, 4249
or territory shall be lighted. The lighting may be procured 4250
either by the township installing a lighting system or by 4251
contracting with any person or corporation to furnish lights. 4252

If lights are furnished under contract, the contract may 4253
provide that the equipment employed may be owned by the township 4254
or by the person or corporation supplying the lights. 4255

If the board determines to procure lighting by contract 4256

and the total estimated cost of the contract exceeds the amount 4257
specified in section 9.17 of the Revised Code, the board shall 4258
prepare plans and specifications for the lighting equipment and 4259
shall, for two weeks, advertise for bids for furnishing the 4260
lighting equipment, either by posting the advertisement in three 4261
conspicuous places in the township or by publication of the 4262
advertisement once a week, for two consecutive weeks, ~~in using~~ 4263
at least one of the following methods: 4264

(A) In the print or digital edition of a newspaper of 4265
general circulation in the township; 4266

(B) On the official public notice web site established 4267
under section 125.182 of the Revised Code; 4268

(C) On the web site and social media account of the 4269
township. Any 4270

Any such contract for lighting shall be made with the 4271
lowest and best bidder. 4272

The board may also cause notice to be inserted in trade 4273
papers or other publications designated by it or to be 4274
distributed by electronic means, ~~including posting the notice on~~ 4275
~~the board's internet web site. If the board posts the notice on~~ 4276
~~its web site, it may eliminate the second notice otherwise~~ 4277
~~required to be published in a newspaper of general circulation~~ 4278
~~in the township, provided that the first notice published in~~ 4279
~~such newspaper meets all of the following requirements:~~ 4280

~~(A) It is published at least two weeks before the opening~~ 4281
~~of bids.~~ 4282

~~(B) It includes a statement that the notice is posted on~~ 4283
~~the board's internet web site.~~ 4284

~~(C) It includes the internet address of the board's internet web site.~~ 4285
4286

~~(D) It includes instructions describing how the notice may be accessed on the board's internet web site.~~ 4287
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No lighting contract awarded by the board shall be made to cover a period of more than twenty years. The cost of installing and operating any lighting system or any light furnished under contract shall be paid from the general fund of the township treasury. 4289
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No procurement subject to this section shall be divided into component parts, separate projects, or separate items of work in order to avoid the requirements of this section. 4294
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Sec. 515.04. The township fiscal officer shall fix a day, not more than thirty days from the date of notice to the board of township trustees, for the hearing of the petition authorized by section 515.02 or 515.16 of the Revised Code. The township fiscal officer or the fiscal officer's designee shall prepare and deliver to any of the petitioners a notice in writing directed to the lot and land owners and to the corporations, either public or private, affected by the improvement. The notice shall set forth the substance, pendency, and prayer of the petition and the time and place of the hearing on it. 4297
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A copy of the notice shall be served upon each lot or land owner or left at the lot or land owner's usual place of residence, and upon an officer or agent of each corporation having its place of business in the district or area, at least fifteen days before the date set for the hearing. On or before the day of the hearing, the person serving the notice shall make return on it, under oath, of the time and manner of service and 4307
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shall file the return with the township fiscal officer. 4314

The township fiscal officer or the fiscal officer's 4315
designee shall give the notice to each nonresident lot or land 4316
owner, by publication once, ~~in a newspaper of general~~ 4317
~~circulation in the county in which the district or area is~~ 4318
~~situated,~~ at least two weeks before the day set for hearing, 4319
using at least one of the following methods: 4320

(A) In the print or digital edition of a newspaper of 4321
general circulation in the county in which the district or area 4322
is situated; 4323

(B) On the official public notice web site established 4324
under section 125.182 of the Revised Code; 4325

(C) On the web site and social media account of the 4326
township. The 4327

The notice shall be verified by affidavit of the printer 4328
or other person knowing the fact and shall be filed with the 4329
township fiscal officer or the fiscal officer's designee on or 4330
before the day of hearing. No further notice of the petition or 4331
the proceedings under it shall thereafter be required. 4332

Sec. 517.07. ~~Upon~~ (A) Upon application, the board of 4333
township trustees shall sell at a reasonable price the number of 4334
lots as public wants demand for burial purposes. Purchasers of 4335
lots or other interment rights, upon complying with the terms of 4336
sale, may receive deeds for the lots or rights which the board 4337
shall execute. The township fiscal officer shall record each 4338
deed in a book the township keeps for that purpose or with the 4339
county recorder under section 317.08 of the Revised Code. The 4340
expense of recording shall be paid by the person receiving the 4341
deed. Upon the application of a head of a family living in the 4342

township, the board shall, without charge, make and deliver to 4343
the applicant a deed for a suitable lot or right for the 4344
interment of the applicant's family, if, in the opinion of the 4345
board and by reason of the circumstances of the family, the 4346
payment would be oppressive. 4347

(B) The terms of sale and any deed for lots executed after 4348
July 24, 1986, for an entombment, including a mausoleum, 4349
columbarium, or other interment right executed on or after 4350
September 29, 2015, may include the following requirements: 4351

~~(A)~~ (1) The grantee shall provide to the board of township 4352
trustees, in writing, a list of the names and addresses of the 4353
persons to whom the grantee's property would pass by intestate 4354
succession. 4355

~~(B)~~ (2) The grantee shall notify the board in writing of 4356
any subsequent changes in the name or address of any persons to 4357
whom property would descend. 4358

~~(C)~~ (3) Any person who receives a township cemetery lot or 4359
right by gift, inheritance, or any other means other than the 4360
original conveyance shall, within one year after receiving the 4361
interest, give written notice of the person's name and address 4362
to the board having control of the cemetery, and shall notify 4363
the board of any subsequent changes in the person's name or 4364
address. 4365

(C) The terms of sale and any deed for any lots or rights 4366
executed in compliance with the notification requirements set 4367
forth in ~~divisions (A),~~ division (B), ~~and (C)~~ of this section 4368
shall state that the board of township trustees shall have right 4369
of reentry to the cemetery lot or right if the notification 4370
requirements are not met. At least ninety days before 4371

establishing reentry, the board shall publish a notice on the 4372
board's internet web site, if applicable, and shall send a 4373
notice by certified mail to the last known owner at the owner's 4374
last known address to inform the owner that the owner's interest 4375
in the lot or right will cease unless the notification 4376
requirements are met. If the owner's address is unknown and 4377
cannot reasonably be obtained, it is sufficient to publish the 4378
notice once ~~in~~using at least one of the following methods: 4379

(1) In the print or digital edition of a newspaper of 4380
general circulation in the county; 4381

(2) On the official public notice web site established 4382
under section 125.182 of the Revised Code; 4383

(3) On the web site and social media account of the 4384
township. ~~In~~ 4385

In order to establish reentry, the board shall pass a 4386
resolution stating that the conditions of the sale or of the 4387
deed have not been fulfilled, and that the board reclaims its 4388
interest in the lot or right. 4389

(D) The board may limit the terms of sale or the deed for 4390
a cemetery lot or right by specifying that the owner, a member 4391
of the owner's family, or an owner's descendant must use the 4392
lot, tomb, including a mausoleum, or columbarium, or at least a 4393
portion of the lot, tomb, including a mausoleum, or columbarium, 4394
within a specified time period. The board may specify this time 4395
period to be at least twenty but not more than fifty years, with 4396
right of renewal provided at no cost. At least ninety days 4397
before the termination date for use of the cemetery lot, tomb, 4398
including a mausoleum, or columbarium, the board shall publish a 4399
notice on the board's internet web site, if applicable, and 4400

shall send a notice to the owner to inform the owner that the
owner's interest in the lot or right will cease on the
termination date unless the owner contracts for renewal by that
date. The board shall send the notice by certified mail to the
owner if the owner is a resident of the township or is a
nonresident whose address is known. If the owner's address is
unknown and cannot reasonably be obtained, it is sufficient to
publish the notice once ~~in~~ using at least one of the following
methods:

(1) In the print or digital edition of a newspaper of
general circulation in the county;

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

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

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

the owner. 4431

Sec. 517.073. (A) The board of township trustees may 4432
reenter a lot for which the terms of sale or deed was executed 4433
before July 24, 1986, or an entombment, including a mausoleum, 4434
columbarium, or other interment right for which the terms of 4435
sale or deed was executed before September 29, 2015, if the 4436
board determines the lot or right is unused and adopts a 4437
resolution creating a procedure for right of reentry in 4438
accordance with this section. The resolution shall state that 4439
the board of township trustees has the right of reentry to the 4440
cemetery lot or right purchased before July 24, 1986, or before 4441
September 29, 2015. At least one hundred eighty days before 4442
reentering a lot or right, the board shall publish a notice on 4443
the board's internet web site, if applicable, and shall send a 4444
notice by certified mail to the last known owner at the owner's 4445
last known address to inform the owner that the owner's interest 4446
in the lot or right will cease unless the owner or owner's heir 4447
responds by that date. If the owner's address is unknown and 4448
cannot be obtained reasonably, it is sufficient to publish the 4449
notice once ~~in~~ using at least one of the following methods: 4450

(1) In the print or digital edition of a newspaper of 4451
general circulation in the county; 4452

(2) On the official public notice web site established 4453
under section 125.182 of the Revised Code; 4454

(3) On the web site and social media account of the 4455
township. 4456

(B) If the owner responds by the specified date, the 4457
township shall offer the owner all of the following: 4458

(1) To continue the owner's interest in the lot or right; 4459

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

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

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

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

(1) In the print or digital edition of a newspaper of general circulation in the county;

(2) On the official public notice web site established

under section 125.182 of the Revised Code; 4489

(3) On the web site and social media account of the 4490
township. 4491

(D) If the owner responds by the termination date, the 4492
township shall offer the owner all of the following: 4493

(1) To contract for renewal; 4494

(2) To compensate the owner by paying the owner eighty per 4495
cent of the owner's original purchase price; or 4496

(3) To compensate the owner by providing the owner an 4497
available lot or right, as applicable. 4498

In order to establish reentry, the board shall pass a 4499
resolution stating that because of the lack of response to 4500
notice that provided a termination date or because the owner 4501
opted to receive other compensation, the board reclaims its 4502
interest in the lot or right. The board may repurchase a 4503
cemetery lot or right for which there is a termination date from 4504
its owner at any time at a price that is mutually agreed upon by 4505
the board and the owner. 4506

Sec. 517.12. The board of township trustees may make rules 4507
specifying the times when cemeteries under its control shall be 4508
closed to the public. The board shall cause the rules to be 4509
published once a week for two consecutive weeks in using at 4510
least one of the following methods: 4511

(A) In the print or digital edition of a newspaper of 4512
general circulation within the township ~~or as provided in~~ 4513
~~section 7.16 of the Revised Code, and;~~ 4514

(B) On the official public notice web site established 4515
under section 125.182 of the Revised Code; 4516

(C) On the web site and social media account of the 4517
township. 4518

The board also may post appropriate notice in the township 4519
as considered necessary. 4520

The purposes of such rules shall be to assure a reasonable 4521
time of access to the cemeteries in view of the differences in 4522
attendance anticipated from past experience as to each, to 4523
exclude attendance at times when no proper purposes could 4524
normally be expected, to permit exceptions to the normal hours 4525
of access on reasonable request with adequate reason provided, 4526
and to facilitate the task of protecting the premises from 4527
vandalism, desecration, and other improper usage. 4528

Whoever violates these rules is guilty of a minor 4529
misdemeanor. 4530

Sec. 517.22. The board of township trustees or the 4531
trustees or directors of a cemetery association, ~~after notice~~ 4532
~~has first been given in a newspaper of general circulation in~~ 4533
~~the county,~~ may dispose of, at public sale, and convey any 4534
cemetery under their control that they have determined to 4535
discontinue as burial grounds, ~~but possession after notice has~~ 4536
first been given using at least one of the following methods: 4537

(A) In the print or digital edition of a newspaper of 4538
general circulation in the county; 4539

(B) On the official public notice web site established 4540
under section 125.182 of the Revised Code; 4541

(C) On the web site and social media account of the 4542
township. 4543

Possession of the cemetery shall not be given to a grantee 4544

until after the remains buried in that cemetery, together with 4545
stones and monuments, have been removed as provided by section 4546
517.21 of the Revised Code. 4547

Sec. 519.06. Before certifying its recommendations of a 4548
zoning plan to the board of township trustees, the township 4549
zoning commission shall hold at least one public hearing, notice 4550
of which shall be given by one publication ~~in one or more~~ 4551
~~newspapers of general circulation in the township~~ at least 4552
thirty days before the date of such hearing, using at least one 4553
of the following methods: 4554

(A) In the print or digital edition of one or more 4555
newspapers of general circulation in the township; 4556

(B) On the official public notice web site established 4557
under section 125.182 of the Revised Code; 4558

(C) On the web site and social media account of the 4559
township. The 4560

The notice shall state the place and time at which the 4561
text and maps of the proposed zoning resolution may be examined. 4562

Sec. 519.08. After receiving the certification of a zoning 4563
plan from the township zoning commission, and before adoption of 4564
any zoning resolution, the board of township trustees shall hold 4565
a public hearing on the resolution, at least thirty days' notice 4566
of the time and place of which shall be given by one publication 4567
~~in~~ using at least one of the following methods: 4568

(A) In the print or digital edition of a newspaper of 4569
general circulation in the township; 4570

(B) On the official public notice web site established 4571
under section 125.182 of the Revised Code; 4572

(C) On the web site and social media account of the 4573
township. 4574

Sec. 519.09. No change in or departure from the text or 4575
maps, as certified by the township zoning commission, shall be 4576
made by the board of township trustees unless it is first 4577
resubmitted to the commission for approval, disapproval, or 4578
suggestions. Upon receipt of the recommendations of the township 4579
rural zoning commission regarding the proposed changes, the 4580
board of township trustees shall hold a second public hearing, 4581
at least ten days notice of the time and place of which shall be 4582
given by one publication ~~in~~ using at least one of the following 4583
methods: 4584

(A) In the print or digital edition of one or more 4585
newspapers of general circulation in the township affected; 4586

(B) On the official public notice web site established 4587
under section 125.182 of the Revised Code; 4588

(C) On the web site and social media account of the 4589
township. If 4590

If such changes are disapproved by the zoning commission, 4591
the provision so disapproved must receive the favorable vote of 4592
the entire membership of the board of township trustees in order 4593
to be adopted. 4594

Sec. 519.12. (A) (1) Amendments to the zoning resolution 4595
may be initiated by motion of the township zoning commission, by 4596
the passage of a resolution by the board of township trustees, 4597
or by the filing of an application by one or more of the owners 4598
or lessees of property within the area proposed to be changed or 4599
affected by the proposed amendment with the township zoning 4600
commission. The board of township trustees may require that the 4601

owner or lessee of property filing an application to amend the zoning resolution pay a fee to defray the cost of advertising, mailing, filing with the county recorder, and other expenses. If the board of township trustees requires such a fee, it shall be required generally, for each application. The board of township trustees, upon the passage of such a resolution, shall certify it to the township zoning commission.

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

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

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

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

(B) If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land, as listed on the county auditor's current tax list, written notice of the hearing shall

be mailed by the township zoning commission, by first class 4631
mail, at least ten days before the date of the public hearing to 4632
all owners of property within and contiguous to and directly 4633
across the street from the area proposed to be rezoned or 4634
redistricted to the addresses of those owners appearing on the 4635
county auditor's current tax list. The failure of delivery of 4636
that notice shall not invalidate any such amendment. 4637

(C) If the proposed amendment intends to rezone or 4638
redistrict ten or fewer parcels of land as listed on the county 4639
auditor's current tax list, the published and mailed notices 4640
shall set forth the time, date, and place of the public hearing 4641
and include all of the following: 4642

(1) The name of the township zoning commission that will 4643
be conducting the hearing; 4644

(2) A statement indicating that the motion, resolution, or 4645
application is an amendment to the zoning resolution; 4646

(3) A list of the addresses of all properties to be 4647
rezoned or redistricted by the proposed amendment and of the 4648
names of owners of those properties, as they appear on the 4649
county auditor's current tax list; 4650

(4) The present zoning classification of property named in 4651
the proposed amendment and the proposed zoning classification of 4652
that property; 4653

(5) The time and place where the motion, resolution, or 4654
application proposing to amend the zoning resolution will be 4655
available for examination for a period of at least ten days 4656
prior to the hearing; 4657

(6) The name of the person responsible for giving notice 4658
of the hearing by publication, by mail, or by both publication 4659

and mail; 4660

(7) A statement that, after the conclusion of the hearing, 4661
the matter will be submitted to the board of township trustees 4662
for its action; 4663

(8) Any other information requested by the commission. 4664

(D) If the proposed amendment alters the text of the 4665
zoning resolution, or rezones or redistricts more than ten 4666
parcels of land as listed on the county auditor's current tax 4667
list, the published notice shall set forth the time, date, and 4668
place of the public hearing and include all of the following: 4669

(1) The name of the township zoning commission that will 4670
be conducting the hearing on the proposed amendment; 4671

(2) A statement indicating that the motion, application, 4672
or resolution is an amendment to the zoning resolution; 4673

(3) The time and place where the text and maps of the 4674
proposed amendment will be available for examination for a 4675
period of at least ten days prior to the hearing; 4676

(4) The name of the person responsible for giving notice 4677
of the hearing by publication; 4678

(5) A statement that, after the conclusion of the hearing, 4679
the matter will be submitted to the board of township trustees 4680
for its action; 4681

(6) Any other information requested by the commission. 4682

(E) (1) (a) Except as provided in division (E) (1) (b) of this 4683
section, within five days after the adoption of the motion 4684
described in division (A) of this section, the certification of 4685
the resolution described in division (A) of this section, or the 4686

filing of the application described in division (A) of this 4687
section, the township zoning commission shall transmit a copy of 4688
it together with text and map pertaining to it to the county or 4689
regional planning commission, if there is such a commission, for 4690
approval, disapproval, or suggestions. 4691

The county or regional planning commission shall recommend 4692
the approval or denial of the proposed amendment or the approval 4693
of some modification of it and shall submit its recommendation 4694
to the township zoning commission. The recommendation shall be 4695
considered at the public hearing held by the township zoning 4696
commission on the proposed amendment. 4697

(b) The township zoning commission of a township that has 4698
adopted a limited home rule government under Chapter 504. of the 4699
Revised Code is not subject to division (E) (1) (a) of this 4700
section but may choose to comply with division (E) (1) (a) of this 4701
section. 4702

(2) The township zoning commission, within thirty days 4703
after the hearing, shall recommend the approval or denial of the 4704
proposed amendment, or the approval of some modification of it, 4705
and submit that recommendation together with the motion, 4706
application, or resolution involved, the text and map pertaining 4707
to the proposed amendment, and the recommendation of the county 4708
or regional planning commission on it to the board of township 4709
trustees. 4710

(3) The board of township trustees, upon receipt of that 4711
recommendation, shall set a time for a public hearing on the 4712
proposed amendment, which date shall not be more than thirty 4713
days from the date of the receipt of that recommendation. Notice 4714
of the hearing shall be given by the board by one publication ~~in~~ 4715
~~one or more newspapers of general circulation in the township,~~ 4716

at least ten days before the date of the hearing using at least 4717
one of the following methods: 4718

(a) In the print or digital edition of one or more 4719
newspapers of general circulation in the township; 4720

(b) On the official public notice web site established 4721
under section 125.182 of the Revised Code; 4722

(c) On the web site and social media account of the 4723
township. 4724

(F) If the proposed amendment intends to rezone or 4725
redistrict ten or fewer parcels of land as listed on the county 4726
auditor's current tax list, the published notice shall set forth 4727
the time, date, and place of the public hearing and include all 4728
of the following: 4729

(1) The name of the board of township trustees that will 4730
be conducting the hearing; 4731

(2) A statement indicating that the motion, application, 4732
or resolution is an amendment to the zoning resolution; 4733

(3) A list of the addresses of all properties to be 4734
rezoned or redistricted by the proposed amendment and of the 4735
names of owners of those properties, as they appear on the 4736
county auditor's current tax list; 4737

(4) The present zoning classification of property named in 4738
the proposed amendment and the proposed zoning classification of 4739
that property; 4740

(5) The time and place where the motion, application, or 4741
resolution proposing to amend the zoning resolution will be 4742
available for examination for a period of at least ten days 4743
prior to the hearing; 4744

(6) The name of the person responsible for giving notice 4745
of the hearing by publication, by mail, or by both publication 4746
and mail; 4747

(7) Any other information requested by the board. 4748

(G) If the proposed amendment alters the text of the 4749
zoning resolution, or rezones or redistricts more than ten 4750
parcels of land as listed on the county auditor's current tax 4751
list, the published notice shall set forth the time, date, and 4752
place of the public hearing and include all of the following: 4753

(1) The name of the board of township trustees that will 4754
be conducting the hearing on the proposed amendment; 4755

(2) A statement indicating that the motion, application, 4756
or resolution is an amendment to the zoning resolution; 4757

(3) The time and place where the text and maps of the 4758
proposed amendment will be available for examination for a 4759
period of at least ten days prior to the hearing; 4760

(4) The name of the person responsible for giving notice 4761
of the hearing by publication; 4762

(5) Any other information requested by the board. 4763

(H) Within twenty days after its public hearing, the board 4764
of township trustees shall either adopt or deny the 4765
recommendations of the township zoning commission or adopt some 4766
modification of them. If the board denies or modifies the 4767
commission's recommendations, a majority vote of the board shall 4768
be required. 4769

The proposed amendment, if adopted by the board, shall 4770
become effective in thirty days after the date of its adoption, 4771
unless, within thirty days after the adoption, there is 4772

presented to the board of township trustees a petition, signed 4773
by a number of registered electors residing in the 4774
unincorporated area of the township or part of that 4775
unincorporated area included in the zoning plan equal to not 4776
less than fifteen per cent of the total vote cast for all 4777
candidates for governor in that area at the most recent general 4778
election at which a governor was elected, requesting the board 4779
of township trustees to submit the amendment to the electors of 4780
that area for approval or rejection at a special election to be 4781
held on the day of the next primary or general election that 4782
occurs at least ninety days after the petition is filed. Each 4783
part of this petition shall contain the number and the full and 4784
correct title, if any, of the zoning amendment resolution, 4785
motion, or application, furnishing the name by which the 4786
amendment is known and a brief summary of its contents. In 4787
addition to meeting the requirements of this section, each 4788
petition shall be governed by the rules specified in section 4789
3501.38 of the Revised Code. 4790

The form of a petition calling for a zoning referendum and 4791
the statement of the circulator shall be substantially as 4792
follows: 4793

"PETITION FOR ZONING REFERENDUM 4794

(if the proposal is identified by a particular name or 4795
number, or both, these should be inserted here) 4796

_____ 4797

A proposal to amend the zoning map of the unincorporated 4798
area of _____ Township, _____ County, Ohio, 4799
adopted _____ (date) _____ (followed by brief summary of the 4800
proposal). 4801

To the Board of Township Trustees of _____ 4802
Township, _____ County, Ohio: 4803

We, the undersigned, being electors residing in the 4804
unincorporated area of _____ Township, 4805
included within the _____ Township Zoning Plan, equal to 4806
not less than fifteen per cent of the total vote cast for all 4807
candidates for governor in the area at the preceding general 4808
election at which a governor was elected, request the Board of 4809
Township Trustees to submit this amendment of the zoning 4810
resolution to the electors of _____ Township 4811
residing within the unincorporated area of the township included 4812
in the _____ Township Zoning Resolution, for 4813
approval or rejection at a special election to be held on the 4814
day of the primary or general election to be held on 4815
_____(date)_____, pursuant to section 519.12 of the Revised 4816
Code. 4817

Street Address	Date of	4818
Signature or R.F.D.	Township Precinct County Signing	4819
_____		4820
_____		4821

STATEMENT OF CIRCULATOR 4823

I, _____(name of circulator)_____, declare 4824
under penalty of election falsification that I am an elector of 4825
the state of Ohio and reside at the address appearing below my 4826
signature; that I am the circulator of the foregoing part 4827
petition containing _____(number)_____ signatures; that I 4828
have witnessed the affixing of every signature; that all signers 4829
were to the best of my knowledge and belief qualified to sign; 4830

and that every signature is to the best of my knowledge and 4831
belief the signature of the person whose signature it purports 4832
to be or of an attorney in fact acting pursuant to section 4833
3501.382 of the Revised Code. 4834

4835

(Signature of circulator) 4836

4837

(Address of circulator's permanent 4838

residence in this state) 4839

4840

(City, village, or township, 4841

and zip code) 4842

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 4843

FELONY OF THE FIFTH DEGREE." 4844

The petition shall be filed with the board of township 4845

trustees and shall be accompanied by an appropriate map of the 4846

area affected by the zoning proposal. Within two weeks after 4847

receiving a petition filed under this section, the board of 4848

township trustees shall certify the petition to the board of 4849

elections. A petition filed under this section shall be 4850

certified to the board of elections not less than ninety days 4851

prior to the election at which the question is to be voted upon. 4852

The board of elections shall determine the sufficiency and 4853

validity of each petition certified to it by a board of township 4854

trustees under this section. If the board of elections 4855

determines that a petition is sufficient and valid, the question 4856

shall be voted upon at a special election to be held on the day 4857

of the next primary or general election that occurs at least 4858
ninety days after the date the petition is filed with the board 4859
of township trustees, regardless of whether any election will be 4860
held to nominate or elect candidates on that day. 4861

No amendment for which such a referendum vote has been 4862
requested shall be put into effect unless a majority of the vote 4863
cast on the issue is in favor of the amendment. Upon 4864
certification by the board of elections that the amendment has 4865
been approved by the voters, it shall take immediate effect. 4866

Within five working days after an amendment's effective 4867
date, the board of township trustees shall file the text and 4868
maps of the amendment in the office of the county recorder and 4869
with the county or regional planning commission, if one exists. 4870

The failure to file any amendment, or any text and maps, 4871
or duplicates of any of these documents, with the office of the 4872
county recorder or the county or regional planning commission as 4873
required by this section does not invalidate the amendment and 4874
is not grounds for an appeal of any decision of the board of 4875
zoning appeals. 4876

Sec. 519.15. The township board of zoning appeals shall 4877
organize and adopt rules in accordance with the zoning 4878
resolution. Meetings of the board of zoning appeals shall be 4879
held at the call of the chairperson, and at such other times as 4880
the board determines. The chairperson, or in the chairperson's 4881
absence the acting chairperson, may administer oaths, and the 4882
board of zoning appeals may compel the attendance of witnesses. 4883
All meetings of the board of zoning appeals shall be open to the 4884
public. The board of zoning appeals shall keep minutes of its 4885
proceedings showing the vote of each regular or alternate member 4886
upon each question, or, if absent or failing to vote, indicating 4887

such fact, and shall keep records of its examinations and other 4888
official actions, all of which shall be immediately filed in the 4889
office of the board of township trustees and be a public record. 4890

Appeals to the board of zoning appeals may be taken by any 4891
person aggrieved or by any officer of the township affected by 4892
any decision of the administrative officer. Such appeal shall be 4893
taken within twenty days after the decision by filing, with the 4894
officer from whom the appeal is taken and with the board of 4895
zoning appeals, a notice of appeal specifying the grounds. The 4896
officer from whom the appeal is taken shall transmit to the 4897
board of zoning appeals all the papers constituting the record 4898
upon which the action appealed from was taken. 4899

The board of zoning appeals shall fix a reasonable time 4900
for the public hearing of the appeal, give at least ten days' 4901
notice in writing to the parties in interest, ~~give publish~~ 4902
notice of such public hearing ~~by one publication in one or more~~ 4903
~~newspapers of general circulation in the county~~ at least ten 4904
days before the date of such hearing, ~~and using at least one of~~ 4905
the following methods: 4906

(A) In the print or digital edition of one or more 4907
newspapers of general circulation in the county; 4908

(B) On the official public notice web site established 4909
under section 125.182 of the Revised Code; 4910

(C) On the web site and social media account of the 4911
township. 4912

The board shall decide the appeal within a reasonable time 4913
after it is submitted. Upon the hearing, any person may appear 4914
in person or by attorney. 4915

The board of township trustees may require a person making 4916

an appeal to pay a fee to defray the cost of advertising, 4917
mailing, and other expenses. 4918

Sec. 519.99. Whoever violates sections 519.01 to 519.25 of 4919
the Revised Code shall be ~~fined~~ assessed a civil fine of not 4920
more than five hundred dollars for each offense. The fine shall 4921
be collected by filing a civil action in the court of common 4922
pleas in the county where the property at issue is located. The 4923
complaint may combine a cause of action for collection of civil 4924
finest under this section with a cause of action for injunction, 4925
abatement, mandamus, or other appropriate relief under section 4926
519.24 of the Revised Code. Each day the violation continues 4927
from the date of a judgment granting relief under this section 4928
shall constitute a separate offense. 4929

Sec. 521.03. On receiving a petition filed under section 4930
521.02 of the Revised Code, or at the request of the board of 4931
township trustees, the township fiscal officer shall fix a time, 4932
not more than thirty days after the date of giving notice of the 4933
filing to the board or the date of receiving the request from 4934
the board, and place for a hearing on the issue of repair or 4935
maintenance of the tiles. The township fiscal officer shall 4936
prepare a notice in writing directed to the lot and land owners 4937
and to the corporations, either public or private, affected by 4938
the improvement. The notice shall set forth the substance of the 4939
petition or board request, and the time and place of the hearing 4940
on it. 4941

If the hearing is to be held in response to a petition, 4942
the township fiscal officer shall deliver a copy of the notice 4943
to any of the petitioners, who shall see that the notice is 4944
served on each lot or land owner or left at the lot or land 4945
owner's usual place of residence, and served on an officer or 4946

agent of each corporation affected by the improvement, at least 4947
fifteen days before the date set for the hearing. If the hearing 4948
is to be held at the request of the board, the board shall see 4949
that the notice is so served. On or before the day of the 4950
hearing, the person serving the notice shall certify, under 4951
oath, the time and manner of service, and shall file this 4952
certification with the township fiscal officer. 4953

The township fiscal officer shall give notice of the 4954
hearing to each nonresident lot or land owner, by publication 4955
once, ~~in a newspaper of general circulation in the county in~~ 4956
~~which the township is situated,~~ at least two weeks before the 4957
day set for the hearing, using at least one of the following 4958
methods: 4959

(A) In the print or digital edition of a newspaper of 4960
general circulation in the county in which the township is 4961
situated; 4962

(B) On the official public notice web site established 4963
under section 125.182 of the Revised Code; 4964

(C) On the web site and social media account of the 4965
township. This 4966

This notice shall be verified by affidavit of the printer 4967
or other person knowing the fact, and shall be filed with the 4968
township fiscal officer on or before the day of the hearing. No 4969
further notice of the petition or the proceedings under it shall 4970
thereafter be required. 4971

Sec. 701.07. (A) The legislative authority of one or more 4972
municipal corporations, by ordinance or resolution, and the 4973
board of township trustees of one or more townships, by 4974
resolution, may enter into a cooperative economic development 4975

agreement under this section. The board of county commissioners 4976
of one or more counties may become a party to a cooperative 4977
economic development agreement upon the written consent of the 4978
legislative authority of each municipal corporation and the 4979
board of township trustees of each township that is a party to 4980
the agreement. 4981

Before entering into a cooperative economic development 4982
agreement pursuant to this section, the parties to the agreement 4983
shall jointly hold a public hearing concerning the agreement. 4984
The parties shall provide to residents of the territory affected 4985
by the agreement at least thirty days' public notice of the time 4986
and place of the public hearing in one or more newspapers of 4987
general circulation in that territory. During the thirty-day 4988
period prior to the public hearing, each party to the agreement, 4989
except the state or any state agency or any person or private 4990
entity that becomes a party to the agreement under division (C) 4991
(10) or (F) of this section, shall make available for public 4992
inspection a copy of the proposed agreement. 4993

(B) A cooperative economic development agreement may be 4994
amended at any time in the same manner as it was initially 4995
authorized. A cooperative economic development agreement shall 4996
designate the territory the agreement covers. 4997

(C) A cooperative economic development agreement may 4998
provide for any of the following: 4999

(1) The provision of joint services and permanent 5000
improvements within incorporated or unincorporated areas; 5001

(2) The provision of services and improvements by a 5002
municipal corporation in unincorporated areas~~+~~. As used in 5003
division (C) (2) of this section, "improvements" includes, but is 5004

<u>not limited to, sewers, roadways, public utilities, and the</u>	5005
<u>acquisition of land.</u>	5006
(3) The provision of services and improvements by a county or township within the territory of a municipal corporation;	5007 5008
(4) The payment of service fees to a municipal corporation by a township or county;	5009 5010
(5) The payment of service fees to a township or a county by a municipal corporation;	5011 5012
(6) The issuance of notes and bonds and other debt obligations by a municipal corporation, county, or township for public purposes authorized by or under a cooperative economic development agreement and provision for the allocation of the payment of the principal of, interest on, and other charges and costs of issuing and servicing the repayment of the debt;	5013 5014 5015 5016 5017 5018
(7) The issuance of industrial development notes, bonds, and debt obligations by a municipal corporation to finance projects in territory located outside the municipal corporation but located within the territory covered by a cooperative economic development agreement and provision for the allocation of the payment of the principal of, interest on, and other charges and costs of issuing and servicing the repayment of the debt. To implement division (C)(10) of this section, a municipal corporation may undertake projects under Chapter 165., 761., or 902. of the Revised Code even though the project is in territory located outside the municipal corporation.	5019 5020 5021 5022 5023 5024 5025 5026 5027 5028 5029
(8) The territory to be annexed to a municipal corporation when agreed to by the municipal corporation to which annexation is proposed and the township in which the territory to be annexed is located;	5030 5031 5032 5033

(9) Any periods of time during which no annexations will occur and any areas that will not be annexed during the period when agreed to by the municipal corporation and township affected by the annexation moratorium;

(10) Agreements by a municipal corporation and a township, or by a municipal corporation and a county, with landowners or developers of land that is to be annexed, or with both such landowners and land developers, concerning the provision of public services, facilities, and permanent improvements. Any person or other private entity described in division (C) (10) of this section that enters into an agreement with a municipal corporation and a township, or with a municipal corporation and a county, pursuant to this division shall be considered to be a party to the agreement.

(11) The application of tax abatement statutes within the territory covered by the cooperative economic development agreement;

(12) Changing township boundaries under Chapter 503. of the Revised Code to exclude newly annexed territory from the original township and providing services to that territory;

(13) The earmarking by a municipal corporation for its general revenue fund of a portion of the utility charges it collects in territory located outside the municipal corporation but located within the territory covered by a cooperative economic development agreement, but only if the cooperative economic development agreement does not cover any matters relating to annexation;

(14) Payments in lieu of taxes, if any, to be paid to a township by a municipal corporation. These payments may be in

addition to or in lieu of other payments required by law to be 5063
made to the township by that municipal corporation; 5064

(15) Any other matter pertaining to the annexation or 5065
development of territory, whether the territory is owned by a 5066
governmental entity or a person or private entity; 5067

(16) Agreements by one or more cities as defined under 5068
section 703.01 of the Revised Code, and one or more townships 5069
located in a county having a population of at least one hundred 5070
sixty thousand but not more than one hundred eighty thousand as 5071
determined by the most recent federal decennial census published 5072
by the United States census bureau before the execution of the 5073
cooperative economic development agreement and having a county 5074
planning commission operating pursuant to section 713.22 of the 5075
Revised Code as of the last day of the year to which such census 5076
applies, all of which shall be contiguous, subjecting all or 5077
part of the territory that is subject to the cooperative 5078
economic development agreement that qualifies as a megaproject 5079
supporting site to the substance of ordinances, resolutions, or 5080
other regulations of one or more of the political subdivisions 5081
party to the agreement related to the permitting, engineering, 5082
and construction of public and private improvements and other 5083
regulatory and proprietary matters determined to be for a public 5084
purpose under building codes, subdivision and other regulations 5085
as contemplated in Chapter 711. of the Revised Code, and 5086
regulations concerning construction and maintenance of new roads 5087
and streets, but excluding regulations related to zoning, public 5088
water infrastructure and services, public sanitary sewer 5089
infrastructure and services, bridges, existing roads and 5090
streets, stormwater management, floodplain management, or soil 5091
erosion control. Such regulations shall apply within the 5092
designated territory and shall prevail over regulations that 5093

would otherwise be applicable, as specified in the agreements, 5094
including regulations of a political subdivision that is not 5095
party to the cooperative economic development agreement. A 5096
county wherein a political subdivision that is party to the 5097
cooperative economic development agreement is located, or a 5098
county contiguous to a political subdivision that is party to 5099
the cooperative economic development agreement, may become a 5100
party to any of the agreements under this division upon the 5101
written consent of the legislative authority of each city and 5102
the board of township trustees of each township that is a party 5103
to the cooperative economic development agreement. An agreement 5104
under this division is effective upon written approval of the 5105
legislative authority of each city, the board of township 5106
trustees of each township, and, as applicable, the board of 5107
county commissioners of each county that is party to the 5108
agreement. The political subdivision whose regulations the 5109
designated territory is subject to shall be responsible for 5110
administering and processing the regulations within the 5111
designated territory and may be compensated for such services as 5112
specified in the agreement. All public improvements that are 5113
constructed pursuant to such regulations shall be required to be 5114
owned and maintained by one or more of the parties to the 5115
cooperative economic development agreement as specified in any 5116
agreement permitted under this division and shall not be 5117
required, without its consent, to be owned or maintained by any 5118
political subdivision whose regulations have been superseded, 5119
and that political subdivision shall not, without its consent, 5120
have any obligations or liabilities relating thereto. 5121

Before executing a cooperative economic development 5122
agreement that includes any agreements under this division, a 5123
township that is party to the proposed cooperative economic 5124

development agreement shall deliver, by certified mail, written 5125
notice to the clerk of the board of commissioners of the county 5126
in which affected property is located and to the proposed other 5127
party or parties to the cooperative economic development 5128
agreement indicating its intent to include, within the proposed 5129
cooperative economic development agreement, agreements that are 5130
permissible under this division. The notice shall identify which 5131
ordinances, resolutions, or other regulations are to be 5132
addressed in the permissible agreements and the territory to 5133
which the agreements will apply. The township and the county 5134
have ninety days from the clerk's receipt of the notice to 5135
negotiate their own agreement concerning procedures to achieve 5136
the efficient administration of those county regulations over 5137
which the regulations of another political subdivision would 5138
prevail under the agreements permitted under this division 5139
including, without limitation, definitive timing requirements 5140
for completing related administrative actions. The township and 5141
county may, by mutual agreement, extend the ninety-day period 5142
for up to an additional thirty days. 5143

The notice may include an election by the township to 5144
require the county to process and review all applications 5145
related to the permitting, engineering, and construction of 5146
public and private improvements that must be filed, processed, 5147
and approved by the county, its engineer, agencies, or 5148
departments in accordance with the same timing requirements as 5149
would apply to the processing and approval of similar 5150
applications if they were instead permitted to be filed under 5151
similar regulations adopted by the city that is a party to the 5152
cooperative economic development agreement. This election shall 5153
be binding upon the county regardless of whether the township 5154
and the county enter into an agreement as provided in this 5155

division, unless otherwise provided in such an agreement. If the 5156
election is made and is not otherwise altered in an agreement 5157
between the township and the county, and an application requires 5158
review by any committee, commission, or board of the county, 5159
then the application shall be placed on the agenda of the first 5160
regular meeting of such committee, commission, or board that 5161
occurs on or after the date that is fifteen days after the date 5162
the application was filed, and if no decision on the application 5163
is made at the initial meeting of the relevant committee, 5164
commission, or board, the application shall be considered at 5165
subsequent meetings of the relevant committee, commission, or 5166
board not less frequently than once every thirty days thereafter 5167
until the relevant committee, commission, or board issues a 5168
decision on the application. The timing requirements of this 5169
division apply to the exclusion of those that are provided 5170
elsewhere in the Revised Code or in county regulations. 5171

If an agreement between the township and county is not 5172
duly executed by both the township and the county before the 5173
expiration of the ninety-day period, as may be extended, then 5174
the parties to the cooperative economic development agreement 5175
may approve and execute any agreements permitted under this 5176
division. If an agreement between the township and county is 5177
duly executed by both the township and the county within that 5178
period, then during all times while the agreement between the 5179
township and county remains effective the agreements 5180
contemplated in this division shall not be included in a 5181
cooperative economic development agreement. Should an agreement 5182
between the township and county later terminate or expire, then 5183
the agreements contemplated in this division may be included in 5184
a cooperative economic agreement without the requirement to 5185
again follow the procedures contained in this division. 5186

~~As used in division (C) (2) of this section, "improvement" includes, but is not limited to, sewers, roadways, public utilities, and the acquisition of land.~~ 5187
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As used in division (C) (16) of this section, "megaproject supporting site" means real property that satisfies all of the following: 5190
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(a) It is subject to a cooperative economic development agreement that becomes effective not later than June 30, 2025. Amendments to or modifications of a cooperative economic development agreement effective by that date, including amendments to include or modifications of agreements permitted under division (C) (16) of this section, are permitted, even if made after that date, without affecting compliance with this division. 5193
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(b) It is no greater than six hundred acres in size. 5201

(c) It is zoned by the applicable governmental authority to allow for the development, operation, and construction of one thousand or more residential dwelling units in addition to nonresidential uses. 5202
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(d) Any portion of the real property's perimeter boundary is located within five miles of real property on which a megaproject, as defined in section 122.17 of the Revised Code, is located, is under construction, or is planned to be constructed, as such megaproject real property is identified in a fully executed agreement with the tax credit authority as contemplated in division (D) of section 122.17 of the Revised Code. 5206
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(D) Cooperative economic development agreements shall not be in derogation of the powers granted to municipal corporations 5214
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by Article XVIII, Ohio Constitution, or any other provisions of 5216
the Ohio Constitution or of a municipal charter, nor shall 5217
municipal corporations and townships, or municipal corporations 5218
and counties, agree to share proceeds of any tax levy, although 5219
such proceeds may be used to make payments authorized in a 5220
cooperative economic development agreement. 5221

(E) If any party to a cooperative economic development 5222
agreement believes any other party has failed to perform its 5223
part of any provision of the agreement, including the failure to 5224
make any payment of moneys due under the agreement, the 5225
complaining party shall give notice to the other party clearly 5226
stating what breach the complaining party believes has occurred. 5227
The party receiving the notice has ninety days from the receipt 5228
of that notice to cure the breach. If the breach has not been 5229
cured within that ninety-day period, the complaining party may 5230
sue for the recovery of the money due under the agreement, sue 5231
for specific enforcement of the agreement, or terminate the 5232
agreement by giving notice of termination to all other parties. 5233

(F) In order to assist economic development or to provide 5234
appropriate state functions and services to any part of the 5235
state, the state or any state agency may become a party to a 5236
cooperative economic development agreement upon the approval of 5237
the governor and the written consent of the legislative 5238
authority or governing board of each government entity that is a 5239
party to the agreement and upon the approval of each person or 5240
private entity described in division (C)(10) of this section 5241
that is party to the agreement. 5242

(G) A cooperative economic development agreement entered 5243
into under this section is in addition to any other agreements 5244
authorized by law between municipal corporations and counties or 5245

between municipal corporations and townships. 5246

(H) The powers and authorizations provided for under this 5247
section and under any cooperative economic development agreement 5248
entered into pursuant to this section shall be liberally 5249
construed to allow parties to enter into cooperative economic 5250
development agreements and to carry out such an agreement by 5251
providing government improvements and facilities and services 5252
including road and bridge improvements and regulations, by 5253
promoting and supporting economic development, by creating and 5254
preserving employment opportunities, and by allowing for the 5255
sharing by counties and townships in the benefits of economic 5256
development even if the economic development does not occur in 5257
an unincorporated area. 5258

(I) Nothing in this section expands or diminishes the 5259
exception of public utilities from certain regulations. 5260

Sec. 755.13. (A) The authority to supervise and maintain 5261
parks, playgrounds, playfields, gymnasiums, public baths, 5262
swimming pools, or indoor recreation centers, may be vested in 5263
any existing body or board, or in a recreation board, as the 5264
legislative authority of the municipal corporation, the board of 5265
township trustees, or the board of county commissioners 5266
determines. The local authorities of any such municipal 5267
corporation, township, or county may equip, develop, operate, 5268
and maintain such facilities as authorized by sections 755.12 to 5269
755.18 of the Revised Code. Such local authorities may, for the 5270
purpose of carrying out such sections, employ play leaders, 5271
recreation directors, supervisors, superintendents, or any other 5272
officers or employees, and may procure and pay all or any part 5273
of the cost of a policy or policies insuring such officers or 5274
employees against liability on account of damage or injury to 5275

persons or property arising from the performance of their 5276
official duties. 5277

(B) The board of township trustees may expend funds from 5278
the township general fund, or revenue derived from property 5279
taxes levied for parks and recreational purposes, for the public 5280
purpose of presenting community events that are open to the 5281
public at such parks, playgrounds, playfields, gymnasiums, 5282
public baths, swimming pools, or indoor recreation centers. 5283

(C) The board of county commissioners may adopt rules for 5284
the preservation of good order within parks, playfields, and 5285
reservations of land under its jurisdiction and on adjacent 5286
highways, rivers, riverbanks, and lakes, and the preservation of 5287
property and natural life therein. Such rules shall be published 5288
in a newspaper of general circulation within the county once a 5289
week for two consecutive weeks, or as provided in section 7.16 5290
of the Revised Code, before taking effect. In counties in which 5291
no newspaper is generally circulated, notice shall be 5292
accomplished by posting copies in not less than five of the most 5293
public places in the district, as determined by the board of 5294
county commissioners, for a period of not less than fifteen days 5295
before the rules take effect. The rules shall be enforced by a 5296
"law enforcement officer" as defined in section 2901.01 of the 5297
Revised Code. No person shall violate a rule adopted under this 5298
division. Whoever violates a rule adopted under this division 5299
shall be fined not more than one hundred dollars. If the 5300
offender has previously been convicted of a violation of the 5301
rule, the offender shall be fined not more than five hundred 5302
dollars. All fines collected for any violation of any rule 5303
adopted under this division shall be paid into the general fund 5304
of the county treasury. 5305

(D) (1) Except as provided in division (D) (2) of this 5306
section, the controlling authority of each sports and recreation 5307
location shall do all of the following: 5308

(a) Require the placement of an automated external 5309
defibrillator in each sports and recreation location, under the 5310
authority's control, at any time that the location is hosting an 5311
organized youth sport activity; 5312

(b) Require that a sufficient number of the staff persons 5313
of each sports and recreation location successfully complete an 5314
appropriate training course in the use of an automated external 5315
defibrillator as described in section 3701.85 of the Revised 5316
Code; 5317

(c) Adopt an emergency action plan for the use of 5318
automated external defibrillators and may use the model plan 5319
developed by the department of health under section 3701.851 of 5320
the Revised Code. 5321

(2) Division (D) (1) of this section does not apply to a 5322
~~township or village~~ if the population of the ~~township or village~~ 5323
is less than five thousand, and does not apply to a township if 5324
the population of the unincorporated area of the township is 5325
less than five thousand. 5326

(E) As used in this section: 5327

(1) "Automated external defibrillator" has the same 5328
meaning as in section 2305.235 of the Revised Code. 5329

(2) "Sports and recreation location" means indoor 5330
recreation centers and facilities, gymnasiums, swimming pools, 5331
and playing fields that are designated, operated, and maintained 5332
for those uses as authorized by sections 755.12 to 755.18 of the 5333
Revised Code. 5334

Sec. 971.12. (A) If either owner fails to build or 5335
maintain in good repair the portion of a partition fence 5336
assigned to the owner under section 971.09 of the Revised Code, 5337
the board of township trustees, upon the application of the 5338
aggrieved owner, shall award the contract to the lowest 5339
responsible bidder agreeing to furnish the labor and material, 5340
and build or maintain the fence according to the specifications 5341
proposed by the board, after advertising for bids once a week 5342
for two consecutive weeks in using at least one of the following 5343
methods: 5344

(1) In the print or digital edition of a newspaper of 5345
general circulation in the county in which the township is 5346
situated; 5347

(2) On the official public notice web site established 5348
under section 125.182 of the Revised Code; 5349

(3) On the web site and social media account of the 5350
township. 5351

(B) The board may also cause notice to be inserted in 5352
trade papers or other publications designated by it or to be 5353
distributed by electronic means, ~~including posting the notice on~~ 5354
~~the board's internet web site. If the board posts the notice on~~ 5355
~~its web site, it may eliminate the second notice otherwise~~ 5356
~~required to be published in a newspaper of general circulation~~ 5357
~~in the county, provided that the first notice published in such~~ 5358
~~newspaper meets all of the following requirements:~~ 5359

~~(1) It is published at least two weeks before the opening~~ 5360
~~of bids.~~ 5361

~~(2) It includes a statement that the notice is posted on~~ 5362
~~the board's internet web site.~~ 5363

~~(3) It includes the internet address of the board's internet web site.~~ 5364
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~~(4) It includes instructions describing how the notice may be accessed on the board's internet web site.~~ 5366
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~~(B)~~ (C) If no bids are received from responsible bidders as provided in this section, the trustees shall procure labor and materials at prevailing rates and cause the fence to be constructed or maintained. 5368
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~~(C)~~ (D) No person shall obstruct or interfere with anyone lawfully engaged in construction or maintenance of a partition fence or in the performance of any other act described in this section. 5372
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Sec. 971.99. (A) Except as otherwise provided in division (B), (C), or (D) of this section, whoever violates division (B) of section 971.08 or division ~~(C)~~ (D) of section 971.12 of the Revised Code is guilty of a misdemeanor of the third degree. 5376
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(B) Whoever violates division (B) of section 971.08 or division ~~(C)~~ (D) of section 971.12 of the Revised Code is guilty of a misdemeanor of the second degree if, in committing the offense, the violator made a threat of physical harm to the person that was building or maintaining a partition fence. 5380
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(C) Whoever violates division (B) of section 971.08 or division ~~(C)~~ (D) of section 971.12 of the Revised Code is guilty of a misdemeanor of the first degree if, in committing the offense, the violator caused physical harm to the person that was building or maintaining a partition fence. 5385
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(D) Whoever violates division (B) of section 971.08 or division ~~(C)~~ (D) of section 971.12 of the Revised Code is guilty of a felony of the fifth degree if, in committing the offense, 5390
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the violator caused serious physical harm or death to the person 5393
that was building or maintaining a partition fence. 5394

(E) Prosecution for a violation of division (B) of section 5395
971.08 or division ~~(C)~~ (D) of section 971.12 of the Revised Code 5396
does not preclude prosecution for a violation of any other 5397
section of the Revised Code. One or more acts, a series of acts, 5398
or a course of behavior that can be prosecuted under this 5399
section or any other section of the Revised Code may be 5400
prosecuted under this section, the other section, or both 5401
sections. 5402

Sec. 3781.34. (A) There is hereby created the underground 5403
technical committee. 5404

(B) The committee shall consist of four members from the 5405
stakeholder group of the commercial excavator industry, in 5406
accordance with division (C) of this section, and one member 5407
from each of the following stakeholder groups: 5408

(1) The natural gas transmission pipeline industry, 5409
appointed by the president of the senate; 5410

(2) The natural gas distribution industry, appointed by 5411
the speaker of the house of representatives; 5412

(3) Electric utilities, appointed by the governor; 5413

(4) Electric cooperatives, appointed by the speaker of the 5414
house of representatives; 5415

(5) A statewide organization representing independent oil 5416
and gas producers, appointed by the president of the senate; 5417

(6) The telephone industry, appointed by the governor; 5418

(7) Cable service providers, appointed by the president of 5419

the senate;	5420
(8) Locators of underground utility facilities, appointed by the speaker of the house of representatives;	5421 5422
(9) Municipal corporations, appointed by the governor;	5423
(10) The department of transportation, appointed by the governor;	5424 5425
(11) The general public, appointed by the governor;	5426
(12) The hazardous liquids pipeline industry, appointed by the governor;	5427 5428
(13) Designers, developers, or surveyors, appointed by the governor;	5429 5430
<u>(14) OHIO811, as a nonvoting advisory member with duties described by section 3781.361 of the Revised Code, appointed by the governor.</u>	5431 5432 5433
(C) The president of the senate, the speaker of the house of representatives, the minority leader of the senate, and the minority leader of the house of representatives shall each appoint one of the members from the stakeholder group of the commercial excavator industry.	5434 5435 5436 5437 5438
(D) <u>(D) (1) The terms of office for members initially appointed, except for the member appointed under division (B) (14) of this section, shall be staggered at two, three, and four years and determined by lot, except that the stakeholder group of the commercial excavator industry shall have only one member with an initial two-year term. The term of office for each member subsequently appointed shall be four years.</u>	5439 5440 5441 5442 5443 5444 5445
<u>(2) The term of office for the member appointed under</u>	5446

division (B) (14) of this section shall be four years. 5447

(E) Each member may be reappointed for an unlimited number 5448
of times. 5449

(F) If a vacancy occurs during a member's term of office, 5450
a new member shall be appointed in the same manner as the 5451
original appointment. 5452

Sec. 3781.36. (A) The underground technical committee 5453
shall do the following: 5454

(1) Coordinate with the public utilities commission in 5455
carrying out its duties under Chapter 4913. of the Revised Code; 5456

(2) Provide subject matter expertise when requested during 5457
inquiries conducted under section 4913.09 of the Revised Code; 5458

(3) Review reports in accordance with section 4913.15 of 5459
the Revised Code; 5460

(4) Make recommendations under sections 4913.15 and 5461
4913.16 of the Revised Code; 5462

(5) Perform any additional duties as may be required under 5463
this chapter. 5464

(B) The committee shall meet as necessary to carry out its 5465
duties and meet the time-period requirements of division (B) of 5466
section 4913.15 of the Revised Code, but not less than once 5467
every three months. A majority of committee members described in 5468
divisions (B) (1) to (13) of section 3781.34 of the Revised Code 5469
constitutes a quorum. 5470

Sec. 3781.361. (A) The OHIO811 nonvoting advisory member 5471
appointed to the underground technical committee under division 5472
(B) (14) of section 3781.34 of the Revised Code shall do the 5473

<u>following:</u>	5474
<u>(1) Provide support to the committee during discussions</u>	5475
<u>regarding the enforcement provisions of the Ohio underground</u>	5476
<u>protection service law;</u>	5477
<u>(2) Provide subject matter expertise and education</u>	5478
<u>regarding the "Contact 811 Before You Dig" process and</u>	5479
<u>stakeholder responsibilities to it during any inquiries</u>	5480
<u>conducted under section 4913.09 of the Revised Code;</u>	5481
<u>(3) Provide additional research, data, and industry</u>	5482
<u>information when requested by the underground technical</u>	5483
<u>committee.</u>	5484
<u>(B) The nonvoting advisory member shall not vote on any</u>	5485
<u>underground technical committee action under Chapter 4913. of</u>	5486
<u>the Revised Code.</u>	5487
<u>(C) The nonvoting advisory member shall not be included as</u>	5488
<u>a member of the underground technical committee for purposes of</u>	5489
<u>calculating the number of votes necessary to take committee</u>	5490
<u>action under Chapter 4913. of the Revised Code.</u>	5491
Sec. 4112.01. (A) As used in this chapter:	5492
(1) "Person" includes one or more individuals,	5493
partnerships, associations, organizations, corporations, legal	5494
representatives, trustees, trustees in bankruptcy, receivers,	5495
and other organized groups of persons. "Person" also includes,	5496
but is not limited to, any owner, lessor, assignor, builder,	5497
manager, broker, salesperson, appraiser, agent, employee,	5498
lending institution, and the state and all political	5499
subdivisions, authorities, agencies, boards, and commissions of	5500
the state.	5501

(2) "Employer" means the state, any political subdivision 5502
of the state, or a person employing four or more persons within 5503
the state, and any agent of the state, political subdivision, or 5504
person. 5505

(3) "Employee" means an individual employed by any 5506
employer but does not include any individual employed in the 5507
domestic service of any person. 5508

(4) "Labor organization" includes any organization that 5509
exists, in whole or in part, for the purpose of collective 5510
bargaining or of dealing with employers concerning grievances, 5511
terms or conditions of employment, or other mutual aid or 5512
protection in relation to employment. 5513

(5) "Employment agency" includes any person regularly 5514
undertaking, with or without compensation, to procure 5515
opportunities to work or to procure, recruit, refer, or place 5516
employees. 5517

(6) "Commission" means the Ohio civil rights commission 5518
created by section 4112.03 of the Revised Code. 5519

(7) "Discriminate" includes segregate or separate. 5520

(8) "Unlawful discriminatory practice" means any act 5521
prohibited by section 4112.02, 4112.021, or 4112.022 of the 5522
Revised Code. 5523

(9) "Place of public accommodation" means any inn, 5524
restaurant, eating house, barbershop, public conveyance by air, 5525
land, or water, theater, store, other place for the sale of 5526
merchandise, or any other place of public accommodation or 5527
amusement of which the accommodations, advantages, facilities, 5528
or privileges are available to the public. 5529

(10) "Housing accommodations" includes any building or structure, or portion of a building or structure, that is used or occupied or is intended, arranged, or designed to be used or occupied as the home residence, dwelling, dwelling unit, or sleeping place of one or more individuals, groups, or families whether or not living independently of each other; and any vacant land offered for sale or lease. "Housing accommodations" also includes any housing accommodations held or offered for sale or rent by a real estate broker, salesperson, or agent, by any other person pursuant to authorization of the owner, by the owner, or by the owner's legal representative.

(11) "Restrictive covenant" means any specification limiting the transfer, rental, lease, or other use of any housing accommodations because of race, color, religion, sex, military status, familial status, national origin, disability, or ancestry, or any limitation based upon affiliation with or approval by any person, directly or indirectly, employing race, color, religion, sex, military status, familial status, national origin, disability, or ancestry as a condition of affiliation or approval.

(12) "Burial lot" means any lot for the burial of deceased persons within any public burial ground or cemetery, including, but not limited to, cemeteries owned and operated by municipal corporations, townships, or companies or associations incorporated for cemetery purposes.

(13) "Disability" means a physical or mental impairment that substantially limits one or more major life activities, including the functions of caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working; a record of a physical or mental

impairment; or being regarded as having a physical or mental 5560
impairment. 5561

(14) Except as otherwise provided in section 4112.021 of 5562
the Revised Code, "age" means an individual aged forty years or 5563
older. 5564

(15) "Familial status" means either of the following: 5565

(a) One or more individuals who are under eighteen years 5566
of age and who are domiciled with a parent or guardian having 5567
legal custody of the individual or domiciled, with the written 5568
permission of the parent or guardian having legal custody, with 5569
a designee of the parent or guardian; 5570

(b) Any person who is pregnant or in the process of 5571
securing legal custody of any individual who is under eighteen 5572
years of age. 5573

(16) (a) Except as provided in division (A) (16) (b) of this 5574
section, "physical or mental impairment" includes any of the 5575
following: 5576

(i) Any physiological disorder or condition, cosmetic 5577
disfigurement, or anatomical loss affecting one or more of the 5578
following body systems: neurological; musculoskeletal; special 5579
sense organs; respiratory, including speech organs; 5580
cardiovascular; reproductive; digestive; genito-urinary; hemic 5581
and lymphatic; skin; and endocrine; 5582

(ii) Any mental or psychological disorder, including, but 5583
not limited to, intellectual disability, organic brain syndrome, 5584
emotional or mental illness, and specific learning disabilities; 5585

(iii) Diseases and conditions, including, but not limited 5586
to, orthopedic, visual, speech, and hearing impairments, 5587

cerebral palsy, autism, epilepsy, muscular dystrophy, multiple 5588
sclerosis, cancer, heart disease, diabetes, human 5589
immunodeficiency virus infection, intellectual disability, 5590
emotional illness, drug addiction, and alcoholism. 5591

(b) "Physical or mental impairment" does not include any 5592
of the following: 5593

(i) Homosexuality and bisexuality; 5594

(ii) Transvestism, transsexualism, pedophilia, 5595
exhibitionism, voyeurism, gender identity disorders not 5596
resulting from physical impairments, or other sexual behavior 5597
disorders; 5598

(iii) Compulsive gambling, kleptomania, or pyromania; 5599

(iv) Psychoactive substance use disorders resulting from 5600
the current illegal use of a controlled substance or the current 5601
use of alcoholic beverages. 5602

(17) "Dwelling unit" means a single unit of residence for 5603
a family of one or more persons. 5604

(18) "Common use areas" means rooms, spaces, or elements 5605
inside or outside a building that are made available for the use 5606
of residents of the building or their guests, and includes, but 5607
is not limited to, hallways, lounges, lobbies, laundry rooms, 5608
refuse rooms, mail rooms, recreational areas, and passageways 5609
among and between buildings. 5610

(19) "Public use areas" means interior or exterior rooms 5611
or spaces of a privately or publicly owned building that are 5612
made available to the general public. 5613

(20) "Controlled substance" has the same meaning as in 5614
section 3719.01 of the Revised Code. 5615

(21) "Disabled tenant" means a tenant or prospective tenant who is a person with a disability. 5616
5617

(22) "Military status" means a person's status in "service in the uniformed services" as defined in section 5923.05 of the Revised Code. 5618
5619
5620

(23) "Aggrieved person" includes both of the following: 5621

(a) Any person who claims to have been injured by any unlawful discriminatory practice described in division (H) of section 4112.02 of the Revised Code; 5622
5623
5624

(b) Any person who believes that the person will be injured by any unlawful discriminatory practice described in division (H) of section 4112.02 of the Revised Code that is about to occur. 5625
5626
5627
5628

(24) "Unlawful discriminatory practice relating to employment" means both of the following: 5629
5630

(a) An unlawful discriminatory practice that is prohibited by division (A), (B), (C), (D), (E), or (F) of section 4112.02 of the Revised Code; 5631
5632
5633

(b) An unlawful discriminatory practice that is prohibited by division (I) or (J) of section 4112.02 of the Revised Code that is related to employment. 5634
5635
5636

(25) "Notice of right to sue" means a notice sent by the commission to a person who files a charge under section 4112.051 of the Revised Code that states that the person who filed the charge may bring a civil action related to the charge pursuant to section 4112.052 or 4112.14 of the Revised Code, in accordance with section 4112.052 of the Revised Code. 5637
5638
5639
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5641
5642

(26) "Antisemitism" means the working definition of 5643

antisemitism adopted by the international holocaust remembrance 5644
alliance on May 26, 2016, and includes the contemporary examples 5645
of antisemitism identified therein. 5646

(B) For the purposes of divisions (A) to (F) of section 5647
4112.02 of the Revised Code, the terms "because of sex" and "on 5648
the basis of sex" include, but are not limited to, because of or 5649
on the basis of pregnancy, any illness arising out of and 5650
occurring during the course of a pregnancy, childbirth, or 5651
related medical conditions. Women affected by pregnancy, 5652
childbirth, or related medical conditions shall be treated the 5653
same for all employment-related purposes, including receipt of 5654
benefits under fringe benefit programs, as other persons not so 5655
affected but similar in their ability or inability to work, and 5656
nothing in division (B) of section 4111.17 of the Revised Code 5657
shall be interpreted to permit otherwise. This division shall 5658
not be construed to require an employer to pay for health 5659
insurance benefits for abortion, except where the life of the 5660
mother would be endangered if the fetus were carried to term or 5661
except where medical complications have arisen from the 5662
abortion, provided that nothing in this division precludes an 5663
employer from providing abortion benefits or otherwise affects 5664
bargaining agreements in regard to abortion. 5665

(C) The definition of "antisemitism" in this section shall 5666
not be construed to diminish or infringe on any right protected 5667
by the first amendment to the United States Constitution or the 5668
Ohio Constitution. This division shall not be construed to 5669
conflict with this chapter or any other federal, state, or local 5670
antidiscrimination law. 5671

Sec. 4112.20. (A) As used in this section, "state agency" 5672
means every organized body, office, board, authority, 5673

commission, or agency established by the constitution or laws of 5674
the state for the exercise of any governmental or quasi- 5675
governmental function, regardless of the funding source for that 5676
entity. "State agency" includes all of the following: 5677

(1) A state institution of higher education as defined in 5678
section 3345.011 of the Revised Code; 5679

(2) The nonprofit corporation formed under section 187.01 5680
of the Revised Code and any subsidiary of that corporation; 5681

(3) Any state retirement system or retirement program 5682
established by the Revised Code. 5683

(B) In reviewing, investigating, or deciding whether there 5684
has been a violation of any relevant policy, law, or regulation, 5685
a state agency shall take into consideration the definition of 5686
antisemitism for purposes of determining whether an alleged act 5687
was motivated by discriminatory antisemitic intent. 5688

Sec. 4503.16. As used in this section, "original owner" 5689
includes, with respect to any motor vehicle owned by the federal 5690
government and loaned to the state or any of its political 5691
subdivisions for use in a federal program, the state or the 5692
political subdivision to which the motor vehicle has been loaned 5693
and in the name of which the vehicle is registered. 5694

Title to motor vehicles acquired by the state or any of 5695
its political subdivisions, whether used for either governmental 5696
or proprietary functions, shall be registered. Motor vehicles 5697
owned by the federal government and loaned to the state or any 5698
of its political subdivisions for use in a federal program shall 5699
be registered in the name of the state or political subdivision 5700
without the presentation of a certificate of title or other 5701
evidence of ownership as required by section 4503.10 of the 5702

Revised Code, when the registrar is satisfied that the motor 5703
vehicles are on loan from the federal government and are being 5704
used exclusively in a federal program. Such vehicles that have 5705
been registered and that are used exclusively in the performance 5706
of the governmental or proprietary functions of the state or any 5707
political subdivision thereof shall not be subject to charge of 5708
any kind; but this provision does not exempt the operation of 5709
such vehicles from any other provision of Chapters 4501., 4503, 5710
4505., 4507., 4509., 4511., 4515., and 4517. of the Revised 5711
Code, and the penal laws relating to them. 5712

The registrar of motor vehicles shall accept any 5713
application to register a motor vehicle owned by the federal 5714
government that may be made by any officer, department, or agent 5715
of such government. 5716

The registrar shall issue permanent license plates for 5717
motor vehicles acquired by the state or any of its political 5718
subdivisions, or loaned to the state or any of its political 5719
subdivisions by the federal government for use in a federal 5720
program, which have been registered and that are used 5721
exclusively in the performance of the governmental or 5722
proprietary functions of the state or any political subdivision 5723
thereof, or are used exclusively in a federal program. With 5724
respect to permanent license plates issued for motor vehicles 5725
owned and used by a township for governmental or proprietary 5726
functions, such license plates shall display upon them the term 5727
"township" in bold letters. 5728

The registrar shall also issue permanent license plates 5729
for all motor vehicles owned and registered by the federal 5730
government. Such permanent license plates if lost, stolen, or 5731
destroyed, shall be replaced gratis with another permanent 5732

number. 5733

Upon the transfer of ownership of a motor vehicle or 5734
termination by the federal government of any loan of a motor 5735
vehicle for which permanent license plates are issued, the 5736
registration of such motor vehicle shall expire and the original 5737
owner shall immediately remove such license plates from such 5738
motor vehicle. Should the original owner at any time make 5739
application for the registration of another motor vehicle, ~~he~~ 5740
the original owner may file an application for transfer of 5741
registration accompanied by the original certificate of 5742
registration, for which there shall be no transfer fee. 5743

Sec. 4504.18. For the purpose of paying the costs and 5744
expenses of enforcing and administering the tax provided for in 5745
this section; for the construction, reconstruction, improvement, 5746
maintenance, and repair of township roads, bridges, and 5747
culverts; for purchasing, erecting, and maintaining traffic 5748
signs, markers, lights, and signals; for purchasing road 5749
machinery and equipment, and planning, constructing, and 5750
maintaining suitable buildings to house such equipment; for 5751
paying any costs apportioned to the township under section 5752
4907.47 of the Revised Code; and to supplement revenue already 5753
available for such purposes, the board of township trustees may 5754
levy an annual license tax, in addition to the tax levied by 5755
sections 4503.02, 4503.07, and 4503.18 of the Revised Code, upon 5756
the operation of motor vehicles on the public roads and highways 5757
in the unincorporated territory of the township. The tax shall 5758
be at the rate of five dollars per motor vehicle on all motor 5759
vehicles the owners of which reside in the unincorporated area 5760
of the township and shall be in addition to the taxes at the 5761
rates specified in sections 4503.04 and 4503.16 of the Revised 5762
Code, subject to reductions in the manner provided in section 5763

4503.11 of the Revised Code and the exemptions provided in 5764
sections 4503.16, 4503.17, 4503.171, 4503.41, and 4503.43 of the 5765
Revised Code. 5766

Prior to the adoption of any resolution under this 5767
section, the board of township trustees shall conduct two public 5768
hearings thereon, the second hearing to be not less than three 5769
nor more than ten days after the first. Notice of the date, 5770
time, and place of such hearings shall be given by publication 5771
~~in a newspaper of general circulation in the township or as~~ 5772
~~provided in section 7.16 of the Revised Code,~~ once a week on the 5773
same day of the week for two consecutive weeks, the second 5774
publication being not less than ten nor more than thirty days 5775
prior to the first hearing, using at least one of the following 5776
methods: 5777

(A) In the print or digital edition of a newspaper of 5778
general circulation in the township; 5779

(B) On the official public notice web site established 5780
under section 125.182 of the Revised Code; 5781

(C) On the web site and social media account of the 5782
township. 5783

No resolution under this section shall become effective 5784
sooner than thirty days following its adoption, and such 5785
resolution is subject to a referendum in the same manner, except 5786
as to the form of the petition, as provided in division (H) of 5787
section 519.12 of the Revised Code for a proposed amendment to a 5788
township zoning resolution. In addition, a petition under this 5789
section shall be governed by the rules specified in section 5790
3501.38 of the Revised Code. No resolution levying a tax under 5791
this section for which a referendum vote has been requested 5792

shall go into effect unless approved by a majority of those 5793
voting upon it. 5794

A township license tax levied under this section shall 5795
continue in effect until repealed. 5796

Sec. 4504.181. (A) (1) The board of township trustees of a 5797
township may, by resolution, levy an annual license tax upon the 5798
operation of motor vehicles on the public roads and highways in 5799
the unincorporated territory of the township for any authorized 5800
purpose. A tax levied under this section is in addition to the 5801
tax levied by sections 4503.02 and 4503.07 of the Revised Code 5802
and any other tax levied under this chapter. The tax shall be at 5803
the rate of five dollars per motor vehicle on all motor vehicles 5804
the district of registration of which is located in the 5805
unincorporated area of the township levying the tax, as defined 5806
in section 4503.10 of the Revised Code. The rate of the tax is 5807
in addition to the tax rates prescribed in sections 4503.04 and 5808
4503.042 of the Revised Code and is subject to both of the 5809
following: 5810

(a) The reductions in the manner provided in section 5811
4503.11 of the Revised Code; 5812

(b) The exemptions provided in sections 4503.16, 4503.17, 5813
4503.172, 4503.173, 4503.18, 4503.41, 4503.43, 4503.46, and 5814
4503.571 of the Revised Code. 5815

(2) As used in division (A) (1) of this section, 5816
"authorized purpose" means any of the following: 5817

(a) Paying the costs and expenses of enforcing and 5818
administering the tax provided for in this section; 5819

(b) Paying for construction, reconstruction, improvement, 5820
maintenance, and repair of township roads, bridges, and 5821

culverts;	5822
(c) Purchasing, erecting, and maintaining traffic signs, markers, lights, and signals;	5823 5824
(d) Purchasing road machinery and equipment, and planning, constructing, and maintaining suitable buildings to house such equipment;	5825 5826 5827
(e) Paying any costs apportioned to the township under section 4907.47 of the Revised Code;	5828 5829
(f) Supplementing revenue already available for the aforementioned purposes.	5830 5831
(B) Prior to the adoption of any resolution under this section, the board of township trustees shall conduct two public hearings on the resolution, the second hearing to be not less than three but not more than ten days after the first hearing. The board shall provide notice of the date, time, and place of both hearings by publication in a newspaper of general circulation in the township, or as provided in section 7.16 of the Revised Code, once a week on the same day of the week for two consecutive weeks <u>using at least one of the following publications:</u>	5832 5833 5834 5835 5836 5837 5838 5839 5840 5841
<u>(1) In the print or digital edition of a newspaper of general circulation in the township;</u>	5842 5843
<u>(2) On the official public notice web site established under section 125.182 of the Revised Code;</u>	5844 5845
<u>(3) On the web site and social media account of the township. The</u>	5846 5847
<u>The</u> second publication shall be not less than ten but not more than thirty days prior to the first hearing.	5848 5849

(C) No resolution adopted under this section shall become 5850
effective sooner than thirty days following its adoption. A 5851
resolution under this section is subject to a referendum in the 5852
same manner, except as to the form of the petition, as provided 5853
in division (H) of section 519.12 of the Revised Code for a 5854
proposed amendment to a township zoning resolution. In addition, 5855
a petition under this section shall be governed by the rules 5856
specified in section 3501.38 of the Revised Code. 5857

No resolution levying a tax under this section for which a 5858
referendum vote has been requested shall go into effect unless 5859
approved by a majority of those voting upon it. 5860

(D) A township license tax levied under this section 5861
continues in effect until repealed. 5862

Sec. 4913.15. (A) The underground technical committee 5863
shall review every report of the staff of the public utilities 5864
commission made available under section 4913.13 of the Revised 5865
Code or submitted under section 4913.16 of the Revised Code. 5866

(B) Not later than ninety days after the committee obtains 5867
the staff's report under section 4913.13 of the Revised Code, 5868
the committee shall do any of the following: 5869

(1) Make a written recommendation to the commission as to 5870
the imposition of a fine, a penalty, or a combination of fines 5871
and penalties, in accordance with section 4913.151 of the 5872
Revised Code; 5873

(2) Determine that no enforcement action should be taken 5874
and notify the commission in writing of the determination; 5875

(3) Request a hearing under section 4913.19 of the Revised 5876
Code. 5877

(C) There shall be a majority vote of the full committee, 5878
except as provided by section 3781.361 of the Revised Code, with 5879
at least one of the commercial-excavator stakeholders voting 5880
with the majority, for the committee to do any of the following: 5881

(1) Recommend a fine, penalty, or a combination of fines 5882
and penalties under this section or section 4913.16 of the 5883
Revised Code; 5884

(2) Determine, under this section or section 4913.16 of 5885
the Revised Code, that no enforcement action should be taken; 5886

(3) Request a hearing under section 4913.19 of the Revised 5887
Code. 5888

If the committee fails to achieve the required majority 5889
for any action described in division (C) of this section, it 5890
shall notify the commission. 5891

Sec. 4913.17. (A) Based upon the number and type of 5892
compliance failures committed by a person, the underground 5893
technical committee may find, as part of the committee's review 5894
under section 4913.15 of the Revised Code, that the person is a 5895
persistent noncomplier. 5896

(B) The committee shall report a finding made under 5897
division (A) of this section to the staff of the public 5898
utilities commission. 5899

(C) There shall be a majority vote of the full committee, 5900
except as provided by section 3781.361 of the Revised Code, with 5901
at least one of the commercial-excavator stakeholders voting 5902
with the majority, for the committee to make a finding under 5903
division (A) of this section. 5904

Sec. 5549.21. The board of township trustees may purchase 5905

or lease such machinery and tools as are necessary for use in 5906
constructing, reconstructing, maintaining, and repairing roads 5907
and culverts within the township, and shall provide suitable 5908
places for housing and storing machinery and tools owned by the 5909
township. It may purchase such material and employ such labor as 5910
is necessary for carrying into effect this section, or it may 5911
authorize the purchase or employment of such material and labor 5912
by one of its number, or by the township highway superintendent, 5913
at a price to be fixed by the board. All payments on account of 5914
machinery, tools, material, and labor shall be made from the 5915
township road fund or the township's general fund. Except as 5916
otherwise provided in sections 505.08, 505.101, and 5513.01 of 5917
the Revised Code, all purchases of materials, machinery, and 5918
tools shall, if the amount involved exceeds the amount specified 5919
in section 9.17 of the Revised Code, be made from the lowest 5920
responsible bidder after advertisement, as provided in section 5921
5575.01 of the Revised Code. 5922

If, in compliance with section 505.10 of the Revised Code, 5923
the board wishes to sell machinery, equipment, or tools owned by 5924
the township to the person from whom it is to purchase other 5925
machinery, equipment, or tools, the board may offer, if the 5926
amount of the purchase alone involved does not exceed the amount 5927
specified in section 9.17 of the Revised Code, to sell such 5928
machinery, equipment, or tools and have the amount credited by 5929
the vendor against the purchase of the other machinery, 5930
equipment, or tools. If the purchase price of the other 5931
machinery, equipment, or tools alone exceeds the amount 5932
specified in section 9.17 of the Revised Code, the board may 5933
give notice to the competitive bidders of its willingness to 5934
accept offers for the purchase of the old machinery, equipment, 5935
or tools, and those offers shall be subtracted from the selling 5936

price of the other machinery, equipment, or tools as bid, in 5937
determining the lowest responsible bidder. Notice of the 5938
willingness of the board to accept offers for the purchase of 5939
the old machinery, equipment, or tools shall be made as a part 5940
of the advertisement for bids. 5941

Sec. 5571.011. If a person through whose land a public 5942
road has been established which is under the jurisdiction of a 5943
board of township trustees, desires to turn or change or 5944
relocate such road or any part thereof through any part of the 5945
person's land, the person may file a petition with such board of 5946
township trustees setting forth briefly the particular change 5947
desired. Upon receipt of such petition, the board of township 5948
trustees shall give notice by publication once, not later than 5949
two weeks ~~prior to~~ before the date which such board shall fix 5950
for a hearing on such petition, ~~in using at least one of the~~ 5951
following methods: 5952

(A) In the print or digital edition of a newspaper of 5953
general circulation in said township, ~~stating;~~ 5954

(B) On the official public notice web site established 5955
under section 125.182 of the Revised Code; 5956

(C) On the web site and social media account of the 5957
township. 5958

The notice shall state that such petition has been filed 5959
and setting forth the change desired in such road and the date 5960
and place of such hearing. 5961

Upon receipt of such a petition the board of township 5962
trustees shall cause a competent engineer to make a survey of 5963
the ground over which the road is proposed to be changed, and to 5964
make a report in writing, together with a plat and survey of the 5965

proposed change and the engineer's opinion as to its advantage 5966
or disadvantage. The report of such engineer shall be filed with 5967
the board prior to the hearing of such petition. 5968

At the hearing had on the petition the board of township 5969
trustees may hear evidence for or against changing the road, and 5970
if the board is satisfied that the proposed change will not 5971
cause serious injury or disadvantage to the public, it may make 5972
a finding of such fact in its journal and authorize the 5973
petitioner to change such road in conformity with the prayer of 5974
the petition. The board may grant the change as prayed for in 5975
the petition, or it may order such change of the route of such 5976
road as will, in its judgment, be for the best interest of the 5977
public. 5978

Upon receiving satisfactory evidence that the road has 5979
been changed as authorized by it, and opened to the legal width 5980
and improved as required by it, the board of township trustees 5981
shall declare such new road a public highway and cause a record 5982
thereof to be made and at the same time vacate so much of the 5983
old road as is rendered unnecessary by the new road. The person 5984
petitioning for such change shall in all cases pay all costs and 5985
expenses in connection with the proceeding, as found and 5986
determined by the board, and the expense of making such change, 5987
including the cost of relocation of any conduits, cables, wires, 5988
towers, poles or other equipment or appliances of any public 5989
utility, located on, over or under such road. The petitioner 5990
shall, on the filing of the petition for such change, give bond 5991
to the satisfaction of the board in such amount as it determines 5992
to secure payment of the costs of the proceeding and to cover 5993
the expense of making the change asked for by the petition. 5994

Sec. 5571.20. (A) Except as otherwise provided in division 5995

(D) of this section, a board of township trustees by resolution 5996
may place a graveled or unimproved township road under its 5997
jurisdiction that is not passable year-round or any portion of 5998
such a road on nonmaintained status. Prior to adopting a 5999
resolution that places a road on nonmaintained status, the board 6000
shall hold at least two public hearings to allow for public 6001
comment on the proposed resolution. The board, at special or 6002
regular meetings, shall publicize the times and places of the 6003
hearings by causing a notice to be published ~~in a newspaper of~~ 6004
~~general circulation in the county in which the road is located~~ 6005
at least ten days prior to the date of the first meeting using 6006
at least one of the following methods: 6007

(1) In the print or digital edition of a newspaper of 6008
general circulation in the county in which the road is located; 6009

(2) On the official public notice web site established 6010
under section 125.182 of the Revised Code; 6011

(3) On the web site and social media account of the 6012
township. If- 6013

If the township maintains a web site on the internet, the 6014
same notice also shall be posted on the web site at least ten 6015
days prior to the date of the first meeting. Upon adoption of 6016
such a resolution, the board is not required to cause the road 6017
to be dragged at any time, or to cut, destroy, or remove any 6018
brush, weeds, briars, bushes, or thistles upon or along the 6019
road, or to remove snow from the road, or to maintain or repair 6020
the road in any manner. The board, in its discretion, may cause 6021
any of these actions to be performed on or to a road that it has 6022
placed on nonmaintained status. 6023

(B) Prior to adopting a resolution under division (A) of 6024

this section, the board shall request the county engineer to 6025
issue an advisory opinion regarding the consequences of placing 6026
the road on nonmaintained status, including any impact such 6027
action would have on adjoining property owners. A board may 6028
adopt a resolution under division (A) of this section only after 6029
the county engineer issues the advisory opinion and the county 6030
engineer, in the advisory opinion, finds that placing the road 6031
on nonmaintained status will not unduly adversely affect the 6032
flow of motor vehicle traffic on that road or on any adjacent 6033
road. 6034

(C) (1) A board may terminate the nonmaintained status of a 6035
township road by adopting a resolution to that effect. If the 6036
owner of land adjoining a road that has been placed on 6037
nonmaintained status requests the board to terminate the 6038
nonmaintained status of the road, the board, in its resolution 6039
that terminates that nonmaintained status, may require the owner 6040
to pay the costs of upgrading the road to locally adopted 6041
township standards. 6042

(2) If the owner of land adjoining a road that has been 6043
placed on nonmaintained status upgrades the road to the 6044
standards most recently certified by the county engineer for the 6045
road, the board shall terminate the nonmaintained status of the 6046
road and then shall maintain and repair the road according to 6047
such standards. However, division (C) (2) of this section does 6048
not apply to a road or portion of a road that, prior to being 6049
placed on nonmaintained status, was not certified by the board 6050
of township trustees to the director of transportation in 6051
accordance with division (E) of section 4501.04 of the Revised 6052
Code as mileage in the township used by and maintained for the 6053
public. 6054

(3) The owner of land adjoining a road that was placed on 6055
nonmaintained status prior to April 7, 2009, or land owner of 6056
land whose only access to such a road is by easement may 6057
petition the board for review of the nonmaintained status of the 6058
road if the road provides the exclusive means for obtaining 6059
access to the land. Upon receipt of a petition, the board shall 6060
review the status of the road and shall terminate the 6061
nonmaintained status if the board finds that the road provides 6062
such exclusive means for obtaining access to the land. After 6063
completing the review, the board shall adopt a resolution either 6064
retaining or terminating the nonmaintained status of the road. 6065
If the board terminates the nonmaintained status of a road under 6066
division (C) (3) of this section, the board shall not require the 6067
owner to pay the costs of upgrading, maintaining, or repairing 6068
the road. However, division (C) (3) of this section does not 6069
apply to a road or portion of a road that, prior to being placed 6070
on nonmaintained status, was not certified by the board of 6071
township trustees to the director in accordance with division 6072
(E) of section 4501.04 of the Revised Code as mileage in the 6073
township used by and maintained for the public. 6074

(D) A graveled or unimproved road may not be placed on 6075
nonmaintained status if the road is the exclusive means for 6076
obtaining access to land that adjoins that road and the road is 6077
passable year-round. 6078

(E) For purposes of this section, a road is passable year- 6079
round if a four-wheeled, two-wheel drive passenger motor vehicle 6080
can be driven on the road year-round, apart from seasonal 6081
conditions caused by weather-related events. 6082

Sec. 5573.02. Upon the completion of the surveys, plans, 6083
profiles, cross sections, estimates, and specifications for a 6084

road improvement by the county engineer, the engineer shall 6085
transmit to the board of township trustees copies of the same. 6086
Except in cases of reconstruction or repair of roads, where no 6087
land or property is taken, the board shall then ~~cause to be~~ 6088
~~published in a newspaper of general circulation within the~~ 6089
~~township~~publish, once a week for two consecutive weeks ~~or as~~ 6090
~~provided in section 7.16 of the Revised Code~~, a notice using at 6091
least one of the following methods: 6092

(A) In the print or digital edition of a newspaper of 6093
general circulation within the township; 6094

(B) On the official public notice web site established 6095
under section 125.182 of the Revised Code; 6096

(C) On the web site and social media account of the 6097
township. 6098

The notice shall state that such improvement is to be made 6099
and that copies of the surveys, plans, profiles, cross sections, 6100
estimates, and specifications for it are on file with the board 6101
for the inspection and examination of all persons interested. 6102

In the event that land or property is to be taken for such 6103
improvement, proceedings shall be had in accordance with 6104
sections 163.01 to 163.22 of the Revised Code. 6105

Sec. 5573.10. As soon as all questions of compensation and 6106
damages have been determined for any road improvement, the 6107
county engineer shall make, upon actual view, an estimated 6108
assessment, upon the real estate to be charged, of such part of 6109
the compensation, damages, and costs of such improvement as is 6110
to be specially assessed. Such assessment shall be according to 6111
the benefits which will result to the real estate. In making 6112
such assessment the engineer may take into consideration any 6113

previous special assessment made upon such real estate for road 6114
improvements. 6115

The schedule for such assessments shall be filed with the 6116
board of township trustees for the inspection of the persons 6117
interested. Before adopting the estimated assessment, the board 6118
shall publish a notice once each week for two consecutive weeks, 6119
~~in~~ using at least one of the following methods: 6120

(A) In the print or digital edition of a newspaper of 6121
general circulation within such township ~~or as provided in~~ 6122
~~section 7.16 of the Revised Code,~~; 6123

(B) On the official public notice web site established 6124
under section 125.182 of the Revised Code; 6125

(C) On the web site and social media account of the 6126
township. 6127

The notice shall state that such assessment has been made 6128
and is on file with the board, and the date when objections will 6129
be heard to such assessment. 6130

If any owner of property affected desires to make 6131
objections, the owner may file objections to such assessments, 6132
in writing, with the board, before the time of such hearing. If 6133
any objections are filed the board shall hear them and act as an 6134
equalizing board, and may change assessments if, in its opinion, 6135
any changes are necessary to make them just and equitable. The 6136
board shall approve and confirm assessments as reported by the 6137
engineer or modified by the board. Such assessments, when 6138
approved and confirmed, shall be a lien on the land chargeable 6139
therewith. 6140

Sec. 5575.01. (A) In the maintenance and repair of roads, 6141
the board of township trustees may proceed either by contract or 6142

force account, but, unless the exemption specified in division 6143
(C) of this section applies, if the board wishes to proceed by 6144
force account, it first shall cause the county engineer to 6145
complete the force account assessment form developed by the 6146
auditor of state under section 117.16 of the Revised Code. 6147
Except as otherwise provided in sections 505.08 and 505.101 of 6148
the Revised Code, when the board proceeds by contract, the 6149
contract shall, if the amount involved exceeds one hundred five 6150
thousand dollars, be let by the board to the lowest responsible 6151
bidder after advertisement for bids once, not later than two 6152
weeks, prior to the date fixed for the letting of the contract, 6153
~~in~~ using at least one of the following methods: 6154

(1) In the print or digital edition of a newspaper of 6155
general circulation within the township; 6156

(2) On the official public notice web site established 6157
under section 125.182 of the Revised Code; 6158

(3) On the web site and social media account of the 6159
township. ~~If~~ 6160

If the amount involved is one hundred five thousand 6161
dollars or less, a contract may be let without competitive 6162
bidding, or the work may be done by force account. Such a 6163
contract shall be performed under the supervision of a member of 6164
the board or the township road superintendent. 6165

(B) Before undertaking the construction or reconstruction 6166
of a township road, the board shall cause to be made by the 6167
county engineer an estimate of the cost of the work, which 6168
estimate shall include labor, material, freight, fuel, hauling, 6169
use of machinery and equipment, and all other items of cost. If 6170
the board finds it in the best interest of the public, it may, 6171

in lieu of constructing the road by contract, proceed to 6172
construct the road by force account. Except as otherwise 6173
provided under sections 505.08 and 505.101 of the Revised Code, 6174
where the total estimated cost of the work exceeds thirty-five 6175
thousand dollars per mile, the board shall invite and receive 6176
competitive bids for furnishing all the labor, materials, and 6177
equipment and doing the work, as provided in section 5575.02 of 6178
the Revised Code, and shall consider and reject them before 6179
ordering the work done by force account. When such bids are 6180
received, considered, and rejected, and the work is done by 6181
force account, the work shall be performed in compliance with 6182
the plans and specifications upon which the bids were based. 6183

(C) Force account assessment forms are not required under 6184
division (A) of this section for road maintenance or repair 6185
projects or under division (B) of this section for road 6186
construction or reconstruction projects of less than one-third 6187
of the applicable force account limit. 6188

(D) On the first day of July of every year beginning in 6189
2024, the threshold amounts established in divisions (A) and (B) 6190
of this section shall increase by an amount not to exceed the 6191
lesser of five per cent, or the percentage amount of any 6192
increase in the department of transportation's construction cost 6193
index as annualized and totaled for the prior calendar year. The 6194
director of transportation shall notify each appropriate county 6195
engineer of the increased amount. 6196

(E) All force account work under this section shall be 6197
done under the direction of a member of the board or the 6198
township road superintendent. 6199

Sec. 5575.02. After the board of township trustees has 6200
decided to proceed with a road improvement, it shall advertise 6201

for bids once, not later than two weeks prior to the date fixed 6202
for the letting of contracts, ~~in~~ using at least one of the 6203
following methods: 6204

(A) In the print or digital edition of a newspaper of 6205
general circulation within the township; 6206

(B) On the official public notice web site established 6207
under section 125.182 of the Revised Code; 6208

(C) On the web site and social media account of the 6209
township. Such 6210

Such notice shall state that copies of the surveys, plans, 6211
profiles, cross sections, and specifications for such 6212
improvement are on file with the board, and the time within 6213
which bids will be received. The board may let the work as a 6214
whole or in convenient sections, as it determines. The contract 6215
shall be awarded to the lowest and best bidder who meets the 6216
requirements of section 153.54 of the Revised Code, and shall be 6217
let upon the basis of lump sum bids, unless the board orders 6218
that it be let upon the basis of unit price bids, in which event 6219
it shall be let upon such basis. 6220

The board is not required to provide notice of the project 6221
cost estimate when advertising for bids under this section. 6222

Sec. 5579.05. (A) Upon receiving written information that 6223
noxious weeds, wild parsnip, wild carrot, oxeye daisy, wild 6224
mustard, or other harmful weeds are growing on land in a 6225
township, other than land owned or managed by the department of 6226
natural resources, or park land owned or managed by the state or 6227
a political subdivision, the board of township trustees shall 6228
notify the owner, lessee, agent, or tenant having charge of the 6229
land of the receipt of the information and of the obligations 6230

imposed by this section. Within five days after the notification 6231
is given, the person notified shall cut or destroy the weeds or 6232
show the board why there is no need for doing so. 6233

If the person in charge of the land is a resident of the 6234
township or a nonresident whose address is known, the notice 6235
shall be sent to ~~his~~ the resident's or nonresident's address by 6236
certified mail. If the person's address is unknown, it is 6237
sufficient to publish the notice once ~~in~~ using at least one of 6238
the following methods: 6239

(1) In the print or digital edition of a newspaper of 6240
general circulation in the county; 6241

(2) On the official public notice web site established 6242
under section 125.182 of the Revised Code; 6243

(3) On the web site and social media account of the 6244
township. 6245

(B) Upon receiving information that wild parsnip, wild 6246
carrot, oxeye daisy, wild mustard, or noxious weeds are growing 6247
in a township on land owned or managed by the department of 6248
natural resources, or on park land owned or managed by the state 6249
or a political subdivision, the board of township trustees shall 6250
notify the county extension agent for the county in which the 6251
township is located of the receipt of the information. Within 6252
five days after the notification is given, the extension agent 6253
shall meet in committee with a person designated for this 6254
purpose by the governing authority of the land and, if the land 6255
is within a soil and water conservation district, with a 6256
supervisor of the district designated by the district 6257
supervisors, to consider ways to deal with the problem, and 6258
shall, within such five days, report the committee's findings 6259

and recommendations to the board of township trustees. 6260

This section and sections 5579.06 and 5579.07 of the 6261
Revised Code do not apply to persons subject to section 4959.11 6262
of the Revised Code. 6263

Sec. 6101.16. When it is determined to let the work 6264
relating to the improvements for which a conservancy district 6265
was established by contract, contracts in ~~amounts to exceed~~ 6266
~~fifty thousand dollars~~ excess of the amount specified in section 6267
9.17 of the Revised Code shall be advertised after notice 6268
calling for bids has been published once a week for two 6269
consecutive weeks or as provided in section 7.16 of the Revised 6270
Code, with the last publication to occur at least eight days 6271
prior to the date on which bids will be accepted, in a newspaper 6272
of general circulation within the conservancy district where the 6273
work is to be done. If the bids are for a contract for the 6274
construction, demolition, alteration, repair, or reconstruction 6275
of an improvement, the board of directors of the conservancy 6276
district may let the contract to the lowest responsive and most 6277
responsible bidder who meets the requirements of section 153.54 6278
of the Revised Code. If the bids are for a contract for any 6279
other work relating to the improvements for which a conservancy 6280
district was established, the board of directors of the district 6281
may let the contract to the lowest responsive and most 6282
responsible bidder who gives a good and approved bond, with 6283
ample security, conditioned on the carrying out of the contract. 6284
The contract shall be in writing and shall be accompanied by or 6285
refer to plans and specifications for the work to be done 6286
prepared by the chief engineer. The plans and specifications 6287
shall at all times be made and considered a part of the 6288
contract. The contract shall be approved by the board and signed 6289
by the president of the board and by the contractor and shall be 6290

executed in duplicate. In case of sudden emergency when it is 6291
necessary in order to protect the district, the advertising of 6292
contracts may be waived upon the consent of the board, with the 6293
approval of the court or a judge of the court of common pleas of 6294
the county in which the office of the district is located. 6295

No project subject to this section shall be divided into 6296
component parts, separate projects, or separate items of work in 6297
order to avoid the requirements of this section. 6298

Sec. 6101.44. The moneys of every conservancy district 6299
shall be administered through the following funds: 6300

(A) The preliminary fund, consisting of the proceeds of 6301
the preliminary assessment levied under authority of section 6302
6101.45 of the Revised Code, any advances of assessments 6303
obtained or notes issued in accordance with section 6101.46 of 6304
the Revised Code, and any contribution or appropriation by the 6305
state under authority of section 6101.45 of the Revised Code, 6306
which shall be used for the payment of expenses incurred for the 6307
purposes for which such preliminary assessments and 6308
contributions are authorized; 6309

(B) The improvement fund, consisting of the proceeds of 6310
all special assessments the collection of which has not been 6311
anticipated in the issuance of bonds or notes and the proceeds 6312
of all bonds and notes, other than bonds to retire notes, issued 6313
under section 6101.50 of the Revised Code, which shall be used 6314
for defraying expenditures incurred in the execution of the 6315
official plan and the acquisition or construction of properties, 6316
works, and improvements of the district, including the cost of 6317
preparing the official plan and the appraisal, the entire cost 6318
of construction and superintendence, with all charges incidental 6319
thereto, and the cost of administration during the period of 6320

construction and may also be used for defraying preliminary 6321
expenses in accordance with section 6101.46 of the Revised Code 6322
and repayment to the preliminary fund, in the manner and to the 6323
extent provided by this section, of expenditures from it; 6324

(C) The bond retirement fund, consisting of the proceeds 6325
of all special assessments the collection of which has been 6326
anticipated in the issuance of bonds or notes together with all 6327
other receipts pledged for the retirement of bonds or notes or 6328
the payment of interest on the bonds or notes, which shall be 6329
used only for those purposes; 6330

(D) The maintenance fund, consisting of the proceeds of 6331
maintenance assessments levied annually in accordance with 6332
section 6101.53 of the Revised Code, earnings from the operation 6333
of the works of the district, rents, incomes, royalties, or 6334
other revenues received from the use of the conservancy 6335
district's lands, and all receipts not otherwise assigned by law 6336
or by order of the board of directors of the conservancy 6337
district, which shall be used for the payment of operation, 6338
maintenance, and other current preservation, or any other 6339
expense of the district. Additionally, the board of directors of 6340
a conservancy district that includes all or parts of more than 6341
sixteen counties may use any surplus money in the maintenance 6342
fund other than proceeds derived from the levy of maintenance 6343
assessments under section 6101.53 of the Revised Code to provide 6344
financial support to a charitable trust or a social welfare 6345
trust, as defined in section 6101.47 of the Revised Code. 6346

Before levying any assessment to pay the cost of an 6347
improvement, the board of directors shall determine the amount 6348
expended and to be expended from the preliminary fund for 6349
surveys and plans, appraisals, hearings, administration, court 6350

costs, and other incidentals that equitably should be repaid to 6351
the preliminary fund. The amount may be all or any portion of 6352
the preliminary expenses for the improvement. When specified by 6353
resolution of the board of directors, the amount shall be 6354
included in the costs to be paid from the assessments upon 6355
benefited property, and shall be transferred from the 6356
improvement fund to the preliminary fund. 6357

The board may establish separate or special funds of each 6358
class for each or any designated purpose for which the district 6359
is incorporated. Any surplus moneys in any fund of the district 6360
may be transferred to any other such fund by the board with the 6361
approval of the court, but no transfer shall be made from the 6362
bond retirement fund prior to the final maturity of the bonds 6363
and notes payable from it, and no transfer shall thereafter be 6364
made which would reduce the balance in the fund below the amount 6365
required for the payment of all obligations outstanding against 6366
the fund. 6367

No money shall be drawn from the treasury of the district, 6368
and no obligation for the expenditure of money shall be 6369
incurred, except in pursuance of an appropriation by the board. 6370
This prohibition does not apply to funds placed at the place of 6371
payment by the treasurer of the conservancy district for the 6372
payment of maturing bonds and notes and interest on them in 6373
accordance with section 6101.51 of the Revised Code. At or 6374
before the opening of each fiscal year, which shall correspond 6375
to the calendar year unless a different year is authorized by 6376
the auditor of state, the board shall adopt a resolution making 6377
appropriations for the ensuing year. The appropriation 6378
resolution may be amended or supplemented by the board. The 6379
total amount appropriated from any fund for any year shall not 6380
exceed the sum of the unencumbered balance in the fund at the 6381

beginning of the year and the amounts to be received during the 6382
year from bonds authorized, and special assessments imposed 6383
prior to their appropriation, together with all other moneys 6384
estimated to be received by the fund during the year. At the 6385
close of each fiscal year, all unencumbered balances of 6386
appropriations shall revert to the funds from which they were 6387
made and shall be subject to reappropriation. 6388

No contract shall be entered into, and no order shall be 6389
issued, involving the expenditure of money unless the accounting 6390
officer of the district first certifies that the amount required 6391
to meet the expenditure or, in the case of a continuing contract 6392
to be performed in whole or in part in a subsequent fiscal year, 6393
the amount required to meet the contract in the year in which 6394
the contract is made has been lawfully appropriated for the 6395
purpose and is in the treasury or in process of collection to 6396
the credit of an appropriate fund free from previous 6397
encumbrances. Accounts shall be kept in such form as to show at 6398
all times the true condition of each appropriation. 6399

Sec. 6101.47. (A) As used in this section and section 6400
6101.44 of the Revised Code: 6401

(1) "Charitable trust" means any entity that meets all of 6402
the following: 6403

(a) It is exempt from federal income taxation under 6404
section 501(c)(3) of the Internal Revenue Code. 6405

(b) At least in part, it benefits a conservancy district 6406
that includes all or parts of more than sixteen counties. 6407

(c) At least in part, its purposes are consistent with the 6408
purposes of a conservancy district that includes all or parts of 6409
more than sixteen counties. 6410

(2) "Financial support" means the provision of funds from a conservancy district that includes all or parts of more than sixteen counties to a charitable trust, social welfare trust, or both, for the purposes of preserving, investing, and using such funds for the benefit of the district and the purposes for which the district was created. 6411
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(3) "Social welfare trust" means any entity that meets all of the following: 6417
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(a) It is exempt from federal income taxation under section 501(c)(4) of the Internal Revenue Code. 6419
6420

(b) At least in part, it benefits a conservancy district that includes all or parts of more than sixteen counties. 6421
6422

(c) At least in part, its purposes are consistent with the purposes of a conservancy district that includes all or parts of more than sixteen counties. 6423
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(B) (1) In order to facilitate the future preservation of a conservancy district's lands and improvements and to accomplish the purposes of the district, the board of directors of a conservancy district that includes all or parts of more than sixteen counties may establish a charitable trust, a social welfare trust, or both, to benefit the conservancy district and the purposes for which the district was created, in perpetuity. 6426
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(2) A conservancy district that includes all or parts of more than sixteen counties may provide financial support to any charitable trust or social welfare trust in accordance with division (D) of section 6101.44 of the Revised Code. Division (B) (2) of this section does not limit the authority of a conservancy district to appropriate, transfer, and spend funds to carry out the purposes of this chapter. 6433
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(C) The instrument creating any charitable trust or social welfare trust under division (B) (1) of this section, or the documents evidencing the payment and receipt of financial support under division (B) (2) of this section, shall do all of the following: 6440
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6444

(1) Require, except as otherwise provided in this section, that the trustee: 6445
6446

(a) Act in accordance with any applicable trust documents and grant or donation restrictions imposed by the conservancy district; 6447
6448
6449

(b) Act in accordance with sections 1715.51 to 1715.59 of the Revised Code; 6450
6451

(c) Qualify as an institution as defined in section 1715.51 of the Revised Code. 6452
6453

(2) Prohibit invasion of the principal amount granted to the charitable trust or social welfare trust by the district; 6454
6455

(3) Require that the trustee administer the financial support amounts held in trust, including by holding, investing, and reinvesting principal, collecting income from investments, and, after deducting the costs of administering the trust and any applicable trustee compensation, using the net income solely for the benefit of the district; 6456
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(4) Require that the trustee at all times keep and make available to the district accurate books and records of all funds, sub-funds, accounts, and sub-accounts into which any financial support received and any investment earnings on any financial support is held; 6462
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(5) Specify the conditions, if any, under which the 6467

charitable trust or social welfare trust is revocable and 6468
require that upon revocation the principal portion of any 6469
financial support received from a conservancy district must 6470
revert to the district; 6471

(6) Include any other provision that the board of 6472
directors of a conservancy district that includes all or parts 6473
of more than sixteen counties determines to be necessary or 6474
advisable, if any. 6475

(D) A charitable trust or social welfare trust established 6476
under this section or receiving money from a conservancy 6477
district that includes all or parts of more than sixteen 6478
counties in accordance with this section is not considered any 6479
of the following: 6480

(1) A subdivision under sections 135.01 to 135.21 of the 6481
Revised Code; 6482

(2) A public office under Chapter 149. of the Revised 6483
Code; 6484

(3) A charitable trust under sections 109.23 to 109.33 or 6485
Chapter 1719. of the Revised Code. 6486

(E) No money in a charitable trust or social welfare trust 6487
established under this section and no money received by a 6488
charitable or social welfare trust from a conservancy district 6489
that includes all or parts of more than sixteen counties under 6490
this section and section 6101.44 of the Revised Code shall be 6491
considered public moneys under sections 135.01 to 135.21 of the 6492
Revised Code. 6493

Section 2. That existing sections 7.10, 7.16, 122.6511, 6494
125.182, 149.311, 149.43, 319.28, 349.01, 349.03, 349.14, 6495
501.07, 503.162, 503.41, 504.02, 504.03, 504.12, 504.121, 6496

504.122, 504.123, 504.124, 504.126, 504.21, 505.07, 505.10, 6497
505.17, 505.26, 505.264, 505.28, 505.37, 505.373, 505.55, 6498
505.73, 505.75, 505.76, 505.82, 505.86, 505.87, 505.871, 507.05, 6499
511.03, 511.04, 511.12, 511.21, 515.01, 515.04, 517.07, 517.073, 6500
517.12, 517.22, 519.06, 519.08, 519.09, 519.12, 519.15, 519.99, 6501
521.03, 701.07, 755.13, 971.12, 971.99, 3781.34, 3781.36, 6502
4112.01, 4503.16, 4504.18, 4504.181, 4913.15, 4913.17, 5549.21, 6503
5571.011, 5571.20, 5573.02, 5573.10, 5575.01, 5575.02, 5579.05, 6504
6101.16, and 6101.44 of the Revised Code are hereby repealed. 6505

Section 3. That sections 504.125, 511.01, and 511.02 of 6506
the Revised Code are hereby repealed. 6507

Section 4. The amendment by this act of section 122.6511 6508
of the Revised Code takes effect July 1, 2025. 6509

Section 5. All items in this act are hereby appropriated 6510
as designated out of any moneys in the state treasury to the 6511
credit of the designated fund. For all operating appropriations 6512
made in this act, those in the first column are for fiscal year 6513
2024 and those in the second column are for fiscal year 2025. 6514
The operating appropriations made in this act are in addition to 6515
any other operating appropriations made for these fiscal years. 6516

Section 6. 6517

6518

1	2	3	4	5
A	FUN STATE BOARD OF EMBALMERS AND FUNERAL DIRECTORS			
B	General Revenue Fund			

C	GRF	881500	Indigent Burial and Cremation Support	\$0	\$1,000,000
D	TOTAL GRF General Revenue Fund			\$0	\$1,000,000
E	TOTAL ALL BUDGET FUND GROUPS			\$0	\$1,000,000

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

Section 8. That Section 223.20 of H.B. 33 of the 135th General Assembly be amended to read as follows:

Sec. 223.20. AUDIT MANAGEMENT AND SERVICES

The foregoing appropriation item 070401, Audit Management and Services, shall be used pursuant to section 117.13 of the Revised Code to support costs of the Auditor of State that are not recovered through charges to local governments and state entities, including costs that cannot be recovered from audit clients under federal indirect cost allocation guidelines. This appropriation item also shall be used to cover costs of the Local Government Services Section that are not charged to clients.

PERFORMANCE AUDITS

The foregoing appropriation item 070402, Performance Audits, shall be used pursuant to section 117.13 of the Revised

Code to support costs of the Auditor of State related to the 6542
provision of performance audits for local governments, school 6543
districts, state agencies, and colleges and universities that 6544
are not recovered through charges to those entities, including 6545
costs that cannot be recovered from audit clients under federal 6546
indirect cost allocation guidelines. 6547

FISCAL DISTRESS TECHNICAL ASSISTANCE 6548

The foregoing appropriation item 070403, Fiscal Distress 6549
Technical Assistance, shall be used to support costs of the 6550
Auditor of State responsibilities under Chapters 118. ~~and,~~ 6551
3316., and 3345. of the Revised Code to provide services to 6552
local governments ~~or,~~ schools, colleges, or universities in, or 6553
at risk of entering, a state of fiscal caution, watch, or 6554
emergency. 6555

LOCAL GOVERNMENT AUDIT SUPPORT 6556

The foregoing appropriation item 070412, Local Government 6557
Audit Support, shall be used pursuant to section 117.13 of the 6558
Revised Code to support costs of the Auditor of State that are 6559
not recovered through charges to local governments, including 6560
costs that cannot be recovered from audit clients under federal 6561
indirect cost allocation guidelines. 6562

LOCAL GOVERNMENT AUDIT SUPPORT FUND 6563

The foregoing appropriation item 070611, Local Government 6564
Audit Support Fund, shall be used pursuant to section 117.131 of 6565
the Revised Code to offset costs of audits that would otherwise 6566
be charged to local public offices in the absence of the fund. 6567

Section 9. That existing Section 223.20 of H.B. 33 of the 6568
135th General Assembly is hereby repealed. 6569

Section 10. Not later than sixty days after the effective 6570
date of this section, the Governor shall appoint the first 6571
OHIO811 nonvoting advisory member of the underground technical 6572
committee under division (B)(14) of section 3781.34 of the 6573
Revised Code. 6574

Section 11. The General Assembly, applying the principle 6575
stated in division (B) of section 1.52 of the Revised Code that 6576
amendments are to be harmonized if reasonably capable of 6577
simultaneous operation, finds that the following sections, 6578
presented in this act as composites of the sections as amended 6579
by the acts indicated, are the resulting versions of the 6580
sections in effect prior to the effective date of the sections 6581
as presented in this act: 6582

Section 505.75 of the Revised Code as amended by both H.B. 6583
175 and S.B. 115 of the 125th General Assembly. 6584

Section 971.07 (971.12) of the Revised Code as amended and 6585
renumbered by H.B. 323 and as amended by S.B. 268, both of the 6586
127th General Assembly. 6587