

**As Introduced**

**125th General Assembly  
Regular Session  
2003-2004**

**H. B. No. 368**

**Representatives Gibbs, Aslanides, Allen, Collier, McGregor, Faber, Taylor**

---

**A BILL**

To amend sections 1901.184, 1907.032, 1923.01, 1  
3701.83, 3709.085, 3709.09, 3733.01, 3733.02, 2  
3733.021, 3733.023, 3733.03, 3733.031, 3733.04, 3  
3733.05, 3733.06, 3733.07, 3733.081, 4503.06, 4  
5321.01, and 6111.46; to amend, for the purpose of 5  
adopting new section numbers as indicated in 6  
parentheses, sections 3733.023 (3729.04), 3733.081 7  
(3729.12), and 3733.082 (3729.13); and to enact 8  
sections 3729.01, 3729.02, 3729.03, 3729.05, 9  
3729.06, 3729.07, 3729.08, 3729.09, 3729.10, 10  
3729.11, and 3729.99 of the Revised Code to create 11  
separate regulatory programs for mobile home parks 12  
and recreational vehicle parks, recreation camps, 13  
combined park-camps, and temporary park-camps. 14

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

**Section 1.** That sections 1901.184, 1907.032, 1923.01, 15  
3701.83, 3709.085, 3709.09, 3733.01, 3733.02, 3733.021, 3733.023, 16  
3733.03, 3733.031, 3733.04, 3733.05, 3733.06, 3733.07, 3733.081, 17  
4503.06, 5321.01, and 6111.46 be amended, sections 3733.023 18  
(3729.04), 3733.081 (3729.12), and 3733.082 (3729.13) be amended 19  
for the purpose of adopting new section numbers as indicated in 20  
parentheses, and sections 3729.01, 3729.02, 3729.03, 3729.05, 21

3729.06, 3729.07, 3729.08, 3729.09, 3729.10, 3729.11, and 3729.99 22  
of the Revised Code be enacted to read as follows: 23

**Sec. 1901.184.** In addition to jurisdiction otherwise granted 24  
by this chapter, a municipal court shall have jurisdiction in 25  
actions filed under section ~~3733.082~~ 3729.13 of the Revised Code. 26

**Sec. 1907.032.** In addition to the jurisdiction authorized in 27  
other sections of this chapter, a county court has original 28  
jurisdiction in actions filed under section ~~3733.082~~ 3729.13 of 29  
the Revised Code. 30

**Sec. 1923.01.** (A) As provided in this chapter, any judge of a 31  
county or municipal court or a court of common pleas, within the 32  
judge's proper area of jurisdiction, may inquire about persons who 33  
make unlawful and forcible entry into lands or tenements and 34  
detain them, and about persons who make a lawful and peaceable 35  
entry into lands or tenements and hold them unlawfully and by 36  
force. If, upon the inquiry, it is found that an unlawful and 37  
forcible entry has been made and the lands or tenements are 38  
detained, or that, after a lawful entry, lands or tenements are 39  
held unlawfully and by force, a judge shall cause the plaintiff in 40  
an action under this chapter to have restitution of the lands or 41  
tenements. 42

(B) An action shall be brought under this chapter within two 43  
years after the cause of action accrues. 44

(C) As used in this chapter: 45

(1) "Tenant" means a person who is entitled under a rental 46  
agreement to the use or occupancy of premises, other than premises 47  
located in a manufactured home park, to the exclusion of others. 48

(2) "Landlord" means the owner, lessor, or sublessor of 49

premises, or the agent or person the landlord authorizes to manage 50  
premises or to receive rent from a tenant under a rental 51  
agreement, except, if required by the facts of the action to which 52  
the term is applied, "landlord" means a park operator. 53

(3) "Park operator," "manufactured home," "mobile home," 54  
"manufactured home park," ~~"recreational vehicle,"~~ and "resident" 55  
have the same meanings as in section 3733.01 of the Revised Code. 56

(4) "Residential premises" has the same meaning as in section 57  
5321.01 of the Revised Code, except, if required by the facts of 58  
the action to which the term is applied, "residential premises" 59  
has the same meaning as in section 3733.01 of the Revised Code. 60

(5) "Rental agreement" means any agreement or lease, written 61  
or oral, that establishes or modifies the terms, conditions, 62  
rules, or other provisions concerning the use or occupancy of 63  
premises by one of the parties to the agreement or lease, except 64  
that "rental agreement," as used in division (A)(13) of section 65  
1923.02 of the Revised Code and where the context requires as used 66  
in this chapter, means a rental agreement as defined in division 67  
(D) of section 5322.01 of the Revised Code. 68

(6) "Controlled substance" has the same meaning as in section 69  
3719.01 of the Revised Code. 70

(7) "School premises" has the same meaning as in section 71  
2925.01 of the Revised Code. 72

(8) "Sexually oriented offense" and "child-victim oriented 73  
offense" have the same meanings as in section 2950.01 of the 74  
Revised Code. 75

(9) "Recreational vehicle" has the same meaning as in section 76  
4501.01 of the Revised Code. 77

**Sec. 3701.83.** (A) There is hereby created in the state 78  
treasury the general operations fund. Moneys in the fund shall be 79

used for the purposes specified in sections 3701.04, 3701.344, 80  
3702.20, 3710.15, 3711.021, 3717.45, 3721.02, 3722.04, 3729.07, 81  
3733.04, 3733.25, 3733.43, 3748.04, 3748.05, 3748.07, 3748.12, 82  
3748.13, 3749.04, 3749.07, 4747.04, 4751.04, and 4769.09 of the 83  
Revised Code. 84

(B) The alcohol testing program fund is hereby created in the 85  
state treasury. The director of health shall use the fund to 86  
administer and enforce the alcohol testing and permit program 87  
authorized by section 3701.143 of the Revised Code. 88

The fund shall receive transfers from the liquor control fund 89  
created under section 4301.12 of the Revised Code. All investment 90  
earnings of the alcohol testing program fund shall be credited to 91  
the fund. 92

**Sec. 3709.085.** (A) The board of health of a city or general 93  
health district may enter into a contract with any political 94  
subdivision or other governmental agency to obtain or provide all 95  
or part of any services, including, but not limited to, 96  
enforcement services, for the purposes of Chapter 3704. of the 97  
Revised Code, the rules adopted and orders made pursuant thereto, 98  
or any other ordinances or rules for the prevention, control, and 99  
abatement of air pollution. 100

(B)(1) As used in division (B)(2) of this section: 101

(a) "Semipublic disposal system" means a disposal system that 102  
treats the sanitary sewage discharged from publicly or privately 103  
owned buildings or places of assemblage, entertainment, 104  
recreation, education, correction, hospitalization, housing, or 105  
employment, but does not include a disposal system that treats 106  
sewage in amounts of more than twenty-five thousand gallons per 107  
day; a disposal system for the treatment of sewage that is exempt 108  
from the requirements of section 6111.04 of the Revised Code 109

pursuant to division (F)(6) of that section; or a disposal system 110  
for the treatment of industrial waste. 111

(b) Terms defined in section 6111.01 of the Revised Code have 112  
the same meanings as in that section. 113

(2) The board of health of a city or general health district 114  
may enter into a contract with the environmental protection agency 115  
to conduct on behalf of the agency inspection or enforcement 116  
services, for the purposes of Chapter 6111. of the Revised Code 117  
and rules adopted thereunder, for the disposal or treatment of 118  
sewage from semipublic disposal systems. The board of health of a 119  
city or general health district may charge a fee established 120  
pursuant to section 3709.09 of the Revised Code to be paid by the 121  
owner or operator of a semipublic disposal system for inspections 122  
conducted by the board pursuant to a contract entered into under 123  
division (B)(2) of this section, except that the board shall not 124  
charge a fee for those inspections conducted at any ~~manufactured~~ 125  
~~home park,~~ recreational vehicle park, recreation camp, or combined 126  
park-camp that is licensed under section ~~3733.03~~ 3729.05 of the 127  
Revised Code or at any manufactured home park that is licensed 128  
under section 3733.03 of the Revised Code. 129

**Sec. 3709.09.** (A) The board of health of a city or general 130  
health district may, by rule, establish a uniform system of fees 131  
to pay the costs of any services provided by the board. 132

The fee for issuance of a certified copy of a vital record or 133  
a certification of birth shall not be less than the fee prescribed 134  
for the same service under division (A)(1) of section 3705.24 of 135  
the Revised Code and shall include the fees required by division 136  
(B) of section 3705.24 and section 3109.14 of the Revised Code. 137

Fees for services provided by the board for purposes 138  
specified in sections 3701.344, 3711.05, 3729.07, 3730.03, 139  
3733.04, 3733.25, and 3749.04 of the Revised Code shall be 140

established in accordance with rules adopted under division (B) of 141  
this section. The district advisory council, in the case of a 142  
general health district, and the legislative authority of the 143  
city, in the case of a city health district, may disapprove any 144  
fee established by the board of health under this division, and 145  
any such fee, as disapproved, shall not be charged by the board of 146  
health. 147

(B) The public health council shall adopt rules under section 148  
111.15 of the Revised Code that establish fee categories and 149  
uniform methodologies for use in calculating the costs of services 150  
provided for purposes specified in sections 3701.344, 3711.05, 151  
3729.07, 3730.03, 3733.04, 3733.25, and 3749.04 of the Revised 152  
Code. In adopting the rules, the public health council shall 153  
consider recommendations it receives from advisory boards 154  
established either by statute or the director of health for 155  
entities subject to the fees. 156

(C) At least thirty days prior to establishing a fee for a 157  
service provided by the board for a purpose specified in section 158  
3701.344, 3711.05, 3729.07, 3730.03, 3733.04, 3733.25, or 3749.04 159  
of the Revised Code, a board of health shall notify any entity 160  
that would be affected by the proposed fee of the amount of the 161  
proposed fee. 162

**Sec. 3729.01. As used in this chapter:** 163

(A) "Camp operator" means the operator of a recreational 164  
vehicle park, recreation camp, combined park-camp, or temporary 165  
park-camp. 166

(B) "Campsite user" means a person who enters into a campsite 167  
use agreement with a camp operator for the use of a campsite at a 168  
recreational vehicle park, recreation camp, combined park-camp, or 169  
temporary park-camp. 170

(C) "Combined park-camp" means any tract of land upon which a combination of five or more self-contained recreational vehicles or portable camping units are placed and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the park facilities. A tract of land that is subdivided for lease or other contract of the individual lots is a combined park-camp if a combination of five or more recreational vehicles or portable camping units are placed on it for recreation, vacation, or business purposes.

"Combined park-camp" does not include any tract of land used solely as a temporary park-camp.

(D) "Dependent recreational vehicle" means a recreational vehicle other than a self-contained recreational vehicle. "Dependent recreational vehicle" includes a park model.

(E) "Development" means any artificial change to improved or unimproved real estate, including, without limitation, buildings or structures, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials, and the construction, expansion, or substantial alteration of a recreational vehicle park, recreation camp, or combined park-camp, for which plan review is required under division (A) of section 3729.03 of the Revised Code. "Development" does not include the building, construction, erection, or manufacture of any building to which section 3781.06 of the Revised Code is applicable.

(F) "Director of health" means the director of health or the director's authorized representative.

(G) "Flood" or "flooding" means either of the following:

(1) A general and temporary condition of partial or complete inundation of normally dry land areas from any of the following:

(a) The overflow of inland or tidal waters;

(b) The unusual and rapid accumulation or runoff of surface waters from any source; 201  
202

(c) Mudslides that are proximately caused by flooding as defined in division (G)(1)(b) of this section and that are akin to a river of liquid and flowing mud on the surface of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current. 203  
204  
205  
206  
207

(2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining that is caused by waves or currents of water exceeding anticipated cyclical levels or that is suddenly caused by an unusually high water level in a natural body of water, and that is accompanied by a severe storm, by an unanticipated force of nature, such as a flash flood, by an abnormal tidal surge, or by some similarly unusual and unforeseeable event, that results in flooding as defined in division (G)(1)(a) of this section. 208  
209  
210  
211  
212  
213  
214  
215  
216

(H) "Flood plain" means the area adjoining any river, stream, watercourse, or lake that has been or may be covered by flood water. 217  
218  
219

(I) "Licensor" means either the board of health of a city or general health district, or the authority having the duties of a board of health in any city as authorized by section 3709.05 of the Revised Code, or the director of health, when required under division (B) of section 3729.06 of the Revised Code. "Licensor" also means an authorized representative of any of those entities or of the director. 220  
221  
222  
223  
224  
225  
226

(J) "One-hundred-year flood" means a flood having a one per cent chance of being equaled or exceeded in any given year. 227  
228

(K) "One-hundred-year flood plain" means that portion of a flood plain inundated by a one-hundred-year flood. 229  
230



(L) "Operator" means the person who has responsible charge of a recreational vehicle park, recreation camp, combined park-camp, or temporary park-camp and who is licensed under this chapter. 231  
232  
233

(M) "Park model" means a recreational vehicle that meets the American national standard institute standard A119.5(1988) for park trailers, is built on a single chassis, has a gross trailer area of not more than four hundred square feet when set up, is designed for seasonal or temporary living quarters, and may be connected to utilities necessary for operation of installed features and appliances. 234  
235  
236  
237  
238  
239  
240

(N) "Person" has the same meaning as in section 1.59 of the Revised Code and also includes this state, any political subdivision of this state, and any other state or local body of this state. 241  
242  
243  
244

(O) "Portable camping units" means dependent recreational vehicles, tents, portable sleeping equipment, and similar camping equipment used for travel, recreation, vacation, or business purposes. 245  
246  
247  
248

(P) "Recreation camp" means any tract of land upon which five or more portable camping units are placed and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of the camp. A tract of land that is subdivided for lease or other contract of the individual lots is a recreation camp if five or more portable camping units are placed on it for recreation, vacation, or business purposes. 249  
250  
251  
252  
253  
254  
255  
256

"Recreation camp" does not include any tract of land used solely for the storage or display for sale of dependent recreational vehicles or solely as a temporary park-camp. 257  
258  
259

(Q) "Recreational vehicle" has the same meaning as in section 4501.01 of the Revised Code. 260  
261

(R) "Recreational vehicle park" means any tract of land used for parking five or more self-contained recreational vehicles and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the park facilities and any tract of land that is subdivided for lease or other contract of the individual lots for the express or implied purpose of placing self-contained recreational vehicles for recreation, vacation, or business purposes.

"Recreational vehicle park" does not include any tract of land used solely for the storage or display for sale of self-contained recreational vehicles or solely as a temporary park-camp.

(S) "Self-contained recreational vehicle" means a recreational vehicle that can operate independent of connections to sewer and water and has plumbing fixtures or appliances all of which are connected to sewage holding tanks located within the vehicle. "Self-contained recreational vehicle" includes a park model.

(T) "Substantially alter" means a change in the layout or design of a recreational vehicle park, recreation camp, combined park-camp, or temporary park-camp, including, without limitation, the movement of utilities or changes in established streets, lots, or sites or in other facilities.

(U) "Temporary park-camp" means any tract of land used for a period not to exceed a total of twenty-one days per calendar year for the purpose of parking five or more recreational vehicles, dependent recreational vehicles, or portable camping units, or any combination thereof, for one or more periods of time that do not exceed seven consecutive days or parts thereof.

(V) "Tract" means a contiguous area of land that consists of one or more parcels, lots, or sites that have been separately

surveyed regardless of whether the individual parcels, lots, or 293  
sites have been recorded and regardless of whether the one or more 294  
parcels, lots, or sites are under common or different ownership. 295

**Sec. 3729.02.** (A) The public health council, subject to 296  
Chapter 119. of the Revised Code, shall adopt rules of uniform 297  
application throughout the state governing the review of plans and 298  
issuance of licenses for and the location, layout, construction, 299  
drainage, sanitation, safety, and operation of recreational 300  
vehicle parks, recreation camps, and combined park-camps. The 301  
rules shall not apply to the construction, erection, or 302  
manufacture of any building to which section 3781.06 of the 303  
Revised Code is applicable. 304

(B) The public health council, subject to Chapter 119. of the 305  
Revised Code, shall adopt rules of uniform application throughout 306  
the state governing the review of plans and issuance of licenses 307  
for and the layout, sanitation, safety, and operation of temporary 308  
park-camps. The rules shall not apply to the construction, 309  
erection, or manufacture of any building to which section 3781.06 310  
of the Revised Code is applicable. 311

**Sec. 3729.03.** (A) No person shall cause development to occur 312  
within any portion of a recreational vehicle park, recreation 313  
camp, or combined park-camp until the plans for the development 314  
have been submitted to and reviewed and approved by the director 315  
of health. This division does not require that plans be submitted 316  
to the director for approval for the replacement of recreational 317  
vehicles or portable camping units on previously approved sites in 318  
a recreational vehicle park, recreation camp, or combined 319  
park-camp when no development is to occur in connection with the 320  
replacement. Within thirty days after receipt of the plans, all 321  
supporting documents and materials required to complete the 322

review, and the applicable plan review fee established under 323  
division (D) of this section, the director shall approve or 324  
disapprove the plans. 325

(B) Any person aggrieved by the director's disapproval of a 326  
set of plans under division (A) of this section may request a 327  
hearing on the matter within thirty days after receipt of the 328  
director's notice of the disapproval. The hearing shall be held in 329  
accordance with Chapter 119. of the Revised Code. Thereafter, the 330  
disapproval may be appealed in the manner provided in section 331  
119.12 of the Revised Code. 332

(C) The director shall establish a system by which 333  
development occurring within a recreational vehicle park, 334  
recreation camp, or combined park-camp is inspected or verified in 335  
accordance with rules adopted under division (A) of section 336  
3729.02 of the Revised Code to ensure that the development 337  
complies with the plans approved under division (A) of this 338  
section. 339

(D) The public health council shall establish fees for 340  
reviewing plans under division (A) of this section and conducting 341  
inspections under division (C) of this section. 342

(E) The director shall charge the appropriate fees 343  
established under division (D) of this section for reviewing plans 344  
under division (A) of this section and conducting inspections 345  
under division (C) of this section. All such plan review and 346  
inspection fees received by the director shall be transmitted to 347  
the treasurer of state and shall be credited to the general 348  
operations fund created in section 3701.83 of the Revised Code. 349  
Moneys so credited to the fund shall be used only for the purpose 350  
of administering and enforcing this chapter and rules adopted 351  
under it. 352

(F) Plan approvals issued under this section do not 353  
constitute an exemption from the land use and building 354  
requirements of the political subdivision in which the 355  
recreational vehicle park, recreation camp, or combined park-camp 356  
is or is to be located. 357

**Sec. ~~3733.023~~ 3729.04.** (A) No person shall cause development 358  
to occur within any portion of a recreational vehicle park, 359  
recreation camp, combined park-camp, or temporary park-camp that 360  
is located within a one-hundred-year flood plain in a municipal 361  
corporation unless the person first obtains a permit therefor from 362  
the municipal corporation in accordance with the flood plain 363  
management ordinance of the municipal corporation. 364

(B) No person shall cause development to occur within any 365  
portion of a recreational vehicle park, recreation camp, combined 366  
park-camp, or temporary park-camp that is located within a 367  
one-hundred-year flood plain in an unincorporated area unless the 368  
person first obtains a permit therefor from the board of county 369  
commissioners of the county in which the development is to occur 370  
in accordance with the flood plain management resolution of the 371  
county adopted under section 307.37 of the Revised Code. 372

(C) If development for which a permit is required under 373  
division (A) or (B) of this section is to occur on a site where a 374  
recreational vehicle or portable camping unit is or is to be 375  
located, the owner of the recreational vehicle or portable camping 376  
unit and the operator of the recreational vehicle park, recreation 377  
camp, or combined park-camp shall jointly obtain the permit. Each 378  
of the persons to whom a permit is jointly issued is responsible 379  
for compliance with the provisions of the approved permit that are 380  
applicable to that person. 381

If development for which a permit is required under division 382  
(A) or (B) of this section is to occur within a temporary 383

park-camp on a site where a recreational vehicle or portable 384  
camping unit is or is to be located, the owner of the temporary 385  
park-camp shall obtain the permit. 386

(D) Fees established by a municipal corporation or county for 387  
the issuance of permits under division (A) or (B) of this section 388  
are not subject to regulation by the public health council. 389

Sec. 3729.05. (A)(1) On or after the first day of April, but 390  
before the first day of May of each year, every person who intends 391  
to operate a recreational vehicle park, recreation camp, or 392  
combined park-camp shall procure a license to operate the park or 393  
camp from the licenser. If the applicable license fee prescribed 394  
under section 3729.07 of the Revised Code is not received by the 395  
licenser by the close of business on the last day of April, the 396  
applicant for the license shall pay a penalty equal to twenty-five 397  
per cent of the applicable license fee. The penalty shall 398  
accompany the license fee. If the last day of April is not a 399  
business day, the penalty attaches upon the close of business on 400  
the next business day. 401

(2) Every person who intends to operate a temporary park-camp 402  
shall obtain a license to operate the temporary park-camp from the 403  
licenser at any time before the person begins operation of the 404  
temporary park-camp during the calendar year. 405

(3) No recreational vehicle park, recreation camp, combined 406  
park-camp, or temporary park-camp shall be maintained or operated 407  
in this state without a license. However, no person who neither 408  
intends to receive nor receives anything of value arising from the 409  
use of, or the sale of goods or services in connection with the 410  
use of, a recreational vehicle park, recreation camp, combined 411  
park-camp, or temporary park-camp is required to procure a license 412  
under this division. If any health hazard exists at such an 413  
unlicensed park, camp, or park-camp, the health hazard shall be 414

corrected in a manner consistent with the appropriate rule adopted  
under division (A) or (B) of section 3729.02 of the Revised Code.

415  
416

(4) No person who has received a license under division  
(A)(1) of this section, upon the sale or disposition of the  
recreational vehicle park, recreation camp, or combined park-camp,  
may have the license transferred to the new operator. A person  
shall obtain a separate license to operate each manufactured home  
park, recreational vehicle park, recreation camp, or combined  
park-camp. No license to operate a temporary park-camp shall be  
transferred. A person shall obtain a separate license for each  
temporary park-camp that the person intends to operate, and the  
license shall be valid for a period of not longer than seven  
consecutive days. A person who operates a temporary park-camp on a  
tract of land for more than twenty-one days or parts thereof in a  
calendar year shall obtain a license to operate a recreational  
vehicle park, recreation camp, or combined park-camp.

417  
418  
419  
420  
421  
422  
423  
424  
425  
426  
427  
428  
429  
430

(B)(1) Before a license is initially issued under division  
(A)(1) of this section and annually thereafter, or more often if  
necessary, the licensor shall cause each recreational vehicle  
park, recreation camp, or combined park-camp to be inspected to  
determine compliance with this chapter and rules adopted under it.  
A record shall be made of each inspection on a form prescribed by  
the director of health.

431  
432  
433  
434  
435  
436  
437

(2) When a license is initially issued under division (A)(2)  
of this section, and more often if necessary, the licensor shall  
cause each temporary park-camp to be inspected to determine  
compliance with this chapter and rules adopted under it during the  
period that the temporary park-camp is in operation. A record  
shall be made of each inspection on a form prescribed by the  
director.

438  
439  
440  
441  
442  
443  
444

(C) Each person applying for an initial license to operate a

445

recreational vehicle park, recreation camp, combined park-camp, or  
temporary park-camp shall provide acceptable proof to the  
director, or to the licenser in the case of a temporary park-camp,  
that adequate fire protection will be provided and that applicable  
fire codes will be adhered to in the construction and operation of  
the park, camp, or park-camp.

446  
447  
448  
449  
450  
451

(D) Any person that operates a county or state fair or any  
independent agricultural society organized pursuant to section  
1711.02 of the Revised Code that operates a fair shall not be  
required to obtain a license under this chapter if recreational  
vehicles, portable camping units, or any combination of them are  
parked at the site of the fair only during the time of preparation  
for, operation of, and dismantling of the fair and if the  
recreational vehicles, portable camping units, or any combination  
of them belong to participants in the fair.

452  
453  
454  
455  
456  
457  
458  
459  
460

**Sec. 3729.06.** (A) The director of health may survey annually  
each health district that is licensing recreational vehicle parks,  
recreation camps, combined park-camps, or temporary park-camps as  
provided in section 3729.05 of the Revised Code to determine  
whether the district is in substantial compliance with this  
chapter and rules adopted under it. Upon determination that there  
is substantial compliance, the director shall place the health  
district on an approved list. The director shall make a resurvey  
when in the director's opinion a resurvey is necessary and shall  
remove from the approved list any health district not  
substantially complying with this chapter and rules adopted under  
it.

461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472

(B) If, after a survey or resurvey is made as provided in  
this section, the director determines that a health district is  
not eligible to be placed on the approved list or to continue on  
the list, the director shall certify that fact to the board of

473  
474  
475  
476



health of the health district. The director shall administer and 477  
enforce this chapter and rules adopted under it in the health 478  
district until the director determines that the health district is 479  
eligible for placement on the approved list. Until the district is 480  
placed on or returned to the approved list, the director shall 481  
collect all fees payable to a board of health under section 482  
3729.07 of the Revised Code and all such fees previously paid that 483  
have not been expended or encumbered for deposit in the state 484  
treasury to the credit of the campground licensing fund, which is 485  
hereby created for use by the director in the director's capacity 486  
as licensor. The director shall repay any balance remaining in the 487  
account to the district when the director places the district on 488  
the approved list. 489

Sec. 3729.07. The licensor of a recreational vehicle park, 490  
recreation camp, or combined park-camp may charge a fee for an 491  
annual license to operate such a park, camp, or park-camp. In the 492  
case of a temporary park-camp, the licensor may charge a fee for a 493  
license to operate the temporary park-camp for the period 494  
specified in division (A) of section 3729.05 of the Revised Code. 495  
The fees for both types of licenses shall be determined in 496  
accordance with section 3709.09 of the Revised Code and shall 497  
include the cost of licensing and all inspections. 498

Except for the fee for a temporary park-camp license, the fee 499  
also shall include any additional amount determined by rule of the 500  
public health council, which shall be collected and transmitted by 501  
the board of health to the treasurer of state to be credited to 502  
the general operations fund created in section 3701.83 of the 503  
Revised Code and used only for the purpose of administering and 504  
enforcing this chapter and rules adopted under it. The portion of 505  
any fee retained by the board of health shall be paid into a 506  
special fund and used only for the purpose of administering and 507

enforcing this chapter and rules adopted under it.

508

Sec. 3729.08. The licensor of the health district in which a recreational vehicle park, recreation camp, combined park-camp, or temporary park-camp is or is to be located, in accordance with Chapter 119. of the Revised Code, may refuse to grant, may suspend, or may revoke any license granted to any person for failure to comply with this chapter or with any rule adopted by the public health council under section 3729.02 of the Revised Code.

509

510

511

512

513

514

515

516

Sec. 3729.09. Upon a license being issued under sections 3729.05 to 3729.08 of the Revised Code, any operator has the right to rent or use each lot or camping space for the parking or placement of a recreational vehicle or portable camping facility to be used for human habitation without interruption for any period coextensive with any license or consecutive licenses issued under sections 3729.05 to 3729.08 of the Revised Code.

517

518

519

520

521

522

523

Sec. 3729.10. Fees authorized or charged under sections 3729.03 and 3729.07 of the Revised Code are in lieu of all license and inspection fees on or with respect to the operation or ownership of recreational vehicle parks, combined park-camps, recreation camps, or temporary park-camps within this state, except that the licensor may charge additional reasonable fees for the collection and bacteriological examination of any necessary water samples taken from any such park, camp, or park-camp.

524

525

526

527

528

529

530

531

Sec. 3729.11. (A) No person shall violate this chapter or rules adopted under it.

532

533

(B) The prosecuting attorney of a county, a city director of law, or the attorney general, upon complaint of the licensor or the director of health, shall prosecute to termination or bring an

534

535

536

action for injunction against any person violating this chapter or 537  
rules adopted under it. 538

**Sec. ~~3733.081~~ 3729.12.** Every campsite use agreement entered 539  
into between a camp operator and a campsite user shall be in 540  
writing, shall contain the name, address, and phone number of the 541  
campsite user, and shall designate the campsite that is the 542  
subject of the agreement. The campsite use agreement also shall 543  
contain a description of the procedure for removing property from 544  
the campsite if the campsite user fails to remove all property 545  
from the campsite as required by section ~~3733.082~~ 3729.13 of the 546  
Revised Code. 547

**Sec. ~~3733.082~~ 3729.13.** (A) A campsite user who enters into a 548  
campsite use agreement with a camp operator for the use of a 549  
campsite at a recreational vehicle park, recreation camp, combined 550  
park-camp, or temporary park-camp, at the expiration of the 551  
campsite use period under the agreement, shall remove from the 552  
campsite all of the campsite user's property and all property any 553  
other person placed on the campsite with the permission of the 554  
campsite user. If the campsite user fails to remove all of that 555  
property from the campsite within the five-consecutive-day period 556  
after the expiration of that campsite use period, all of the 557  
following apply: 558

(1) The camp operator shall perform an inventory of the 559  
property that the campsite user did not remove from the campsite. 560

(2) The camp operator may send a letter to the campsite user 561  
informing the campsite user that the campsite user has abandoned 562  
the property on the campsite in violation of the campsite use 563  
agreement and that the camp operator will commence an action for 564  
the seizure of the property if the campsite user does not remove 565  
the property from the campsite within ten days after the date on 566

which the letter is mailed. 567

(3) If the campsite user does not remove the property from 568  
the campsite within ten days after the date on which the letter 569  
described in division (A)(2) of this section is mailed, the camp 570  
operator may file an action for the seizure of the property that 571  
remains on the campsite in the municipal court or county court 572  
that has territorial jurisdiction over the park or camp. The 573  
complaint shall contain all of the following: 574

(a) The name, address, and phone number of the campsite user 575  
that is in the campsite use agreement; 576

(b) A description of the property that the campsite user has 577  
not removed from the campsite; 578

(c) A demand that all of the property listed in the complaint 579  
be removed from the campsite within seven days after service of 580  
the complaint upon the campsite user; 581

(d) A description of the procedure that will be followed if 582  
the campsite user does not remove the listed property within the 583  
seven-day period; 584

(e) A statement that the campsite user shall pay to the clerk 585  
of the court the amount of the filing fees charged for the filing 586  
of the complaint, that the campsite user shall pay those fees 587  
prior to the campsite user's removal of the listed property from 588  
the campsite, and that if the campsite user fails to pay the 589  
amount of the filing fees the property may be sold to pay the 590  
filing fees. 591

(4) When the camp operator files an action under division 592  
(A)(3) of this section, the clerk of the court shall issue a 593  
summons and a copy of the complaint pursuant to the Rules of Civil 594  
Procedure to the campsite user at the address provided in the 595  
campsite use agreement. 596

(5) If the campsite user does not file an answer to the 597  
complaint filed under division (A)(3) of this section and remove 598  
all of the property listed in the complaint within seven days 599  
after service of the complaint upon the campsite user, the court 600  
shall do either of the following: 601

(a) Issue an order authorizing the sheriff, another peace 602  
officer, or a bailiff to remove the property from the campsite and 603  
place it in storage; 604

(b) Authorize the camp operator to seize the property and 605  
cause the issuance to the camp operator of a new certificate of 606  
title for the property if the property is a titled vehicle. 607

(6) Upon the removal and storage of the property, the 608  
sheriff, peace officer, bailiff, or camp operator shall conduct or 609  
cause to be conducted a search of the appropriate public records 610  
that relate to the property and shall make or cause to be made 611  
reasonably diligent inquiries for the purpose of identifying 612  
persons who have any right, title, or interest in any of the 613  
property. Then, the sheriff, peace officer, bailiff, or camp 614  
operator may commence proceedings for the sale of the property. 615  
The sheriff, peace officer, bailiff, or camp operator shall send 616  
by certified mail, return receipt requested, a written notice of 617  
the date, time, and place of the sale to each person who, because 618  
of the conduct of the search, the making of inquiries, or 619  
otherwise, the sheriff, peace officer, bailiff, or camp operator 620  
believes has any right, title, or interest in the property. The 621  
sheriff, peace officer, bailiff, or camp operator shall send the 622  
notice to the last known address of each of those persons. 623

(7) If the sheriff, peace officer, bailiff, or camp operator 624  
sells the property, the sheriff, peace officer, bailiff, or camp 625  
operator shall dispose of the proceeds of the sale in the 626  
following order: 627

(a) The sheriff, peace officer, bailiff, or camp operator 628  
shall first pay the costs for any moving or any storage of the 629  
property, the costs of the sale, and any unpaid court costs 630  
assessed against the campsite user in the underlying action. 631

(b) Following the payment required by division (A)(7)(a) of 632  
this section, the sheriff, peace officer, bailiff, or camp 633  
operator shall pay all other outstanding security interests, 634  
liens, or encumbrances on the property by priority of filing or 635  
other priority. 636

(c) After complying with divisions (A)(7)(a) and (b) of this 637  
section, the sheriff, peace officer, bailiff, or camp operator 638  
shall transfer any remaining money to the owner of the property. 639

(8) If the sheriff, peace officer, bailiff, or camp operator 640  
does not conduct a sale of the property, the sheriff, peace 641  
officer, bailiff, or camp operator shall dispose of the property 642  
in the following manner: 643

(a) If the property is a motor vehicle or recreational 644  
vehicle, in accordance with the procedure in section 4513.61 or 645  
4513.63 of the Revised Code; 646

(b) If the property is personal property, in accordance with 647  
the procedure in section 2933.41 of the Revised Code. 648

(B) Upon collection from the campsite user, the municipal 649  
court or county court shall reimburse the filing fees to the camp 650  
operator. 651

Sec. 3729.99. Whoever violates division (A) of section 652  
3729.11 of the Revised Code is guilty of a misdemeanor of the 653  
fourth degree. 654

**Sec. 3733.01.** As used in this chapter: 655

(A) "Manufactured home park" means any tract of land upon 656

which three or more manufactured or mobile homes used for 657  
habitation are parked, either free of charge or for revenue 658  
purposes, and includes any roadway, building, structure, vehicle, 659  
or enclosure used or intended for use as a part of the facilities 660  
of the park. "Manufactured home park" does not include any of the 661  
following: 662

(1) A tract of land used solely for the storage or display 663  
for sale of manufactured or mobile homes or solely as a temporary 664  
park-camp as defined in section 3729.01 of the Revised Code; 665

(2) A tract of land that is subdivided and the individual 666  
lots are for sale or sold for the purpose of installation of 667  
manufactured or mobile homes used for habitation and the roadways 668  
are dedicated to the local government authority; 669

(3) A tract of land within an area that is subject to local 670  
zoning authority and subdivision requirements and is subdivided, 671  
and the individual lots are for sale or sold for the purpose of 672  
installation of manufactured or mobile homes for habitation. 673

~~(B) "Recreational vehicle park" means any tract of land used 674  
for parking five or more self-contained recreational vehicles and 675  
includes any roadway, building, structure, vehicle, or enclosure 676  
used or intended for use as part of the park facilities and any 677  
tract of land that is subdivided for lease or other contract of 678  
the individual lots for the express or implied purpose of placing 679  
self-contained recreational vehicles for recreation, vacation, or 680  
business purposes. 681~~

~~"Recreational vehicle park" does not include any tract of 682  
land used solely for the storage or display for sale of 683  
self-contained recreational vehicles or solely as a temporary 684  
park-camp. 685~~

~~(C) "Portable camping units" means dependent recreational 686  
vehicles, tents, portable sleeping equipment, and similar camping 687~~

~~equipment used for travel, recreation, vacation, or business~~ 688  
~~purposes.~~ 689

~~(D)~~ "Manufactured home" has the meaning set forth in division 690  
(C)(4) of section 3781.06 of the Revised Code, and "mobile home" 691  
and ~~"recreational vehicle"~~ have has the meanings meaning set forth 692  
in section 4501.01 of the Revised Code. 693

~~(E)~~ "Self-contained recreational vehicle" means a 694  
recreational vehicle that can operate independent of connections 695  
to sewer and water and has plumbing fixtures or appliances all of 696  
which are connected to sewage holding tanks located within the 697  
vehicle. 698

~~(F)~~ "Dependent recreational vehicle" means a recreational 699  
vehicle other than a self-contained recreational vehicle. 700

~~(G)~~ "Recreation camp" means any tract of land upon which five 701  
or more portable camping units are placed and includes any 702  
roadway, building, structure, vehicle, or enclosure used or 703  
intended for use as a part of the facilities of the camp. A tract 704  
of land that is subdivided for lease or other contract of the 705  
individual lots is a recreation camp if five or more portable 706  
camping units are placed on it for recreation, vacation, or 707  
business purposes. 708

~~"Recreation camp" does not include any tract of land used~~ 709  
~~solely for the storage or display for sale of dependent~~ 710  
~~recreational vehicles or solely as a temporary park camp.~~ 711

~~(H)~~ "Combined park camp" means any tract of land upon which a 712  
combination of five or more self-contained recreational vehicles 713  
or portable camping units are placed and includes any roadway, 714  
building, structure, vehicle, or enclosure used or intended for 715  
use as part of the park facilities. A tract of land that is 716  
subdivided for lease or other contract of the individual lots is a 717  
combined park camp if a combination of five or more recreational 718



~~vehicles or portable camping units are placed on it for~~ 719  
~~recreation, vacation, or business purposes.~~ 720

~~"Combined park camp" does not include any tract of land used~~ 721  
~~solely as a temporary park camp.~~ 722

~~(I)~~(C) "Licensor" means either the board of health of a city 723  
or general health district, or the authority having the duties of 724  
a board of health in any city as authorized by section 3709.05 of 725  
the Revised Code, or the director of health, when required under 726  
division (B) of section 3733.031 of the Revised Code. "Licensor" 727  
also means an authorized representative of any of those entities 728  
or of the director. 729

~~(J)~~(D) "Tenant" means a person who is entitled under a rental 730  
agreement with a manufactured home park operator to occupy a 731  
manufactured home park lot and who does not own the home occupying 732  
the lot. 733

~~(K)~~(E) "Owner" means a person who is entitled under a rental 734  
agreement with a manufactured home park operator to occupy a 735  
manufactured home park lot and who owns the home occupying the 736  
lot. 737

~~(L)~~(F) "Resident" means a person entitled under a rental 738  
agreement to the use and occupancy of residential premises to the 739  
exclusion of others. ~~It~~ "Resident" includes both tenants and 740  
owners. 741

~~(M)~~(G) "Operator" means the person who has responsible charge 742  
of a manufactured home park, ~~recreational vehicle park, recreation~~ 743  
~~camp, combined park camp, or temporary park camp~~ and who is 744  
licensed under sections 3733.01 to 3733.08 of the Revised Code. 745

~~(N)~~(H) "Park operator" means a manufactured home park 746  
operator. 747

~~(O)~~(I) "Residential premises" means a lot located within a 748

manufactured home park and the grounds, areas, and facilities 749  
contained within the manufactured home park for the use of 750  
residents generally or the use of which is promised to a resident. 751

~~(P)~~(J) "Rental agreement" means any agreement or lease, 752  
written or oral, that establishes or modifies the terms, 753  
conditions, rules, or any other provisions concerning the use and 754  
occupancy of residential premises by one of the parties. 755

~~(Q)~~(K) "Security deposit" means any deposit of money or 756  
property to secure performance by the resident under a rental 757  
agreement. 758

~~(R)~~ "Temporary park camp" means any tract of land used for a 759  
period not to exceed a total of twenty one days per calendar year 760  
for the purpose of parking five or more recreational vehicles, 761  
dependent recreational vehicles, or portable camping units, or any 762  
combination thereof, for one or more periods of time that do not 763  
exceed seven consecutive days or parts thereof. 764

~~(S)~~(L) "Development" means any artificial change to improved 765  
or unimproved real estate, including, without limitation, 766  
buildings or structures, dredging, filling, grading, paving, 767  
excavation or drilling operations, or storage of equipment or 768  
materials, and the construction, expansion, or substantial 769  
alteration of a manufactured home park, ~~recreational vehicle park,~~ 770  
~~recreation camp, or combined park camp,~~ for which plan review is 771  
required under division (A) of section 3733.021 of the Revised 772  
Code. "Development" does not include the building, construction, 773  
erection, or manufacture of any building to which section 3781.06 774  
of the Revised Code is applicable. 775

~~(T)~~(M) "Flood" or "flooding" means either of the following: 776

(1) A general and temporary condition of partial or complete 777  
inundation of normally dry land areas from any of the following: 778

(a) The overflow of inland or tidal waters; 779

(b) The unusual and rapid accumulation or runoff of surface waters from any source; 780  
781

(c) Mudslides that are proximately caused by flooding as defined in division ~~(T)~~(M)(1)(b) of this section and that are akin to a river of liquid and flowing mud on the surface of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current. 782  
783  
784  
785  
786

(2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining that is caused by waves or currents of water exceeding anticipated cyclical levels or that is suddenly caused by an unusually high water level in a natural body of water, and that is accompanied by a severe storm, by an unanticipated force of nature, such as a flash flood, by an abnormal tidal surge, or by some similarly unusual and unforeseeable event, that results in flooding as defined in division ~~(T)~~(M)(1)(a) of this section. 787  
788  
789  
790  
791  
792  
793  
794  
795

~~(U)~~(N) "Flood plain" means the area adjoining any river, stream, watercourse, or lake that has been or may be covered by flood water. 796  
797  
798

~~(V)~~(O) "One-hundred-year flood" means a flood having a one per cent chance of being equaled or exceeded in any given year. 799  
800

~~(W)~~(P) "One-hundred-year flood plain" means that portion of a flood plain inundated by a one-hundred-year flood. 801  
802

~~(X)~~(O) "Person" has the same meaning as in section 1.59 of the Revised Code and also includes this state, any political subdivision of this state, and any other state or local body of this state. 803  
804  
805  
806

~~(Y)~~(R) "Substantial damage" means damage of any origin sustained by a manufactured or mobile home that is situated in a manufactured home park located in a flood plain when the cost of 807  
808  
809

restoring the home to its condition before the damage occurred 810  
will equal or exceed fifty per cent of the market value of the 811  
home before the damage occurred. 812

~~(Z)~~(S) "Substantially alter" means a change in the layout or 813  
design of a manufactured home park, ~~recreational vehicle park,~~ 814  
~~recreation camp, combined park camp, or temporary park camp,~~ 815  
including, without limitation, the movement of utilities or 816  
changes in established streets, lots, or sites or in other 817  
facilities. In the case of manufactured home parks located within 818  
a one-hundred-year flood plain, "substantially alter" also 819  
includes changes in elevation resulting from the addition of fill, 820  
grading, or excavation that may affect flood plain management. 821

~~(AA)~~(T) "Tract" means a contiguous area of land that consists 822  
of one or more parcels, lots, or sites that have been separately 823  
surveyed regardless of whether the individual parcels, lots, or 824  
sites have been recorded and regardless of whether the one or more 825  
parcels, lots, or sites are under common or different ownership. 826

~~(BB)~~(U) "Director of health" means the director of health or 827  
the director's authorized representative. 828

~~(CC)~~ "~~Camp operator~~" means ~~the operator of a recreational~~ 829  
~~vehicle park, recreation camp, combined park camp, or temporary~~ 830  
~~park camp.~~ 831

~~(DD)~~ "~~Campsite user~~" means ~~a person who enters into a~~ 832  
~~campsite use agreement with a camp operator for the use of a~~ 833  
~~campsite at a recreational vehicle park, recreation camp, combined~~ 834  
~~park camp, or temporary park camp.~~ 835

**Sec. 3733.02.** (A)(1) The public health council, subject to 836  
Chapter 119. of the Revised Code, shall adopt, and has the 837  
exclusive power to adopt, rules of uniform application throughout 838  
the state governing the review of plans, issuance of flood plain 839

management permits, and issuance of licenses for manufactured home 840  
parks; the location, layout, density, construction, drainage, 841  
sanitation, safety, and operation of those parks; blocking and 842  
tiedowns of mobile and manufactured homes in those parks; and 843  
notices of flood events concerning, and flood protection at, those 844  
parks. The rules pertaining to flood plain management shall be 845  
consistent with and not less stringent than the flood plain 846  
management criteria of the national flood insurance program 847  
adopted under the "National Flood Insurance Act of 1968," 82 Stat. 848  
572, 42 U.S.C.A. 4001, as amended. The rules shall not apply to 849  
the construction, erection, or manufacture of any building to 850  
which section 3781.06 of the Revised Code is applicable. 851

(2) The rules pertaining to manufactured home parks 852  
constructed after June 30, 1971, shall specify that each home must 853  
be placed on its lot to provide not less than fifteen feet between 854  
the side of one home and the side of another home, ten feet 855  
between the end of one home and the side of another home, and five 856  
feet between the ends of two homes placed end to end. 857

~~(B) The public health council, subject to Chapter 119. of the 858  
Revised Code, shall adopt rules of uniform application throughout 859  
the state governing the review of plans and issuance of licenses 860  
for and the location, layout, construction, drainage, sanitation, 861  
safety, and operation of recreational vehicle parks, recreation 862  
camps, and combined park camps. The rules shall not apply to the 863  
construction, erection, or manufacture of any building to which 864  
section 3781.06 of the Revised Code is applicable. 865~~

~~(C) The public health council, subject to Chapter 119. of the 866  
Revised Code, shall adopt rules of uniform application throughout 867  
the state governing the review of plans and issuance of licenses 868  
for and the layout, sanitation, safety, and operation of temporary 869  
park camps. The rules shall not apply to the construction, 870~~

~~erection, or manufacture of any building to which section 3781.06  
of the Revised Code is applicable.~~ 871  
872

~~(D)~~ The public health council, in accordance with Chapter 873  
119. of the Revised Code, shall adopt rules of uniform application 874  
throughout the state establishing requirements and procedures in 875  
accordance with which the director of health may authorize 876  
licensors for the purposes of sections 3733.022 and 3733.025 of 877  
the Revised Code. The rules shall include at least provisions 878  
under which a licensor may enter into contracts for the purpose of 879  
fulfilling the licensor's responsibilities under either or both of 880  
those sections. 881

**Sec. 3733.021.** (A) No person shall cause development to occur 882  
within any portion of a manufactured home park, ~~recreational~~ 883  
~~vehicle park, recreation camp, or combined park camp~~ until the 884  
plans for the development have been submitted to and reviewed and 885  
approved by the director of health. This division does not require 886  
that plans be submitted to the director for approval for the 887  
replacement of manufactured or mobile homes on previously approved 888  
lots in a manufactured home park ~~or for the replacement of~~ 889  
~~recreational vehicles or portable camping units on previously~~ 890  
~~approved sites in a recreational vehicle park, recreation camp, or~~ 891  
~~combined park camp~~ when no development is to occur in connection 892  
with the replacement. Within thirty days after receipt of the 893  
plans, all supporting documents and materials required to complete 894  
the review, and the applicable plan review fee established under 895  
division (D) of this section, the director shall approve or 896  
disapprove the plans. 897

(B) Any person aggrieved by the director's disapproval of a 898  
set of plans under division (A) of this section may request a 899  
hearing on the matter within thirty days after receipt of the 900  
director's notice of the disapproval. The hearing shall be held in 901

accordance with Chapter 119. of the Revised Code. Thereafter, the 902  
disapproval may be appealed in the manner provided in section 903  
119.12 of the Revised Code. 904

(C) The director shall establish a system by which 905  
development occurring within a manufactured home park, 906  
~~recreational vehicle park, recreation camp, or combined park camp~~ 907  
is inspected or verified in accordance with rules adopted under 908  
division (A) ~~or (B), as appropriate,~~ of section 3733.02 of the 909  
Revised Code to ensure that the development complies with the 910  
plans approved under division (A) of this section. 911

(D) The public health council shall establish fees for 912  
reviewing plans under division (A) of this section and conducting 913  
inspections under division (C) of this section. 914

(E) The director shall charge the appropriate fees 915  
established under division (D) of this section for reviewing plans 916  
under division (A) of this section and conducting inspections 917  
under division (C) of this section. All such plan review and 918  
inspection fees received by the director shall be transmitted to 919  
the treasurer of state and shall be credited to the general 920  
operations fund created in section 3701.83 of the Revised Code. 921  
Moneys so credited to the fund shall be used only for the purpose 922  
of administering and enforcing sections 3733.01 to 3733.08 of the 923  
Revised Code and rules adopted under those sections. 924

(F) Plan approvals issued under this section do not 925  
constitute an exemption from the land use and building 926  
requirements of the political subdivision in which the 927  
manufactured home park, ~~recreational vehicle park, recreation~~ 928  
~~camp, or combined park camp~~ is or is to be located. 929

**Sec. 3733.03.** (A)(1) On or after the first day of December, 930  
but before the first day of January of the next year, every person 931  
who intends to operate a manufactured home park shall procure a 932

license to operate the park for the next year from the licensor. 933  
If the applicable license fee prescribed under section 3733.04 of 934  
the Revised Code is not received by the licensor by the close of 935  
business on the last day of December, the applicant for the 936  
license shall pay a penalty equal to twenty-five per cent of the 937  
applicable license fee. The penalty shall accompany the license 938  
fee. If the last day of December is not a business day, the 939  
penalty attaches upon the close of business on the next business 940  
day. 941

~~(2) On or after the first day of April, but before the first 942  
day of May of each year, every person who intends to operate a 943  
recreational vehicle park, recreation camp, or combined park camp 944  
shall procure a license to operate the park or camp from the 945  
licensor. If the applicable license fee prescribed under section 946  
3733.04 of the Revised Code is not received by the licensor by the 947  
close of business on the last day of April, the applicant for the 948  
license shall pay a penalty equal to twenty five per cent of the 949  
applicable license fee. The penalty shall accompany the license 950  
fee. If the last day of April is not a business day, the penalty 951  
attaches upon the close of business on the next business day. 952~~

~~(3) Every person who intends to operate a temporary park camp 953  
shall obtain a license to operate the temporary park camp from the 954  
licensor at any time before the person begins operation of the 955  
temporary park camp during the calendar year. 956~~

(4) No manufactured home park, ~~recreational vehicle park,~~ 957  
~~recreation camp, or combined park camp~~ shall be maintained or 958  
operated in this state after ~~January 1, 1952,~~ without a license. 959  
However, ~~no person who neither intends to receive nor receives 960  
anything of value arising from the use of, or the sale of goods or 961  
services in connection with the use of, a recreational vehicle 962  
park, recreation camp, combined park camp, or temporary park camp 963~~



~~is required to procure a license under this division. If any~~ 964  
~~health hazard exists at such an unlicensed park, camp, or~~ 965  
~~park camp, the health hazard shall be corrected in a manner~~ 966  
~~consistent with the appropriate rule adopted under division (B) or~~ 967  
~~(C) of section 3733.02 of the Revised Code.~~ 968

~~(5)(3) No person who has received a license, upon the sale or~~ 969  
~~disposition of the manufactured home park, recreational vehicle~~ 970  
~~park, recreation camp, or combined park camp, may have the license~~ 971  
~~transferred to the new operator. A person shall obtain a separate~~ 972  
~~license to operate each manufactured home park, recreational~~ 973  
~~vehicle park, recreation camp, or combined park camp. No license~~ 974  
~~to operate a temporary park camp shall be transferred. A person~~ 975  
~~shall obtain a separate license for each temporary park camp he~~ 976  
~~intends to operate, and the license shall be valid for a period of~~ 977  
~~no longer than seven consecutive days. A person who operates a~~ 978  
~~park camp on a tract of land for more than twenty one days or~~ 979  
~~parts thereof in a calendar year shall obtain a license to operate~~ 980  
~~a recreational vehicle park, recreation camp, or a combined~~ 981  
~~park camp.~~ 982

~~(B)(1) Before a license is initially issued and annually~~ 983  
~~thereafter, or more often if necessary, the licensor shall cause~~ 984  
~~each manufactured home park, recreational vehicle park, recreation~~ 985  
~~camp, or combined park camp to be inspected relative to compliance~~ 986  
~~with sections 3733.01 to 3733.08 of the Revised Code and the rules~~ 987  
~~adopted under those sections. A record shall be made of each~~ 988  
~~inspection on a form prescribed by the director of health.~~ 989

~~(2) When a license is initially issued, and more often if~~ 990  
~~necessary, the licensor shall cause each temporary park camp to be~~ 991  
~~inspected relative to compliance with sections 3733.01 to 3733.08~~ 992  
~~of the Revised Code and the rules adopted under those sections,~~ 993  
~~during the period that the temporary park camp is in operation. A~~ 994  
~~record shall be made of each inspection on a form prescribed by~~ 995

~~the director.~~

996

(C) Each person applying for an initial license to operate a  
manufactured home park, ~~recreational vehicle park, recreation  
camp, combined park camp, or temporary park camp~~ shall provide  
acceptable proof to the director ~~of health, or to the licensor in  
the case of a temporary park camp,~~ that adequate fire protection  
~~shall~~ will be provided and that applicable fire codes ~~shall~~ will  
be adhered to in the construction and operation of the park, ~~camp,  
or park camp.~~

997

998

999

1000

1001

1002

1003

1004

~~(D) Any person that operates a county or state fair or any  
independent agricultural society organized pursuant to section  
1711.02 of the Revised Code that operates a fair shall not be  
required to obtain a license under sections 3733.01 to 3733.08 of  
the Revised Code if recreational vehicles, portable camping units,  
or any combination thereof are parked at the site of the fair only  
during the time of preparation for, operation of, and dismantling  
of the fair and if the recreational vehicles, portable camping  
units, or any combination thereof belong to participants in the  
fair.~~

1005

1006

1007

1008

1009

1010

1011

1012

1013

1014

**Sec. 3733.031.** (A) The director of health may survey annually  
each health district licensing manufactured home parks,  
~~recreational vehicle parks, recreation camps, combined park camps,  
or temporary park camps~~ as provided by section 3733.03 of the  
Revised Code to determine whether the district is in substantial  
compliance with sections 3733.01 to 3733.08 of the Revised Code  
and the rules adopted thereunder. Upon determination that there is  
substantial compliance, the director shall place ~~such~~ the health  
district upon an approved list. The director shall make a resurvey  
when in ~~his~~ the director's opinion a resurvey is necessary, and  
shall remove from the approved list any health district not  
substantially complying with sections 3733.01 to 3733.08 of the

1015

1016

1017

1018

1019

1020

1021

1022

1023

1024

1025

1026

Revised Code and the rules adopted thereunder. 1027

(B) If after a survey or resurvey is made as provided by this 1028  
section the director determines that a health district is not 1029  
eligible to be placed on the approved list or to continue on ~~such~~ 1030  
~~the~~ list, ~~he~~ the director shall certify ~~such~~ that fact to the 1031  
board of health of the health district. The director shall 1032  
administer and enforce sections 3733.01 to 3733.08 of the Revised 1033  
Code and the rules adopted thereunder in ~~such~~ the health district 1034  
until ~~he~~ the director determines that the health district is 1035  
eligible for placement on the approved list. Until the district is 1036  
placed on or returned to the approved list, the director shall 1037  
collect all fees payable to a board of health under section 1038  
3733.04 of the Revised Code and all such fees previously paid 1039  
~~which~~ that have not been expended or encumbered for deposit in the 1040  
state treasury to the credit of the health district licensing 1041  
fund, which is hereby created for use by the director in ~~his~~ the 1042  
director's capacity as licensor. The director shall repay any 1043  
balance remaining in the account to the district when ~~he~~ the 1044  
director places the district on the approved list. 1045

**Sec. 3733.04.** The licensor of a manufactured home park, 1046  
~~recreational vehicle park, recreation camp, or combined park camp~~ 1047  
may charge a fee for an annual license to operate such a park, 1048  
~~camp, or park camp. In the case of a temporary park camp, the~~ 1049  
~~licensor may charge a fee for a license to operate the temporary~~ 1050  
~~park camp for the period specified in division (A) of section~~ 1051  
~~3733.03 of the Revised Code. The fees~~ fee ~~for both types of~~ 1052  
~~licenses~~ a license shall be determined in accordance with section 1053  
3709.09 of the Revised Code and shall include the cost of 1054  
licensing and all inspections. 1055

~~Except for the fee for a temporary park camp license, the~~ The 1056  
fee also shall include any additional amount determined by rule of 1057

the public health council, which shall be collected and 1058  
transmitted by the board of health to the treasurer of state to be 1059  
credited to the general operations fund created in section 3701.83 1060  
of the Revised Code and used only for the purpose of administering 1061  
and enforcing sections 3733.01 to 3733.08 of the Revised Code and 1062  
the rules adopted under those sections. The portion of any fee 1063  
retained by the board of health shall be paid into a special fund 1064  
and used only for the purpose of administering and enforcing 1065  
sections 3733.01 to 3733.08 of the Revised Code and the rules 1066  
adopted thereunder. 1067

**Sec. 3733.05.** The licensor of the health district in which a 1068  
manufactured home park, ~~recreational vehicle park, recreation~~ 1069  
~~camp, combined park camp, or temporary park camp~~ is or is to be 1070  
located, in accordance with Chapter 119. of the Revised Code, may 1071  
refuse to grant, may suspend, or may revoke any license granted to 1072  
any person for failure to comply with sections 3733.01 to 3733.08 1073  
of the Revised Code or with any rule adopted by the public health 1074  
council under section 3733.02 of the Revised Code. 1075

**Sec. 3733.06.** (A) Upon a license being issued under sections 1076  
3733.03 to 3733.05 of the Revised Code, any operator shall have 1077  
the right to rent or use each lot ~~or camping space~~ for the parking 1078  
or placement of a manufactured home, or mobile home, ~~recreational~~ 1079  
~~vehicle, or portable camping facility~~ to be used for human 1080  
habitation without interruption for any period coextensive with 1081  
any license or consecutive licenses issued under sections 3733.03 1082  
to 3733.05 of the Revised Code. 1083

(B) No operator of a manufactured home park shall sell 1084  
individual lots in a park for eight years following the issuance 1085  
of the initial license for the park unless, at the time of sale, 1086  
the park fulfills all platting and subdivision requirements 1087  
established by the political subdivision in which the park is 1088

located, or the political subdivision has entered into an 1089  
agreement with the operator regarding platting and subdivision 1090  
requirements and the operator has fulfilled the terms of that 1091  
agreement. 1092

**Sec. 3733.07.** Fees authorized or charged under sections 1093  
3733.021, 3733.022, and 3733.04 of the Revised Code are in lieu of 1094  
all license and inspection fees on or with respect to the 1095  
operation or ownership of manufactured home parks, ~~recreational~~ 1096  
~~vehicle parks, combined park camps, recreation camps, or temporary~~ 1097  
~~park camps~~ within this state, except that the licenser may charge 1098  
additional reasonable fees for the collection and bacteriological 1099  
examination of any necessary water samples taken from any such 1100  
park, ~~camp, or park camp.~~ 1101

**Sec. 4503.06.** (A) The owner of each manufactured or mobile 1102  
home that has acquired situs in this state shall pay either a real 1103  
property tax pursuant to Title LVII of the Revised Code or a 1104  
manufactured home tax pursuant to division (C) of this section. 1105

(B) The owner of a manufactured or mobile home shall pay real 1106  
property taxes if either of the following applies: 1107

(1) The manufactured or mobile home acquired situs in the 1108  
state or ownership in the home was transferred on or after January 1109  
1, 2000, and all of the following apply: 1110

(a) The home is affixed to a permanent foundation as defined 1111  
in division (C)(5) of section 3781.06 of the Revised Code~~+~~. 1112

(b) The home is located on land that is owned by the owner of 1113  
the home~~+~~. 1114

(c) The certificate of title has been inactivated by the 1115  
clerk of the court of common pleas that issued it, pursuant to 1116  
division (H) of section 4505.11 of the Revised Code. 1117

(2) The manufactured or mobile home acquired situs in the 1118  
state or ownership in the home was transferred before January 1, 1119  
2000, and all of the following apply: 1120

(a) The home is affixed to a permanent foundation as defined 1121  
in division (C)(5) of section 3781.06 of the Revised Code~~+~~. 1122

(b) The home is located on land that is owned by the owner of 1123  
the home~~+~~. 1124

(c) The owner of the home has elected to have the home taxed 1125  
as real property and, pursuant to section 4505.11 of the Revised 1126  
Code, has surrendered the certificate of title to the auditor of 1127  
the county containing the taxing district in which the home has 1128  
its situs, together with proof that all taxes have been paid~~+~~. 1129

(d) The county auditor has placed the home on the real 1130  
property tax list and delivered the certificate of title to the 1131  
clerk of the court of common pleas that issued it and the clerk 1132  
has inactivated the certificate. 1133

(C)(1) Any mobile or manufactured home that is not taxed as 1134  
real property as provided in division (B) of this section is 1135  
subject to an annual manufactured home tax, payable by the owner, 1136  
for locating the home in this state. The tax as levied in this 1137  
section is for the purpose of supplementing the general revenue 1138  
funds of the local subdivisions in which the home has its situs 1139  
pursuant to this section. 1140

(2) The year for which the manufactured home tax is levied 1141  
commences on the first day of January and ends on the following 1142  
thirty-first day of December. The state shall have the first lien 1143  
on any manufactured or mobile home on the list for the amount of 1144  
taxes, penalties, and interest charged against the owner of the 1145  
home under this section. The lien of the state for the tax for a 1146  
year shall attach on the first day of January to a home that has 1147  
acquired situs on that date. The lien for a home that has not 1148

acquired situs on the first day of January, but that acquires 1149  
situs during the year, shall attach on the next first day of 1150  
January. The lien shall continue until the tax, including any 1151  
penalty or interest, is paid. 1152

(3)(a) The situs of a manufactured or mobile home located in 1153  
this state on the first day of January is the local taxing 1154  
district in which the home is located on that date. 1155

(b) The situs of a manufactured or mobile home not located in 1156  
this state on the first day of January, but located in this state 1157  
subsequent to that date, is the local taxing district in which the 1158  
home is located thirty days after it is acquired or first enters 1159  
this state. 1160

(4) The tax is collected by and paid to the county treasurer 1161  
of the county containing the taxing district in which the home has 1162  
its situs. 1163

(D) The manufactured home tax shall be computed and assessed 1164  
by the county auditor of the county containing the taxing district 1165  
in which the home has its situs as follows: 1166

(1) On a home that acquired situs in this state prior to 1167  
January 1, 2000+; 1168

(a) By multiplying the assessable value of the home by the 1169  
tax rate of the taxing district in which the home has its situs, 1170  
and deducting from the product thus obtained any reduction 1171  
authorized under section 4503.065 of the Revised Code. The tax 1172  
levied under this formula shall not be less than thirty-six 1173  
dollars, unless the home qualifies for a reduction in assessable 1174  
value under section 4503.065 of the Revised Code, in which case 1175  
there shall be no minimum tax and the tax shall be the amount 1176  
calculated under this division. 1177

(b) The assessable value of the home shall be forty per cent 1178  
of the amount arrived at by the following computation: 1179

(i) If the cost to the owner, or market value at time of purchase, whichever is greater, of the home includes the furnishings and equipment, such cost or market value shall be multiplied according to the following schedule:

For the first calendar year			1184
in which the			1185
home is owned by the			1186
current owner	<u>x</u>	80%	1187
2nd calendar year	x	75%	1188
3rd "	x	70%	1189
4th "	x	65%	1190
5th "	x	60%	1191
6th "	x	55%	1192
7th "	x	50%	1193
8th "	x	45%	1194
9th "	x	40%	1195
10th and each year thereafter	<u>x</u>	35%	1196

The first calendar year means any period between the first day of January and the thirty-first day of December of the first year.

(ii) If the cost to the owner, or market value at the time of purchase, whichever is greater, of the home does not include the furnishings and equipment, such cost or market value shall be multiplied according to the following schedule:

For the first calendar year			1204
in which the			1205
home is owned by the			1206
current owner	<u>x</u>	95%	1207
2nd calendar year	x	90%	1208
3rd "	x	85%	1209
4th "	x	80%	1210
5th "	x	75%	1211



6th "	x	70%	1212
7th "	x	65%	1213
8th "	x	60%	1214
9th "	x	55%	1215
10th and each year thereafter	<u>x</u>	50%	1216

The first calendar year means any period between the first 1217  
day of January and the thirty-first day of December of the first 1218  
year. 1219

(2) On a home in which ownership was transferred or that 1220  
first acquired situs in this state on or after January 1, 2000: 1221

(a) By multiplying the assessable value of the home by the 1222  
effective tax rate, as defined in section 323.08 of the Revised 1223  
Code, for residential real property of the taxing district in 1224  
which the home has its situs, and deducting from the product thus 1225  
obtained the reductions required or authorized under section 1226  
319.302, division (B) of section 323.152, or section 4503.065 of 1227  
the Revised Code. 1228

(b) The assessable value of the home shall be thirty-five per 1229  
cent of its true value as determined under division (L) of this 1230  
section. 1231

(3) On or before the fifteenth day of January each year, the 1232  
auditor shall record the assessable value and the amount of tax on 1233  
the manufactured or mobile home on the tax list and deliver a 1234  
duplicate of the list to the county treasurer. In the case of an 1235  
emergency as defined in section 323.17 of the Revised Code, the 1236  
tax commissioner, by journal entry, may extend the times for 1237  
delivery of the duplicate for an additional fifteen days upon 1238  
receiving a written application from the county auditor regarding 1239  
an extension for the delivery of the duplicate, or from the county 1240  
treasurer regarding an extension of the time for the billing and 1241  
collection of taxes. The application shall contain a statement 1242

describing the emergency that will cause the unavoidable delay and 1243  
must be received by the tax commissioner on or before the last day 1244  
of the month preceding the day delivery of the duplicate is 1245  
otherwise required. When an extension is granted for delivery of 1246  
the duplicate, the time period for payment of taxes shall be 1247  
extended for a like period of time. When a delay in the closing of 1248  
a tax collection period becomes unavoidable, the tax commissioner, 1249  
upon application by the county auditor and county treasurer, may 1250  
order the time for payment of taxes to be extended if the tax 1251  
commissioner determines that penalties have accrued or would 1252  
otherwise accrue for reasons beyond the control of the taxpayers 1253  
of the county. The order shall prescribe the final extended date 1254  
for payment of taxes for that collection period. 1255

(4) After January 1, 1999, the owner of a manufactured or 1256  
mobile home taxed pursuant to division (D)(1) of this section may 1257  
elect to have the home taxed pursuant to division (D)(2) of this 1258  
section by filing a written request with the county auditor of the 1259  
taxing district in which the home is located on or before the 1260  
first day of December of any year. Upon the filing of the request, 1261  
the county auditor shall determine whether all taxes levied under 1262  
division (D)(1) of this section have been paid, and if those taxes 1263  
have been paid, the county auditor shall tax the manufactured or 1264  
mobile home pursuant to division (D)(2) of this section commencing 1265  
in the next tax year. 1266

(5) A manufactured or mobile home that acquired situs in this 1267  
state prior to January 1, 2000, shall be taxed pursuant to 1268  
division (D)(2) of this section if no manufactured home tax had 1269  
been paid for the home and the home was not exempted from taxation 1270  
pursuant to division (E) of this section for the year for which 1271  
the taxes were not paid. 1272

(6)(a) Immediately upon receipt of any manufactured home tax 1273  
duplicate from the county auditor, but not less than twenty days 1274

prior to the last date on which the first one-half taxes may be 1275  
paid without penalty as prescribed in division (F) of this 1276  
section, the county treasurer shall cause to be prepared and 1277  
mailed or delivered to each person charged on that duplicate with 1278  
taxes, or to an agent designated by such person, the tax bill 1279  
prescribed by the tax commissioner under division (D)(7) of this 1280  
section. When taxes are paid by installments, the county treasurer 1281  
shall mail or deliver to each person charged on such duplicate or 1282  
the agent designated by such person a second tax bill showing the 1283  
amount due at the time of the second tax collection. The second 1284  
half tax bill shall be mailed or delivered at least twenty days 1285  
prior to the close of the second half tax collection period. A 1286  
change in the mailing address of any tax bill shall be made in 1287  
writing to the county treasurer. Failure to receive a bill 1288  
required by this section does not excuse failure or delay to pay 1289  
any taxes shown on the bill or, except as provided in division 1290  
(B)(1) of section 5715.39 of the Revised Code, avoid any penalty, 1291  
interest, or charge for such delay. 1292

(b) After delivery of the copy of the delinquent manufactured 1293  
home tax list under division (H) of this section, the county 1294  
treasurer may prepare and mail to each person in whose name a home 1295  
is listed an additional tax bill showing the total amount of 1296  
delinquent taxes charged against the home as shown on the list. 1297  
The tax bill shall include a notice that the interest charge 1298  
prescribed by division (G) of this section has begun to accrue. 1299

(7) Each tax bill prepared and mailed or delivered under 1300  
division (D)(6) of this section shall be in the form and contain 1301  
the information required by the tax commissioner. The commissioner 1302  
may prescribe different forms for each county and may authorize 1303  
the county auditor to make up tax bills and tax receipts to be 1304  
used by the county treasurer. The tax bill shall not contain or be 1305  
mailed or delivered with any information or material that is not 1306

required by this section or that is not authorized by section 1307  
321.45 of the Revised Code or by the tax commissioner. In addition 1308  
to the information required by the commissioner, each tax bill 1309  
shall contain the following information: 1310

(a) The taxes levied and the taxes charged and payable 1311  
against the manufactured or mobile home; 1312

(b) The following notice: "Notice: If the taxes are not paid 1313  
within sixty days after the county auditor delivers the delinquent 1314  
manufactured home tax list to the county treasurer, you and your 1315  
home may be subject to collection proceedings for tax 1316  
delinquency." Failure to provide such notice has no effect upon 1317  
the validity of any tax judgment to which a home may be subjected. 1318

(c) In the case of manufactured or mobile homes taxed under 1319  
division (D)(2) of this section, the following additional 1320  
information: 1321

(i) The effective tax rate. The words "effective tax rate" 1322  
shall appear in boldface type. 1323

(ii) The following notice: "Notice: If the taxes charged 1324  
against this home have been reduced by the 2-1/2 per cent tax 1325  
reduction for residences occupied by the owner but the home is not 1326  
a residence occupied by the owner, the owner must notify the 1327  
county auditor's office not later than March 31 of the year for 1328  
which the taxes are due. Failure to do so may result in the owner 1329  
being convicted of a fourth degree misdemeanor, which is 1330  
punishable by imprisonment up to 30 days, a fine up to \$250, or 1331  
both, and in the owner having to repay the amount by which the 1332  
taxes were erroneously or illegally reduced, plus any interest 1333  
that may apply. 1334

If the taxes charged against this home have not been reduced 1335  
by the 2-1/2 per cent tax reduction and the home is a residence 1336  
occupied by the owner, the home may qualify for the tax reduction. 1337

To obtain an application for the tax reduction or further 1338  
information, the owner may contact the county auditor's office at 1339  
..... (insert the address and telephone number of the county 1340  
auditor's office)." 1341

(E)(1) A manufactured or mobile home is not subject to this 1342  
section when any of the following applies: 1343

(a) It is taxable as personal property pursuant to section 1344  
5709.01 of the Revised Code. Any manufactured or mobile home that 1345  
is used as a residence shall be subject to this section and shall 1346  
not be taxable as personal property pursuant to section 5709.01 of 1347  
the Revised Code. 1348

(b) It bears a license plate issued by any state other than 1349  
this state unless the home is in this state in excess of an 1350  
accumulative period of thirty days in any calendar year. 1351

(c) The annual tax has been paid on the home in this state 1352  
for the current year. 1353

(d) The tax commissioner has determined, pursuant to section 1354  
5715.27 of the Revised Code, that the property is exempt from 1355  
taxation, or would be exempt from taxation under Chapter 5709. of 1356  
the Revised Code if it were classified as real property. 1357

(2) A travel trailer or park trailer, as these terms are 1358  
defined in section 4501.01 of the Revised Code, is not subject to 1359  
this section if it is unused or unoccupied and stored at the 1360  
owner's normal place of residence or at a recognized storage 1361  
facility. 1362

(3) A travel trailer or park trailer, as these terms are 1363  
defined in section 4501.01 of the Revised Code, is subject to this 1364  
section and shall be taxed as a manufactured or mobile home if it 1365  
has a situs longer than thirty days in one location and is 1366  
connected to existing utilities, unless either of the following 1367  
applies: 1368

(a) The situs is in a state facility or a camping or park area as defined in division ~~(B)~~(C), ~~(G)~~(P), ~~(H)~~(R), or ~~(R)~~(U) of section ~~3733.01~~ 3729.01 of the Revised Code.

(b) The situs is in a camping or park area that is a tract of land that has been limited to recreational use by deed or zoning restrictions and subdivided for sale of five or more individual lots for the express or implied purpose of occupancy by either self-contained recreational vehicles as defined in division ~~(E)~~(S) of section ~~3733.01~~ 3729.01 of the Revised Code or by dependent recreational vehicles as defined in division ~~(F)~~(D) of section ~~3733.01~~ 3729.01 of the Revised Code.

(F) Except as provided in division (D)(3) of this section, the manufactured home tax is due and payable as follows:

(1) When a manufactured or mobile home has a situs in this state, as provided in this section, on the first day of January, one-half of the amount of the tax is due and payable on or before the first day of March and the balance is due and payable on or before the thirty-first day of July. At the option of the owner of the home, the tax for the entire year may be paid in full on the first day of March.

(2) When a manufactured or mobile home first acquires a situs in this state after the first day of January, no tax is due and payable for that year.

(G)(1) If one-half of the current taxes charged under this section against a manufactured or mobile home, together with the full amount of any delinquent taxes or any installment thereof required to be paid under a written undertaking, are not paid on or before the thirty-first day of January in that year, or on or before the last day for such payment as extended pursuant to section 4503.063 of the Revised Code, a penalty of ten per cent shall be charged against the unpaid balance of such half of the

current taxes. If the total amount of all such taxes is not paid 1400  
on or before the thirty-first day of July, next thereafter, or on 1401  
or before the last day for such payment as extended pursuant to 1402  
section 4503.063 of the Revised Code, a like penalty shall be 1403  
charged on the balance of the total amount of such unpaid current 1404  
taxes. 1405

(2)(a) On the first day of the month following the last day 1406  
the second installment of taxes may be paid without penalty 1407  
beginning in 2000, interest shall be charged against and computed 1408  
on all delinquent taxes other than the current taxes that became 1409  
delinquent taxes at the close of the last day such second 1410  
installment could be paid without penalty. The charge shall be for 1411  
interest that accrued during the period that began on the 1412  
preceding first day of December and ended on the last day of the 1413  
month that included the last date such second installment could be 1414  
paid without penalty. The interest shall be computed at the rate 1415  
per annum prescribed by section 5703.47 of the Revised Code and 1416  
shall be entered as a separate item on the delinquent manufactured 1417  
home tax list compiled under division (H) of this section. 1418

(b) On the first day of December beginning in 2000, the 1419  
interest shall be charged against and computed on all delinquent 1420  
taxes. The charge shall be for interest that accrued during the 1421  
period that began on the first day of the month following the last 1422  
date prescribed for the payment of the second installment of taxes 1423  
in the current year and ended on the immediately preceding last 1424  
day of November. The interest shall be computed at the rate per 1425  
annum prescribed by section 5703.47 of the Revised Code and shall 1426  
be entered as a separate item on the delinquent manufactured home 1427  
tax list. 1428

(c) After a valid undertaking has been entered into for the 1429  
payment of any delinquent taxes, no interest shall be charged 1430  
against such delinquent taxes while the undertaking remains in 1431

effect in compliance with section 323.31 of the Revised Code. If a 1432  
valid undertaking becomes void, interest shall be charged against 1433  
the delinquent taxes for the periods that interest was not 1434  
permitted to be charged while the undertaking was in effect. The 1435  
interest shall be charged on the day the undertaking becomes void 1436  
and shall equal the amount of interest that would have been 1437  
charged against the unpaid delinquent taxes outstanding on the 1438  
dates on which interest would have been charged thereon under 1439  
divisions (G)(1) and (2) of this section had the undertaking not 1440  
been in effect. 1441

(3) If the full amount of the taxes due at either of the 1442  
times prescribed by division (F) of this section is paid within 1443  
ten days after such time, the county treasurer shall waive the 1444  
collection of and the county auditor shall remit one-half of the 1445  
penalty provided for in this division for failure to make that 1446  
payment by the prescribed time. 1447

(4) The treasurer shall compile and deliver to the county 1448  
auditor a list of all tax payments the treasurer has received as 1449  
provided in division (G)(3) of this section. The list shall 1450  
include any information required by the auditor for the remission 1451  
of the penalties waived by the treasurer. The taxes so collected 1452  
shall be included in the settlement next succeeding the settlement 1453  
then in process. 1454

(H)(1) Beginning in 2000, the county auditor shall compile 1455  
annually a "delinquent manufactured home tax list" consisting of 1456  
homes the county treasurer's records indicate have taxes that were 1457  
not paid within the time prescribed by divisions (D)(3) and (F) of 1458  
this section, have taxes that remain unpaid from prior years, or 1459  
have unpaid tax penalties or interest that have been assessed. 1460

(2) Within thirty days after the settlement under division 1461  
(H)(2) of section 321.24 of the Revised Code beginning in 2000, 1462  
the county auditor shall deliver a copy of the delinquent 1463



manufactured home tax list to the county treasurer. The auditor 1464  
shall update and publish the delinquent manufactured home tax list 1465  
annually in the same manner as delinquent real property tax lists 1466  
are published. The county auditor shall apportion the cost of 1467  
publishing the list among taxing districts in proportion to the 1468  
amount of delinquent manufactured home taxes so published that 1469  
each taxing district is entitled to receive upon collection of 1470  
those taxes. 1471

(3) When taxes, penalties, or interest are charged against a 1472  
person on the delinquent manufactured home tax list and are not 1473  
paid within sixty days after the list is delivered to the county 1474  
treasurer, the county treasurer shall, in addition to any other 1475  
remedy provided by law for the collection of taxes, penalties, and 1476  
interest, enforce collection of such taxes, penalties, and 1477  
interest by civil action in the name of the treasurer against the 1478  
owner for the recovery of the unpaid taxes following the 1479  
procedures for the recovery of delinquent real property taxes in 1480  
sections 323.25 to 323.28 of the Revised Code. The action may be 1481  
brought in municipal or county court, provided the amount charged 1482  
does not exceed the monetary limitations for original jurisdiction 1483  
for civil actions in those courts. 1484

It is sufficient, having made proper parties to the suit, for 1485  
the treasurer to allege in the treasurer's bill of particulars or 1486  
petition that the taxes stand chargeable on the books of the 1487  
county treasurer against such person, that they are due and 1488  
unpaid, and that such person is indebted in the amount of taxes 1489  
appearing to be due the county. The treasurer need not set forth 1490  
any other matter relating thereto. If it is found on the trial of 1491  
the action that the person is indebted to the state, judgment 1492  
shall be rendered in favor of the treasurer prosecuting the 1493  
action. The judgment debtor is not entitled to the benefit of any 1494  
law for stay of execution or exemption of property from levy or 1495

sale on execution in the enforcement of the judgment. 1496

(I) The total amount of taxes collected shall be distributed 1497  
in the following manner: four per cent shall be allowed as 1498  
compensation to the county auditor for the county auditor's 1499  
service in assessing the taxes; two per cent shall be allowed as 1500  
compensation to the county treasurer for the services the county 1501  
treasurer renders as a result of the tax levied by this section. 1502  
Such amounts shall be paid into the county treasury, to the credit 1503  
of the county general revenue fund, on the warrant of the county 1504  
auditor. Fees to be paid to the credit of the real estate 1505  
assessment fund shall be collected pursuant to division (B) of 1506  
section 319.54 of the Revised Code and paid into the county 1507  
treasury, on the warrant of the county auditor. The balance of the 1508  
taxes collected shall be distributed among the taxing subdivisions 1509  
of the county in which the taxes are collected and paid in the 1510  
same ratio as those taxes were collected for the benefit of the 1511  
taxing subdivision. The taxes levied and revenues collected under 1512  
this section shall be in lieu of any general property tax and any 1513  
tax levied with respect to the privilege of using or occupying a 1514  
manufactured or mobile home in ~~Ohio~~ this state except as provided 1515  
in sections 4503.04 and 5741.02 of the Revised Code. 1516

(J) An agreement to purchase or a bill of sale for a 1517  
manufactured home shall show whether or not the furnishings and 1518  
equipment are included in the purchase price. 1519

(K) If the county treasurer and the county prosecuting 1520  
attorney agree that an item charged on the delinquent manufactured 1521  
home tax list is uncollectible, they shall certify that 1522  
determination and the reasons to the county board of revision. If 1523  
the board determines the amount is uncollectible, it shall certify 1524  
its determination to the county auditor, who shall strike the item 1525  
from the list. 1526

(L)(1) The county auditor shall appraise at its true value 1527

any manufactured or mobile home in which ownership is transferred 1528  
or which first acquires situs in this state on or after January 1, 1529  
2000, and any manufactured or mobile home the owner of which has 1530  
elected, under division (D)(4) of this section, to have the home 1531  
taxed under division (D)(2) of this section. The true value shall 1532  
include the value of the home, any additions, and any fixtures, 1533  
but not any furnishings in the home. In determining the true value 1534  
of a manufactured or mobile home, the auditor shall consider all 1535  
facts and circumstances relating to the value of the home, 1536  
including its age, its capacity to function as a residence, any 1537  
obsolete characteristics, and other factors that may tend to prove 1538  
its true value. 1539

(2)(a) If a manufactured or mobile home has been the subject 1540  
of an arm's length sale between a willing seller and a willing 1541  
buyer within a reasonable length of time prior to the 1542  
determination of true value, the auditor shall consider the sale 1543  
price of the home to be the true value for taxation purposes. 1544

(b) The sale price in an arm's length transaction between a 1545  
willing seller and a willing buyer shall not be considered the 1546  
true value of the home if either of the following occurred after 1547  
the sale: 1548

(i) The home has lost value due to a casualty; 1549

(ii) An addition or fixture has been added to the home. 1550

(3) The auditor shall have each home viewed and appraised at 1551  
least once in each six-year period in the same year in which real 1552  
property in the county is appraised pursuant to Chapter 5713. of 1553  
the Revised Code, and shall update the appraised values in the 1554  
third calendar year following the appraisal. The person viewing or 1555  
appraising a home may enter the home to determine by actual view 1556  
any additions or fixtures that have been added since the last 1557  
appraisal. In conducting the appraisals and establishing the true 1558

value, the auditor shall follow the procedures set forth for 1559  
appraising real property in sections 5713.01 and 5713.03 of the 1560  
Revised Code. 1561

(4) The auditor shall place the true value of each home on 1562  
the manufactured home tax list upon completion of an appraisal. 1563

(5)(a) If the auditor changes the true value of a home, the 1564  
auditor shall notify the owner of the home in writing, delivered 1565  
by mail or in person. The notice shall be given at least thirty 1566  
days prior to the issuance of any tax bill that reflects the 1567  
change. Failure to receive the notice does not invalidate any 1568  
proceeding under this section. 1569

(b) Any owner of a home or any other person or party listed 1570  
in division (A)(1) of section 5715.19 of the Revised Code may file 1571  
a complaint against the true value of the home as appraised under 1572  
this section. The complaint shall be filed with the county auditor 1573  
on or before the thirty-first day of March of the current tax year 1574  
or the date of closing of the collection for the first half of 1575  
manufactured home taxes for the current tax year, whichever is 1576  
later. The auditor shall present to the county board of revision 1577  
all complaints filed with the auditor under this section. The 1578  
board shall hear and investigate the complaint and may take action 1579  
on it as provided under sections 5715.11 to 5715.19 of the Revised 1580  
Code. 1581

(c) If the county board of revision determines, pursuant to a 1582  
complaint against the valuation of a manufactured or mobile home 1583  
filed under this section, that the amount of taxes, assessments, 1584  
or other charges paid was in excess of the amount due based on the 1585  
valuation as finally determined, then the overpayment shall be 1586  
refunded in the manner prescribed in section 5715.22 of the 1587  
Revised Code. 1588

(d) Payment of all or part of a tax under this section for 1589

any year for which a complaint is pending before the county board 1590  
of revision does not abate the complaint or in any way affect the 1591  
hearing and determination thereof. 1592

(M) If the county auditor determines that any tax, 1593  
assessment, charge, or any part thereof has been erroneously 1594  
charged as a result of a clerical error as defined in section 1595  
319.35 of the Revised Code, the county treasurer and the county 1596  
board of revision shall remove the erroneous charges on the 1597  
manufactured home tax list or delinquent manufactured home tax 1598  
list, and refund any erroneous charges that have been collected, 1599  
with interest, in the same manner as is prescribed in section 1600  
319.36 of the Revised Code for erroneous charges against real 1601  
property. 1602

(N) As used in this section and section 4503.061 of the 1603  
Revised Code: 1604

(1) "Manufactured home taxes" includes taxes, penalties, and 1605  
interest charged under division (C) or (G) of this section and any 1606  
penalties charged under division (G) or (H)(5) of section 4503.061 1607  
of the Revised Code. 1608

(2) "Current taxes" means all manufactured home taxes charged 1609  
against a manufactured or mobile home that have not appeared on 1610  
the manufactured home tax list for any prior year. Current taxes 1611  
become delinquent taxes if they remain unpaid after the last day 1612  
prescribed for payment of the second installment of current taxes 1613  
without penalty, whether or not they have been certified 1614  
delinquent. 1615

(3) "Delinquent taxes" means: 1616

(a) Any manufactured home taxes that were charged against a 1617  
manufactured or mobile home for a prior year, including any 1618  
penalties or interest charged for a prior year, and that remain 1619  
unpaid; 1620

(b) Any current manufactured home taxes charged against a 1621  
manufactured or mobile home that remain unpaid after the last day 1622  
prescribed for payment of the second installment of current taxes 1623  
without penalty, whether or not they have been certified 1624  
delinquent, including any penalties or interest. 1625

**Sec. 5321.01.** As used in this chapter: 1626

(A) "Tenant" means a person entitled under a rental agreement 1627  
to the use and occupancy of residential premises to the exclusion 1628  
of others. 1629

(B) "Landlord" means the owner, lessor, or sublessor of 1630  
residential premises, the agent of the owner, lessor, or 1631  
sublessor, or any person authorized by the owner, lessor, or 1632  
sublessor to manage the premises or to receive rent from a tenant 1633  
under a rental agreement. 1634

(C) "Residential premises" means a dwelling unit for 1635  
residential use and occupancy and the structure of which it is a 1636  
part, the facilities and appurtenances in it, and the grounds, 1637  
areas, and facilities for the use of tenants generally or the use 1638  
of which is promised the tenant. "Residential premises" includes a 1639  
dwelling unit that is owned or operated by a college or 1640  
university. "Residential premises" does not include any of the 1641  
following: 1642

(1) Prisons, jails, workhouses, and other places of 1643  
incarceration or correction, including, but not limited to, 1644  
halfway houses or residential arrangements that are used or 1645  
occupied as a requirement of a community control sanction, a 1646  
post-release control sanction, or parole; 1647

(2) Hospitals and similar institutions with the primary 1648  
purpose of providing medical services, and homes licensed pursuant 1649  
to Chapter 3721. of the Revised Code; 1650

(3) Tourist homes, hotels, motels, recreational vehicle parks, recreation camps, combined park-camps, temporary park-camps, and other similar facilities where circumstances indicate a transient occupancy;	1651 1652 1653 1654
(4) Elementary and secondary boarding schools, where the cost of room and board is included as part of the cost of tuition;	1655 1656
(5) Orphanages and similar institutions;	1657
(6) Farm residences furnished in connection with the rental of land of a minimum of two acres for production of agricultural products by one or more of the occupants;	1658 1659 1660
(7) Dwelling units subject to sections 3733.41 to 3733.49 of the Revised Code;	1661 1662
(8) Occupancy by an owner of a condominium unit;	1663
(9) Occupancy in a facility licensed as an SRO facility pursuant to Chapter 3731. of the Revised Code, if the facility is owned or operated by an organization that is exempt from taxation under section 501(c)(3) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 501, as amended, or by an entity or group of entities in which such an organization has a controlling interest, and if either of the following applies:	1664 1665 1666 1667 1668 1669 1670
(a) The occupancy is for a period of less than sixty days;	1671
(b) The occupancy is for participation in a program operated by the facility, or by a public entity or private charitable organization pursuant to a contract with the facility, to provide either of the following:	1672 1673 1674 1675
(i) Services licensed, certified, registered, or approved by a governmental agency or private accrediting organization for the rehabilitation of mentally ill persons, developmentally disabled persons, adults or juveniles convicted of criminal offenses, or persons suffering from substance abuse;	1676 1677 1678 1679 1680

(ii) Shelter for juvenile runaways, victims of domestic violence, or homeless persons.	1681 1682
(10) Emergency shelters operated by organizations exempt from federal income taxation under section 501(c)(3) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 501, as amended, for persons whose circumstances indicate a transient occupancy, including homeless people, victims of domestic violence, and juvenile runaways.	1683 1684 1685 1686 1687 1688
(D) "Rental agreement" means any agreement or lease, written or oral, which establishes or modifies the terms, conditions, rules, or any other provisions concerning the use and occupancy of residential premises by one of the parties.	1689 1690 1691 1692
(E) "Security deposit" means any deposit of money or property to secure performance by the tenant under a rental agreement.	1693 1694
(F) "Dwelling unit" means a structure or the part of a structure that is used as a home, residence, or sleeping place by one person who maintains a household or by two or more persons who maintain a common household.	1695 1696 1697 1698
(G) "Controlled substance" has the same meaning as in section 3719.01 of the Revised Code.	1699 1700
(H) "Student tenant" means a person who occupies a dwelling unit owned or operated by the college or university at which the person is a student, and who has a rental agreement that is contingent upon the person's status as a student.	1701 1702 1703 1704
(I) "Recreational vehicle park," "recreation camp," "combined park-camp," and "temporary park-camp" have the same meanings as in section <del>3733.01</del> <u>3729.01</u> of the Revised Code.	1705 1706 1707
(J) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code.	1708 1709
(K) "Post-release control sanction" has the same meaning as	1710



in section 2967.01 of the Revised Code. 1711

(L) "School premises" has the same meaning as in section 1712  
2925.01 of the Revised Code. 1713

(M) "Sexually oriented offense" and "child-victim oriented 1714  
offense" have the same meanings as in section 2950.01 of the 1715  
Revised Code. 1716

**Sec. 6111.46.** (A) The environmental protection agency shall 1717  
exercise general supervision of the treatment and disposal of 1718  
sewage and industrial wastes and the operation and maintenance of 1719  
works or means installed for the collection, treatment, and 1720  
disposal of sewage and industrial wastes. Such general supervision 1721  
shall apply to all features of construction, operation, and 1722  
maintenance of the works or means that do or may affect the proper 1723  
treatment and disposal of sewage and industrial wastes. ~~The~~ 1724

(B)(1) The agency shall investigate the works or means 1725  
employed in the collection, treatment, and disposal of sewage and 1726  
industrial wastes whenever considered necessary or whenever 1727  
requested to do so by local health officials, ~~and~~ may adopt issue 1728  
and enforce orders and shall adopt rules governing the operation 1729  
and maintenance of the works or means of treatment and disposal of 1730  
such sewage and industrial wastes, ~~and~~. In adopting rules under 1731  
this section, the agency shall establish standards governing the 1732  
construction, operation, and maintenance of the works or means of 1733  
collection, treatment, and disposal of sewage that is generated at 1734  
recreational vehicle parks, recreation camps, combined park-camps, 1735  
and temporary park-camps that are separate from such standards 1736  
relative to mobile home parks. 1737

(2) As used in division (B)(1) of this section: 1738

(a) "Mobile home parks" has the same meaning as in section 1739  
3733.01 of the Revised Code. 1740

(b) "Recreational vehicle parks," "recreation camps," 1741  
"combined park-camps," and "temporary park-camps" have the same 1742  
meanings as in section 3729.01 of the Revised Code. 1743

(C) The agency may require the submission of records and data 1744  
of construction, operation, and maintenance, including plans and 1745  
descriptions of existing works or means of treatment and disposal 1746  
of such sewage and industrial wastes. When the agency requires the 1747  
submission of such records or information, the public officials or 1748  
person, firm, or corporation having the works in charge shall 1749  
comply promptly with that order. 1750

**Section 2.** That existing sections 1901.184, 1907.032, 1751  
1923.01, 3701.83, 3709.085, 3709.09, 3733.01, 3733.02, 3733.021, 1752  
3733.023, 3733.03, 3733.031, 3733.04, 3733.05, 3733.06, 3733.07, 1753  
3733.081, 3733.082, 4503.06, 5321.01, and 6111.46 of the Revised 1754  
Code are hereby repealed. 1755

**Section 3.** Licenses that were issued for recreational vehicle 1756  
parks, recreation camps, combined park-camps, and temporary 1757  
park-camps under Chapter 3733. of the Revised Code, as it existed 1758  
prior to its amendment by this act, remain in effect until their 1759  
expiration, at which time they shall be renewed in accordance with 1760  
Chapter 3729. of the Revised Code, as enacted by this act. 1761

**Section 4.** Section 3709.085 of the Revised Code is presented 1762  
in this act as a composite of the section as amended by Am. Sub. 1763  
H.B. 197 and S.B. 198, both of the 123rd General Assembly. The 1764  
General Assembly, applying the principle stated in division (B) of 1765  
section 1.52 of the Revised Code that amendments are to be 1766  
harmonized if reasonably capable of simultaneous operation, finds 1767  
that the composite is the resulting version of the section in 1768  
effect prior to the effective date of the section as presented in 1769  
this act. 1770