



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 315
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Hall and Seitz

Alyssa Bethel, Attorney

SUMMARY

- Allows an urban township to serve as the organizational board of commissioners for a new community district.
- Modifies various township newspaper publication requirements to allow publication via the state public notice website or via the township's website and social media account.
- Eliminates a requirement that each township provide its fiscal officer with a book for the record of marks and brands.
- Allows townships to establish township preservation commissions.
- Establishes a process for issuing citations for violations of township zoning regulations.
- Requires a permanent license plate issued to a township to display the term "township" in bold letters.
- Requires a township and county to enter into an agreement to provide financial assistance for the ongoing maintenance and repair of a county road that became a township road.
- Allows a township to use general funds to pay for machinery, tools, material, and labor used in constructing, reconstructing, maintaining, or repairing roads and culverts.
- Appropriates \$3 million to the Department of Development for grants to townships seeking to modernize regulations and processes tied to zoning efforts.
- Appropriates \$2 million to the Indigent Burial and Cremation Support Program.

DETAILED ANALYSIS

New community authority

The bill allows an urban township, which is any township with a population of 15,000 or more that has adopted a limited home rule government, to serve as the organizational board of commissioners for a new community district. The organizational board is responsible for overseeing the proceedings to establish a new community district, which is ultimately overseen and operated by a board of trustees.¹

Newspaper notices

The bill modifies various township newspaper publication requirements. Where current law requires a township to provide publication via newspaper, the bill gives the township two alternative options: (1) publish via the state public notice website or (2) publish via the township's website and social media account. The bill retains existing requirements regarding the timing of a notice (e.g., notice must be published x number of days before the relevant event). The bill does not modify every instance of newspaper publication by a township; if an existing requirement applies to a variety of entities and not only townships (e.g., townships, counties, and municipal corporations), the bill does not modify the requirement.²

Marks and brands

The bill eliminates a requirement that each township provide its fiscal officer with a book for the record of marks and brands.³

Township preservation commission

The bill allows a township to establish a township preservation commission, tasked with preserving historic properties in the unincorporated territory of the township. A board of township trustees may adopt a resolution to establish a commission and appoint seven members. Commission members serve three-year terms, though initial terms are one, two, or three years long to create staggered terms indefinitely. Four members constitute a quorum, with any action requiring a majority of members present. The members are not compensated.

¹ R.C. 349.01. See also R.C. 504.01, not in the bill.

² R.C. 501.07, 503.162, 503.41, 504.02, 504.03, 504.12, 504.121, 504.122, 504.123, 504.124, 504.125 (repealed), 504.126 (renumbered), 504.21, 505.07, 505.10, 505.17, 505.264, 505.28, 505.37, 505.373, 505.55, 505.73, 505.75, 505.76, 505.86, 505.87, 505.871, 511.12, 511.21, 515.01, 515.04, 517.07, 517.073, 517.12, 517.22, 519.06, 519.08, 519.09, 519.12, 519.15, 521.03, 971.12, 971.99, 4504.18, 4504.181, 5571.011, 5571.20, 5573.02, 5573.10, 5575.01, 5575.02, and 5579.05. See also R.C. 125.182, not in the bill, and publicnoticesohio.com, which is the website operated by the Ohio News Media Association.

³ R.C. 507.05.

Within 30 days of being appointed, the members must select a chairperson and vice-chairperson. The members must adopt rules of procedure (for meetings, etc . . .); within six months of being appointed, the members must adopt procedures and guidelines for performing their duties (preserving properties, etc . . .). Both sets of rules are subject to the approval of the township trustees. The commission can only take official action during a public meeting open to the public, and must maintain a record of proceedings that is available for inspection.

The commission has the following duties:

- Promote the importance of historic preservation throughout the unincorporated territory of the township.
- Maintain a register of historic properties located within the unincorporated township.
- Make recommendations to the board of township trustees regarding properties that may be designated as registered, historic properties.
- Consider applications and issue certificates for exterior alterations at registered properties.

The commission's primary purpose is to protect the unique historical and architectural character of registered properties and promote the conservation of the registered properties. The commission itself does not designate properties as registered properties; that is the duty of the board of township trustees, upon recommendation of the commission. If a township has established a preservation commission, the exterior of a registered property may only be altered after obtaining a certificate from the commission allowing the alteration.⁴

Zoning violations

The bill establishes a process for township zoning violations. Current law simply specifies that a person who violates a township zoning law must be fined up to \$500 per offense. The bill modifies this by allowing township trustees to adopt a resolution to impose a civil fine of up to \$500 per violation of township zoning regulations. The bill allows police constables or other peace officers serving the township to issue citations for violations; the citation must do all of the following:

- Advise the person receiving the citation that the person must answer not later than 14 days after the citation is served;
- Indicate the allowable answers that may be made and that the person will be afforded a court hearing if the person denies that they committed the violation;
- Specify that the answer must be made in person or by mail to the township fiscal officer;
- Indicate the amount of the fine.

⁴ R.C. 511.51, 511.52, and 511.53.

A constable or peace officer who issues a citation must complete the citation by identifying the violation charged and by indicating the date, time, and place of the violation charged. The constable or peace officer must sign the citation, affirm the facts that it contains, and without unnecessary delay file the original citation with the proper court. A copy of a citation must be served upon the person who allegedly committed the violation, pursuant to the Rules of Civil Procedure. Finally, the bill specifies that no constable or peace officer is entitled to receive witness fees.⁵

License plates

Continuing law requires the Registrar of Motor Vehicles to issue permanent license plates for motor vehicles acquired by the state or a political subdivision. For a permanent license plate issued for use on a motor vehicle owned or used by a township, the bill requires the term “township” to be displayed in bold letters on the plate.⁶

Roads

The bill specifies that in any circumstance in which a county road becomes a township road, and the county intends for the township to maintain the road to the county standard of construction, the township trustees and the county commissioners must enter into an agreement to provide financial assistance for the ongoing maintenance and repair of the road.⁷

Continuing law allows a township to use the township’s road fund to pay for machinery, tools, material, and labor used in constructing, reconstructing, maintaining, or repairing roads and culverts. The bill allows a township also to use its general fund.⁸

Zoning grants

The bill appropriates \$1.5 million each for FY 2024 and FY 2025 to the Department of Development to be used to offer grants to townships seeking to modernize regulations and processes tied to zoning efforts.⁹

Indigent burial

The bill appropriates \$1 million each for FY 2024 and FY 2025 to the Indigent Burial and Cremation Support Program, which the State Board of Embalmers and Funeral Directors uses to help local government entities offset the costs they incur for cremating or burying indigent people.¹⁰

⁵ R.C. 519.99.

⁶ R.C. 4503.16.

⁷ R.C. 5535.06.

⁸ R.C. 5549.21.

⁹ Section 5.

¹⁰ Section 6.

HISTORY

Action	Date
Introduced	11-02-23
