

# AN ACT

To amend sections 505.29, 505.31, 505.79, and 4109.02 and to enact sections 503.161, 503.162, and 505.95 of the Revised Code to permit a township to regulate, , by license or otherwise, the resale of tickets to theatrical, sporting, or other public amusements; to authorize townships to use their waste collection fund moneys to pay for the collection and disposal of tree leaves; to alter the conditions under which certain minors are not required to provide an age and schooling certificate as a condition of employment; and to authorize the board of township trustees or the electors of an unincorporated township to cause the question of a proposed name change for the township to be submitted to the electors of the unincorporated area of the township.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 505.29, 505.31, 505.79, and 4109.02 be amended and sections 503.161, 503.162, and 505.95 of the Revised Code be enacted to read as follows:

Sec. 503.161. (A) A board of township trustees, by a unanimous vote, may adopt a resolution causing the board of elections to submit to the electors of the unincorporated area of the township the question of whether the township's name should be changed.

(B) The electors of the unincorporated area of a township may petition the board of township trustees to adopt a resolution causing the board of elections to submit to the electors the question of whether the township's name should be changed. Upon receipt of a petition signed by twenty per cent of the electors of the unincorporated area of the township, as determined by the total number of votes cast in that area for the office of governor at the preceding general election for that office, the board of

ownship trustees shall adopt such a resolution.

(C) The question of whether the township's name should be changed shall be voted upon at the next primary or general election occurring at least seventy-five days after the certification of the resolution adopted under division (A) or (B) of this section to the board of elections.

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

"Shall the township of ..... (name) change its name to ..... (proposed name)?

..... For name change

..... Against name change"

(B) At least forty-five days before the election on this question, the board of township trustees shall provide notice of the election and an explanation of the proposed name change in a newspaper of general circulation in the township for three consecutive weeks and shall post the notice and explanation in five conspicuous places in the unincorporated area of the township.

(C) If a majority of the votes cast on the proposition of changing the township's name is in the affirmative, the name change is adopted and becomes effective ninety days after the board of elections certifies the election results to the clerk of the township. Upon receipt of the certification of the election results from the board of elections, the clerk of the township shall send a copy of that certification to the secretary of state and to the state and local government commission of Ohio.

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

Sec. 505.29. The board of township trustees may levy, in any year, levy a sufficient tax within the ten-mill limitation; upon all taxable property in a waste disposal district to provide and maintain waste disposal service and to provide for the collection and disposal of tree leaves.

In the alternative, the board of township trustees of any township which that has provided or contracted for the collection or disposal of garbage or refuse on behalf of the township or any district may establish, by resolution, establish equitable charges of rents to be paid such to the township; for the use and benefit of such that service; by every person, firm, or corporation whose premises are so served. Such The charges shall constitute a lien upon the property served; and, if not paid when due, shall be collected in the same

manner as other township taxes.

Sec. 505.31. (A) Except as otherwise provided in division (B) of this section, the township clerk shall collect the service charges for waste disposal service and administer them under rules established by the board of township trustees. All ~~such moneys of those service charges~~ shall be kept in a separate fund designated as "the waste collection fund," and shall be appropriated and administered by the board. ~~Such funds~~ The fund shall be used for payment of the costs of the management, maintenance, and operation of the garbage and refuse collection and disposal system in the township or several waste disposal districts. ~~Funds~~ The board also may use the fund for payment of the costs incurred by the township in relation to the collection and disposal of tree leaves.

Service charges for waste disposal service collected from one district cannot be used for any other district. If a district is abandoned or discontinued, any balance remaining in the fund for that district shall be paid into the general fund of the township.

(B) When a board of township trustees contracts with an independent contractor for the collection, transfer, and disposal of solid wastes under section 505.27 of the Revised Code, the contract may provide for the independent contractor to collect and keep the service charges for the waste disposal services the contractor provides.

Sec. 505.79. The board of township trustees may acquire, maintain, and operate equipment and facilities for the collection and disposal of tree leaves. The cost of providing this service shall be paid from the general fund of the township, from the waste collection fund of the township created under section 505.31 of the Revised Code, or from any fund created pursuant to section 505.29 of the Revised Code into which moneys arising from tax levies under that section are deposited.

Sec. 505.95. (A) A board of township trustees may adopt a resolution to regulate in the unincorporated area of the township, by license or otherwise, the resale, by parties not acting as agents of those issuing them, of tickets to theatrical or sporting events or to other public amusements.

(B) The board of township trustees may establish a fine of not more than one hundred dollars for each separate violation of any resolution adopted under division (A) of this section. Fifty per cent of the moneys arising from the collection of the fine shall be deposited in the township's general fund. The remaining fifty per cent of those moneys shall be deposited in the county's general fund.

(C) Any person allegedly aggrieved by a violation of a resolution adopted under division (A) of this section may seek injunctive or other

appropriate relief in connection with the act or practice that violates that resolution.

Sec. 4109.02. (A) Except as provided in division (B) of this section or in section 4109.06 of the Revised Code, no minor of compulsory school age shall be employed by any employer unless the minor presents to the employer a proper age and schooling certificate, as a condition of employment. The employer shall keep the certificate on file in the establishment where the minor is employed or in the office of the business or in the residence in or about which the minor is employed for inspection by any enforcement official.

A valid certificate constitutes conclusive evidence of the age of the minor and of the employer's right to employ the minor in occupations not denied by law to minors of that age under section 4109.06 of the Revised Code or rules adopted ~~thereunder~~ under that section.

(B) The following minors aged sixteen or seventeen are not required to provide an age and schooling certificate as a condition of employment:

(1) Those who are to be employed during summer vacation months after the last day of the school term in the spring and before the first day of the school term in the fall, in nonagricultural and nonhazardous employment as defined by the "Fair Labor Standards Act of 1938," 52 Stat. 1060, 29 U.S.C.A. 201, and similar state statutes, or in other employment not prohibited to minors age sixteen or seventeen by law;

(2) ~~Those~~ Unless required by the superintendent of schools of the school district where the minor resides, those who are to be employed not more than two months before the last day of the school term in the spring and not more than two months after the first day of the school term in the fall by a seasonal amusement or recreational establishment, on the condition that, ~~for~~ the following are satisfied:

(a) For the period prior to Memorial day and after Labor day while school is in session, they are to be employed only for hours that occur between the end of the school day on Friday and eleven p.m. on Sunday; ~~unless required by the superintendent of schools of the school district where the minor resides.~~

(b) For the period from Memorial day until the last day of the school term in the spring and from the first day of the school term in the fall until Labor day, they are to be employed only for hours that occur between the end of the school day and nine p.mon Monday through Thursday and only for hours that occur between the end of the school day on Friday and eleven p.mon Sunday.

(C) To be hired for the type of employment described in division (B) of

this section, minors shall provide the employer with the following:

(1) Evidence of proof of age in the same manner as proof of age is provided the superintendent of schools under division (C) of section 3331.02 of the Revised Code;

(2) A statement signed by the minor's parent or guardian consenting to the proposed employment. For the purposes of this section, in the absence of a parent or guardian, a person over eighteen years of age with whom the minor resides may sign ~~such~~ the statement;

(3) An age and schooling certificate if one is required under division (B)(2) of this section by the superintendent of schools of the school district where the minor resides.

The employer shall retain a copy of the proof of age and the statement of consent with the employment records of the minor.

(D) As used in this section;

(1) "Labor day" and "Memorial day" have the same meanings as provided for those days in section 1.14 of the Revised Code.

(2) "~~seasonal~~ Seasonal amusement or recreational establishment" means both of the following:

(~~1~~)(a) An amusement or recreational establishment that does not operate for more than seven months in any calendar year;

(~~2~~)(b) An amusement or recreational establishment whose average receipts for any six months during the preceding calendar year were not more than thirty-three and one-third per cent of its average receipts for the other six months of that calendar year.

SECTION 2. That existing sections 505.29, 505.31, 505.79, and 4109.02 of the Revised Code are hereby repealed.

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*Speaker* \_\_\_\_\_ *of the House of Representatives.*

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*President* \_\_\_\_\_ *of the Senate.*

Passed \_\_\_\_\_, 20\_\_\_\_

Approved \_\_\_\_\_, 20\_\_\_\_

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*Governor.*

Am. Sub. S. B. No. 52

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The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

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*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the \_\_\_ day of \_\_\_\_\_, A. D. 20\_\_\_\_.

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*Secretary of State.*

File No. \_\_\_\_\_ Effective Date \_\_\_\_\_