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H.B. 722
133rd General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. A. Miller

Jason Hoskins, Attorney

SUMMARY

- Specifies that the accumulation of garbage or debris constitutes a public nuisance.

DETAILED ANALYSIS

Garbage and debris as a public nuisance

The bill specifies that the accumulation of garbage or debris, either inside a building or in the yard appurtenant to a building, constitutes a public nuisance if it is a hazard to the public health, welfare, or safety.¹ Procedures for bringing civil actions regarding public nuisances are established by existing law. Among other measures, a judge may issue an injunction ordering the owner to abate the nuisance.² Abatement involves the removal or correction of any conditions constituting a public nuisance and other improvements needed to rehabilitate a building, but it does not include the closing or boarding up of the building.³

In the case of a property that is not federally subsidized housing, the bill specifies that a civil action for abatement of a public nuisance due to garbage or debris cannot be commenced until the garbage or debris has existed for at least 30 days after the first code enforcement action against the property.⁴ The bill does not modify the procedures that apply to bringing civil actions for abatement of public nuisances in subsidized housing properties, which are subject to

¹ R.C. 3767.41(A)(2)(a).

² R.C. 3767.41(B) and (C).

³ R.C. 3767.41(A)(3).

⁴ R.C. 3767.41(B)(2)(c).

the standards of specified federal regulations, including standards that address garbage and debris.⁵

HISTORY

Action	Date
Introduced	07-07-20

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⁵ R.C. 3767.41(A)(2)(b), (A)(7), (B)(1)(b), (B)(2)(c), and (I)(2)(b); 42 Code of Federal Regulations 5.703(f).