

As Re-referred to the Senate Finance Committee

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Am. Sub. H. B. No. 500

Representative Carfagna

Cosponsors: Representatives Arndt, Hambley, Hill, Lang, LaTourette, Patton, Schaffer, Seitz, Stein, Ginter, Anielski, Barnes, Blessing, Brenner, Brown, Craig, Dever, Duffey, Faber, Gavarone, Green, Henne, Holmes, Hoops, Hughes, Johnson, Keller, Landis, Leland, Lepore-Hagan, Manning, McClain, Miller, O'Brien, Patterson, Pelanda, Perales, Reineke, Riedel, Rogers, Ryan, Sheehy, West, Young, Speaker Smith

A BILL

To amend sections 349.03, 505.01, 505.04, 505.482, 1
507.11, 513.07, 513.071, 517.30, 519.04, 519.07, 2
519.12, 519.13, 519.15, 1509.07, 3375.121, 3
3501.021, 3709.03, 5541.04, 5553.04, 5705.121, 4
5705.19, 5709.73, and 5709.75 and to repeal 5
sections 711.25, 711.26, and 711.27 of the 6
Revised Code to make various changes to township 7
law. 8

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

Section 1. That sections 349.03, 505.01, 505.04, 505.482, 9
507.11, 513.07, 513.071, 517.30, 519.04, 519.07, 519.12, 519.13, 10
519.15, 1509.07, 3375.121, 3501.021, 3709.03, 5541.04, 5553.04, 11
5705.121, 5705.19, 5709.73, and 5709.75 of the Revised Code be 12
amended to read as follows: 13

Sec. 349.03. (A) Proceedings for the organization of a new 14
community authority shall be initiated by a petition filed by 15

the developer in the office of the clerk of the organizational 16
board of commissioners. Such petition shall be signed by the 17
developer and may be signed by each proximate city. The 18
legislative authorities of each such proximate city shall act in 19
behalf of such city. Such petition shall contain: 20

(1) The name of the proposed new community authority; 21

(2) The address where the principal office of the 22
authority will be located or the manner in which the location 23
will be selected; 24

(3) A map and a full and accurate description of the 25
boundaries of the new community district together with a 26
description of the properties within such boundaries, if any, 27
which will not be included in the new community district. 28

The total acreage included in such district ~~shall not be~~ 29
~~less than one thousand acres, all of which acreage shall be~~ 30
owned by, or under the control through leases of at least 31
seventy-five years' duration, options, or contracts to purchase, 32
of the developer, if the developer is a private entity, unless 33
one of the following applies: 34

(a) The district is wholly contained within municipal 35
corporations. 36

(b) More than one-half of the proposed district is, at the 37
time of filing the petition under this section, contained within 38
a joint economic development district created under sections 39
715.70 to 715.83 of the Revised Code. 40

(4) A statement setting forth the zoning regulations 41
proposed for zoning the area within the boundaries of the new 42
community district for comprehensive development as a new 43
community, and if the area has been zoned for such development, 44

a certified copy of the applicable zoning regulations therefor; 45

(5) A current plan indicating the proposed development 46
program for the new community district, the land acquisition and 47
land development activities, community facilities, services 48
proposed to be undertaken by the new community authority under 49
such program, the proposed method of financing such activities 50
and services, including a description of the bases, timing, and 51
manner of collecting any proposed community development charges, 52
and the projected total residential population of, and 53
employment within, the new community; 54

(6) A suggested number of members, consistent with section 55
349.04 of the Revised Code, for the board of trustees; 56

(7) A preliminary economic feasibility analysis, including 57
the area development pattern and demand, location and proposed 58
new community district size, present and future socio-economic 59
conditions, public services provision, financial plan, and the 60
developer's management capability; 61

(8) A statement that the development will comply with all 62
applicable environmental laws and regulations. 63

Upon the filing of such petition, the organizational board 64
of commissioners shall determine whether such petition complies 65
with the requirements of this section as to form and substance. 66
The board in subsequent proceedings may at any time permit the 67
petition to be amended in form and substance to conform to the 68
facts by correcting any errors in the description of the 69
proposed new community district or in any other particular. 70

Upon the determination of the organizational board of 71
commissioners that a sufficient petition has been filed in 72
accordance with this section, the board shall fix the time and 73

place of a hearing on the petition for the establishment of the 74
proposed new community authority. Such hearing shall be held not 75
less than ninety-five nor more than one hundred fifteen days 76
after the petition filing date, except that if the petition has 77
been signed by all proximate cities or if the organizational 78
board of commissioners is the legislative authority of the only 79
proximate city for the proposed new community district, such 80
hearing shall be held not less than thirty nor more than forty- 81
five days after the petition filing date. The clerk of the 82
organizational board of commissioners with which the petition 83
was filed shall give notice thereof by publication once each 84
week for three consecutive weeks, or as provided in section 7.16 85
of the Revised Code, in a newspaper of general circulation in 86
any county of which a portion is within the proposed new 87
community district. Except where the organizational board of 88
commissioners is the legislative authority of the only proximate 89
city for the proposed new community district, such clerk shall 90
also give written notice of the date, time, and place of the 91
hearing and furnish a certified copy of the petition to the 92
clerk of the legislative authority of each proximate city which 93
has not signed such petition. Except where the organizational 94
board of commissioners is the legislative authority of the only 95
proximate city for the proposed new community district, in the 96
event that the legislative authority of a proximate city which 97
did not sign the petition does not approve by ordinance, 98
resolution, or motion the establishment of the proposed new 99
community authority and does not deliver such ordinance, 100
resolution, or motion to the clerk of the organizational board 101
of commissioners with which the petition was filed within ninety 102
days following the date of the first publication of the notice 103
of the public hearing, the organizational board of commissioners 104
shall cancel such public hearing and terminate the proceedings 105

for the establishment of the new community authority. 106

Upon the hearing, if the organizational board of 107
commissioners determines by resolution that the proposed new 108
community district will be conducive to the public health, 109
safety, convenience, and welfare, and is intended to result in 110
the development of a new community, the board shall by its 111
resolution, declare the new community authority to be organized 112
and a body politic and corporate with the corporate name 113
designated in the resolution, and define the boundary of the new 114
community district. In addition, the resolution shall provide 115
the method of selecting the board of trustees of the new 116
community authority and fix the surety for their bonds in 117
accordance with section 349.04 of the Revised Code. 118

If the organizational board of commissioners finds that 119
the establishment of the district will not be conducive to the 120
public health, safety, convenience, or welfare, or is not 121
intended to result in the development of a new community, it 122
shall reject the petition thereby terminating the proceedings 123
for the establishment of the new community authority. 124

(B) At any time after the creation of a new community 125
authority, the developer may file an application with the clerk 126
of the organizational board of commissioners with which the 127
original petition was filed, setting forth a general description 128
of territory it desires to add or to delete from such district, 129
that such change will be conducive to the public health, safety, 130
convenience, and welfare, and will be consistent with the 131
development of a new community and will not jeopardize the plan 132
of the new community. If the developer is not a municipal 133
corporation, port authority, or county, all of such an addition 134
to such a district shall be owned by, or under the control 135

through leases of at least seventy-five years' duration, 136
options, or contracts to purchase, of the developer. Upon the 137
filing of the application, the organizational board of 138
commissioners shall follow the same procedure as required by 139
this section in relation to the petition for the establishment 140
of the proposed new community. 141

(C) If all or any part of the new community district is 142
annexed to one or more existing municipal corporations, their 143
legislative authorities may appoint persons to replace any 144
appointed citizen member of the board of trustees. The number of 145
such trustees to be replaced by the municipal corporation shall 146
be the number, rounded to the lowest integer, bearing the 147
proportionate relationship to the number of existing appointed 148
citizen members as the acreage of the new community district 149
within such municipal corporation bears to the total acreage of 150
the new community district. If any such municipal corporation 151
chooses to replace an appointed citizen member, it shall do so 152
by ordinance, the term of the trustee being replaced shall 153
terminate thirty days from the date of passage of such 154
ordinance, and the trustee to be replaced shall be determined by 155
lot. Each newly appointed member shall assume the term of the 156
member's predecessor. 157

Sec. 505.01. In each township there shall be a board of 158
township trustees consisting of three members. Two of such 159
trustees shall be elected at the general election in nineteen 160
forty-nine and quadrennially thereafter, in each township, who 161
shall hold office for a term of four years, commencing on the 162
first day of January next after their election. The third 163
trustee shall be elected at the general election in nineteen 164
fifty-one and quadrennially thereafter, in each township, who 165
shall hold office for a term of four years, commencing on the 166

first day of January next after ~~his~~ the person's election. 167

At the first meeting of the board each calender year, the 168
board shall select one of its members to serve as chairperson 169
for a term of one year. If the position of chairperson becomes 170
vacant, the board shall select one of its members to preside. 171

Sec. 505.04. The board of township trustees shall make an 172
inventory on the second Monday of January, each year, of all the 173
materials, machinery, tools, and other township supplies in its 174
possession. The inventory shall be a public record and ~~shall be~~ 175
~~made in duplicate, one copy of which shall be filed with the~~ 176
~~fiscal officer of the board and one copy with the county~~ 177
~~engineer~~ township. 178

Sec. 505.482. (A) The boards of township trustees of any 179
two or more contiguous townships, or the boards of township 180
trustees of one or more contiguous townships and the legislative 181
authorities of one or more contiguous municipal corporations, 182
whether or not within the same county, by adoption of a joint 183
resolution by a majority favorable vote of each such board and 184
of the members of the legislative authority of each such 185
municipal corporation, may form themselves into a joint police 186
district comprising all or any part of the townships or 187
municipal corporations as are mutually agreed upon. The 188
governing body of the joint police district shall be a joint 189
police district board, which shall include either all of the 190
township trustees of each township and all of the members of the 191
legislative authority of each municipal corporation in the 192
district, as agreed to and established in the joint resolution 193
creating the joint police district; or an odd number of members 194
as agreed to and established in the joint resolution, as long as 195
the members are representatives from each board of township 196

trustees of each township and from the legislative authority of 197
each municipal corporation in the joint police district. 198

(B) The joint police district board shall organize within 199
thirty days after the favorable vote by the last board of 200
township trustees or the members of the legislative authority of 201
the last municipal corporation joining itself into the joint 202
police district board. The ~~president~~chairperson of the board of 203
township trustees of the most populous participating township or 204
the legislative authority of the most populous participating 205
municipal corporation shall give notice of the time and place of 206
organization to each pending member of the joint police district 207
board, as established in the joint resolution. Such notice shall 208
be signed and shall be sent by certified mail to each such 209
pending member of the board at least five days prior to the 210
organization meeting, which meeting shall be held in one of the 211
participating townships or municipal corporations. Two-thirds of 212
the joint police district board members constitutes a quorum. 213
The members of the joint police district board shall, at the 214
organization meeting, proceed with the election of a president, 215
a secretary, and a treasurer, and such other officers as they 216
consider necessary and proper, and shall transact such other 217
business as properly comes before the board. 218

(C) In the formation of a joint police district, such 219
action may be taken by or on behalf of part of a township, by 220
excluding that portion of the township lying within a municipal 221
corporation. The joint police district board may exercise the 222
same powers as are granted to a board of township trustees in 223
the operation of a township police district under sections 224
505.49 to 505.55 of the Revised Code, including, but not limited 225
to, the power to employ, train, and discipline personnel, to 226
acquire equipment and buildings, to levy a tax, to issue bonds 227

and notes, and to dissolve the district. 228

Sec. 507.11. (A) The board of township trustees may 229
authorize, by resolution, township officers and employees to 230
incur obligations of ~~two ten thousand five hundred~~ dollars or 231
less on behalf of the township, or it may authorize, by 232
resolution, the township administrator to so authorize township 233
officers and employees. The obligations incurred on behalf of 234
the township by a township officer or employee acting pursuant 235
to any such resolution shall be subsequently approved by the 236
adoption of a formal resolution of the board of township 237
trustees. 238

(B) (1) No money belonging to the township shall be paid 239
out, except upon an order signed by at least two of the township 240
trustees, and countersigned by the township fiscal officer. 241

(2) As provided in division (E) of section 9.37 of the 242
Revised Code, and notwithstanding division (B) (1) of this 243
section, a board of township trustees may adopt a resolution 244
authorizing the payment of lawful obligations of the township by 245
direct deposit of funds by electronic transfer in accordance 246
with section 9.37 of the Revised Code. 247

Sec. 513.07. The boards of township trustees of any two or 248
more contiguous townships, whether or not within the same 249
county, may, by a two-thirds favorable vote of each such board, 250
form themselves into a joint township district hospital board 251
for the purpose of establishing, constructing, and maintaining a 252
joint township district general hospital or other hospital 253
facilities as defined in section 140.01 of the Revised Code, and 254
such townships shall be a part of a joint township hospital 255
district. 256

Such joint township district hospital board shall organize 257
within thirty days after the favorable vote by the last board of 258
trustees joining itself into the joint township district 259
hospital board. The ~~president~~ chairperson of the board of 260
township trustees of the most populous township participating 261
shall give notice of the time and place of organization to each 262
member of the board of township trustees of each township 263
comprising the district. Such notice shall be signed by the 264
~~president~~ chairperson of the board of township trustees of the 265
most populous township comprising the district, and shall be 266
sent by registered mail to each member of the board of township 267
trustees of the townships affected, at least five days prior to 268
such organization meeting, which meeting shall be held in one of 269
the participating townships. All members of the board of 270
township trustees of the townships so participating shall 271
comprise the joint township district hospital board. Two-thirds 272
of all the township trustees of the townships constituting such 273
district constitutes a quorum. Such members of the boards of 274
township trustees shall, at the organization meeting of such 275
joint township district hospital board, proceed with the 276
election of a president, a secretary, and a treasurer, and such 277
other officers as they deem proper and necessary, and shall 278
transact such other business as properly comes before such 279
board. 280

In the formation of such a hospital district, such action 281
may be taken by or on behalf of part of a township, by excluding 282
that portion of the township lying within a municipal 283
corporation. 284

Sec. 513.071. A municipal corporation which is not at the 285
time part of a joint township hospital district may, by a two- 286
thirds favorable vote of its legislative authority, participate 287

in the formation of a joint township district hospital board 288
pursuant to section 513.07 of the Revised Code if it is 289
contiguous to another municipal corporation contemplated to be 290
included in the district, or contiguous to, or partly but not 291
wholly within, a township contemplated to be included in the 292
district, or may become a part of an established joint township 293
hospital district pursuant to sections 513.11 and 513.18 of the 294
Revised Code if it is contiguous to the district, or to a 295
township or municipal corporation contiguous to the district 296
which will at the same time become part of such district. So 297
long as such municipal corporation remains a part of such 298
district, it may not be included, as part of a township, in 299
another joint township hospital district, but the remainder of 300
such township may become part of a joint township hospital 301
district pursuant to section 513.07, 513.11, or 513.18 of the 302
Revised Code. Each such municipal corporation shall be 303
represented on the joint township district hospital board by the 304
presiding officer of its legislative authority, who shall act as 305
~~president~~ chairperson of a board of township trustees for the 306
purposes of section 513.07 of the Revised Code, and by two 307
members of such legislative authority to be appointed from time 308
to time by the legislative authority and to serve for such term 309
or terms as it prescribes. For the purpose of such 310
representation such presiding officer and members shall be 311
considered as a board of township trustees; but for all other 312
purposes of sections 513.07 to 513.18, inclusive, of the Revised 313
Code, the legislative authority shall be considered as the board 314
of township trustees and shall perform the duties imposed on 315
that board by such sections. 316

Any indebtedness incurred by a joint township hospital 317
district shall not constitute an indebtedness of any municipal 318

corporation or any township. 319

Where a municipal corporation as a part of a township is 320
territorially a part of a joint township hospital district and 321
thereafter its corporate limits are made identical with those of 322
a township, such municipal corporation shall as a township 323
remain a part of such joint township hospital district and shall 324
be bound by all agreements or obligations theretofore or 325
thereafter entered into or assumed, and the taxable property 326
therein shall be subject to all tax levies, including tax levies 327
for bonds of the joint township hospital district, theretofore 328
or thereafter imposed by the district pursuant to sections 329
513.07 to 513.18, inclusive, of the Revised Code. Such municipal 330
corporation shall be entitled, as a new and separate township, 331
to representation on the joint township district hospital board 332
in the same manner as is provided in this section when a joint 333
township district hospital board in the same manner as is 334
provided in this section when a joint township hospital district 335
is formed. 336

Sec. 517.30. A board of township trustees may erect a 337
suitable monument to commemorate the members of the armed forces 338
who died in the service of the United States or of this state. 339
The board, by a majority vote, may appropriate and expend not 340
more than ~~five~~fifty thousand dollars from township funds for 341
the purpose of erecting the monument, according to plans and 342
specifications furnished or approved by the board. 343

Sec. 519.04. (A) The board of township trustees of any 344
township proceeding under sections 519.01 to 519.99 of the 345
Revised Code, shall create and establish a township zoning 346
commission. The commission shall be composed of five members who 347
reside in the unincorporated area of the township, to be 348

appointed by the board. The board of township trustees may 349
appoint two alternate members to the township zoning commission, 350
for terms to be determined by the board of township trustees. An 351
alternate member shall take the place of an absent regular 352
member at any meeting of the township zoning commission, 353
according to procedures prescribed by resolution by the board of 354
township trustees. An alternate member shall meet the same 355
appointment criteria as a regular member. When attending a 356
meeting on behalf of an absent member, the alternate member may 357
vote on any matter on which the absent member is authorized to 358
vote. The terms of the regular members shall be of such length 359
and so arranged that the term of one member will expire each 360
year. Where there is a county or regional planning commission 361
the board may appoint qualified members of such commission to 362
serve on the township zoning commission. Each regular or 363
alternate member shall serve until the member's successor is 364
appointed and qualified. 365

(B) Members of the zoning commission shall be removable 366
for nonperformance of duty, misconduct in office, or other cause 367
by the board, upon written charges being filed with the board, 368
after a public hearing has been held regarding ~~such the~~ charges, 369
and after a copy of the charges has been served upon the member 370
so charged at least ten days ~~prior to~~ before the hearing, either 371
personally, by registered mail, or by leaving ~~such the~~ copy at 372
the member's usual place of residence. The hearing shall occur 373
within sixty days after the charges are filed. The member shall 374
be given an opportunity to be heard and answer ~~such the~~ charges. 375
Upon the approval of a majority of the board of township 376
trustees, the member may be suspended from participating as a 377
member of the zoning commission during the period of up to sixty 378
days before the pending hearing on the removal. Vacancies shall 379

be filled by the board and shall be for the unexpired term. A 380
suspension authorized by this section is not a vacancy for 381
purposes of this section. 382

(C) The decision of the board of township trustees 383
regarding the suspension or removal may be appealed under 384
Chapter 2506. of the Revised Code. 385

Sec. 519.07. ~~Following~~ (A) Except as provided in division 386
(B) of this section, following the hearing provided for in 387
section 519.06 of the Revised Code the township zoning 388
commission shall submit the proposed zoning resolution, 389
including text and maps, to the county or regional planning 390
commission of the county or district in which the township is 391
located, if there is such a commission, for approval, 392
disapproval, or suggestions. 393

The approval of the planning commission shall be 394
conclusively presumed unless, within twenty days after receiving 395
the proposed zoning resolution, it notifies the zoning 396
commission to the contrary. 397

In the event the planning commission disapproves of the 398
proposed zoning resolution or suggests any material change, the 399
zoning commission shall hold a public hearing on the resolution, 400
due notice of which shall be given as provided in section 519.06 401
of the Revised Code. ~~When~~ 402

When the zoning commission has completed its 403
recommendations for a zoning plan it shall certify the plan to 404
the board of township trustees. 405

(B) The township zoning commission of a township that has 406
adopted a limited home rule government under Chapter 504. of the 407
Revised Code is not subject to division (A) of this section but 408

may choose to comply with division (A) of this section. 409

Sec. 519.12. (A) (1) Amendments to the zoning resolution 410
may be initiated by motion of the township zoning commission, by 411
the passage of a resolution by the board of township trustees, 412
or by the filing of an application by one or more of the owners 413
or lessees of property within the area proposed to be changed or 414
affected by the proposed amendment with the township zoning 415
commission. The board of township trustees may require that the 416
owner or lessee of property filing an application to amend the 417
zoning resolution pay a fee to defray the cost of advertising, 418
mailing, filing with the county recorder, and other expenses. If 419
the board of township trustees requires such a fee, it shall be 420
required generally, for each application. The board of township 421
trustees, upon the passage of such a resolution, shall certify 422
it to the township zoning commission. 423

(2) Upon the adoption of a motion by the township zoning 424
commission, the certification of a resolution by the board of 425
township trustees to the commission, or the filing of an 426
application by property owners or lessees as described in 427
division (A) (1) of this section with the commission, the 428
commission shall set a date for a public hearing, which date 429
shall not be less than twenty nor more than forty days from the 430
date of the certification of such a resolution, the date of 431
adoption of such a motion, or the date of the filing of such an 432
application. Notice of the hearing shall be given by the 433
commission by one publication in one or more newspapers of 434
general circulation in the township at least ten days before the 435
date of the hearing. 436

(B) If the proposed amendment intends to rezone or 437
redistrict ten or fewer parcels of land, as listed on the county 438

auditor's current tax list, written notice of the hearing shall 439
be mailed by the township zoning commission, by first class 440
mail, at least ten days before the date of the public hearing to 441
all owners of property within and contiguous to and directly 442
across the street from the area proposed to be rezoned or 443
redistricted to the addresses of those owners appearing on the 444
county auditor's current tax list. The failure of delivery of 445
that notice shall not invalidate any such amendment. 446

(C) If the proposed amendment intends to rezone or 447
redistrict ten or fewer parcels of land as listed on the county 448
auditor's current tax list, the published and mailed notices 449
shall set forth the time, date, and place of the public hearing 450
and include all of the following: 451

(1) The name of the township zoning commission that will 452
be conducting the hearing; 453

(2) A statement indicating that the motion, resolution, or 454
application is an amendment to the zoning resolution; 455

(3) A list of the addresses of all properties to be 456
rezoned or redistricted by the proposed amendment and of the 457
names of owners of those properties, as they appear on the 458
county auditor's current tax list; 459

(4) The present zoning classification of property named in 460
the proposed amendment and the proposed zoning classification of 461
that property; 462

(5) The time and place where the motion, resolution, or 463
application proposing to amend the zoning resolution will be 464
available for examination for a period of at least ten days 465
prior to the hearing; 466

(6) The name of the person responsible for giving notice 467

of the hearing by publication, by mail, or by both publication 468
and mail; 469

(7) A statement that, after the conclusion of the hearing, 470
the matter will be submitted to the board of township trustees 471
for its action; 472

(8) Any other information requested by the commission. 473

(D) If the proposed amendment alters the text of the 474
zoning resolution, or rezones or redistricts more than ten 475
parcels of land as listed on the county auditor's current tax 476
list, the published notice shall set forth the time, date, and 477
place of the public hearing and include all of the following: 478

(1) The name of the township zoning commission that will 479
be conducting the hearing on the proposed amendment; 480

(2) A statement indicating that the motion, application, 481
or resolution is an amendment to the zoning resolution; 482

(3) The time and place where the text and maps of the 483
proposed amendment will be available for examination for a 484
period of at least ten days prior to the hearing; 485

(4) The name of the person responsible for giving notice 486
of the hearing by publication; 487

(5) A statement that, after the conclusion of the hearing, 488
the matter will be submitted to the board of township trustees 489
for its action; 490

(6) Any other information requested by the commission. 491

(E) ~~Within (1) (a) Except as provided in division (E) (1) (b)~~ 492
of this section, within five days after the adoption of the 493
motion described in division (A) of this section, the 494

certification of the resolution described in division (A) of 495
this section, or the filing of the application described in 496
division (A) of this section, the township zoning commission 497
shall transmit a copy of it together with text and map 498
pertaining to it to the county or regional planning commission, 499
if there is such a commission, for approval, disapproval, or 500
suggestions. 501

The county or regional planning commission shall recommend 502
the approval or denial of the proposed amendment or the approval 503
of some modification of it and shall submit its recommendation 504
to the township zoning commission. The recommendation shall be 505
considered at the public hearing held by the township zoning 506
commission on the proposed amendment. 507

(b) The township zoning commission of a township that has 508
adopted a limited home rule government under Chapter 504. of the 509
Revised Code is not subject to division (E)(1)(a) of this 510
section but may choose to comply with division (E)(1)(a) of this 511
section. 512

(2) The township zoning commission, within thirty days 513
after the hearing, shall recommend the approval or denial of the 514
proposed amendment, or the approval of some modification of it, 515
and submit that recommendation together with the motion, 516
application, or resolution involved, the text and map pertaining 517
to the proposed amendment, and the recommendation of the county 518
or regional planning commission on it to the board of township 519
trustees. 520

(3) The board of township trustees, upon receipt of that 521
recommendation, shall set a time for a public hearing on the 522
proposed amendment, which date shall not be more than thirty 523
days from the date of the receipt of that recommendation. Notice 524

of the hearing shall be given by the board by one publication in 525
one or more newspapers of general circulation in the township, 526
at least ten days before the date of the hearing. 527

(F) If the proposed amendment intends to rezone or 528
redistrict ten or fewer parcels of land as listed on the county 529
auditor's current tax list, the published notice shall set forth 530
the time, date, and place of the public hearing and include all 531
of the following: 532

(1) The name of the board of township trustees that will 533
be conducting the hearing; 534

(2) A statement indicating that the motion, application, 535
or resolution is an amendment to the zoning resolution; 536

(3) A list of the addresses of all properties to be 537
rezoned or redistricted by the proposed amendment and of the 538
names of owners of those properties, as they appear on the 539
county auditor's current tax list; 540

(4) The present zoning classification of property named in 541
the proposed amendment and the proposed zoning classification of 542
that property; 543

(5) The time and place where the motion, application, or 544
resolution proposing to amend the zoning resolution will be 545
available for examination for a period of at least ten days 546
prior to the hearing; 547

(6) The name of the person responsible for giving notice 548
of the hearing by publication, by mail, or by both publication 549
and mail; 550

(7) Any other information requested by the board. 551

(G) If the proposed amendment alters the text of the 552

zoning resolution, or rezones or redistricts more than ten 553
parcels of land as listed on the county auditor's current tax 554
list, the published notice shall set forth the time, date, and 555
place of the public hearing and include all of the following: 556

(1) The name of the board of township trustees that will 557
be conducting the hearing on the proposed amendment; 558

(2) A statement indicating that the motion, application, 559
or resolution is an amendment to the zoning resolution; 560

(3) The time and place where the text and maps of the 561
proposed amendment will be available for examination for a 562
period of at least ten days prior to the hearing; 563

(4) The name of the person responsible for giving notice 564
of the hearing by publication; 565

(5) Any other information requested by the board. 566

(H) Within twenty days after its public hearing, the board 567
of township trustees shall either adopt or deny the 568
recommendations of the township zoning commission or adopt some 569
modification of them. If the board denies or modifies the 570
commission's recommendations, a majority vote of the board shall 571
be required. 572

The proposed amendment, if adopted by the board, shall 573
become effective in thirty days after the date of its adoption, 574
unless, within thirty days after the adoption, there is 575
presented to the board of township trustees a petition, signed 576
by a number of registered electors residing in the 577
unincorporated area of the township or part of that 578
unincorporated area included in the zoning plan equal to not 579
less than eight per cent of the total vote cast for all 580
candidates for governor in that area at the most recent general 581

election at which a governor was elected, requesting the board 582
of township trustees to submit the amendment to the electors of 583
that area for approval or rejection at a special election to be 584
held on the day of the next primary or general election that 585
occurs at least ninety days after the petition is filed. Each 586
part of this petition shall contain the number and the full and 587
correct title, if any, of the zoning amendment resolution, 588
motion, or application, furnishing the name by which the 589
amendment is known and a brief summary of its contents. In 590
addition to meeting the requirements of this section, each 591
petition shall be governed by the rules specified in section 592
3501.38 of the Revised Code. 593

The form of a petition calling for a zoning referendum and 594
the statement of the circulator shall be substantially as 595
follows: 596

"PETITION FOR ZONING REFERENDUM 597

(if the proposal is identified by a particular name or number, 598
or both, these should be inserted here) 599

A proposal to amend the zoning map of the unincorporated 600
area of Township, County, Ohio, 601
adopted(date)..... (followed by brief summary of the 602
proposal). 603

To the Board of Township Trustees of 604
Township, County, Ohio: 605

We, the undersigned, being electors residing in the 607
unincorporated area of Township, 608
included within the Township Zoning Plan, equal to 609
not less than eight per cent of the total vote cast for all 610

candidates for governor in the area at the preceding general 611
election at which a governor was elected, request the Board of 612
Township Trustees to submit this amendment of the zoning 613
resolution to the electors of Township 614
residing within the unincorporated area of the township included 615
in the Township Zoning Resolution, for 616
approval or rejection at a special election to be held on the 617
day of the primary or general election to be held on 618
(date)....., pursuant to section 519.12 of the Revised Code. 619

Street Address	Date of	620
Signature or R.F.D. Township Precinct County	Signing	621
.....		622
.....		623

STATEMENT OF CIRCULATOR 624

I,(name of circulator)....., declare under 625
penalty of election falsification that I am an elector of the 626
state of Ohio and reside at the address appearing below my 627
signature; that I am the circulator of the foregoing part 628
petition containing(number)..... signatures; that I 629
have witnessed the affixing of every signature; that all signers 630
were to the best of my knowledge and belief qualified to sign; 631
and that every signature is to the best of my knowledge and 632
belief the signature of the person whose signature it purports 633
to be or of an attorney in fact acting pursuant to section 634
3501.382 of the Revised Code. 635

..... 636

(Signature of circulator) 637

..... 638

(Address of circulator's permanent 639
residence in this state) 640
..... 641
(City, village, or township, 642
and zip code) 643

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 644
FELONY OF THE FIFTH DEGREE." 645

The petition shall be filed with the board of township 646
trustees and shall be accompanied by an appropriate map of the 647
area affected by the zoning proposal. Within two weeks after 648
receiving a petition filed under this section, the board of 649
township trustees shall certify the petition to the board of 650
elections. A petition filed under this section shall be 651
certified to the board of elections not less than ninety days 652
prior to the election at which the question is to be voted upon. 653

The board of elections shall determine the sufficiency and 654
validity of each petition certified to it by a board of township 655
trustees under this section. If the board of elections 656
determines that a petition is sufficient and valid, the question 657
shall be voted upon at a special election to be held on the day 658
of the next primary or general election that occurs at least 659
ninety days after the date the petition is filed with the board 660
of township trustees, regardless of whether any election will be 661
held to nominate or elect candidates on that day. 662

No amendment for which such a referendum vote has been 663
requested shall be put into effect unless a majority of the vote 664
cast on the issue is in favor of the amendment. Upon 665
certification by the board of elections that the amendment has 666

been approved by the voters, it shall take immediate effect. 667

Within five working days after an amendment's effective 668
date, the board of township trustees shall file the text and 669
maps of the amendment in the office of the county recorder and 670
with the county or regional planning commission, if one exists. 671

The failure to file any amendment, or any text and maps, 672
or duplicates of any of these documents, with the office of the 673
county recorder or the county or regional planning commission as 674
required by this section does not invalidate the amendment and 675
is not grounds for an appeal of any decision of the board of 676
zoning appeals. 677

Sec. 519.13. (A) In any township which adopts zoning 678
regulations the board of township trustees shall appoint a 679
township board of zoning appeals composed of five members who 680
shall be residents of the unincorporated territory in the 681
township included in the area zoned. The board of township 682
trustees may appoint two alternate members to the township board 683
of zoning appeals, for terms to be determined by the board of 684
township trustees. An alternate member shall take the place of 685
an absent regular member at any meeting of the board of zoning 686
appeals, according to procedures prescribed by resolution by the 687
board of township trustees. An alternate member shall meet the 688
same appointment criteria as a regular member. When attending a 689
meeting on behalf of an absent member, the alternate member may 690
vote on any matter on which the absent member is authorized to 691
vote. The terms of all regular members shall be of such length 692
and so arranged that the term of one member will expire each 693
year. Each regular or alternate member shall serve until the 694
member's successor is appointed and qualified. 695

(B) Members shall be removable for the same causes and in 696

the same manner and may be suspended as provided by section 697
519.04 of the Revised Code. The decision of the board of 698
township trustees regarding the suspension or removal may be 699
appealed under Chapter 2506. of the Revised Code. Vacancies 700
shall be filled by the board of township trustees and shall be 701
for the unexpired term. A suspension authorized by section 702
519.04 of the Revised Code is not a vacancy for purposes of this 703
section. The members may be allowed their expenses, or such 704
compensation, or both, as the board of township trustees may 705
approve and provide. 706

(C) The board of zoning appeals may, within the limits of 707
the moneys appropriated by the board of township trustees for 708
the purpose, employ such executive, professional, technical, and 709
other assistants as it considers necessary. 710

Sec. 519.15. The township board of zoning appeals shall 711
organize and adopt rules in accordance with the zoning 712
resolution. Meetings of the board of zoning appeals shall be 713
held at the call of the chairperson, and at such other times as 714
the board determines. The chairperson, or in the chairperson's 715
absence the acting chairperson, may administer oaths, and the 716
board of zoning appeals may compel the attendance of witnesses. 717
All meetings of the board of zoning appeals shall be open to the 718
public. The board of zoning appeals shall keep minutes of its 719
proceedings showing the vote of each regular or alternate member 720
upon each question, or, if absent or failing to vote, indicating 721
such fact, and shall keep records of its examinations and other 722
official actions, all of which shall be immediately filed in the 723
office of the board of township trustees and be a public record. 724

Appeals to the board of zoning appeals may be taken by any 725
person aggrieved or by any officer of the township affected by 726

any decision of the administrative officer. Such appeal shall be 727
taken within twenty days after the decision by filing, with the 728
officer from whom the appeal is taken and with the board of 729
zoning appeals, a notice of appeal specifying the grounds. The 730
officer from whom the appeal is taken shall transmit to the 731
board of zoning appeals all the papers constituting the record 732
upon which the action appealed from was taken. 733

The board of zoning appeals shall fix a reasonable time 734
for the public hearing of the appeal, give at least ten days' 735
notice in writing to the parties in interest, give notice of 736
such public hearing by one publication in one or more newspapers 737
of general circulation in the county at least ten days before 738
the date of such hearing, and decide the appeal within a 739
reasonable time after it is submitted. Upon the hearing, any 740
person may appear in person or by attorney. 741

The board of township trustees may require a person making 742
an appeal to pay a fee to defray the cost of advertising, 743
mailing, and other expenses. 744

Sec. 1509.07. (A) (1) (a) Except as provided in division (A) 745
(1) (b) or (A) (2) of this section, an owner of any well, except 746
an exempt Mississippian well or an exempt domestic well, shall 747
obtain liability insurance coverage from a company authorized or 748
approved to do business in this state in an amount of not less 749
than one million dollars bodily injury coverage and property 750
damage coverage to pay damages for injury to persons or damage 751
to property caused by the drilling, operation, or plugging of 752
all the owner's wells in this state. However, if any well is 753
located within an urbanized area, the owner shall obtain 754
liability insurance coverage in an amount of not less than three 755
million dollars for bodily injury coverage and property damage 756

coverage to pay damages for injury to persons or damage to 757
property caused by the drilling, operation, or plugging of all 758
of the owner's wells in this state. 759

(b) A board of county commissioners of a county that is an 760
owner of a well or a board of township trustees of a township 761
that is an owner of a well may elect to satisfy the liability 762
coverage requirements specified in division (A) (1) (a) of this 763
section by participating in a joint self-insurance pool in 764
accordance with the requirements established under section 765
2744.081 of the Revised Code. Nothing in division (A) (1) (b) of 766
this section shall be construed to allow an entity, other than a 767
county or township, to participate in a joint self-insurance 768
pool to satisfy the liability coverage requirements specified in 769
division (A) (1) (a) of this section. 770

(2) An owner of a horizontal well shall obtain liability 771
insurance coverage from an insurer authorized to write such 772
insurance in this state or from an insurer approved to write 773
such insurance in this state under section 3905.33 of the 774
Revised Code in an amount of not less than five million dollars 775
bodily injury coverage and property damage coverage to pay 776
damages for injury to persons or damage to property caused by 777
the production operations of all the owner's wells in this 778
state. The insurance policy shall include a reasonable level of 779
coverage available for an environmental endorsement. 780

(3) An owner shall maintain the coverage required under 781
division (A) (1) or (2) of this section until all the owner's 782
wells are plugged and abandoned or are transferred to an owner 783
who has obtained insurance as required under this section and 784
who is not under a notice of material and substantial violation 785
or under a suspension order. The owner shall provide proof of 786

liability insurance coverage to the chief of the division of oil 787
and gas resources management upon request. Upon failure of the 788
owner to provide that proof when requested, the chief may order 789
the suspension of any outstanding permits and operations of the 790
owner until the owner provides proof of the required insurance 791
coverage. 792

(B) (1) Except as otherwise provided in this section, an 793
owner of any well, before being issued a permit under section 794
1509.06 of the Revised Code or before operating or producing 795
from a well, shall execute and file with the division of oil and 796
gas resources management a surety bond conditioned on compliance 797
with the restoration requirements of section 1509.072, the 798
plugging requirements of section 1509.12, the permit provisions 799
of section 1509.13 of the Revised Code, and all rules and orders 800
of the chief relating thereto, in an amount set by rule of the 801
chief. 802

(2) The owner may deposit with the chief, instead of a 803
surety bond, cash in an amount equal to the surety bond as 804
prescribed pursuant to this section or negotiable certificates 805
of deposit or irrevocable letters of credit, issued by any bank 806
organized or transacting business in this state, having a cash 807
value equal to or greater than the amount of the surety bond as 808
prescribed pursuant to this section. Cash or certificates of 809
deposit shall be deposited upon the same terms as those upon 810
which surety bonds may be deposited. If certificates of deposit 811
are deposited with the chief instead of a surety bond, the chief 812
shall require the bank that issued any such certificate to 813
pledge securities of a cash value equal to the amount of the 814
certificate that is in excess of the amount insured by any of 815
the agencies and instrumentalities created under the "Federal 816
Deposit Insurance Act," 64 Stat. 873 (1950), 12 U.S.C. 1811, as 817

amended, and regulations adopted under it, including at least 818
the federal deposit insurance corporation. The securities shall 819
be security for the repayment of the certificate of deposit. 820

Immediately upon a deposit of cash, certificates of 821
deposit, or letters of credit with the chief, the chief shall 822
deliver them to the treasurer of state who shall hold them in 823
trust for the purposes for which they have been deposited. 824

(3) Instead of a surety bond, the chief may accept proof 825
of financial responsibility consisting of a sworn financial 826
statement showing a net financial worth within this state equal 827
to twice the amount of the bond for which it substitutes and, as 828
may be required by the chief, a list of producing properties of 829
the owner within this state or other evidence showing ability 830
and intent to comply with the law and rules concerning 831
restoration and plugging that may be required by rule of the 832
chief. The owner of an exempt Mississippian well is not required 833
to file scheduled updates of the financial documents, but shall 834
file updates of those documents if requested to do so by the 835
chief. The owner of a nonexempt Mississippian well shall file 836
updates of the financial documents in accordance with a schedule 837
established by rule of the chief. The chief, upon determining 838
that an owner for whom the chief has accepted proof of financial 839
responsibility instead of bond cannot demonstrate financial 840
responsibility, shall order that the owner execute and file a 841
bond or deposit cash, certificates of deposit, or irrevocable 842
letters of credit as required by this section for the wells 843
specified in the order within ten days of receipt of the order. 844
If the order is not complied with, all wells of the owner that 845
are specified in the order and for which no bond is filed or 846
cash, certificates of deposit, or letters of credit are 847
deposited shall be plugged. No owner shall fail or refuse to 848

plug such a well. Each day on which such a well remains 849
unplugged thereafter constitutes a separate offense. 850

(4) The surety bond provided for in this section shall be 851
executed by a surety company authorized to do business in this 852
state. 853

The chief shall not approve any bond until it is 854
personally signed and acknowledged by both principal and surety, 855
or as to either by the principal's or surety's attorney in fact, 856
with a certified copy of the power of attorney attached thereto. 857
The chief shall not approve a bond unless there is attached a 858
certificate of the superintendent of insurance that the company 859
is authorized to transact a fidelity and surety business in this 860
state. 861

All bonds shall be given in a form to be prescribed by the 862
chief and shall run to the state as obligee. 863

(5) An owner of an exempt Mississippian well or an exempt 864
domestic well, in lieu of filing a surety bond, cash in an 865
amount equal to the surety bond, certificates of deposit, 866
irrevocable letters of credit, or a sworn financial statement, 867
may file a one-time fee of fifty dollars, which shall be 868
deposited in the oil and gas well plugging fund created in 869
section 1509.071 of the Revised Code. 870

(C) An owner, operator, producer, or other person shall 871
not operate a well or produce from a well at any time if the 872
owner, operator, producer, or other person has not satisfied the 873
requirements established in this section. 874

Sec. 3375.121. (A) In any municipal corporation, not 875
located in a county library district, that has a population of 876
not less than twenty-five thousand, and within which there is 877

not located a main library of a township, municipal, school 878
district, association, or county free public library, a library 879
district may be created by a resolution adopted by the 880
legislative authority of that municipal corporation. No such 881
resolution shall be adopted after one year from June 20, 1977. 882
Upon the adoption of the resolution, any branches of an existing 883
library that are located in that municipal corporation shall 884
become the property of the municipal library district created. 885

The municipal corporation and the board of trustees of the 886
public library maintaining any existing branches in that 887
municipal corporation shall forthwith take appropriate action 888
transferring all title and interest in all real and personal 889
property located in that municipal corporation in the name of 890
the library district maintaining those branches in that 891
municipal corporation to the municipal corporation adopting the 892
appropriate resolution. Upon transfer of all title and interest 893
in that property, the branches shall become a part of, and be 894
operated by, the board of library trustees appointed by the 895
legislative authority of the municipal corporation. 896

(B) In any municipal corporation that has a population of 897
less than twenty-five thousand and that has not less than one 898
hundred thousand dollars available from a bequest for the 899
establishment of a municipal library, the legislative authority 900
of that municipal corporation may adopt, within one year after 901
June 20, 1977, a resolution creating a library district. Upon 902
the establishment of any such library district, the board of 903
trustees of any library operating a branch library in that 904
municipal corporation shall not be required to transfer any 905
property to the newly established library. 906

(C) The board of library trustees of any library district 907

created under this section shall be composed of seven members. 908
Those trustees shall be appointed by the legislative authority 909
of the municipal corporation, to serve without compensation, for 910
a term of four years, but the initial term of the seventh 911
trustee may be for the number of years set by the legislative 912
authority, not to exceed four years. Vacancies shall be filled 913
by like appointment for the unexpired term. This section does 914
not affect the term of any trustee appointed prior to January 1, 915
2013. A library district created under this section shall be 916
governed in accordance with and exercise the authority provided 917
for in sections 3375.32 to 3375.41 of the Revised Code. 918

Notwithstanding any contrary provision of section 3.24 of 919
the Revised Code, the ~~president~~ chairperson of a board of 920
township trustees may administer the oath of office to a person 921
or persons representing the township on the board of library 922
trustees of any library district created under this section, 923
even if the geographical limits of the library district do not 924
fall within the geographical limits of the township. 925

(D) Any library district created under this section is 926
eligible to participate in the proceeds of the county public 927
library fund in accordance with section 5705.28 of the Revised 928
Code. 929

(E) A municipal corporation may establish and operate a 930
free public library regardless of whether the municipal 931
corporation is located in a county library district or school 932
library district, if all of the following conditions are met: 933

(1) The facility in which the library is principally 934
located is transferred to the municipal corporation from the 935
county library district or school library district in which it 936
is located prior to January 1, 1996. 937

(2) The population of the municipal corporation is less 938
than five hundred when the library is transferred from the 939
county library district or school library district to the 940
municipal corporation. 941

(3) The municipal corporation does not establish a 942
municipal library district under this section. 943

(4) The library does not receive any proceeds from the 944
county public library fund under section 5747.48 of the Revised 945
Code. 946

Sec. 3501.021. Notwithstanding any provision of the 947
Revised Code to the contrary, a political subdivision or other 948
entity that certifies a question or issue to a board of 949
elections for placement on the ballot ~~shall~~ may make that 950
certification in electronic or paper form. ~~A board of elections~~ 951
~~shall not accept such a certification in electronic form.~~ 952

Sec. 3709.03. (A) There is hereby created in each general 953
health district a district advisory council. A council shall 954
consist of the president of the board of county commissioners, 955
the chief executive of each municipal corporation not 956
constituting a city health district, and the ~~president~~ 957
chairperson of the board of township trustees of each township. 958
The board of county commissioners, the legislative body of a 959
municipal corporation, and the board of township trustees of a 960
township may select an alternate from among themselves to serve 961
if the president, the chief executive, or the ~~president of the~~ 962
~~board of township trustees~~ chairperson is unable to attend any 963
meeting of the district advisory council. When attending a 964
meeting on behalf of a council member, the alternate may vote on 965
any matter on which the member is authorized to vote. 966

The council shall organize by selecting a chair and 967
secretary from among its members. The council shall adopt bylaws 968
governing its meetings, the transaction of business, and voting 969
procedures. 970

The council shall meet annually in March at a place 971
determined by the chair and the health commissioner for the 972
purpose of electing the chair and the secretary, making 973
necessary appointments to the board of health, receiving and 974
considering the annual or special reports from the board of 975
health, and making recommendations to the board of health or to 976
the department of health in regard to matters for the betterment 977
of health and sanitation within the district or for needed 978
legislation. The secretary of the council shall notify the 979
district health commissioner and the director of health of the 980
proceedings of such meeting. 981

Special meetings of the council shall be held on the order 982
of any of the following: 983

(1) The director of health; 984

(2) The board of health; 985

(3) The lesser of five or a majority of district advisory 986
council members. 987

The district health commissioner shall attend all meetings 988
of the council. 989

(B) The district advisory council shall appoint five 990
members of the board of health, unless the board of health has 991
established a health district licensing council under section 992
3709.41 of the Revised Code, in which case, the district 993
advisory council shall appoint four members of the board of 994
health, and the health district licensing council shall appoint 995

one member of the board of health. At least one member of the 996
board of health shall be a physician. Appointments shall be made 997
with due regard to equal representation of all parts of the 998
district. 999

(C) If at an annual or special meeting at which a member 1000
of the board of health is to be appointed fewer than a majority 1001
of the members of the district council are present, the council, 1002
by the majority vote of council members present, may organize an 1003
executive committee to make the appointment. An executive 1004
committee shall consist of five council members, including the 1005
president of the board of county commissioners, the council 1006
chair, the council secretary, and two additional council members 1007
selected by majority affirmative vote of the council members 1008
present at the meeting. The additional members selected shall 1009
include one representative of municipal corporations in the 1010
district that are not city health districts and one 1011
representative of townships in the district. If an individual is 1012
eligible for more than one position on the executive committee 1013
due to holding a particular office, the individual shall fill 1014
one position on the committee and the other position shall be 1015
filled by a member selected by a majority affirmative vote of 1016
the council members present at the meeting. A council member's 1017
alternate for annual meetings may serve as the member's 1018
alternate at meetings of the executive committee. 1019

Not later than thirty days after an executive committee is 1020
organized, the committee shall meet and the council chair shall 1021
present to the committee the matter of appointing a member of 1022
the board of health. The committee shall appoint the board 1023
member by majority affirmative vote. In the case of a combined 1024
health district, the executive committee shall appoint only 1025
members of the board of health that are to be appointed by the 1026

district advisory council, unless the contract for 1027
administration of health affairs in the combined district 1028
provides otherwise. If a majority affirmative vote is not 1029
reached within thirty days after the executive committee is 1030
organized, the director of health shall appoint the member of 1031
the board of health under the authority conferred by section 1032
3709.03 of the Revised Code. 1033

If the council fails to meet or appoint a member of the 1034
board of health as required by this section or section 3709.02 1035
of the Revised Code, the director of health may appoint the 1036
member. 1037

Sec. 5541.04. (A) The board of county commissioners of any 1038
county, on its own motion or on petition by a person owning a 1039
lot in the unincorporated area of said county praying that the 1040
name of a county or township road in the immediate vicinity of 1041
such lot be changed, upon hearing, and upon being satisfied that 1042
there is good cause for such a change of name, that it will not 1043
be detrimental to the general interest, and that it should be 1044
made, may, by resolution declare the change of the name of such 1045
road. The board may include in one resolution the change of name 1046
of more than one road. 1047

A copy of such resolution shall be certified to the county 1048
engineer, the county recorder, and the county auditor, who shall 1049
all change their records accordingly, but still retain in some 1050
manner the old name of the road. 1051

(B) If, within sixty days after a petition is filed with a 1052
board of county commissioners to change the name of a township 1053
road, the board does not adopt a resolution either declaring the 1054
name of the road changed as requested in the petition or 1055
declaring that the name of the township road shall remain the 1056

same, the name of the township road is changed, as requested in 1057
the petition. 1058

The board of county commissioners shall submit notice that 1059
the name of the township road has changed pursuant to this 1060
division to the county engineer, the county recorder, and the 1061
county auditor, who shall all change their records accordingly, 1062
but still retain in some manner the old name of the road. 1063

Sec. 5553.04. ~~When~~ (A) Subject to division (B) of this 1064
section, when the board of county commissioners is of the 1065
opinion that it will be for the public convenience or welfare to 1066
locate, establish, alter, widen, straighten, vacate, or change 1067
the direction of a public road, it shall so declare by 1068
resolution, which resolution shall set forth the general route 1069
and termini of the road, or part of the road, to be located, 1070
established, or vacated, or the general manner in which the road 1071
is to be altered, widened, or straightened, or the direction of 1072
the road is to be changed. 1073

~~When~~ Subject to division (B) of this section, when a 1074
petition, signed by at least twelve freeholders of the county 1075
residing in the vicinity of the proposed improvement, or signed 1076
by the owner of the right to mine coal lying under or adjacent 1077
to the proposed improvement, is presented to the board 1078
requesting the board to locate, establish, alter, widen, 1079
straighten, vacate, or change the direction of a public road, 1080
the board shall view the location of the proposed improvement, 1081
and, if it is of the opinion that it will be for the public 1082
convenience or welfare to make the improvement, it may proceed 1083
to make the improvement as provided in sections 5553.04 to 1084
5553.16 of the Revised Code. The petition shall set forth the 1085
general route and termini of the road, or part of the road, to 1086

be located, established, or vacated, or the general manner in 1087
which the road is to be altered, widened, or straightened, or 1088
the direction of the road is to be changed. When the board 1089
declares by resolution its intention to proceed with the 1090
improvement, it also may provide in the resolution for the 1091
establishment of an appropriate detour route or for the 1092
temporary closing of the road to be improved. When the petition 1093
presented to the board for a proposed improvement as provided in 1094
this section is a petition signed by the owner of the right to 1095
mine coal lying under or adjacent to the proposed improvement, 1096
that petitioner shall pay the costs and expenses incurred by the 1097
board in connection with the proceedings initiated by the 1098
petition, and the costs and expenses of making the improvement 1099
including compensation and damages, and including the cost of 1100
relocation of any conduits, cables, wires, towers, poles, or 1101
other equipment or appliances of any public utility or electric 1102
cooperative as defined in section 4928.01 of the Revised Code, 1103
located on, over, or under the portion of the road affected by 1104
the improvement, and, on demand by the board, shall give bond to 1105
the satisfaction of the board in the amount the board determines 1106
to secure the payment of all of those costs and expenses. 1107

(B) A board of county commissioners shall not adopt a 1108
resolution to vacate a public road that is a township road under 1109
division (A) of this section unless the applicable board of 1110
township trustees has adopted a resolution approving the 1111
vacation. 1112

Sec. 5705.121. A municipal corporation may establish in 1113
the manner provided by law a sanitary police pension fund, an 1114
urban redevelopment tax increment equivalent fund, or a cemetery 1115
fund. ~~A-~~ 1116

A township may establish by law a cemetery fund. 1117

A subdivision that levies a tax for the purpose described 1118
in division (ZZ) or (AAA) of section 5705.19 of the Revised Code 1119
shall establish a general capital and infrastructure fund to 1120
which the proceeds from that levy shall be credited. By 1121
resolution or ordinance, the taxing authority may establish 1122
accounts within that fund for any of the several particular 1123
purposes for which such money may lawfully be spent, may 1124
eliminate such accounts when no longer necessary or desirable, 1125
and may transfer money between such accounts. Money in the fund 1126
may not be used to pay the compensation of officers or employees 1127
of the subdivision. 1128

Sec. 5705.19. This section does not apply to school 1129
districts, county school financing districts, or lake facilities 1130
authorities. 1131

The taxing authority of any subdivision at any time and in 1132
any year, by vote of two-thirds of all the members of the taxing 1133
authority, may declare by resolution and certify the resolution 1134
to the board of elections not less than ninety days before the 1135
election upon which it will be voted that the amount of taxes 1136
that may be raised within the ten-mill limitation will be 1137
insufficient to provide for the necessary requirements of the 1138
subdivision and that it is necessary to levy a tax in excess of 1139
that limitation for any of the following purposes: 1140

(A) For current expenses of the subdivision, except that 1141
the total levy for current expenses of a detention facility 1142
district or district organized under section 2151.65 of the 1143
Revised Code shall not exceed two mills and that the total levy 1144
for current expenses of a combined district organized under 1145
sections 2151.65 and 2152.41 of the Revised Code shall not 1146

exceed four mills;	1147
(B) For the payment of debt charges on certain described	1148
bonds, notes, or certificates of indebtedness of the subdivision	1149
issued subsequent to January 1, 1925;	1150
(C) For the debt charges on all bonds, notes, and	1151
certificates of indebtedness issued and authorized to be issued	1152
prior to January 1, 1925;	1153
(D) For a public library of, or supported by, the	1154
subdivision under whatever law organized or authorized to be	1155
supported;	1156
(E) For a municipal university, not to exceed two mills	1157
over the limitation of one mill prescribed in section 3349.13 of	1158
the Revised Code;	1159
(F) For the construction or acquisition of any specific	1160
permanent improvement or class of improvements that the taxing	1161
authority of the subdivision may include in a single bond issue;	1162
(G) For the general construction, reconstruction,	1163
resurfacing, and repair of streets, roads, and bridges in	1164
municipal corporations, counties, or townships;	1165
(H) For parks and recreational purposes;	1166
(I) For providing and maintaining fire apparatus,	1167
mechanical resuscitators, underwater rescue and recovery	1168
equipment, or other fire equipment and appliances, buildings and	1169
sites therefor, or sources of water supply and materials	1170
therefor, for the establishment and maintenance of lines of	1171
fire-alarm communications, for the payment of firefighting	1172
companies or permanent, part-time, or volunteer firefighting,	1173
emergency medical service, administrative, or communications	1174

personnel to operate the same, including the payment of any 1175
employer contributions required for such personnel under section 1176
145.48 or 742.34 of the Revised Code, for the purchase of 1177
ambulance equipment, for the provision of ambulance, paramedic, 1178
or other emergency medical services operated by a fire 1179
department or firefighting company, or for the payment of other 1180
related costs; 1181

(J) For providing and maintaining motor vehicles, 1182
communications, other equipment, buildings, and sites for such 1183
buildings used directly in the operation of a police department, 1184
for the payment of salaries of permanent or part-time police, 1185
communications, or administrative personnel to operate the same, 1186
including the payment of any employer contributions required for 1187
such personnel under section 145.48 or 742.33 of the Revised 1188
Code, for the payment of the costs incurred by townships as a 1189
result of contracts made with other political subdivisions in 1190
order to obtain police protection, for the provision of 1191
ambulance or emergency medical services operated by a police 1192
department, or for the payment of other related costs; 1193

(K) For the maintenance and operation of a county home or 1194
detention facility; 1195

(L) For community developmental disabilities programs and 1196
services pursuant to Chapter 5126. of the Revised Code, except 1197
that such levies shall be subject to the procedures and 1198
requirements of section 5705.222 of the Revised Code; 1199

(M) For regional planning; 1200

(N) For a county's share of the cost of maintaining and 1201
operating schools, district detention facilities, forestry 1202
camps, or other facilities, or any combination thereof, 1203

established under section 2151.65 or 2152.41 of the Revised Code	1204
or both of those sections;	1205
(O) For providing for flood defense, providing and	1206
maintaining a flood wall or pumps, and other purposes to prevent	1207
floods;	1208
(P) For maintaining and operating sewage disposal plants	1209
and facilities;	1210
(Q) For the purpose of purchasing, acquiring,	1211
constructing, enlarging, improving, equipping, repairing,	1212
maintaining, or operating, or any combination of the foregoing,	1213
a county transit system pursuant to sections 306.01 to 306.13 of	1214
the Revised Code, or of making any payment to a board of county	1215
commissioners operating a transit system or a county transit	1216
board pursuant to section 306.06 of the Revised Code;	1217
(R) For the subdivision's share of the cost of acquiring	1218
or constructing any schools, forestry camps, detention	1219
facilities, or other facilities, or any combination thereof,	1220
under section 2151.65 or 2152.41 of the Revised Code or both of	1221
those sections;	1222
(S) For the prevention, control, and abatement of air	1223
pollution;	1224
(T) For maintaining and operating cemeteries;	1225
(U) For providing ambulance service, emergency medical	1226
service, or both;	1227
(V) For providing for the collection and disposal of	1228
garbage or refuse, including yard waste;	1229
(W) For the payment of the police officer employers'	1230
contribution or the firefighter employers' contribution required	1231

under sections 742.33 and 742.34 of the Revised Code;	1232
(X) For the construction and maintenance of a drainage improvement pursuant to section 6131.52 of the Revised Code;	1233 1234
(Y) For providing or maintaining senior citizens services or facilities as authorized by section 307.694, 307.85, 505.70, or 505.706 or division (EE) of section 717.01 of the Revised Code;	1235 1236 1237 1238
(Z) For the provision and maintenance of zoological park services and facilities as authorized under section 307.76 of the Revised Code;	1239 1240 1241
(AA) For the maintenance and operation of a free public museum of art, science, or history;	1242 1243
(BB) For the establishment and operation of a 9-1-1 system, as defined in section 128.01 of the Revised Code;	1244 1245
(CC) For the purpose of acquiring, rehabilitating, or developing rail property or rail service. As used in this division, "rail property" and "rail service" have the same meanings as in section 4981.01 of the Revised Code. This division applies only to a county, township, or municipal corporation.	1246 1247 1248 1249 1250 1251
(DD) For the purpose of acquiring property for, constructing, operating, and maintaining community centers as provided for in section 755.16 of the Revised Code;	1252 1253 1254
(EE) For the creation and operation of an office or joint office of economic development, for any economic development purpose of the office, and to otherwise provide for the establishment and operation of a program of economic development pursuant to sections 307.07 and 307.64 of the Revised Code, or	1255 1256 1257 1258 1259

to the extent that the expenses of a county land reutilization 1260
corporation organized under Chapter 1724. of the Revised Code 1261
are found by the board of county commissioners to constitute the 1262
promotion of economic development, for the payment of such 1263
operations and expenses; 1264

(FF) For the purpose of acquiring, establishing, 1265
constructing, improving, equipping, maintaining, or operating, 1266
or any combination of the foregoing, a township airport, landing 1267
field, or other air navigation facility pursuant to section 1268
505.15 of the Revised Code; 1269

(GG) For the payment of costs incurred by a township as a 1270
result of a contract made with a county pursuant to section 1271
505.263 of the Revised Code in order to pay all or any part of 1272
the cost of constructing, maintaining, repairing, or operating a 1273
water supply improvement; 1274

(HH) For a board of township trustees to acquire, other 1275
than by appropriation, an ownership interest in land, water, or 1276
wetlands, or to restore or maintain land, water, or wetlands in 1277
which the board has an ownership interest, not for purposes of 1278
recreation, but for the purposes of protecting and preserving 1279
the natural, scenic, open, or wooded condition of the land, 1280
water, or wetlands against modification or encroachment 1281
resulting from occupation, development, or other use, which may 1282
be styled as protecting or preserving "greenspace" in the 1283
resolution, notice of election, or ballot form. Except as 1284
otherwise provided in this division, land is not acquired for 1285
purposes of recreation, even if the land is used for 1286
recreational purposes, so long as no building, structure, or 1287
fixture used for recreational purposes is permanently attached 1288
or affixed to the land. Except as otherwise provided in this 1289

division, land that previously has been acquired in a township 1290
for these greenspace purposes may subsequently be used for 1291
recreational purposes if the board of township trustees adopts a 1292
resolution approving that use and no building, structure, or 1293
fixture used for recreational purposes is permanently attached 1294
or affixed to the land. The authorization to use greenspace land 1295
for recreational use does not apply to land located in a 1296
township that had a population, at the time it passed its first 1297
greenspace levy, of more than thirty-eight thousand within a 1298
county that had a population, at that time, of at least eight 1299
hundred sixty thousand. 1300

(II) For the support by a county of a crime victim 1301
assistance program that is provided and maintained by a county 1302
agency or a private, nonprofit corporation or association under 1303
section 307.62 of the Revised Code; 1304

(JJ) For any or all of the purposes set forth in divisions 1305
(I) and (J) of this section. This division applies only to a 1306
township. 1307

(KK) For a countywide public safety communications system 1308
under section 307.63 of the Revised Code. This division applies 1309
only to counties. 1310

(LL) For the support by a county of criminal justice 1311
services under section 307.45 of the Revised Code; 1312

(MM) For the purpose of maintaining and operating a jail 1313
or other detention facility as defined in section 2921.01 of the 1314
Revised Code; 1315

(NN) For purchasing, maintaining, or improving, or any 1316
combination of the foregoing, real estate on which to hold, and 1317
the operating expenses of, agricultural fairs operated by a 1318

county agricultural society or independent agricultural society 1319
under Chapter 1711. of the Revised Code. This division applies 1320
only to a county. 1321

(OO) For constructing, rehabilitating, repairing, or 1322
maintaining sidewalks, walkways, trails, bicycle pathways, or 1323
similar improvements, or acquiring ownership interests in land 1324
necessary for the foregoing improvements; 1325

(PP) For both of the purposes set forth in divisions (G) 1326
and (OO) of this section. 1327

(QQ) For both of the purposes set forth in divisions (H) 1328
and (HH) of this section. This division applies only to a 1329
township. 1330

(RR) For the legislative authority of a municipal 1331
corporation, board of county commissioners of a county, or board 1332
of township trustees of a township to acquire agricultural 1333
easements, as defined in section 5301.67 of the Revised Code, 1334
and to supervise and enforce the easements. 1335

(SS) For both of the purposes set forth in divisions (BB) 1336
and (KK) of this section. This division applies only to a 1337
county. 1338

(TT) For the maintenance and operation of a facility that 1339
is organized in whole or in part to promote the sciences and 1340
natural history under section 307.761 of the Revised Code. 1341

(UU) For the creation and operation of a county land 1342
reutilization corporation and for any programs or activities of 1343
the corporation found by the board of directors of the 1344
corporation to be consistent with the purposes for which the 1345
corporation is organized; 1346

(VV) For construction and maintenance of improvements and 1347
expenses of soil and water conservation district programs under 1348
Chapter 940. of the Revised Code; 1349

(WW) For the OSU extension fund created under section 1350
3335.35 of the Revised Code for the purposes prescribed under 1351
section 3335.36 of the Revised Code for the benefit of the 1352
citizens of a county. This division applies only to a county. 1353

(XX) For a municipal corporation that withdraws or 1354
proposes by resolution to withdraw from a regional transit 1355
authority under section 306.55 of the Revised Code to provide 1356
transportation services for the movement of persons within, 1357
from, or to the municipal corporation; 1358

(YY) For any combination of the purposes specified in 1359
divisions (NN), (VV), and (WW) of this section. This division 1360
applies only to a county. 1361

(ZZ) For any combination of the following purposes: the 1362
acquisition, construction, improvement, or maintenance of 1363
buildings, equipment, and supplies for police, firefighting, or 1364
emergency medical services; the construction, reconstruction, 1365
resurfacing, or repair of streets, roads, and bridges; or for 1366
general infrastructure projects. This division applies only to a 1367
township or municipal corporation. 1368

(AAA) For any combination of the purposes specified in 1369
divisions (G), (K), (N), (O), (P), (X), (BB), and (MM) of this 1370
section, for the acquisition, construction or maintenance of 1371
county facilities, or for the acquisition of or improvements to 1372
land. This division applies only to a county. 1373

The resolution shall be confined to the purpose or 1374
purposes described in one division of this section, to which the 1375

revenue derived therefrom shall be applied. The existence in any 1376
other division of this section of authority to levy a tax for 1377
any part or all of the same purpose or purposes does not 1378
preclude the use of such revenues for any part of the purpose or 1379
purposes of the division under which the resolution is adopted. 1380

The resolution shall specify the amount of the increase in 1381
rate that it is necessary to levy, the purpose of that increase 1382
in rate, and the number of years during which the increase in 1383
rate shall be in effect, which may or may not include a levy 1384
upon the duplicate of the current year. The number of years may 1385
be any number not exceeding five, except as follows: 1386

(1) When the additional rate is for the payment of debt 1387
charges, the increased rate shall be for the life of the 1388
indebtedness. 1389

(2) When the additional rate is for any of the following, 1390
the increased rate shall be for a continuing period of time: 1391

(a) For the current expenses for a detention facility 1392
district, a district organized under section 2151.65 of the 1393
Revised Code, or a combined district organized under sections 1394
2151.65 and 2152.41 of the Revised Code; 1395

(b) For providing a county's share of the cost of 1396
maintaining and operating schools, district detention 1397
facilities, forestry camps, or other facilities, or any 1398
combination thereof, established under section 2151.65 or 1399
2152.41 of the Revised Code or under both of those sections. 1400

(3) When the additional rate is for either of the 1401
following, the increased rate may be for a continuing period of 1402
time: 1403

(a) For the purposes set forth in division (I), (J), (U), 1404

or (KK) of this section; 1405

(b) For the maintenance and operation of a joint 1406
recreation district. 1407

(4) When the increase is for the purpose or purposes set 1408
forth in division (D), (G), (H), (T), (Z), (CC), or (PP) of this 1409
section, the tax levy may be for any specified number of years 1410
or for a continuing period of time, as set forth in the 1411
resolution. 1412

(5) When the increase is for the purpose set forth in 1413
division (ZZ) or (AAA) of this section, the tax levy may be for 1414
any number of years not exceeding ten. 1415

A levy for one of the purposes set forth in division (G), 1416
(I), (J), or (U) of this section may be reduced pursuant to 1417
section 5705.261 or 5705.31 of the Revised Code. A levy for one 1418
of the purposes set forth in division (G), (I), (J), or (U) of 1419
this section may also be terminated or permanently reduced by 1420
the taxing authority if it adopts a resolution stating that the 1421
continuance of the levy is unnecessary and the levy shall be 1422
terminated or that the millage is excessive and the levy shall 1423
be decreased by a designated amount. 1424

A resolution of a detention facility district, a district 1425
organized under section 2151.65 of the Revised Code, or a 1426
combined district organized under both sections 2151.65 and 1427
2152.41 of the Revised Code may include both current expenses 1428
and other purposes, provided that the resolution shall apportion 1429
the annual rate of levy between the current expenses and the 1430
other purpose or purposes. The apportionment need not be the 1431
same for each year of the levy, but the respective portions of 1432
the rate actually levied each year for the current expenses and 1433

the other purpose or purposes shall be limited by the 1434
apportionment. 1435

Whenever a board of county commissioners, acting either as 1436
the taxing authority of its county or as the taxing authority of 1437
a sewer district or subdistrict created under Chapter 6117. of 1438
the Revised Code, by resolution declares it necessary to levy a 1439
tax in excess of the ten-mill limitation for the purpose of 1440
constructing, improving, or extending sewage disposal plants or 1441
sewage systems, the tax may be in effect for any number of years 1442
not exceeding twenty, and the proceeds of the tax, 1443
notwithstanding the general provisions of this section, may be 1444
used to pay debt charges on any obligations issued and 1445
outstanding on behalf of the subdivision for the purposes 1446
enumerated in this paragraph, provided that any such obligations 1447
have been specifically described in the resolution. 1448

A resolution adopted by the legislative authority of a 1449
municipal corporation that is for the purpose in division (XX) 1450
of this section may be combined with the purpose provided in 1451
section 306.55 of the Revised Code, by vote of two-thirds of all 1452
members of the legislative authority. The legislative authority 1453
may certify the resolution to the board of elections as a 1454
combined question. The question appearing on the ballot shall be 1455
as provided in section 5705.252 of the Revised Code. 1456

A levy for the purpose set forth in division (BB) of this 1457
section may be imposed in all or a portion of the territory of a 1458
subdivision. If the 9-1-1 system to be established and operated 1459
with levy funds excludes territory located within the 1460
subdivision, the resolution adopted under this section, or a 1461
resolution proposing to renew such a levy that was imposed in 1462
all of the territory of the subdivision, may describe the area 1463

served or to be served by the system and specify that the 1464
proposed tax would be imposed only in the areas receiving or to 1465
receive the service. Upon passage of such a resolution, the 1466
board of elections shall submit the question of the tax levy 1467
only to those electors residing in the area or areas in which 1468
the tax would be imposed. If the 9-1-1 system would serve the 1469
entire subdivision, the resolution shall not exclude territory 1470
from the tax levy. 1471

The resolution shall go into immediate effect upon its 1472
passage, and no publication of the resolution is necessary other 1473
than that provided for in the notice of election 1474

When the electors of a subdivision or, in the case of a 1475
qualifying library levy for the support of a library association 1476
or private corporation, the electors of the association library 1477
district or, in the case of a 9-1-1 system levy serving only a 1478
portion of the territory of a subdivision, the electors of the 1479
portion of the subdivision in which the levy would be imposed 1480
have approved a tax levy under this section, the taxing 1481
authority of the subdivision may anticipate a fraction of the 1482
proceeds of the levy and issue anticipation notes in accordance 1483
with section 5705.191 or 5705.193 of the Revised Code. 1484

Sec. 5709.73. (A) As used in this section and section 1485
5709.74 of the Revised Code: 1486

(1) "Business day" means a day of the week excluding 1487
Saturday, Sunday, and a legal holiday as defined in section 1.14 1488
of the Revised Code. 1489

(2) "Further improvements" or "improvements" means the 1490
increase in the assessed value of real property that would first 1491
appear on the tax list and duplicate of real and public utility 1492

property after the effective date of a resolution adopted under 1493
this section were it not for the exemption granted by that 1494
resolution. For purposes of division (B) of this section, 1495
"improvements" do not include any property used or to be used 1496
for residential purposes. For this purpose, "property that is 1497
used or to be used for residential purposes" means property 1498
that, as improved, is used or to be used for purposes that would 1499
cause the tax commissioner to classify the property as 1500
residential property in accordance with rules adopted by the 1501
commissioner under section 5713.041 of the Revised Code. 1502

(3) "Housing renovation" means a project carried out for 1503
residential purposes. 1504

(4) "Incentive district" has the same meaning as in 1505
section 5709.40 of the Revised Code, except that a blighted area 1506
is in the unincorporated area of a township. 1507

(5) "Overlay" has the same meaning as in section 5709.40 1508
of the Revised Code, except that the overlay is delineated by 1509
the board of township trustees. 1510

(6) "Project" and "public infrastructure improvement" have 1511
the same meanings as in section 5709.40 of the Revised Code. 1512

(B) A board of township trustees may, by unanimous vote, 1513
adopt a resolution that declares to be a public purpose any 1514
public infrastructure improvements made that are necessary for 1515
the development of certain parcels of land located in the 1516
unincorporated area of the township. Except with the approval 1517
under division (D) of this section of the board of education of 1518
each city, local, or exempted village school district within 1519
which the improvements are located, the resolution may exempt 1520
from real property taxation not more than seventy-five per cent 1521

of further improvements to a parcel of land that directly 1522
benefits from the public infrastructure improvements, for a 1523
period of not more than ten years. The resolution shall specify 1524
the percentage of the further improvements to be exempted and 1525
the life of the exemption. 1526

(C) (1) A board of township trustees may adopt, by 1527
unanimous vote, a resolution creating an incentive district and 1528
declaring improvements to parcels within the district to be a 1529
public purpose and, except as provided in division (C) (2) of 1530
this section, exempt from taxation as provided in this section, 1531
but no board of township trustees of a township that has a 1532
population that exceeds twenty-five thousand, as shown by the 1533
most recent federal decennial census, shall adopt a resolution 1534
that creates an incentive district if the sum of the taxable 1535
value of real property in the proposed district for the 1536
preceding tax year and the taxable value of all real property in 1537
the township that would have been taxable in the preceding year 1538
were it not for the fact that the property was in an existing 1539
incentive district and therefore exempt from taxation exceeds 1540
twenty-five per cent of the taxable value of real property in 1541
the township for the preceding tax year. The district shall be 1542
located within the unincorporated area of the township and shall 1543
not include any territory that is included within a district 1544
created under division (B) of section 5709.78 of the Revised 1545
Code. The resolution shall delineate the boundary of the 1546
proposed district and specifically identify each parcel within 1547
the district. A proposed district may not include any parcel 1548
that is or has been exempted from taxation under division (B) of 1549
this section or that is or has been within another district 1550
created under this division. A resolution may create more than 1551
one such district, and more than one resolution may be adopted 1552

under division (C) (1) of this section. 1553

(2) (a) Not later than thirty days prior to adopting a 1554
resolution under division (C) (1) of this section, if the 1555
township intends to apply for exemptions from taxation under 1556
section 5709.911 of the Revised Code on behalf of owners of real 1557
property located within the proposed incentive district, the 1558
board shall conduct a public hearing on the proposed resolution. 1559
Not later than thirty days prior to the public hearing, the 1560
board shall give notice of the public hearing and the proposed 1561
resolution by first class mail to every real property owner 1562
whose property is located within the boundaries of the proposed 1563
incentive district that is the subject of the proposed 1564
resolution. The notice shall include a map of the proposed 1565
incentive district on which the board of township trustees shall 1566
have delineated an overlay. The notice shall inform the property 1567
owner of the owner's right to exclude the owner's property from 1568
the incentive district if both of the following conditions are 1569
met: 1570

(i) The owner's entire parcel of property will not be 1571
located within the overlay. 1572

(ii) The owner has submitted a statement to the board of 1573
county commissioners of the county in which the parcel is 1574
located indicating the owner's intent to seek a tax exemption 1575
for improvements to the owner's parcel under division (A) or (B) 1576
of section 5709.78 of the Revised Code within the next five 1577
years. 1578

When both of the preceding conditions are met, the owner 1579
may exclude the owner's property from the incentive district by 1580
submitting a written response in accordance with division (C) (2) 1581
(b) of this section. The notice also shall include information 1582

detailing the required contents of the response, the address to 1583
which the response may be mailed, and the deadline for 1584
submitting the response. 1585

(b) Any owner of real property located within the 1586
boundaries of an incentive district proposed under division (C) 1587
(1) of this section who meets the conditions specified in 1588
divisions (C) (2) (a) (i) and (ii) of this section may exclude the 1589
property from the proposed incentive district by submitting a 1590
written response to the board not later than forty-five days 1591
after the postmark date on the notice required under division 1592
(C) (2) (a) of this section. The response shall include a copy of 1593
the statement submitted under division (C) (2) (a) (ii) of this 1594
section. The response shall be sent by first class mail or 1595
delivered in person at a public hearing held by the board under 1596
division (C) (2) (a) of this section. The response shall conform 1597
to any content requirements that may be established by the board 1598
and included in the notice provided under division (C) (2) (a) of 1599
this section. In the response, property owners may identify a 1600
parcel by street address, by the manner in which it is 1601
identified in the resolution, or by other means allowing the 1602
identity of the parcel to be ascertained. 1603

(c) Before adopting a resolution under division (C) (1) of 1604
this section, the board shall amend the resolution to exclude 1605
any parcel for which a written response has been submitted under 1606
division (C) (2) (b) of this section. A township shall not apply 1607
for exemptions from taxation under section 5709.911 of the 1608
Revised Code for any such parcel, and service payments may not 1609
be required from the owner of the parcel. Improvements to a 1610
parcel excluded from an incentive district under this division 1611
may be exempted from taxation under division (B) of this section 1612
pursuant to a resolution adopted under that division or under 1613

any other section of the Revised Code under which the parcel 1614
qualifies. 1615

(3) (a) A resolution adopted under division (C) (1) of this 1616
section shall specify the life of the incentive district and the 1617
percentage of the improvements to be exempted, shall designate 1618
the public infrastructure improvements made, to be made, or in 1619
the process of being made, that benefit or serve, or, once made, 1620
will benefit or serve parcels in the district. The resolution 1621
also shall identify one or more specific projects being, or to 1622
be, undertaken in the district that place additional demand on 1623
the public infrastructure improvements designated in the 1624
resolution. The project identified may, but need not be, the 1625
project under division (C) (3) (b) of this section that places 1626
real property in use for commercial or industrial purposes. 1627

A resolution adopted under division (C) (1) of this section 1628
on or after March 30, 2006, shall not designate police or fire 1629
equipment as public infrastructure improvements, and, except as 1630
provided in division (F) of this section, no service payment 1631
provided for in section 5709.74 of the Revised Code and received 1632
by the township under the resolution shall be used for police or 1633
fire equipment. 1634

(b) A resolution adopted under division (C) (1) of this 1635
section may authorize the use of service payments provided for 1636
in section 5709.74 of the Revised Code for the purpose of 1637
housing renovations within the incentive district, provided that 1638
the resolution also designates public infrastructure 1639
improvements that benefit or serve the district, and that a 1640
project within the district places real property in use for 1641
commercial or industrial purposes. Service payments may be used 1642
to finance or support loans, deferred loans, and grants to 1643

persons for the purpose of housing renovations within the 1644
district. The resolution shall designate the parcels within the 1645
district that are eligible for housing renovations. The 1646
resolution shall state separately the amount or the percentages 1647
of the expected aggregate service payments that are designated 1648
for each public infrastructure improvement and for the purpose 1649
of housing renovations. 1650

(4) Except with the approval of the board of education of 1651
each city, local, or exempted village school district within the 1652
territory of which the incentive district is or will be located, 1653
and subject to division (E) of this section, the life of an 1654
incentive district shall not exceed ten years, and the 1655
percentage of improvements to be exempted shall not exceed 1656
seventy-five per cent. With approval of the board of education, 1657
the life of a district may be not more than thirty years, and 1658
the percentage of improvements to be exempted may be not more 1659
than one hundred per cent. The approval of a board of education 1660
shall be obtained in the manner provided in division (D) of this 1661
section. 1662

(D) Improvements with respect to a parcel may be exempted 1663
from taxation under division (B) of this section, and 1664
improvements to parcels within an incentive district may be 1665
exempted from taxation under division (C) of this section, for 1666
up to ten years or, with the approval of the board of education 1667
of the city, local, or exempted village school district within 1668
which the parcel or district is located, for up to thirty years. 1669
The percentage of the improvements exempted from taxation may, 1670
with such approval, exceed seventy-five per cent, but shall not 1671
exceed one hundred per cent. Not later than forty-five business 1672
days prior to adopting a resolution under this section declaring 1673
improvements to be a public purpose that is subject to approval 1674

by a board of education under this division, the board of 1675
township trustees shall deliver to the board of education a 1676
notice stating its intent to adopt a resolution making that 1677
declaration. The notice regarding improvements with respect to a 1678
parcel under division (B) of this section shall identify the 1679
parcels for which improvements are to be exempted from taxation, 1680
provide an estimate of the true value in money of the 1681
improvements, specify the period for which the improvements 1682
would be exempted from taxation and the percentage of the 1683
improvements that would be exempted, and indicate the date on 1684
which the board of township trustees intends to adopt the 1685
resolution. The notice regarding improvements made under 1686
division (C) of this section to parcels within an incentive 1687
district shall delineate the boundaries of the district, 1688
specifically identify each parcel within the district, identify 1689
each anticipated improvement in the district, provide an 1690
estimate of the true value in money of each such improvement, 1691
specify the life of the district and the percentage of 1692
improvements that would be exempted, and indicate the date on 1693
which the board of township trustees intends to adopt the 1694
resolution. The board of education, by resolution adopted by a 1695
majority of the board, may approve the exemption for the period 1696
or for the exemption percentage specified in the notice; may 1697
disapprove the exemption for the number of years in excess of 1698
ten, may disapprove the exemption for the percentage of the 1699
improvements to be exempted in excess of seventy-five per cent, 1700
or both; or may approve the exemption on the condition that the 1701
board of township trustees and the board of education negotiate 1702
an agreement providing for compensation to the school district 1703
equal in value to a percentage of the amount of taxes exempted 1704
in the eleventh and subsequent years of the exemption period or, 1705
in the case of exemption percentages in excess of seventy-five 1706

per cent, compensation equal in value to a percentage of the 1707
taxes that would be payable on the portion of the improvements 1708
in excess of seventy-five per cent were that portion to be 1709
subject to taxation, or other mutually agreeable compensation. 1710

The board of education shall certify its resolution to the 1711
board of township trustees not later than fourteen days prior to 1712
the date the board of township trustees intends to adopt the 1713
resolution as indicated in the notice. If the board of education 1714
and the board of township trustees negotiate a mutually 1715
acceptable compensation agreement, the resolution may declare 1716
the improvements a public purpose for the number of years 1717
specified in the resolution or, in the case of exemption 1718
percentages in excess of seventy-five per cent, for the 1719
exemption percentage specified in the resolution. In either 1720
case, if the board of education and the board of township 1721
trustees fail to negotiate a mutually acceptable compensation 1722
agreement, the resolution may declare the improvements a public 1723
purpose for not more than ten years, and shall not exempt more 1724
than seventy-five per cent of the improvements from taxation. If 1725
the board of education fails to certify a resolution to the 1726
board of township trustees within the time prescribed by this 1727
section, the board of township trustees thereupon may adopt the 1728
resolution and may declare the improvements a public purpose for 1729
up to thirty years or, in the case of exemption percentages 1730
proposed in excess of seventy-five per cent, for the exemption 1731
percentage specified in the resolution. The board of township 1732
trustees may adopt the resolution at any time after the board of 1733
education certifies its resolution approving the exemption to 1734
the board of township trustees, or, if the board of education 1735
approves the exemption on the condition that a mutually 1736
acceptable compensation agreement be negotiated, at any time 1737

after the compensation agreement is agreed to by the board of 1738
education and the board of township trustees. If a mutually 1739
acceptable compensation agreement is negotiated between the 1740
board of township trustees and the board of education, including 1741
agreements for payments in lieu of taxes under section 5709.74 1742
of the Revised Code, the board of township trustees shall 1743
compensate the joint vocational school district within which the 1744
parcel or district is located at the same rate and under the 1745
same terms received by the city, local, or exempted village 1746
school district. 1747

If a board of education has adopted a resolution waiving 1748
its right to approve exemptions from taxation under this section 1749
and the resolution remains in effect, approval of such 1750
exemptions by the board of education is not required under 1751
division (D) of this section. If a board of education has 1752
adopted a resolution allowing a board of township trustees to 1753
deliver the notice required under division (D) of this section 1754
fewer than forty-five business days prior to adoption of the 1755
resolution by the board of township trustees, the board of 1756
township trustees shall deliver the notice to the board of 1757
education not later than the number of days prior to the 1758
adoption as prescribed by the board of education in its 1759
resolution. If a board of education adopts a resolution waiving 1760
its right to approve exemptions or shortening the notification 1761
period, the board of education shall certify a copy of the 1762
resolution to the board of township trustees. If the board of 1763
education rescinds the resolution, it shall certify notice of 1764
the rescission to the board of township trustees. 1765

If the board of township trustees is not required by 1766
division (D) of this section to notify the board of education of 1767
the board of township trustees' intent to declare improvements 1768

to be a public purpose, the board of township trustees shall 1769
comply with the notice requirements imposed under section 1770
5709.83 of the Revised Code before taking formal action to adopt 1771
the resolution making that declaration, unless the board of 1772
education has adopted a resolution under that section waiving 1773
its right to receive the notice. 1774

(E) (1) If a proposed resolution under division (C) (1) of 1775
this section exempts improvements with respect to a parcel 1776
within an incentive district for more than ten years, or the 1777
percentage of the improvement exempted from taxation exceeds 1778
seventy-five per cent, not later than forty-five business days 1779
prior to adopting the resolution the board of township trustees 1780
shall deliver to the board of county commissioners of the county 1781
within which the incentive district is or will be located a 1782
notice that states its intent to adopt a resolution creating an 1783
incentive district. The notice shall include a copy of the 1784
proposed resolution, identify the parcels for which improvements 1785
are to be exempted from taxation, provide an estimate of the 1786
true value in money of the improvements, specify the period of 1787
time for which the improvements would be exempted from taxation, 1788
specify the percentage of the improvements that would be 1789
exempted from taxation, and indicate the date on which the board 1790
of township trustees intends to adopt the resolution. 1791

(2) The board of county commissioners, by resolution 1792
adopted by a majority of the board, may object to the exemption 1793
for the number of years in excess of ten, may object to the 1794
exemption for the percentage of the improvement to be exempted 1795
in excess of seventy-five per cent, or both. If the board of 1796
county commissioners objects, the board may negotiate a mutually 1797
acceptable compensation agreement with the board of township 1798
trustees. In no case shall the compensation provided to the 1799

board of county commissioners exceed the property taxes foregone 1800
due to the exemption. If the board of county commissioners 1801
objects, and the board of county commissioners and board of 1802
township trustees fail to negotiate a mutually acceptable 1803
compensation agreement, the resolution adopted under division 1804
(C) (1) of this section shall provide to the board of county 1805
commissioners compensation in the eleventh and subsequent years 1806
of the exemption period equal in value to not more than fifty 1807
per cent of the taxes that would be payable to the county or, if 1808
the board of county commissioner's objection includes an 1809
objection to an exemption percentage in excess of seventy-five 1810
per cent, compensation equal in value to not more than fifty per 1811
cent of the taxes that would be payable to the county, on the 1812
portion of the improvement in excess of seventy-five per cent, 1813
were that portion to be subject to taxation. The board of county 1814
commissioners shall certify its resolution to the board of 1815
township trustees not later than thirty days after receipt of 1816
the notice. 1817

(3) If the board of county commissioners does not object 1818
or fails to certify its resolution objecting to an exemption 1819
within thirty days after receipt of the notice, the board of 1820
township trustees may adopt its resolution, and no compensation 1821
shall be provided to the board of county commissioners. If the 1822
board of county commissioners timely certifies its resolution 1823
objecting to the trustees' resolution, the board of township 1824
trustees may adopt its resolution at any time after a mutually 1825
acceptable compensation agreement is agreed to by the board of 1826
county commissioners and the board of township trustees, or, if 1827
no compensation agreement is negotiated, at any time after the 1828
board of township trustees agrees in the proposed resolution to 1829
provide compensation to the board of county commissioners of 1830

fifty per cent of the taxes that would be payable to the county 1831
in the eleventh and subsequent years of the exemption period or 1832
on the portion of the improvement in excess of seventy-five per 1833
cent, were that portion to be subject to taxation. 1834

(F) Service payments in lieu of taxes that are 1835
attributable to any amount by which the effective tax rate of 1836
either a renewal levy with an increase or a replacement levy 1837
exceeds the effective tax rate of the levy renewed or replaced, 1838
or that are attributable to an additional levy, for a levy 1839
authorized by the voters for any of the following purposes on or 1840
after January 1, 2006, and which are provided pursuant to a 1841
resolution creating an incentive district under division (C) (1) 1842
of this section that is adopted on or after January 1, 2006, or 1843
a later date as specified in this division, shall be distributed 1844
to the appropriate taxing authority as required under division 1845
(C) of section 5709.74 of the Revised Code in an amount equal to 1846
the amount of taxes from that additional levy or from the 1847
increase in the effective tax rate of such renewal or 1848
replacement levy that would have been payable to that taxing 1849
authority from the following levies were it not for the 1850
exemption authorized under division (C) of this section: 1851

(1) A tax levied under division (L) of section 5705.19 or 1852
section 5705.191 or 5705.222 of the Revised Code for community 1853
developmental disabilities programs and services pursuant to 1854
Chapter 5126. of the Revised Code; 1855

(2) A tax levied under division (Y) of section 5705.19 of 1856
the Revised Code for providing or maintaining senior citizens 1857
services or facilities; 1858

(3) A tax levied under section 5705.22 of the Revised Code 1859
for county hospitals; 1860

(4) A tax levied by a joint-county district or by a county	1861
under section 5705.19, 5705.191, or 5705.221 of the Revised Code	1862
for alcohol, drug addiction, and mental health services or	1863
families;	1864
(5) A tax levied under section 5705.23 of the Revised Code	1865
for library purposes;	1866
(6) A tax levied under section 5705.24 of the Revised Code	1867
for the support of children services and the placement and care	1868
of children;	1869
(7) A tax levied under division (Z) of section 5705.19 of	1870
the Revised Code for the provision and maintenance of zoological	1871
park services and facilities under section 307.76 of the Revised	1872
Code;	1873
(8) A tax levied under section 511.27 or division (H) of	1874
section 5705.19 of the Revised Code for the support of township	1875
park districts;	1876
(9) A tax levied under division (A), (F), or (H) of	1877
section 5705.19 of the Revised Code for parks and recreational	1878
purposes of a joint recreation district organized pursuant to	1879
division (B) of section 755.14 of the Revised Code;	1880
(10) A tax levied under section 1545.20 or 1545.21 of the	1881
Revised Code for park district purposes;	1882
(11) A tax levied under section 5705.191 of the Revised	1883
Code for the purpose of making appropriations for public	1884
assistance; human or social services; public relief; public	1885
welfare; public health and hospitalization; and support of	1886
general hospitals;	1887
(12) A tax levied under section 3709.29 of the Revised	1888

Code for a general health district program; 1889

(13) A tax levied by a township under section 505.39, 1890
505.51, or division (I), (J), (U), or (JJ) of section 5705.19 of 1891
the Revised Code for the purpose of funding fire, police, 1892
emergency medical, or ambulance services as described in those 1893
sections. Division (F) (13) of this section applies only to 1894
incentive districts created by a resolution adopted on or after 1895
the effective date of the amendment of this section by H.B. 500 1896
of the 132nd general assembly, and only if that resolution 1897
specifies that division (F) of this section shall apply to such 1898
a tax. 1899

(G) An exemption from taxation granted under this section 1900
commences with the tax year specified in the resolution so long 1901
as the year specified in the resolution commences after the 1902
effective date of the resolution. If the resolution specifies a 1903
year commencing before the effective date of the resolution or 1904
specifies no year whatsoever, the exemption commences with the 1905
tax year in which an exempted improvement first appears on the 1906
tax list and duplicate of real and public utility property and 1907
that commences after the effective date of the resolution. In 1908
lieu of stating a specific year, the resolution may provide that 1909
the exemption commences in the tax year in which the value of an 1910
improvement exceeds a specified amount or in which the 1911
construction of one or more improvements is completed, provided 1912
that such tax year commences after the effective date of the 1913
resolution. With respect to the exemption of improvements to 1914
parcels under division (B) of this section, the resolution may 1915
allow for the exemption to commence in different tax years on a 1916
parcel-by-parcel basis, with a separate exemption term specified 1917
for each parcel. 1918

Except as otherwise provided in this division, the 1919
exemption ends on the date specified in the resolution as the 1920
date the improvement ceases to be a public purpose or the 1921
incentive district expires, or ends on the date on which the 1922
public infrastructure improvements and housing renovations are 1923
paid in full from the township public improvement tax increment 1924
equivalent fund established under section 5709.75 of the Revised 1925
Code, whichever occurs first. The exemption of an improvement 1926
with respect to a parcel or within an incentive district may end 1927
on a later date, as specified in the resolution, if the board of 1928
township trustees and the board of education of the city, local, 1929
or exempted village school district within which the parcel or 1930
district is located have entered into a compensation agreement 1931
under section 5709.82 of the Revised Code with respect to the 1932
improvement and the board of education has approved the term of 1933
the exemption under division (D) of this section, but in no case 1934
shall the improvement be exempted from taxation for more than 1935
thirty years. The board of township trustees may, by majority 1936
vote, adopt a resolution permitting the township to enter into 1937
such agreements as the board finds necessary or appropriate to 1938
provide for the construction or undertaking of public 1939
infrastructure improvements and housing renovations. Any 1940
exemption shall be claimed and allowed in the same or a similar 1941
manner as in the case of other real property exemptions. If an 1942
exemption status changes during a tax year, the procedure for 1943
the apportionment of the taxes for that year is the same as in 1944
the case of other changes in tax exemption status during the 1945
year. 1946

(H) The board of township trustees may issue the notes of 1947
the township to finance all costs pertaining to the construction 1948
or undertaking of public infrastructure improvements and housing 1949

renovations made pursuant to this section. The notes shall be 1950
signed by the board and attested by the signature of the 1951
township fiscal officer, shall bear interest not to exceed the 1952
rate provided in section 9.95 of the Revised Code, and are not 1953
subject to Chapter 133. of the Revised Code. The resolution 1954
authorizing the issuance of the notes shall pledge the funds of 1955
the township public improvement tax increment equivalent fund 1956
established pursuant to section 5709.75 of the Revised Code to 1957
pay the interest on and principal of the notes. The notes, which 1958
may contain a clause permitting prepayment at the option of the 1959
board, shall be offered for sale on the open market or given to 1960
the vendor or contractor if no sale is made. 1961

(I) The township, not later than fifteen days after the 1962
adoption of a resolution under this section, shall submit to the 1963
director of development services a copy of the resolution. On or 1964
before the thirty-first day of March of each year, the township 1965
shall submit a status report to the director of development 1966
services. The report shall indicate, in the manner prescribed by 1967
the director, the progress of the project during each year that 1968
the exemption remains in effect, including a summary of the 1969
receipts from service payments in lieu of taxes; expenditures of 1970
money from the fund created under section 5709.75 of the Revised 1971
Code; a description of the public infrastructure improvements 1972
and housing renovations financed with the expenditures; and a 1973
quantitative summary of changes in private investment resulting 1974
from each project. 1975

(J) Nothing in this section shall be construed to prohibit 1976
a board of township trustees from declaring to be a public 1977
purpose improvements with respect to more than one parcel. 1978

If a parcel is located in a new community district in 1979

which the new community authority imposes a community 1980
development charge on the basis of rentals received from leases 1981
of real property as described in division (L) (2) of section 1982
349.01 of the Revised Code, the parcel may not be exempted from 1983
taxation under this section. 1984

(K) A board of township trustees that adopted a resolution 1985
under this section prior to July 21, 1994, may amend that 1986
resolution to include any additional public infrastructure 1987
improvement. A board of township trustees that seeks by the 1988
amendment to utilize money from its township public improvement 1989
tax increment equivalent fund for land acquisition in aid of 1990
industry, commerce, distribution, or research, demolition on 1991
private property, or stormwater and flood remediation projects 1992
may do so provided that the board currently is a party to a 1993
hold-harmless agreement with the board of education of the city, 1994
local, or exempted village school district within the territory 1995
of which are located the parcels that are subject to an 1996
exemption. For the purposes of this division, a "hold-harmless 1997
agreement" means an agreement under which the board of township 1998
trustees agrees to compensate the school district for one 1999
hundred per cent of the tax revenue that the school district 2000
would have received from further improvements to parcels 2001
designated in the resolution were it not for the exemption 2002
granted by the resolution. 2003

(L) Notwithstanding the limitation prescribed by division 2004
(D) of this section on the number of years that improvements to 2005
a parcel or parcels may be exempted from taxation, a board of 2006
trustees of a township with a population of fifteen thousand or 2007
more may amend a resolution originally adopted under this 2008
section before December 31, 1994, to extend the exemption of 2009
improvements to the parcel or parcels included in such 2010

resolution for an additional period not to exceed fifteen years. 2011
The amendment shall not increase the percentage of improvements 2012
to the parcel or parcels exempted from taxation. Before adopting 2013
an amendment authorized under this division, the board of 2014
township trustees shall obtain the approval of each board of 2015
education of the city, local, or exempted village school 2016
district within which the exempted parcels are located in the 2017
manner required under division (D) of this section, except that 2018
(1) the board of education may approve the exemption on the 2019
condition that the board of township trustees and the board of 2020
education negotiate an agreement providing for compensation to 2021
the school district equal in value to the amount of taxes the 2022
district forgoes in each year the exemption is extended pursuant 2023
to this division or any other mutually agreeable compensation 2024
and (2) if the board of education fails to certify a resolution 2025
approving the amendment to the board of township trustees within 2026
the time prescribed by division (D) of this section, the board 2027
of township trustees shall not adopt the amendment authorized 2028
under this division. 2029

No approval under this division shall be required from a 2030
board of education that has adopted a resolution waiving its 2031
right to approve exemptions from taxation pursuant to division 2032
(D) of this section. If the board of education has adopted such 2033
a resolution, the board of township trustees shall comply with 2034
the notice requirements imposed under section 5709.83 of the 2035
Revised Code before taking formal action to adopt an amendment 2036
authorized under this division unless the board of education has 2037
adopted a resolution under that section waiving its right to 2038
receive the notice. Not later than fourteen days before adopting 2039
an amendment authorized under this division, the board of 2040
township trustees shall deliver a notice identical to a notice 2041

required under section 5709.83 of the Revised Code to the board 2042
of county commissioners of each county in which the exempted 2043
parcels are located. 2044

Sec. 5709.75. (A) Any township that receives service 2045
payments in lieu of taxes under section 5709.74 of the Revised 2046
Code shall establish a township public improvement tax increment 2047
equivalent fund into which those payments shall be deposited. If 2048
the board of township trustees has adopted a resolution under 2049
division (C) of section 5709.73 of the Revised Code, the 2050
township shall establish at least one account in that fund with 2051
respect to resolutions adopted under division (B) of that 2052
section, and one account with respect to each incentive district 2053
created by a resolution adopted under division (C) of that 2054
section. If a resolution adopted under division (C) of section 2055
5709.73 of the Revised Code also authorizes the use of service 2056
payments for housing renovations within the incentive district, 2057
the township shall establish separate accounts for the service 2058
payments designated for public infrastructure improvements and 2059
for the service payments authorized for the purpose of housing 2060
renovations. 2061

(B) Except as otherwise provided in division (C) or (D) of 2062
this section, money deposited in an account of the township 2063
public improvement tax increment equivalent fund shall be used 2064
by the township to pay the costs of public infrastructure 2065
improvements designated in or the housing renovations authorized 2066
by the resolution with respect to which the account is 2067
established, including any interest on and principal of the 2068
notes; in the case of an account established with respect to a 2069
resolution adopted under division (C) of that section, money in 2070
the account shall be used to finance the public infrastructure 2071
improvements designated, or the housing renovations authorized, 2072

for each incentive district created in the resolution. Money in 2073
an account shall not be used to finance or support housing 2074
renovations that take place after the incentive district has 2075
expired. 2076

(C) (1) (a) A township may distribute money in such an 2077
account to any school district in which the exempt property is 2078
located in an amount not to exceed the amount of real property 2079
taxes that such school district would have received from the 2080
improvement if it were not exempt from taxation. The resolution 2081
establishing the fund shall set forth the percentage of such 2082
maximum amount that will be distributed to any affected school 2083
district. 2084

(b) A township also may distribute money in such an 2085
account as follows: 2086

(i) To a board of county commissioners, in the amount that 2087
is owed to the board pursuant to division (E) of section 5709.73 2088
of the Revised Code; 2089

(ii) To a county in accordance with section 5709.913 of 2090
the Revised Code. 2091

(2) Money from an account in a township public improvement 2092
tax increment equivalent fund may be distributed under division 2093
(C) (1) (b) of this section, regardless of the date a resolution 2094
was adopted under section 5709.73 of the Revised Code that 2095
prompted the establishment of the account, even if the 2096
resolution was adopted prior to March 30, 2006. 2097

(D) A board of township trustees that adopted a resolution 2098
under section 5709.73 of the Revised Code and that, with respect 2099
to property exempted under such a resolution, is party to a 2100
hold-harmless or service agreement, may appropriate and expend 2101

unencumbered money in the fund to pay current public safety 2102
expenses of the township. A township appropriating and expending 2103
money under this division shall reimburse the fund for the sum 2104
so appropriated and expended not later than the day the 2105
exemption granted under the resolution expires. For the purposes 2106
of this division, a "hold-harmless agreement" is an agreement 2107
with the board of education of a city, local, or exempted 2108
village school district under which the board of township 2109
trustees agrees to compensate the school district for one 2110
hundred per cent of the tax revenue the school district would 2111
have received from improvements to parcels designated in the 2112
resolution were it not for the exemption granted by the 2113
resolution. 2114

(E) A board of township trustees that adopted a resolution 2115
under section 5709.73 of the Revised Code prior to July 21, 2116
1994, and that, with respect to property exempted under such 2117
resolution, is a party to a hold-harmless or service agreement 2118
with a board of education of a city, local, or exempted village 2119
school district, within the territory of which such property is 2120
located, may appropriate and expend unencumbered money in the 2121
fund to pay current expenses for the continued maintenance of 2122
public improvements or public infrastructure improvements 2123
designated in that resolution, as such resolution has been 2124
amended under division (K) of section 5709.73 of the Revised 2125
Code. 2126

(F) Any unencumbered money remaining in the township 2127
public improvement tax increment equivalent fund or an account 2128
of that fund upon dissolution of the account or fund shall be 2129
transferred to the general fund of the township. 2130

Section 2. That existing sections 349.03, 505.01, 505.04, 2131

505.482, 507.11, 513.07, 513.071, 517.30, 519.04, 519.07, 2132
519.12, 519.13, 519.15, 1509.07, 3375.121, 3501.021, 3709.03, 2133
5541.04, 5553.04, 5705.121, 5705.19, 5709.73, and 5709.75 and 2134
sections 711.25, 711.26, and 711.27 of the Revised Code are 2135
hereby repealed. 2136

Section 3. The General Assembly, applying the principle 2137
stated in division (B) of section 1.52 of the Revised Code that 2138
amendments are to be harmonized if reasonably capable of 2139
simultaneous operation, finds that the following sections, 2140
presented in this act as composites of the sections as amended 2141
by the acts indicated, are the resulting versions of the 2142
sections in effect before the effective date of the sections as 2143
presented in this act: 2144

Section 5705.19 of the Revised Code as amended by Sub. 2145
H.B. 158, Am. Sub. H.B. 277, Sub. H.B. 413, and Am. Sub. H.B. 2146
483, all of the 131st General Assembly. 2147

Section 4. Section 3501.021 of the Revised Code, as 2148
amended by this act, shall take effect January 1, 2021. 2149