



# Ohio Legislative Service Commission

Tom Wert

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## Fiscal Note & Local Impact Statement

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**Bill:** H.B. 375 of the 131st G.A.

**Date:** May 12, 2016

**Status:** As Passed by the House

**Sponsor:** Reps. Brown and Arndt

**Local Impact Statement Procedure Required:** No

**Contents:** Permits townships to require the removal of snow and ice from sidewalks abutting property and impose a fine for failure to do so

### State Fiscal Highlights

- No direct fiscal effect on the state.

### Local Fiscal Highlights

- Townships could incur a small one-time general fund cost to prepare and adopt snow and ice removal resolutions permitted under the bill. However, because the bill requires townships to impose a fine of not more than \$50 per day for violations of the resolution, these costs could be partially, if not fully, offset by any fines collected.
- Townships could incur minimal general fund costs to remove snow and ice from sidewalks on properties when property owners fail to comply with the resolution. However, the bill authorizes townships to recoup these costs through any lawful means including placing a lien on the property.

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## Detailed Fiscal Analysis

The bill authorizes a board of township trustees to adopt a resolution to require an owner, occupant, or person having charge of a lot or parcel of land in the unincorporated area of the township to remove snow and ice from abutting sidewalks. Under the bill, the resolution must specify a reasonable amount of time within which the owner, occupant, or person must comply with the requirement. Additionally, the resolution may specify circumstances under which individuals can be exempt from the requirement, including for age, infirmity, disability, or extended absence. Under the bill, the township must charge any person who violates the resolution a fine of not greater than \$50 per day. The bill also specifies that no person complying with a township's resolution is liable for personal injuries allegedly caused by the person's compliance unless the alleged conduct is willful and wanton. Finally, the bill permits township trustees to remove snow and ice from the sidewalk of an owner who has not complied with the township's resolution. Townships are to use general fund money to do so, but could recoup the cost of the snow and ice removal by any lawful means, including placing a lien upon the property.

Townships would incur a small one-time general fund cost to prepare and adopt a snow and ice removal resolution. Townships could incur general fund costs if they remove snow and ice from sidewalks where property owners have failed to do so. However, any costs could be partially, if not fully, offset by fines imposed for failure to comply with the resolution or by assessments or liens in cases where a township removed snow and ice from noncompliant properties.