

As Passed by the House

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

Sub. S. B. No. 202

Senators Mumper, Austria, White, Roberts

Representatives Aslanides, Gibbs, C. Evans, Niehaus, Schlichter, Widener

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A B I L L

To amend sections 183.12, 317.32, 505.101, 901.21, 1
901.22, 917.01, 917.02, 917.031, 917.09, 917.091, 2
917.19, 917.22, 918.01, 918.02, 918.08, 918.11, 3
918.25, 918.28, 921.06, 921.23, 955.51 to 955.53, 4
1515.01, 1515.14, 1515.21, 1515.24, 3707.38, 5
3715.65, 5301.68, 5301.691, and 6131.23, to enact 6
sections 1515.18, 1515.181, 1515.182, 1515.183, 7
1515.184, 1515.185, 1515.19, 1515.191, 1515.192, 8
1515.193, and 1515.211, and to repeal section 9
1515.20 of the Revised Code to revise the laws 10
governing the inspection of meat and poultry, 11
claims for injuries to certain animals by coyotes 12
or black vultures, dairies, agricultural 13
easements, licensure for purposes of applying 14
pesticides, and applications concerning new drugs; 15
to authorize soil and water conservation districts 16
to acquire agricultural easements; to authorize a 17
board of township trustees to enter into a 18
contract with a soil and water conservation 19
district, without advertising or bidding, for the 20
purchase of services; to establish procedures and 21
other requirements governing the construction of 22
an improvement by a soil and water conservation 23
district; to include money from tax levies for the 24

benefit of local soil and water conservation 25
districts in matching state grants to those 26
districts; to extend the maximum repayment period 27
for bonds sold by a board of county commissioners 28
for soil and water conservation district 29
improvements; and to authorize the Director of 30
Agriculture and the Director of Development to 31
appoint designees to serve in their places as ex 32
officio officers of the board of trustees of the 33
Southern Ohio Agricultural and Community 34
Development Foundation. 35

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

Section 1. That sections 183.12, 317.32, 505.101, 901.21, 36
901.22, 917.01, 917.02, 917.031, 917.09, 917.091, 917.19, 917.22, 37
918.01, 918.02, 918.08, 918.11, 918.25, 918.28, 921.06, 921.23, 38
955.51, 955.52, 955.53, 1515.01, 1515.14, 1515.21, 1515.24, 39
3707.38, 3715.65, 5301.68, 5301.691, and 6131.23 be amended and 40
sections 1515.18, 1515.181, 1515.182, 1515.183, 1515.184, 41
1515.185, 1515.19, 1515.191, 1515.192, 1515.193, and 1515.211 of 42
the Revised Code be enacted to read as follows: 43

Sec. 183.12. There is hereby created the southern Ohio 44
agricultural and community development foundation, the general 45
management of which is vested in a board of trustees of sixteen 46
members as follows: 47

(A) The director of agriculture or the director's designee, 48
the director of development or the director's designee, the 49
executive director of the Ohio rural development partnership, and 50
~~director or designee of~~ the director of the Ohio state university 51
extension or the director's designee, who shall serve as ex 52

officio officers;	53
(B) Two residents of major tobacco-producing counties with experience in local agricultural economic development or community development, who shall be appointed by the governor;	54 55 56
(C) Three active farmers from major tobacco-producing counties, who shall be appointed by the governor, two of whom shall be appointed from a list of at least four individuals recommended by the Ohio farm bureau and one of whom shall be appointed from a list of at least two individuals recommended by the farmers' union;	57 58 59 60 61 62
(D) Three active tobacco farmers from major tobacco-producing counties, who shall be appointed by the governor from a list of at least six individuals recommended by the Ohio tobacco growers association;	63 64 65 66
(E) One nonvoting member, who shall be a member of the house of representatives of the political party of which the speaker of the house of representatives is a member and who shall be appointed by the speaker;	67 68 69 70
(F) One nonvoting member, who shall be a member of the house of representatives of the major political party of which the speaker of the house of representatives is not a member and who shall be appointed by the speaker;	71 72 73 74
(G) One nonvoting member, who shall be a member of the senate of the political party of which the president of the senate is a member and who shall be appointed by the president;	75 76 77
(H) One nonvoting member, who shall be a member of the senate of the major political party of which the president of the senate is not a member and who shall be appointed by the president.	78 79 80
The appointments of the governor shall be with the advice and consent of the senate.	81 82

Terms of office for the members appointed by the governor 83
shall be for five years. The terms of legislative members shall be 84
for the biennial session of the general assembly in which they are 85
appointed. Each member shall hold office from the date of 86
appointment until the end of the term for which the member was 87
appointed. Any member appointed to fill a vacancy occurring prior 88
to the expiration of the term for which the member's predecessor 89
was appointed shall hold office for the remainder of that term. 90
Any member shall continue in office subsequent to the expiration 91
date of the member's term until the member's successor takes 92
office, or until a period of sixty days has elapsed, whichever 93
occurs first. The governor may remove any non-legislative member 94
for malfeasance, misfeasance, or nonfeasance after a hearing in 95
accordance with Chapter 119. of the Revised Code. 96

A vacancy on the board shall be filled in the same manner as 97
the original appointment. 98

The members of the board shall serve without compensation, 99
but shall receive their reasonable and necessary expenses incurred 100
in the conduct of foundation business. 101

Sections 101.82 to 101.87 of the Revised Code do not apply to 102
the foundation. 103

As used in this section, "major tobacco-producing counties" 104
means any of the counties, ranked in descending order of pounds 105
produced, where ninety-five per cent of the 1998 burley tobacco 106
quota for the state was produced. 107

Sec. 317.32. The county recorder shall charge and collect the 108
following fees, to include base fees for the recorder's services 109
and housing trust fund fees, collected pursuant to section 317.36 110
of the Revised Code: 111

(A) For recording and indexing an instrument when the 112

photocopy or any similar process is employed, a base fee of 113
fourteen dollars for the first two pages and a housing trust fund 114
fee of fourteen dollars, and a base fee of four dollars and a 115
housing trust fund fee of four dollars for each subsequent page, 116
size eight and one-half inches by fourteen inches, or fraction of 117
a page, including the caption page, of such instrument; 118

(B) For certifying a photocopy from the record previously 119
recorded, a base fee of one dollar and a housing trust fund fee of 120
one dollar per page, size eight and one-half inches by fourteen 121
inches, or fraction of a page; for each certification where the 122
recorder's seal is required, except as to instruments issued by 123
the armed forces of the United States, a base fee of fifty cents 124
and a housing trust fund fee of fifty cents; 125

(C) For manual or typewritten recording of assignment or 126
satisfaction of mortgage or lease or any other marginal entry, a 127
base fee of four dollars and a housing trust fund fee of four 128
dollars; 129

(D) For entering any marginal reference by separate recorded 130
instrument, a base fee of two dollars and a housing trust fund fee 131
of two dollars for each marginal reference set out in that 132
instrument, in addition to the fees set forth in division (A) of 133
this section; 134

(E) For indexing in the real estate mortgage records, 135
pursuant to section 1309.519 of the Revised Code, financing 136
statements covering crops growing or to be grown, timber to be 137
cut, minerals or the like, including oil and gas, accounts subject 138
to section 1309.301 of the Revised Code, or fixture filings made 139
pursuant to section 1309.334 of the Revised Code, a base fee of 140
two dollars and a housing trust fund fee of two dollars for each 141
name indexed; 142

(F) For recording manually any plat not exceeding six lines, 143

a base fee of two dollars and a housing trust fund fee of two 144
dollars, and for each additional line, a base fee of ten cents and 145
a housing trust fund fee of ten cents; 146

(G) For filing zoning resolutions, including text and maps, 147
in the office of the recorder as required under sections 303.11 148
and 519.11 of the Revised Code, a base fee of fifty dollars and a 149
housing trust fund fee of fifty dollars, regardless of the size or 150
length of the resolutions; 151

(H) For filing zoning amendments, including text and maps, in 152
the office of the recorder as required under sections 303.12 and 153
519.12 of the Revised Code, a base fee of ten dollars and a 154
housing trust fund fee of ten dollars for the first page and a 155
base fee of four dollars and a housing trust fund fee of four 156
dollars for each additional page; 157

(I) For photocopying a document, other than at the time of 158
recording and indexing as provided for in division (A) of this 159
section, a base fee of one dollar and a housing trust fund fee of 160
one dollar per page, size eight and one-half inches by fourteen 161
inches, or fraction thereof; 162

(J) For local facsimile transmission of a document, a base 163
fee of one dollar and a housing trust fund fee of one dollar per 164
page, size eight and one-half inches by fourteen inches, or 165
fraction thereof; for long distance facsimile transmission of a 166
document, a base fee of two dollars and a housing trust fund fee 167
of two dollars per page, size eight and one-half inches by 168
fourteen inches, or fraction thereof; 169

(K) For recording a declaration executed pursuant to section 170
2133.02 of the Revised Code or a durable power of attorney for 171
health care executed pursuant to section 1337.12 of the Revised 172
Code, or both a declaration and a durable power of attorney for 173
health care, a base fee of at least fourteen dollars but not more 174

than twenty dollars and a housing trust fund fee of at least 175
fourteen dollars but not more than twenty dollars. 176

In any county in which the recorder employs the photostatic 177
or any similar process for recording maps, plats, or prints the 178
recorder shall determine, charge, and collect for the recording or 179
rerecording of any map, plat, or print, a base fee of five cents 180
and a housing trust fund fee of five cents per square inch, for 181
each square inch of the map, plat, or print filed for that 182
recording or rerecording, with a minimum base fee of twenty 183
dollars and a minimum housing trust fund fee of twenty dollars; 184
for certifying a copy from the record, a base fee of two cents and 185
a housing trust fund fee of two cents per square inch of the 186
record, with a minimum base fee of two dollars and a minimum 187
housing trust fund fee of two dollars. 188

The fees provided in this section shall be paid upon the 189
presentation of the instruments for record or upon the application 190
for any certified copy of the record, except that the payment of 191
fees associated with the filing and recording of, or the copying 192
of, notices of internal revenue tax liens and notices of other 193
liens in favor of the United States as described in division (A) 194
of section 317.09 of the Revised Code and certificates of 195
discharge or release of those liens, shall be governed by section 196
317.09 of the Revised Code, and the payment of fees for providing 197
copies of instruments conveying or extinguishing agricultural 198
easements to the office of farmland preservation in the department 199
of agriculture under division ~~(G)~~(H) of section 5301.691 of the 200
Revised Code shall be governed by that division. 201

Sec. 505.101. The board of township trustees of any township 202
may, by resolution, enter into a contract, without advertising or 203
bidding, for the purchase or sale of materials, equipment, or 204
supplies from or to any department, agency, or political 205

subdivision of the state, for the purchase of services with a soil and water conservation district established under Chapter 1515. of the Revised Code, or for the purchase of supplies, services, materials, and equipment with a regional planning commission pursuant to division (D) of section 713.23 of the Revised Code. The resolution shall:

(A) Set forth the maximum amount to be paid as the purchase price for the materials, equipment, ~~or~~ supplies, or services;

(B) Describe the type of materials, equipment, ~~or~~ supplies, or services that are to be purchased;

(C) Appropriate sufficient funds to pay the purchase price for the materials, equipment, ~~or~~ supplies, or services, except that no such appropriation is necessary if funds have been previously appropriated for the purpose and remain unencumbered at the time the resolution is adopted.

Sec. 901.21. (A) As used in this section and section 901.22 of the Revised Code:

(1) "Agricultural easement" has the same meaning as in section 5301.67 of the Revised Code.

(2) "Agriculture" means those activities occurring on land devoted exclusively to agricultural use, as defined in section 5713.30 of the Revised Code, or on land that constitutes a homestead.

(3) "Homestead" means the portion of a farm on which is located a dwelling house, yard, or outbuildings such as a barn or garage.

(B) The director of agriculture may acquire real property used predominantly in agriculture and agricultural easements by gift, devise, or bequest if, at the time an easement is granted, such an easement is on land that is valued for purposes of real

property taxation at its current value for agricultural use under 236
section 5713.31 of the Revised Code or that constitutes a 237
homestead. Any terms may be included in an agricultural easement 238
so acquired that are necessary or appropriate to preserve on 239
behalf of the grantor of the easement the favorable tax 240
consequences of the gift, devise, or bequest under the "Internal 241
Revenue Act of 1986," 100 Stat. 2085, 26 U.S.C.A. 1, as amended. 242
The director, by any such means or by purchase or lease, may 243
acquire, or acquire the use of, stationary personal property or 244
equipment that is located on land acquired in fee by the director 245
under this section and that is necessary or appropriate for the 246
use of the land predominantly in agriculture. 247

(C) The director may do all things necessary or appropriate 248
to retain the use of real property acquired in fee under division 249
(B) of this section predominantly in agriculture, including, 250
without limitation, performing any of the activities described in 251
division (A)(1) or (2) of section 5713.30 of the Revised Code or 252
entering into contracts to lease or rent the real property so 253
acquired to persons or governmental entities that will use the 254
land predominantly in agriculture. 255

(D)(1) When the director considers it to be necessary or 256
appropriate, the director may sell real property acquired in fee, 257
and stationary personal property or equipment acquired by gift, 258
devise, bequest, or purchase, under division (B) of this section 259
on such terms as the director considers to be advantageous to this 260
state. 261

(2) An agricultural easement acquired under division (B) of 262
this section may be extinguished under the circumstances 263
prescribed, and in accordance with the terms and conditions set 264
forth, in the instrument conveying the agricultural easement. 265

(E) There is hereby created in the state treasury the 266

agricultural easement purchase fund. The fund shall consist of the
proceeds received from the sale of real and personal property
under division (D) of this section; moneys received due to the
extinguishment of agricultural easements acquired by the director
under division (B) of this section or section 5301.691 of the
Revised Code; moneys received due to the extinguishment of
agricultural easements purchased with the assistance of matching
grants made under section 901.22 of the Revised Code; gifts,
bequests, devises, and contributions received by the director for
the purpose of acquiring agricultural easements; and grants
received from public or private sources for the purpose of
purchasing agricultural easements. The fund shall be administered
by the director, and moneys in the fund shall be used by the
director exclusively to purchase agricultural easements under
division (A) of section 5301.691 of the Revised Code and provide
matching grants under section 901.22 of the Revised Code to
municipal corporations, counties, townships, soil and water
conservation districts established under Chapter 1515. of the
Revised Code, and charitable organizations described in division
(B) of section 5301.69 of the Revised Code for the purchase of
agricultural easements. Money in the fund shall be used only to
purchase agricultural easements on land that is valued for
purposes of real property taxation at its current value for
agricultural use under section 5713.31 of the Revised Code or that
constitutes a homestead when the easement is purchased.

(F) There is hereby created in the state treasury the clean
Ohio agricultural easement fund. Twelve and one-half per cent of
net proceeds of obligations issued and sold pursuant to sections
151.01 and 151.09 of the Revised Code shall be deposited into the
fund. The fund shall be used by the director for the purposes of
~~sections 901.21 and~~ this section, section 901.22 of the Revised
Code, and the provisions of sections 5301.67 to 5301.70 of the

Revised Code governing agricultural easements. Investment earnings 299
of the fund shall be credited to the fund and may be used to pay 300
costs incurred by the director in administering those sections and 301
provisions. 302

(G) The term of an agricultural easement purchased wholly or 303
in part with money from the clean Ohio agricultural easement fund 304
or the agricultural easement purchase fund shall be perpetual and 305
shall run with the land. 306

Sec. 901.22. (A) The director of agriculture, in accordance 307
with Chapter 119. of the Revised Code, shall adopt rules that do 308
all of the following: 309

(1) Establish procedures and eligibility criteria for making 310
matching grants to municipal corporations, counties, townships, 311
soil and water conservation districts established under Chapter 312
1515. of the Revised Code, and charitable organizations described 313
in division (B) of section 5301.69 of the Revised Code for the 314
purchase of agricultural easements. With respect to agricultural 315
easements that are purchased or proposed to be purchased with such 316
matching grants that consist in whole or in part of moneys from 317
the clean Ohio agricultural easement fund created in section 318
901.21 of the Revised Code, the rules shall establish all of the 319
following: 320

(a) Procedures for all of the following: 321

(i) Soliciting and accepting applications for matching 322
grants; 323

(ii) Participation by local governments and by the public in 324
the process of making matching grants to charitable organizations; 325

(iii) Notifying local governments, charitable organizations, 326
and organizations that represent the interests of farmers of the 327
ranking system established in rules adopted under division 328

(A)(1)(b) of this section.	329
(b) A ranking system for applications for the matching grants	330
that is based on the soil type, proximity of the land or other	331
land that is conducive to agriculture as defined by rules adopted	332
under this section and that is the subject of an application to	333
other agricultural land or other land that is conducive to	334
agriculture as defined by rules adopted under this section and	335
that is already or is in the process of becoming permanently	336
protected from development, farm stewardship, development	337
pressure, and, if applicable, a local comprehensive land use plan	338
involved with a proposed agricultural easement. The rules shall	339
require that preference be given to proposed agricultural	340
easements that involve the greatest proportion of all of the	341
following:	342
(i) Prime soils, unique or locally important soils,	343
microclimates, or similar features;	344
(ii) Land that is adjacent to or that is in close proximity	345
to other agricultural land or other land that is conducive to	346
agriculture as defined by rules adopted under this section and	347
that is already or is in the process of becoming permanently	348
protected from development, by agricultural easement or otherwise,	349
so that a buffer would exist between the land involving the	350
proposed agricultural easement and areas that have been developed	351
or likely will be developed for purposes other than agriculture;	352
(iii) The use of best management practices, including	353
federally or state approved conservation plans, and a history of	354
substantial compliance with applicable federal and state laws;	355
(iv) Development pressure that is imminent, but not a result	356
of current location in the direct path of urban development;	357
(v) Areas identified for agricultural protection in local	358
comprehensive land use plans.	359

(c) Any other criteria that the director determines are 360
necessary for selecting applications for matching grants; 361

(d) Requirements regarding the information that must be 362
included in the annual monitoring report that must be prepared for 363
an agricultural easement under division ~~(D)~~(E)(2) of section 364
5301.691 of the Revised Code, procedures for submitting a copy of 365
the report to the office of farmland preservation in the 366
department of agriculture, and requirements and procedures 367
governing corrective actions that may be necessary to enforce the 368
terms of the agricultural easement. 369

(2) Establish provisions that shall be included in the 370
instrument conveying to a municipal corporation, county, township, 371
soil and water conservation district, or charitable organization 372
any agricultural easement purchased with matching grant funds 373
provided by the director under this section, including, without 374
limitation, all of the following provisions: 375

(a) A provision stating that an easement so purchased may be 376
extinguished only if an unexpected change in the conditions of or 377
surrounding the land that is subject to the easement makes 378
impossible or impractical the continued use of the land for the 379
purposes described in the easement, or if the requirements of the 380
easement are extinguished by judicial proceedings; 381

(b) A provision requiring that, upon the sale, exchange, or 382
involuntary conversion of the land subject to the easement, the 383
holder of the easement shall be paid an amount of money that is at 384
least equal to the proportionate value of the easement compared to 385
the total value of the land at the time the easement was acquired; 386

(c) A provision requiring that, upon receipt of the portion 387
of the proceeds of a sale, exchange, or involuntary conversion 388
described in division (A)(2)(b) of this section, the municipal 389
corporation, county, township, soil and water conservation 390

district, or charitable organization remit to the director an 391
amount of money equal to the percentage of the cost of purchasing 392
the easement it received as a matching grant under this section. 393

Moneys received by the director pursuant to rules adopted 394
under division (A)(2)(c) of this section shall be credited to the 395
agricultural easement purchase fund created in section 901.21 of 396
the Revised Code. 397

(3) Establish a provision that provides a charitable 398
organization ~~described in division (B) of section 5301.69 of the~~ 399
~~Revised Code~~, municipal corporation, township, ~~or~~ county, or soil 400
and water conservation district with the option of purchasing 401
agricultural easements either in installments or with a lump sum 402
payment. The rules shall include a requirement that a charitable 403
organization, municipal corporation, township, ~~or~~ county, or soil 404
and water conservation district negotiate with the seller of the 405
agricultural easement concerning any installment payment terms, 406
including the dates and amounts of payments and the interest rate 407
on the outstanding balance. The rules also shall require the 408
director to approve any method of payment that is undertaken in 409
accordance with the rules adopted under division (A)(3) of this 410
section. 411

(4) Establish any other requirements that the director 412
considers to be necessary or appropriate to implement or 413
administer a program to make matching grants under this section 414
and monitor those grants. 415

(B) The director may develop guidelines regarding the 416
acquisition of agricultural easements by the department of 417
agriculture and the provisions of instruments conveying those 418
easements. The director may make the guidelines available to 419
public and private entities authorized to acquire and hold 420
agricultural easements. 421

(C) The director may provide technical assistance in 422
developing a program for the acquisition and monitoring of 423
agricultural easements to public and private entities authorized 424
to hold agricultural easements. The technical assistance may 425
include, without limitation, reviewing and providing advisory 426
recommendations regarding draft instruments conveying agricultural 427
easements. 428

(D)(1) The director may make matching grants from the 429
agricultural easement purchase fund and the clean Ohio 430
agricultural easement fund to municipal corporations, counties, 431
townships, soil and water conservation districts, and charitable 432
organizations ~~described in division (B) of section 5301.69 of the~~ 433
~~Revised Code~~, to assist those political subdivisions and 434
charitable organizations in purchasing agricultural easements. 435
Application for a matching grant shall be made on forms prescribed 436
and provided by the director. The matching grants shall be made in 437
compliance with the criteria and procedures established in rules 438
adopted under this section. Instruments conveying agricultural 439
easements purchased with matching grant funds provided under this 440
section, at a minimum, shall include the mandatory provisions set 441
forth in those rules. 442

Matching grants made under this division using moneys from 443
the clean Ohio agricultural easement fund created in section 444
901.21 of the Revised Code may provide up to seventy-five per cent 445
of the value of an agricultural easement as determined by a 446
general real estate appraiser who is certified under Chapter 4763. 447
of the Revised Code or as determined through a points-based 448
appraisal system established under division (D)(2) of this 449
section. Not less than twenty-five per cent of the value of the 450
agricultural easement shall be provided by the recipient of the 451
matching grant or donated by the person who is transferring the 452
easement to the grant recipient. The amount of such a matching 453

grant used for the purchase of a single agricultural easement 454
shall not exceed one million dollars. 455

(2) The director shall establish a points-based appraisal 456
system for the purposes of division (D)(1) of this section. The 457
director may include any or all of the following factors in the 458
system: 459

(a) Whether the applicable county auditor has determined that 460
the land is land that is devoted exclusively to agriculture for 461
the purposes of sections 5713.30 to 5713.38 of the Revised Code; 462

(b) Changes in land values following the completion of the 463
applicable county auditor's reappraisal or triennial update; 464

(c) Soil types and productivity; 465

(d) Proximity of the land to land that is already subject to 466
an agricultural easement, conservation easement created under 467
sections 5301.67 to 5301.70 of the Revised Code, or similar 468
land-use limitation; 469

(e) Proximity of the land to water and sewer lines, road 470
interchanges, and nonagricultural development; 471

(f) Parcel size and roadway frontage of the land; 472

(g) Existence of an agreement entered into under division (D) 473
of section 1515.08 of the Revised Code or of an operation and 474
management plan developed under division (A) of section 1511.021 475
of the Revised Code; 476

(h) Existence of a comprehensive plan that is adopted under 477
section 303.02 or 519.02 of the Revised Code or that is adopted by 478
the planning commission of a municipal corporation under section 479
713.06 of the Revised Code; 480

(i) Any other factors that the director determines are 481
necessary for inclusion in the system. 482

(E) For any agricultural easement purchased with a matching 483

grant that consists in whole or in part of moneys from the clean
Ohio agricultural easement fund, the director shall be named as a
grantee on the instrument conveying the easement, as shall the
municipal corporation, county, township, soil and water
conservation district, or charitable organization that receives
the grant.

(F)(1) The director shall monitor and evaluate the
effectiveness and efficiency of the agricultural easement program
as a farmland preservation tool. On or before July 1, 1999, and
the first day of July of each year thereafter, the director shall
prepare and submit a report to the chairpersons of the standing
committees of the senate and the house of representatives that
consider legislation regarding agriculture. The report shall
consider and address the following criteria to determine the
program's effectiveness:

(a) The number of agricultural easements purchased during the
preceding year;

(b) The location of those easements;

(c) The number of acres of land preserved for agricultural
use;

(d) The amount of money used by a municipal corporation,
township, ~~or county,~~ or soil and water conservation district from
~~its general fund or special~~ any fund to purchase the agricultural
easements;

(e) The number of state matching grants given to purchase the
agricultural easements;

(f) The amount of state matching grant moneys used to
purchase the agricultural easements.

(2) The report also shall consider and include, at a minimum,
the following information for each county to determine the

program's efficiency:	514
(a) The total number of acres in the county;	515
(b) The total number of acres in current agricultural use;	516
(c) The total number of acres preserved for agricultural use in the preceding year;	517 518
(d) The average cost, per acre, of land preserved for agricultural use in the preceding year.	519 520
Sec. 917.01. As used in this chapter:	521
(A) "Person" means any individual, government agency, political subdivision, partnership, corporation, association, co-operative association, or other business unit.	522 523 524
(B) "Co-operative association" or "agricultural cooperative association" means any agricultural cooperative organized under Chapter 1729. of the Revised Code and qualified to do business in Ohio , <u>this state</u> if the director of agriculture finds the association has, in good faith, its entire activities under the control of its members and has been and is exercising full authority in the sale of milk or cream for its members.	525 526 527 528 529 530 531
(C) "Market area" means any area that the director finds is a natural marketing area and designates as such.	532 533
(D) "Dealer" or "milk dealer" means a person who purchases or receives milk from a producer for the purpose of bottling, packaging, selling, processing, jobbing, brokering, or distributing the milk except where the milk is disposed of in the same container in which it is received, without removal from the container and without processing in any way except by necessary refrigeration. Any person who buys and distributes milk in containers under the person's own label is a dealer.	534 535 536 537 538 539 540 541
(E) "Imitation" means imitation as described in 21 C.F.R.	542

101.3, as amended.	543
(F) "Milk" means the lacteal secretion, substantially free	544
from colostrum, obtained by the complete milking of one or more	545
healthy cows, goats, sheep, or other animals and intended for	546
either of the following purposes:	547
(1) To be sold for human consumption or for use in dairy	548
products;	549
(2) To be used for human consumption or for use in dairy	550
products on the premises of a governmental agency or institution.	551
"Milk" does not include a blend of the lacteal secretions of	552
different species.	553
(G) "Grade A milk" means milk produced by a person holding a	554
valid producer license of the grade A milk category issued	555
pursuant to section 917.09 of the Revised Code.	556
(H) "Manufacture milk" means milk produced by a person	557
holding a valid producer license of the manufacture milk category	558
issued pursuant to section 917.09 of the Revised Code.	559
(I) "Producer" or "milk producer" means a grade A milk	560
producer or a manufacture milk producer.	561
(J) "Grade A milk producer" means a person located in this	562
state who sells or offers for sale grade A milk obtained from a	563
cow, goat, sheep, or other animal that the person owns or	564
controls.	565
(K) "Manufacture milk producer" means a person located in	566
this state who sells or offers for sale manufacture milk obtained	567
from a cow, goat, sheep, or other animal that the person owns or	568
controls.	569
(L) "Grade A milk products" means products derived from grade	570
A milk and having the standard of identity, quality, strength,	571
purity, grade, and, if added, permitted optional ingredients found	572

in the standards of identity established for the products in rules	573
adopted by the director under section 917.02 or 3715.02 of the	574
Revised Code, and includes:	575
(1) Cottage cheese;	576
(2) Raw, pasteurized, or aseptically processed products	577
derived from milk and described in either of the following:	578
(a) The most recent published recommendations of the food and	579
drug administration, public health service, United States	580
department of health and human services;	581
(b) Rules adopted by the director.	582
(M) "Manufactured milk products" means all products, other	583
than raw milk for sale to the ultimate consumer and grade A milk	584
products, that are derived from milk and are for human	585
consumption, including:	586
(1) Butter;	587
(2) Natural or processed cheese;	588
(3) Evaporated, condensed, and dry products;	589
(4) Frozen desserts;	590
(5) Such other products derived from milk as the director may	591
specify by rule that have the standard of identity, quality,	592
strength, purity, grade, and, if added, permitted optional	593
ingredients found in the standards of identity established for the	594
product in rules adopted by the director under section 917.02 or	595
3715.02 of the Revised Code.	596
(N) "Dairy products" means milk, raw milk for sale to the	597
ultimate consumer, grade A milk products, and manufactured milk	598
products.	599
(O) "Frozen desserts" means frozen desserts, including the	600
mixes, described in 21 C.F.R. 135, as amended, unless otherwise	601

specified by the director by rule.

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(P) "Milk plant" means a grade A milk plant or manufacture
milk plant.

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(Q) "Grade A milk plant" means a place, including a
governmental operation, where grade A milk or a grade A milk
product is collected, handled, controlled, processed, stored,
pasteurized, ultra-pasteurized, repasteurized, aseptically
processed, bottled, or prepared for distribution, but does not
include a place where a grade A milk product is purchased in
packaged form and is stored and handled for the sole purpose of
sale to the ultimate consumer.

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(R) "Manufacture milk plant" means a place, including a
governmental operation, where manufacture milk or a manufactured
milk product is collected, handled, controlled, manufactured,
processed, stored, pasteurized, ultra-pasteurized, repasteurized,
commercially sterilized, aseptically processed, bottled, or
prepared for distribution, but does not include a place where a
manufactured milk product is purchased in packaged form and is
stored and handled for the sole purpose of sale to the ultimate
consumer.

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(S) "Raw milk for sale to the ultimate consumer" means the
raw milk sold or offered for sale by a raw milk retailer.

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(T) "Raw milk retailer" means a person who, prior to October
31, 1965, was engaged continuously in the business of selling or
offering for sale raw milk directly to ultimate consumers.

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(U) "Processor" or "milk processor" means a grade A milk
processor or a manufacture milk processor.

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(V) "Grade A milk processor" means a person who operates or
controls a milk plant, transfer station, receiving station, or
milk transport cleaning facility that is located in this state or

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from which grade A milk or grade A milk products are sold or 632
offered for sale for human consumption, as applicable. 633

(W) "Manufacture milk processor" means any person who 634
operates or controls a manufacture milk plant, transfer station, 635
receiving station, or milk transport cleaning facility that is 636
located in this state or from which manufacture milk or 637
manufactured milk products are sold or offered for sale for human 638
consumption, as applicable. 639

(X) "Weigher, sampler, or tester" means a person who, in 640
order to determine volume, weight, or composition for the purpose 641
of determining price, weighs, tests, or samples either of the 642
following: 643

(1) Milk at a dairy farm; 644

(2) Milk or cream purchased by a dealer from a milk producer 645
or co-operative association. 646

(Y) "Hauler" or "milk hauler" means a person who owns or 647
leases a vehicle or conveyance used to transport raw milk, but 648
does not include a producer transporting raw milk that the 649
producer has produced. 650

(Z) "License" means a license issued under section 917.09 of 651
the Revised Code and includes a registration issued under division 652
~~(I)~~(J) of that section. 653

Sec. 917.02. (A) The director of agriculture may do any of 654
the following: 655

~~(A)~~(1) Adopt rules in accordance with Chapter 119. of the 656
Revised Code regulating all of the following: 657

~~(1)~~(a) The sanitary production, storage, transportation, 658
manufacturing, handling, processing, sampling, testing, 659
examination, and sale of dairy products; 660

~~(2)~~(b) The suspension and revocation of licenses issued under 661
section 917.09 of the Revised Code, provided that the rules are in 662
accordance with and do not conflict with section 917.22 of the 663
Revised Code; 664

~~(3)~~(c) Terms and renewal periods, registration requirements, 665
categories, and fees for licenses issued under section 917.09 of 666
the Revised Code, except that the fee for a producer's license 667
shall not exceed fifteen dollars; 668

~~(4)~~(d) Examinations that must be passed prior to issuance of 669
a weigher, sampler, or tester license and inspections that must be 670
passed prior to issuance of any other type of license issued under 671
section 917.09 of the Revised Code; 672

~~(5)~~(e) Procedures for issuing and renewing licenses under 673
section 917.09 of the Revised Code; 674

~~(6)~~(f) Information that an applicant for a license issued 675
under section 917.09 of the Revised Code is required to provide on 676
the application for licensure; 677

~~(7)~~(g) Standards for equipment or materials used for the 678
production, processing, and handling of dairy products; 679

~~(8)~~(h) Records to be kept by persons holding a license issued 680
under this chapter and the inspection and auditing of books and 681
records of those persons, and any other records that are required 682
to be kept by other rules adopted under this section; 683

~~(9)~~(i) Security arrangements and evidence of financial 684
responsibility for milk dealers, to ensure prompt payment to milk 685
producers; 686

~~(10)~~(j) Standards of identity, quality, strength, purity, 687
grading, and labeling of dairy products; 688

~~(11)~~(k) The production, processing, and handling of dairy 689
products and the prompt and accurate payment for milk and cream by 690

milk dealers, but not the establishment or control of the price of 691
milk and cream; 692

~~(12)~~(1) Criteria for the equipment, methods, or materials to 693
be used in performing weighing, volumetric measuring, sampling, 694
and testing of milk and its components when such an operation is 695
used as the basis for determining payment for milk delivered to or 696
purchased by dealers; 697

~~(13)~~(m) The size and placement of labels and of words on 698
labels required by section 917.04 of the Revised Code to be placed 699
on final delivery containers used for the sale of raw milk to 700
ultimate consumers. 701

The director shall have exclusive authority to administer and 702
enforce rules adopted under division (A)(1) of this section. 703

~~(B)~~(2) Enter into, with the approval of the milk sanitation 704
board created in section 917.03 of the Revised Code, an agreement 705
with a public or private entity that the director determines is 706
properly qualified for the performance of any of the inspections 707
and analyses required by this chapter; 708

~~(C)~~(3) Adopt rules by reference to all or any part of the 709
following recommendations: 710

~~(1)~~(a) The grade A pasteurized milk ordinance, as amended, 711
and the "grade A condensed and dry milk products and condensed and 712
dry whey" supplement I to the grade A pasteurized milk ordinance 713
of the food and drug administration, public health service, of the 714
United States department of health and human services, to the 715
extent those provisions do not conflict with the laws of this 716
state; 717

~~(2)~~(b) The most recent recommendations for milk for 718
manufacturing purposes and its production and processing published 719
in final form in the Federal Register by the United States 720
department of agriculture, to the extent those recommendations do 721

not conflict with the laws of this state. 722

~~(D)~~(4) Administer and enforce this chapter and rules adopted 723
under it and appoint inspectors and other personnel necessary to 724
carry out ~~the provisions of~~ this chapter and those rules; 725

~~(E)~~(5) Embargo a dairy product that the director reasonably 726
suspects, believes, or determines is adulterated as described in 727
section 3715.59 of the Revised Code or is misbranded as described 728
in section 3715.60 of the Revised Code; 729

~~(F)~~(6) Adopt by reference all or any part of the rules 730
governing the dairy industry adopted by the United States food and 731
drug administration and the United States department of 732
agriculture; 733

~~(G)~~(7) Annually, not later than ninety days after the end of 734
the state fiscal year, determine the expense of administering and 735
enforcing this chapter and rules adopted under it during the 736
preceding state fiscal year and report the determinations to the 737
milk sanitation board ~~created in section 917.03 of the Revised~~ 738
~~Code.~~ 739

(B) The director shall do both of the following: 740

(1) Adopt rules in accordance with Chapter 119. of the 741
Revised Code establishing requirements for continuing education 742
courses for weighers, samplers, and testers licensed under section 743
917.09 of the Revised Code; 744

(2) Review continuing education courses for weighers, 745
samplers, and testers licensed under section 917.09 of the Revised 746
Code and grant approval to those that meet the requirements 747
established in rules adopted under division (B)(1) of this 748
section. 749

Sec. 917.031. The milk sanitation board may do all of the 750
following: 751

(A) Advise and consult with the director of agriculture in 752
the administration and enforcement of this chapter and rules 753
adopted under it; 754

(B) Make recommendations to the director regarding proposed 755
rules; 756

(C) Approve or disapprove agreements between the director and 757
any public or private entity desiring to perform or performing any 758
of the inspections or analyses required under this chapter and 759
rules adopted under it. 760

The milk sanitation board, after reviewing the director's 761
annual report required under division ~~(C)~~(A)(7) of section 917.02 762
of the Revised Code, shall prescribe inspection fees for ~~milk~~ 763
~~producers and~~ milk processors, and may prescribe inspection fees 764
for milk producers and milk haulers, ~~except that no inspection~~ 765
~~fees shall be prescribed for manufacture milk producers,~~ 766
~~processors, or haulers until on or after July 1, 1998.~~ The board 767
may modify any fees it has prescribed. The fees prescribed or 768
modified by the board together with the license fees collected 769
pursuant to this chapter shall not exceed sixty-three per cent of 770
the estimated cost of administering and enforcing this chapter, as 771
determined by the board's review of the director's annual report. 772

Sec. 917.09. (A) The director of agriculture may issue the 773
following types of licenses: 774

(1) Producer; 775

(2) Processor; 776

(3) Milk dealer; 777

(4) Raw milk retailer; 778

(5) Weigher, sampler, or tester; 779

(6) Milk hauler. 780

(B) The director may adopt rules establishing categories for 781
each type of license that are based on the grade or type of dairy 782
product with which the licensee is involved. 783

(C) Except as provided in section 917.091 of the Revised Code 784
and division ~~(I)~~(J) of this section, no person shall act as or 785
hold the person's self out as a producer; processor; milk dealer; 786
raw milk retailer; weigher, sampler, or tester; or milk hauler 787
unless the person holds a valid license issued by the director 788
under this section. 789

(D) Each person desiring a license shall submit to the 790
director a license application on a form prescribed by the 791
director, accompanied by a license fee in an amount specified in 792
rules adopted under section 917.02 of the Revised Code. The 793
applicant shall specify on the application the type of license and 794
category requested and shall include any other information 795
required by rules adopted under section 917.02 of the Revised 796
Code. 797

(E) Each applicant for a weigher, sampler, or tester license 798
or registration, prior to issuance of the license or registration, 799
shall pass an examination that is given in accordance with section 800
917.08 of the Revised Code and rules adopted under section 917.02 801
of the Revised Code. 802

Each applicant for any other type of license issued under 803
this section, prior to issuance of the license, shall pass an 804
inspection that is made in accordance with rules adopted under 805
section 917.02 of the Revised Code. 806

(F) The director shall not issue a license to an applicant 807
unless the director determines, through an inspection or 808
otherwise, that the applicant is in compliance with the 809
requirements set forth in this chapter and the rules adopted under 810
it. 811

(G) Examinations that must be passed prior to issuance of a weigher, sampler, or tester license, inspections that must be passed prior to issuance of any other type of license issued under this section, procedures for issuing and renewing licenses, and license terms and renewal periods shall comply with rules adopted under section 917.02 of the Revised Code.

(H) Suspension and revocation of licenses shall comply with section 917.22 of the Revised Code and rules adopted under section 917.02 of the Revised Code.

(I) Each licensed weigher, sampler, and tester annually shall meet the continuing education requirements established in rules adopted under division (B) of section 917.02 of the Revised Code.

(J) A person whose religion prohibits the person from obtaining a license under this section, in place of a license, shall register with the director as a producer; processor; milk dealer; raw milk retailer; weigher, sampler, or tester; or milk hauler.

The person claiming the exemption from licensure shall register on a form prescribed by the director and shall meet any other registration requirements contained in rules adopted under section 917.02 of the Revised Code. Upon receiving the person's registration form and determining that the person has satisfied all requirements for registration, the director shall notify the person that the person is registered to lawfully operate as a producer; processor; milk dealer; raw milk retailer; weigher, sampler, or tester; or milk hauler.

A registrant is subject to all provisions governing licensees, such as provisions concerning testing, sampling, and inspection of dairy products. A registrant is subject to provisions governing issuance of a temporary weigher, sampler, or tester license under section 917.091 of the Revised Code. A

registration shall be renewed, suspended, and revoked under the
same terms as a license.

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Sec. 917.091. The director of agriculture may issue a
temporary weigher, sampler, or tester license to an applicant upon
determining that the applicant has met all qualifications for
licensure under section 917.09 of the Revised Code except
successful completion of an examination. A temporary weigher,
sampler, or tester license is effective ~~only until~~ for ninety days
from the date of ~~the next examination issuance~~. An applicant who
has not taken an examination for licensure may receive no more
than three temporary weigher, sampler, or tester licenses. An
applicant who takes and fails an examination for licensure may
receive no more than two temporary weigher, sampler, or tester
licenses.

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~~If an applicant for a temporary weigher, sampler, or tester
license previously held a weigher, sampler, or tester license
issued under section 917.09 of the Revised Code, the following
shall apply, as appropriate:~~

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~~(A) In the case of a license that expired not more than
twelve months previously, the applicant shall submit an
application and the appropriate fee but is not required to take
and pass the examination.~~

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~~(B) In the case of a license that expired more than twelve
months previously, the applicant shall submit an application and
the appropriate fee and shall take and pass the examination. The
applicant may apply for and receive licenses, both temporary and
permanent, to the same extent as a new applicant.~~

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Sec. 917.19. The following items shall be subject to
inspection by a person designated by the director of agriculture:

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(A) Milk plant facilities and equipment;

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(B) ~~Vehicles and containers used by milk haulers~~ Milk 873
transport vehicles; 874

(C) Dairy farms, including dairy animals, stables, milk 875
parlors, milk houses, and milk vessels of milk producers. 876

The inspector, while in the normal, lawful, and peaceful 877
pursuit of inspection duties, may enter upon, cross over, and 878
remain upon privately owned lands for those purposes and shall not 879
be subject to arrest for trespass. 880

Sec. 917.22. (A)(1) The director of agriculture may deny, 881
suspend, or revoke a license issued under this chapter for a 882
violation of this chapter or the rules adopted under it. Except as 883
provided in division (A)(2) of this section, the denial, 884
suspension, or revocation of a license is not effective until the 885
licensee is given written notice of the violation, a reasonable 886
amount of time to correct the violation, and an opportunity for a 887
hearing. 888

(2) If the director determines that a dairy product 889
constitutes adulterated food as described in section 3715.59 of 890
the Revised Code or exceeds bacterial or chemical standards 891
established by rules adopted under this chapter, or that an 892
emergency exists that presents a clear and present danger to the 893
public health, the director may deny, suspend, or revoke a 894
license, effective immediately without a hearing, provided that an 895
opportunity for a hearing shall be afforded thereafter without 896
delay. 897

(B) All proceedings under this chapter shall comply with 898
Chapter 119. of the Revised Code, except that: 899

(1) The location of any adjudicatory hearing that the 900
licensee requests shall be the ~~county seat of the county in which~~ 901
~~is located the licensee's facility that is involved in the alleged~~ 902

~~violation~~ central office of the department of agriculture. 903

(2) The director shall notify a licensee by certified mail or 904
personal delivery that the licensee is conditionally entitled to a 905
hearing. The director shall specify in the notice that, in order 906
to obtain a hearing, the licensee must request the hearing not 907
later than ten days after the date of receipt of the notice. 908

(3) If the licensee requests a hearing, the date set for the 909
hearing shall be no later than ten days after the date on which 910
the director receives the request, unless the director and the 911
licensee agree otherwise. 912

(4) The director shall not postpone or continue an 913
adjudication hearing without the consent of the licensee. If the 914
licensee requests a postponement or continuation of an 915
adjudication hearing, the director shall not grant it unless the 916
licensee demonstrates that an extreme hardship will be incurred in 917
holding the adjudication hearing on that hearing date. If the 918
director grants a postponement or continuation on the grounds of 919
extreme hardship to the licensee, the record shall document the 920
nature and cause of the extreme hardship. 921

(5) In lieu of having a hearing and upon the licensee's 922
written request to the director, the licensee may submit to the 923
director, not later than the date of the hearing set pursuant to 924
division (B)(3) of this section, documents, papers, and other 925
written evidence to support the licensee's claim. 926

(6) If the director appoints a referee or examiner to conduct 927
the hearing, the following apply: 928

(a) A copy of the written adjudication report and 929
recommendations of the referee or examiner shall be served by 930
certified mail upon the director and the licensee or the 931
licensee's attorney or other representative of record not later 932
than three business days following the conclusion of the hearing. 933

(b) Not later than three business days after receipt of the 934
report and recommendations, the licensee may file with the 935
director written objections to the report and recommendations. 936

(c) The director shall consider the objections submitted by 937
the licensee before approving, modifying, or disapproving the 938
report and recommendations. The director shall serve the 939
director's order upon the licensee or the licensee's attorney or 940
other representative of record by certified mail not later than 941
six business days after receiving the report. 942

(7) If the director conducts the hearing, the director shall 943
serve the director's decision by certified mail upon the licensee 944
or the licensee's attorney or other representative of record not 945
later than three business days following the close of the hearing. 946

(8) If no hearing is held, the director shall issue an order 947
by certified mail to the licensee or the licensee's attorney or 948
other representative of record not later than three business days 949
following the last date possible for a hearing, based on the 950
record that is available. 951

Sec. 918.01. As used in sections 918.01 to 918.11 of the 952
Revised Code: 953

(A) "Federal inspection" means an inspection pursuant to the 954
"Federal Meat Inspection Act," 34 Stat. 1260 (1907), 21 U.S.C.A. 955
71, as amended by the "Wholesome Meat Act," 81 Stat. 584 (1967), 956
21 U.S.C.A. 601, and any subsequent amendments thereto. 957

(B) "State inspection" means the meat inspection service 958
conducted by the department of agriculture. 959

(C) "Establishment" means all premises in the state where 960
animals are slaughtered or otherwise prepared for food purposes, 961
meat canneries, sausage factories, smoking or curing operations, 962
and similar places. 963

(D) "Animals" means cattle, calves, sheep, swine, horses, 964
mules, other equines, goats, and other animals specified under 965
division (A) of section 918.12 of the Revised Code. 966

(E) "Carcass" means all parts, including viscera, of 967
slaughtered animals that are capable of being used for human food. 968

(F) "Meat products" means any product capable of use as human 969
food that is made wholly or in part from any meat or other portion 970
of the carcass of any animal, excepting products ~~which~~ that are 971
exempted from definition as a meat product by the director of 972
agriculture under such conditions as ~~he~~ the director prescribes to 973
ensure that the meat or other portions of such carcasses contained 974
in ~~such~~ the product are not adulterated and that ~~such~~ the products 975
are not represented as meat products. 976

(G) "Wholesome" means sound, healthful, clean, and otherwise 977
fit for human food. 978

(H) "Adulterated," as applied to any carcass, part thereof, 979
or meat product, has the same meaning as in sections 3715.59 and 980
3715.62 of the Revised Code or as otherwise prescribed by the 981
director by rules. 982

(I) "Inspector" means any employee of the department 983
authorized by the director to inspect animals, carcasses, or meat 984
products. 985

(J) "Official mark" means the official inspection legend or 986
any other symbol prescribed by rules of the director to identify 987
the status of any article or animals under this chapter. 988

(K) "Labeling" means all labels and any other display of 989
written, printed, or graphic matter: 990

(1) Upon any article or any of its containers or wrappers, 991
not including package liners; 992

(2) Accompanying ~~such~~ an article. 993

(L) "Ohio retained" means that the animal or the meat product
so identified is held for further examination by a veterinary
inspector to determine its disposal.

(M) "Prepared" means slaughtered, canned, salted, rendered,
boned, cut up, smoked, cooked, or otherwise manufactured or
processed.

(N) "Capable of use as human food" as applied to any animal
carcass, part thereof, or meat product means any animal carcass,
part thereof, or meat food product that is not denatured or
otherwise identified as required by state or federal law or rules
or regulations to deter its use as human food and that is
naturally edible by humans.

(O) "Misbranded₇" as applied to any carcass, part thereof, or
meat product has the same meaning as in section 3715.60 of the
Revised Code₇ or as otherwise prescribed by the director by rules.

(P) "Retail dealer" or "retail butcher" means any place of
business where the sales of products are made to consumers only,
at least seventy-five per cent of the total dollar value of sales
of products represents sales to household consumers, and the sales
of products to consumers other than household consumers ~~does~~ do
not exceed ~~twenty eight thousand eight hundred dollars per year~~
the adjusted dollars limitation for annual retail sales published
in the Federal Register by the food safety and inspection service
in the United States department of agriculture.

On the first day of March in any year in which an adjustment
is made, and whenever the change exceeds five hundred dollars, the
director shall adjust the then current ceiling based upon the
change in the price of the volume of products whose total price is
equal to the then current ceiling. The adjustment shall be equal
to the total dollar change in price of the same volume of products
between the most recently completed calendar year and the next

preceding calendar year as measured by changes in the United 1025
States department of labor's national consumer price index for 1026
those periods of time. 1027

Sec. 918.02. (A) The director of agriculture, or the 1028
director's designee, shall provide ante-mortem inspections of all 1029
animals slaughtered at establishments licensed under division (A) 1030
of section 918.08 of the Revised Code where and to the extent the 1031
director considers it necessary. If, upon inspection, symptoms of 1032
disease or other abnormal conditions that would render the animals 1033
unfit for human food are found, those animals shall be retained or 1034
permanently and conspicuously identified with an official mark 1035
indicating they have been condemned and shall be disposed of in a 1036
manner prescribed by the director. 1037

(B) The director shall provide post-mortem inspection to the 1038
extent the director considers necessary of all animals for human 1039
food in establishments licensed under division (A) of section 1040
918.08 of the Revised Code. The head, tongue, tail, viscera, and 1041
other parts, and blood used in the preparation of meat products or 1042
medicinal products shall be retained in such a manner as to 1043
preserve their identity until the post-mortem examination has been 1044
completed. Wholesome carcasses shall be identified with an 1045
official mark indicating they have been approved. Each unwholesome 1046
carcass shall be marked conspicuously by the inspector at the time 1047
of inspection with an official mark indicating the carcass has 1048
been condemned, and all carcasses and parts thereof thus inspected 1049
and condemned shall be destroyed for food purposes by the 1050
establishment in the presence of an inspector. If any carcass or 1051
any part thereof, upon examination and inspection subsequent to 1052
the first examination and inspection, is found to be adulterated, 1053
it shall be destroyed for food purposes by the establishment in 1054
the presence of an inspector. All unborn or stillborn animals 1055

shall be condemned. Carcasses of animals that have died by means 1056
other than slaughter shall not be brought into any room in which 1057
meat products are processed, handled, or stored. 1058

(C) The director shall provide inspection of all processing 1059
operations at establishments licensed under division (A) of 1060
section 918.08 of the Revised Code where animal carcasses, parts 1061
thereof, or meat products may be brought in and further treated 1062
and prepared, and shall provide inspection and supervision in 1063
processing departments to ensure that controls are effective at 1064
all times. 1065

(D) Establishments licensed under section 918.08 of the 1066
Revised Code shall furnish satisfactory facilities and assistance 1067
for ante-mortem and post-mortem inspections as required by the 1068
director. The director may require operations at the 1069
establishments to be conducted during reasonable hours. Licensees 1070
shall inform the director in advance of intended hours of 1071
operation. When one inspector is assigned to make inspections at 1072
two or more establishments where few animals are slaughtered, or 1073
where small quantities of meat products are prepared, the director 1074
may designate the hours of the day and the days of the week during 1075
which the establishment may be operated. No person shall deny 1076
access to any authorized inspector upon the presentation of proper 1077
identification at any reasonable time to such establishments and 1078
to records pertaining to the source and sale of carcasses and meat 1079
products. The director shall adopt rules in accordance with 1080
Chapter 119. of the Revised Code establishing the rate at which an 1081
establishment shall reimburse the division of meat inspection for 1082
inspection services of more than eight hours in any given day, of 1083
more than forty hours in any given week Sunday through Saturday, 1084
or on any holiday as specified in division (A) of section 124.19 1085
of the Revised Code. 1086

(E) The director may limit the entry of animals, animal 1087

carcasses, or parts thereof, meat food products, and other 1088
materials into any establishment at which inspection is maintained 1089
under this chapter to ensure that allowing the entry of such 1090
articles into such inspected establishments will be consistent 1091
with the purposes of this chapter. 1092

(F) All carcasses, parts thereof, and meat products inspected 1093
at any establishment under the authority of this chapter and found 1094
to be not adulterated, at the time they leave the establishment, 1095
shall bear, in distinctly legible forms directly ~~thereon~~ thereon or 1096
on their containers, appropriate labeling as the director may 1097
require in accordance with rules adopted under this chapter. No 1098
article subject to this chapter shall be sold or offered for sale 1099
by any person, under any names or labeling that is false or 1100
misleading. 1101

(G) The director shall adopt and enforce sanitation rules 1102
pursuant to this chapter, under which establishments shall be 1103
maintained. Where the sanitary conditions of any such 1104
establishment are such that the meat product is rendered 1105
adulterated, the product shall be retained and not allowed to be 1106
labeled with an official mark. The rules pertaining to sanitary 1107
conditions shall conform with the sanitation standard operating 1108
procedures established in Title 9 of the Code of Federal 1109
Regulations and shall require that an establishment be evaluated 1110
by determining its compliance with those procedures. In addition, 1111
the rules shall require that if an establishment does not have a 1112
plan for a particular production process under its hazard analysis 1113
critical control point ~~system~~ plan as required in rules, the meat 1114
product of the process may be considered to be adulterated and 1115
shall be retained pending a production process review and not 1116
allowed to be labeled with an official mark. 1117

Sec. 918.08. (A) Except as provided in division ~~(E)~~(F) of 1118

this section, no person shall operate an establishment without 1119
first licensing the establishment with the department of 1120
agriculture. The owner of an establishment desiring a license with 1121
the department may make application therefor on forms provided by 1122
the department. If after inspection the director of agriculture 1123
finds that an establishment is in compliance with this chapter and 1124
rules adopted under it, the director shall notify the owner of the 1125
establishment and, upon receipt of the required license fee, the 1126
establishment shall be permitted to operate. However, if after 1127
inspection the director finds that an establishment is not in 1128
compliance with this chapter and rules adopted under it, the 1129
director shall deny the license application. The applicant may 1130
appeal the denial of the license application in accordance with 1131
Chapter 119. of the Revised Code. The license shall expire 1132
annually on the thirty-first day of March and, if the director 1133
finds that the establishment is in compliance with this chapter 1134
and rules adopted under it, shall be renewed according to the 1135
standard renewal procedure of sections 4745.01 to 4745.03 of the 1136
Revised Code. 1137

(B) The annual license fee for each establishment, or a 1138
renewal thereof, is fifty dollars. All fees collected under this 1139
section shall be deposited into the poultry and meat products fund 1140
created in section 918.15 of the Revised Code. 1141

(C) If after inspection the director determines that an 1142
establishment licensed under division (A) of this section is 1143
operating in violation of this chapter or the rules adopted 1144
thereunder, the director shall notify the licensee in writing of 1145
the violation and give the licensee ten days from the date of 1146
notice to cease or correct the conditions causing the violation. 1147
If the conditions causing the violation ~~continues~~ continue after 1148
the expiration of the ten-day period, the director may ~~withdraw~~ 1149
~~inspection and order the establishment to cease those operations~~ 1150

~~subject to this chapter. Any such order and the appeal therefrom~~ 1151
~~shall be governed by~~ do either of the following: 1152

(1) Impose progressive enforcement actions as provided in 1153
division (D)(1) of this section in the same manner as inspectors; 1154

(2) Suspend or revoke the establishment's license in 1155
accordance with Chapter 119. of the Revised Code. 1156

(D)(1) If an inspector determines that an establishment 1157
licensed under division (A) of this section is operating in 1158
violation of sections 918.01 to 918.12 of the Revised Code and 1159
rules adopted under those sections, the inspector ~~shall~~ may notify 1160
the licensee in writing of the violation. The inspector 1161
immediately may impose progressive enforcement actions, including 1162
withholding the mark of inspection, suspension of inspection, ~~and~~ 1163
suspension of inspection held in abeyance, and withdrawal of 1164
inspection. The progressive enforcement actions may be taken prior 1165
to affording the licensee an opportunity for a hearing. As 1166
authorized in division (C) of section 119.06 of the Revised Code, 1167
a decision to impose ~~an~~ a progressive enforcement action is 1168
immediately appealable to a higher authority within the department 1169
who is classified by the director as a district supervisor and who 1170
is designated by the director to hear the appeal. If the district 1171
supervisor affirms the enforcement action of the inspector, the 1172
licensee may appeal the enforcement action in accordance with 1173
~~chapter~~ Chapter 119. of the Revised Code. 1174

(2) As used in ~~this~~ division (D)(1) of this section, 1175
"suspension of inspection held in abeyance" means a period of time 1176
during which a suspension of inspection is lifted because an 1177
establishment has presented the director with a corrective action 1178
plan that, if implemented properly, would bring the establishment 1179
into compliance with this chapter and rules adopted under it. 1180

(E) If in the opinion of the director the establishment is 1181

being operated under such insanitary conditions as to be a hazard 1182
to public health, or if the director determines that an 1183
establishment is not in compliance with its hazard analysis 1184
critical control point ~~system~~ plan as required by rules, the 1185
director may condemn or retain the product on hand and immediately 1186
withdraw inspection from the establishment until the insanitary 1187
conditions are corrected or until the establishment is in 1188
compliance with its hazard analysis critical control point ~~system~~ 1189
plan, as applicable. The director may take those actions prior to 1190
an adjudication hearing as required under section 119.06 of the 1191
Revised Code. The director subsequently shall afford a hearing 1192
upon the request of the owner or operator of the establishment. 1193

(F) Any person operating an establishment as defined in 1194
section 918.01 of the Revised Code who also operates on the same 1195
premises an establishment as defined in section 918.21 of the 1196
Revised Code shall apply either for licensure under section 918.08 1197
of the Revised Code or for licensure under section 918.28 of the 1198
Revised Code, but not for both, as the director shall determine. 1199

(G) If the director determines that the owner or operator of 1200
or any person employed by an establishment licensed under division 1201
(A) of this section forcibly assaulted, resisted, opposed, 1202
impeded, intimidated, or interfered with any person while that 1203
person was engaged in, or because of the person's performance of, 1204
official duties under sections 918.01 to 918.12 of the Revised 1205
Code or the rules adopted under those sections, the director 1206
immediately may withdraw inspection from the establishment prior 1207
to an adjudication hearing as required under section 119.06 of the 1208
Revised Code. 1209

(H) In addition to any remedies provided by law and 1210
irrespective of whether or not there exists an adequate remedy at 1211
law, the director may apply to the court of common pleas of the 1212
county in which a violation of sections 918.01 to 918.12 of the 1213

Revised Code or rules adopted under those sections occurs for a 1214
temporary or permanent injunction or other appropriate relief 1215
concerning the violation. 1216

Sec. 918.11. (A) No carcass, parts thereof, or meat products 1217
shall be stamped or otherwise identified with an official mark 1218
unless the carcass, parts, or products have been so identified at 1219
an establishment licensed under division (A) of section 918.08 of 1220
the Revised Code. 1221

(B) No person shall offer for sale or sell meat or meat 1222
products that have not been inspected in compliance with sections 1223
918.01 to 918.11 of the Revised Code. 1224

(C) No person shall knowingly offer for sale or sell 1225
adulterated meat or meat products that are detrimental to public 1226
health and safety. 1227

(D) All fines and penalties recovered for violating this 1228
section shall be deposited into the poultry and meat products fund 1229
created in section 918.15 of the Revised Code. 1230

Sec. 918.25. The director of agriculture shall, in accordance 1231
with Chapter 119. of the Revised Code, adopt and enforce rules as 1232
necessary for the implementation, administration, and enforcement 1233
of sections 918.21 to 918.31 of the Revised Code. The rules shall 1234
meet or exceed the federal standards for meat inspection 1235
established in Title 9 of the Code of Federal Regulations. The 1236
rules adopted under this section shall provide for the protection 1237
of the public health, safety, and welfare and for maximum 1238
coordination and cooperation between state and federal programs 1239
for regulation of poultry and poultry products, and may include 1240
the following: 1241

(A) Exemption of certain products as "poultry products" under 1242
the definition in section 918.21 of the Revised Code; 1243

(B) Provision for the retention, identification, and disposal of condemned poultry and poultry products and for the identification of approved products;	1244 1245 1246
(C) Sanitary requirements for premises, facilities, and equipment, for the operation thereof, and for the storage and handling of poultry and poultry products in establishments licensed under section 918.28 of the Revised Code. The rules pertaining to sanitary conditions shall conform with the sanitation standard operating procedures in Title 9 of the Code of Federal Regulations and shall require that an establishment be evaluated by determining its compliance with those procedures.	1247 1248 1249 1250 1251 1252 1253 1254
(D) Requirements for maintenance of records under section 918.24 of the Revised Code;	1255 1256
(E) Procedures for application and licensing, and the revocation and suspension of licenses;	1257 1258
(F) Requirements for marking and attaching the information required by section 918.31 of the Revised Code, including specific styles, legibility and size of type, method of affixing, variations, and exemptions;	1259 1260 1261 1262
(G) Such other rules as are necessary for the proper administration, implementation, and enforcement of sections 918.21 to 918.31 of the Revised Code, including rules requiring that an inspection of an establishment's slaughter and processing operations be conducted in accordance with the establishment's hazard analysis critical control point system <u>plan</u> . In addition, the rules shall require that if an establishment does not have a plan for a particular production process under its hazard analysis critical control point system <u>plan</u> as required in rules, the poultry product of the process may be considered to be adulterated and shall be retained pending a production process review and not allowed to be labeled with an official mark.	1263 1264 1265 1266 1267 1268 1269 1270 1271 1272 1273 1274

Sec. 918.28. (A) Except as provided in division (F) of 1275
section 918.08 of the Revised Code, application for a license to 1276
operate an establishment shall be made to the director of 1277
agriculture on forms provided by the department of agriculture. 1278
The director shall inspect the establishment and if, upon 1279
inspection, the establishment is found to be in compliance with 1280
~~sections 918.21 to 918.31 of the Revised Code~~, this chapter and 1281
rules adopted under it, the director shall so notify the owner of 1282
the establishment and, upon receipt of the annual license fee of 1283
fifty dollars, shall issue the owner a license. However, if after 1284
inspection the director finds that an establishment is not in 1285
compliance with this chapter and rules adopted under it, the 1286
director shall deny the license application. The applicant may 1287
appeal the denial of the license application in accordance with 1288
Chapter 119. of the Revised Code. The license shall expire on the 1289
thirty-first day of March of each year and, if the director finds 1290
that the establishment is in compliance with this chapter and 1291
rules adopted under it, shall be renewed according to the standard 1292
renewal procedures of sections 4745.01 to 4745.03 of the Revised 1293
Code. 1294

(B) If after inspection the director determines that an 1295
establishment licensed under this section is operating in 1296
violation of ~~sections 918.21 to 918.31 of the Revised Code~~, this 1297
chapter or a rule or order adopted or ~~made~~ issued under authority 1298
thereof, the director shall notify the licensee in writing of the 1299
violation, giving the licensee ten days from the date of the 1300
notice to correct the conditions causing the violation. If the 1301
conditions are not corrected within the ten-day period, the 1302
director may ~~revoke~~ do either of the following: 1303

(1) Impose progressive enforcement actions as provided in 1304
division (C)(1) of this section in the same manner as inspectors; 1305

(2) ~~Suspend~~ or ~~suspend~~ revoke the license in accordance with 1306
Chapter 119. of the Revised Code. 1307

(C)(1) If an inspector determines that an establishment 1308
licensed under division (A) of this section is operating in 1309
violation of sections 918.21 to 918.31 of the Revised Code and 1310
rules adopted under those sections, the inspector ~~shall~~ may notify 1311
the licensee in writing of the violation. The inspector 1312
immediately may impose progressive enforcement actions, including 1313
withholding the mark of inspection, suspension of inspection, ~~and~~ 1314
suspension of inspection held in abeyance, and withdrawal of 1315
inspection. The progressive enforcement actions may be taken prior 1316
to affording the licensee an opportunity for a hearing. As 1317
authorized in division (C) of section 119.06 of the Revised Code, 1318
a decision to impose ~~an~~ a progressive enforcement action is 1319
immediately appealable to a higher authority within the department 1320
who is classified by the director as a district supervisor and who 1321
is designated by the director to hear the appeal. If the district 1322
supervisor affirms the enforcement action of the inspector, the 1323
licensee may appeal the enforcement action in accordance with 1324
Chapter 119. of the Revised Code. 1325

(2) As used in ~~this~~ division (C)(1) of this section, 1326
"suspension of inspection held in abeyance" means a period of time 1327
during which a suspension of inspection is lifted because an 1328
establishment ~~as~~ has presented the director with a corrective 1329
action plan that, if implemented properly, would bring the 1330
establishment into compliance with this chapter and rules adopted 1331
under it. 1332

(D) If in the opinion of the director the establishment is 1333
being operated under such insanitary conditions as to be a hazard 1334
to public health, or if the director determines that an 1335
establishment is not in compliance with its hazard analysis 1336
critical control point ~~system~~ plan as required by rules, the 1337

director may condemn or retain the product on hand and immediately 1338
withdraw inspection from the ~~plant~~ establishment until such time 1339
as the insanitary conditions are corrected or until the 1340
establishment is in compliance with its hazard analysis critical 1341
control point ~~system~~ plan, as applicable. 1342

(E) If the director determines that the owner or operator of 1343
or any person employed by an establishment licensed under division 1344
(A) of this section forcibly assaulted, resisted, opposed, 1345
impeded, intimidated, or interfered with any person while that 1346
person was engaged in, or because of the person's performance of, 1347
official duties under sections 918.21 to 918.31 of the Revised 1348
Code or the rules adopted under those sections, the director 1349
immediately may withdraw inspection from the establishment prior 1350
to an adjudication hearing as required under section 119.06 of the 1351
Revised Code. 1352

(F) In addition to any remedies provided by law and 1353
irrespective of whether or not there exists an adequate remedy at 1354
law, the director may apply to the court of common pleas of the 1355
county in which a violation of sections 918.21 to 918.31 of the 1356
Revised Code or rules adopted under those sections occurs for a 1357
temporary or permanent injunction or other appropriate relief 1358
concerning the violation. 1359

Sec. 921.06. (A)(1) No individual shall do any of the 1360
following without having a commercial applicator license issued by 1361
the director of agriculture: 1362

(a) Apply pesticides for a pesticide business without direct 1363
supervision; 1364

(b) Apply pesticides as part of the individual's duties while 1365
acting as an employee of the United States government, a state, 1366
county, township, or municipal corporation, or a park district, 1367
port authority, or sanitary district created under Chapter 1545., 1368

4582., or 6115. of the Revised Code, respectively;	1369
(c) Apply restricted use pesticides. Division (A)(1)(c) of this section does not apply to a private applicator or an immediate family member or a subordinate employee of a private applicator who is acting under the direct supervision of that private applicator.	1370 1371 1372 1373 1374
(d) If the individual is the owner of a business other than a pesticide business or an employee of such an owner, apply pesticides at any of the following publicly accessible sites that are located on the property:	1375 1376 1377 1378
(i) Food service operations as defined in section 3717.01 <u>that are licensed under Chapter 3717.</u> of the Revised Code;	1379 1380
(ii) Retail food establishments as defined in section 3717.01 <u>that are licensed under Chapter 3717.</u> of the Revised Code;	1381 1382
(iii) Golf courses;	1383
(iv) Rental properties of more than four apartment units at one location;	1384 1385
(v) Hospitals or medical facilities as defined in section 3701.01 of the Revised Code;	1386 1387
(vi) Child day-care centers or school child day-care centers as defined in section 5104.01 of the Revised Code;	1388 1389
(vii) Facilities owned or operated by a school district established under Chapter 3311. of the Revised Code, including an education service center, a community school established under Chapter 3314. of the Revised Code, or a chartered or nonchartered nonpublic school that meets minimum standards established by the state board of education;	1390 1391 1392 1393 1394 1395
(viii) Wholesale food <u>Colleges as defined in section 3365.01</u> of the Revised Code;	1396 1397

(ix) <u>Food processing</u> establishments as defined in section	1398
3715.021 of the Revised Code;	1399
(ix) (x) Any other site designated by rule.	1400
(e) Conduct authorized diagnostic inspections.	1401
(2) Divisions (A)(1)(a) to (d) of this section do not apply	1402
to an individual who is acting as a trained serviceperson under	1403
the direct supervision of a commercial applicator.	1404
(3) Licenses shall be issued for a period of time established	1405
by rule and shall be renewed in accordance with deadlines	1406
established by rule. The fee for each such license shall be	1407
established by rule. If a license is not issued or renewed, the	1408
application fee shall be retained by the state as payment for the	1409
reasonable expense of processing the application. The director	1410
shall by rule classify by pesticide-use category licenses to be	1411
issued under this section. A single license may include more than	1412
one pesticide-use category. No individual shall be required to pay	1413
an additional license fee if the individual is licensed for more	1414
than one category.	1415
The fee for each license or renewal does not apply to an	1416
applicant who is an employee of the department of agriculture	1417
<u>whose job duties require licensure as a commercial applicator as a</u>	1418
<u>condition of employment.</u>	1419
(B) Application for a commercial applicator license shall be	1420
made on a form prescribed by the director. Each application for a	1421
license shall state the pesticide-use category or categories of	1422
license for which the applicant is applying and other information	1423
that the director determines essential to the administration of	1424
this chapter.	1425
(C) If the director finds that the applicant is competent to	1426
apply pesticides and conduct diagnostic inspections and that the	1427

applicant has passed both the general examination and each 1428
applicable pesticide-use category examination as required under 1429
division (A) of section 921.12 of the Revised Code, the director 1430
shall issue a commercial applicator license limited to the 1431
pesticide-use category or categories for which the applicant is 1432
found to be competent. If the director rejects an application, the 1433
director may explain why the application was rejected, describe 1434
the additional requirements necessary for the applicant to obtain 1435
a license, and return the application. The applicant may resubmit 1436
the application without payment of any additional fee. 1437

(D)(1) A person who is a commercial applicator shall be 1438
deemed to hold a private applicator's license for purposes of 1439
applying pesticides on agricultural commodities that are produced 1440
by the commercial applicator. 1441

(2) A commercial applicator shall apply pesticides only in 1442
the pesticide-use category or categories in which the applicator 1443
is licensed under this chapter. 1444

Sec. 921.23. The director of agriculture may suspend, prior 1445
to a hearing, for not longer than ten days, and after the 1446
opportunity for a hearing may deny, suspend, revoke, refuse to 1447
renew, or modify any provision of any license, permit, or 1448
registration issued pursuant to this chapter if the director finds 1449
that the applicant or the holder of a license, permit, or 1450
registration is no longer qualified, has violated any provision of 1451
this chapter or rules adopted under it, has been found guilty of 1452
violating the federal act, or has been convicted of a misdemeanor 1453
involving moral turpitude or of a felony. 1454

Sec. 955.51. (A) ~~Any owner of horses~~ As used in sections 1455
955.51 to 955.53 of the Revised Code: 1456

(1) "Animal" means a horse, mule, sheep, head of cattle, 1457

swine, ~~mules, goats~~ goat, domestic ~~rabbits~~ rabbit, or domestic 1458
fowl or poultry ~~that have an aggregate fair market value of ten~~ 1459
~~dollars or more and.~~ 1460

(2) "Fair market value" means the average price that is paid 1461
for a healthy grade animal at a livestock auction selected by the 1462
director of agriculture and licensed under Chapter 943. of the 1463
Revised Code. 1464

(3) "Grade animal" means an animal that is not eligible for 1465
registration by a breed association or in a registry. 1466

(4) "Predator" means a coyote or a black vulture. 1467

(B) An owner of an animal that ~~have~~ has been injured or 1468
killed by a ~~coyote or a black vulture~~ predator and that the owner 1469
believes has a fair market value of more than twenty-five dollars 1470
shall ~~notify the dog warden~~ do both of the following within ~~three~~ 1471
~~days~~ seventy-two hours after the loss or injury has been 1472
discovered. ~~The:~~ 1473

(1) Notify the dog warden by telephone; 1474

(2) Document by photograph the wounds sustained by the 1475
animal. 1476

If the owner chooses to file a claim under sections 955.51 to 1477
955.53 of the Revised Code, the owner shall complete a claim form 1478
for indemnification in quadruplicate as prescribed by the director 1479
in section 955.53 of the Revised Code and provided by the dog 1480
warden. The owner may request, and the dog warden shall provide, 1481
assistance in filling out the form. For the purposes of section 1482
955.52 of the Revised Code, the owner shall send to the department 1483
of agriculture, within thirty days after discovery of the animal, 1484
the original copy of the claim form, all photographs documenting 1485
the wounds of the animal, and any other pertinent facts in the 1486
possession of the owner. 1487

If the animal that is killed or injured is registered by an 1488
accepted association or in an accepted registry, the owner shall 1489
submit with the claim form that is filed with the department the 1490
registration papers showing the animal's lines of breeding, age, 1491
and other relevant information. If the animal is the offspring of 1492
registered stock and is eligible for registration, the 1493
registration papers showing the lines of breeding of the offspring 1494
shall be submitted as well. 1495

The owner shall retain a copy of the claim form and provide a 1496
copy of the form to both the dog warden and the wildlife officer 1497
who investigates the claim, if applicable. 1498

(C) Following notification from the owner of an animal under 1499
division (B) of this section, the dog warden promptly shall 1500
investigate the loss or injury and shall determine whether or not 1501
the loss or injury was made by a ~~coyote or a black vulture~~ 1502
predator. If the dog warden ~~finds~~ determines that the loss or 1503
injury was not made by a ~~coyote or a black vulture~~ predator, the 1504
owner has no claim under sections 955.51 to 955.53 of the Revised 1505
Code. If the dog warden ~~finds~~ determines that the loss or injury 1506
was made by a ~~coyote or a black vulture~~ predator, the dog warden 1507
promptly shall notify by telephone the wildlife officer of that 1508
finding determination. For the purposes of section 955.52 of the 1509
Revised Code, the dog warden shall send to the department the dog 1510
warden's determination of whether the animal was killed or injured 1511
by a predator and any other documents, testimony, or information 1512
that the dog warden has received relating to the loss or injury of 1513
the animal. The 1514

(D) Following notification from the dog warden under division 1515
(C) of this section, the wildlife officer ~~then~~ shall confirm the 1516
finding determination of the dog warden on the claim, disaffirm 1517
it, or state that the wildlife officer is uncertain about the 1518
finding determination. If the wildlife officer disaffirms the 1519

~~determination of the dog warden, the owner has no claim under sections 955.51 to 955.53 of the Revised Code. If the wildlife officer affirms the finding determination of the dog warden or states that the wildlife officer is uncertain about that finding determination, the owner may proceed with a claim under sections 955.51 to 955.53 of the Revised Code, and the dog warden shall provide the owner with duplicate copies of the claim form provided for in section 955.53 of the Revised Code and assist the owner in filling it out. The owner shall set forth the kind, grade, quality, and what the owner has determined is the fair market value of the animals, fowl, or poultry, the nature and amount of the loss or injury, the place where the loss or injury occurred, and all other pertinent facts in the possession of the claimant. If the animals, fowl, or poultry die as a result of their injuries, their fair market value is the market value of uninjured animals, fowl, or poultry on the date of the death of the injured animals, fowl, or poultry. If the animals, fowl, or poultry do not die as a result of their injuries, their fair market value is their market value on the date on which they received their injuries.~~

~~(B) If the dog warden finds all the statements that the owner made on the form to be correct and agrees with the owner as to the fair market value of the animals, fowl, or poultry, the dog warden promptly shall so certify and send both copies of the form, together with whatever other documents, testimony, or information the dog warden has received relating to the loss or injury, to the department of agriculture.~~

~~(C) If the dog warden does not find all the statements to be correct or does not agree with the owner as to the fair market value, the owner may appeal to the department of agriculture for a determination of the owner's claim. In that case the owner shall secure statements as to the nature and amount of the loss or~~

injury from at least two witnesses who viewed the results of the
killing or injury and who can testify about the results and shall
submit both copies of the form to the department no later than
twenty days after the loss or injury was discovered. The dog
warden shall submit to the department whatever documents,
testimony, and other information the dog warden has received
relating to the loss or injury. The department shall receive any
other information or testimony that will enable it to determine
the fair market value of the animals, fowl, or poultry injured or
killed.

~~(D) If the animals, fowl, or poultry described in division
(A) of this section are registered in any accepted association or
registry, the owner or the owner's employee or tenant shall submit
with the claim form the registration papers showing the lines of
breeding, age, and other relevant matters. If the animals are the
offspring of registered stock and eligible for registration, the
registration papers showing the breeding of the offspring shall be
submitted wildlife officer shall so notify in writing the
department for the purposes of section 955.52 of the Revised Code.~~

Sec. 955.52. ~~(A)(1)~~ The department of agriculture shall hear
claims ~~submitted to it~~ that are approved by the dog warden and
supported by the wildlife officer pursuant to section 955.51 of
the Revised Code in the order of their filing and may allow the
claims in full or in part, or may disallow any claim, as the
testimony ~~shows~~ and information submitted under that section show
to be just. The department shall make the final determination of
the fair market value of any animal, ~~fowl, or poultry~~ that is the
subject of a claim. ~~The~~

If the animal that is the subject of a claim dies as a result
of the injuries that it received from a predator, the amount of
indemnity is the fair market value of the animal on the date of

its death. If the animal that is the subject of a claim does not 1583
die as a result of the injuries that it received from a predator, 1584
the amount of indemnity is the fair market value of the animal on 1585
the date that it received its injuries. If the animal that is the 1586
subject of a claim is registered or eligible for registration as 1587
described in division (B) of section 955.51 of the Revised Code, 1588
the amount of indemnity is one hundred twenty-five per cent of the 1589
fair market value of the animal on the date that the animal was 1590
killed or injured. If the date of death or injury of an animal 1591
cannot be determined, the amount of indemnity shall be based on 1592
the fair market value of the animal on the date that the animal 1593
was discovered by its owner. 1594

(2) If the owner of an animal does not agree with the 1595
department's determination of the animal's fair market value, the 1596
owner may appeal the determination in accordance with Chapter 119. 1597
of the Revised Code. 1598

(3) The department shall certify any claim or part of a claim 1599
that has been found to be valid under division (A)(1) of this 1600
section. Claims certified in accordance with this section shall be 1601
paid out of the ~~agro Ohio fund provided for in section 901.04 of~~ 1602
~~the Revised Code~~ money that has been appropriated from the general 1603
revenue fund for the purposes of sections 955.51 to 955.53 of the 1604
Revised Code, except that no claim shall be paid from ~~the fund~~ 1605
that money if a ~~either~~ of the following applies: 1606

(a) A claim for the same loss or injury has been paid or is 1607
payable under a policy or policies of insurance. However, a claim 1608
may be paid ~~from the fund~~ for the amount of any deductible paid or 1609
payable by the claimant under such insurance. 1610

(b) The owner of an animal who otherwise would receive 1611
indemnity under a claim has been paid more than five hundred 1612
dollars within the immediately preceding calendar year from money 1613

so appropriated. However, that owner may be paid if the owner has 1614
implemented a voluntary animal damage control plan that meets the 1615
requirements established in rules adopted under division (D) of 1616
this section. 1617

(B) If at any time the money that has been appropriated from 1618
the general revenue fund for the purposes of sections 955.51 to 1619
955.53 of the Revised Code for a fiscal year is not sufficient to 1620
pay certified claims, the department shall disapprove those 1621
claims. Any claim that has been disapproved due to lack of money 1622
shall not be resubmitted. 1623

(C) The department either may assist owners in developing and 1624
implementing a voluntary animal damage control plan to prevent and 1625
minimize loss or injury to animals by predators or may enter into 1626
an agreement with another state agency, a federal agency, or a 1627
person to provide such assistance. The department may use no more 1628
than fifty per cent or twenty-five thousand dollars, whichever is 1629
less, of the money that is appropriated for the purposes of 1630
sections 955.51 to 955.53 of the Revised Code to pay the costs 1631
incurred by the department for either providing assistance under 1632
this division or entering into an agreement under this division to 1633
provide that assistance. 1634

(D) The director of agriculture shall adopt rules in 1635
accordance with Chapter 119. of the Revised Code that are 1636
necessary to administer sections 955.51 to 955.53 of the Revised 1637
Code, including rules that establish requirements governing 1638
voluntary animal damage control plans. 1639

Sec. 955.53. ~~All claims against the agro Ohio fund pursuant~~ 1640
~~to~~ money appropriated from the general revenue fund for the 1641
purposes of sections 955.51 and 955.52 to 955.53 of the Revised 1642
Code and all accompanying statements and testimony shall be upon 1643
claim forms prepared by the director of agriculture and furnished 1644

by the dog warden. The forms shall not require an affidavit, but 1645
shall contain lines for the signatures of the claimant and 1646
witnesses and, immediately above those lines, the sentence, "This 1647
statement is made subject to the criminal penalties for 1648
falsification provided for in section 2921.13 of the Revised Code. 1649

Sec. 1515.01. As used in ~~Chapter 1515. of the Revised Code~~ 1650
this chapter: 1651

(A) "Soil and water conservation district" means a district 1652
organized in accordance with this chapter. 1653

(B) "Supervisor" means one of the members of the governing 1654
body of a district. 1655

(C) "Landowner," "owner," or "owner of land" means an owner 1656
of record as shown by the records in the office of the county 1657
recorder. With respect to an improvement or a proposed 1658
improvement, "landowner," "owner," or "owner of land" also 1659
includes any public corporation and the director of any 1660
department, office, or institution of the state that is affected 1661
by the improvement or that would be affected by the proposed 1662
improvement, but that does not own any right, title, estate, or 1663
interest in or to any real property. 1664

(D) "Land occupier" or "occupier of land" means any person, 1665
firm, or corporation ~~which~~ that controls the use of land whether 1666
as landowner, lessee, renter, or tenant. 1667

(E) "Due notice" means notice published at least twice, 1668
stating time and place, with an interval of at least thirteen days 1669
between the two publication dates, in a newspaper of general 1670
circulation within a soil and water conservation district. 1671

(F) "Agricultural pollution" means failure to use management 1672
or conservation practices in farming or silvicultural operations 1673
to abate wind or water erosion of the soil or to abate the 1674

degradation of the waters of the state by animal waste or soil 1675
sediment including substances attached thereto. 1676

(G) "Urban sediment pollution" means failure to use 1677
management or conservation practices to abate wind or water 1678
erosion of the soil or to abate the degradation of the waters of 1679
the state by soil sediment in conjunction with land grading, 1680
excavating, filling, or other soil disturbing activities on land 1681
used or being developed for nonfarm commercial, industrial, 1682
residential, or other nonfarm purposes, except lands being used in 1683
a strip mine operation as defined in section 1513.01 of the 1684
Revised Code and except lands being used in a surface mining 1685
operation as defined in section 1514.01 of the Revised Code. 1686

(H) "Uniform assessment" means an assessment that is both of 1687
the following: 1688

(1) Based upon a complete appraisal of each parcel of land, 1689
together with all improvements thereon, within a project area and 1690
of the benefits or damages brought about as a result of the 1691
project that is determined by criteria applied equally to all 1692
parcels within the project area; ~~and~~ 1693

(2) Levied upon the parcels at a uniform rate on the basis of 1694
the appraisal. 1695

(I) "Varied assessment" means any assessment that does not 1696
meet the criteria established in division (H) of this section. 1697

(J) "Project area" means an area determined and certified by 1698
the supervisors of a soil and water conservation district under 1699
section ~~1515.20~~ 1515.19 of the Revised Code. 1700

(K) "Benefit" or "benefits" means advantages to land and 1701
owners, to public corporations, and to the state resulting from 1702
drainage, conservation, control, and management of water and from 1703
environmental, wildlife, and recreational improvements. "Benefit" 1704

or "benefits" includes, but is not limited to, any of the 1705
following factors: 1706

(1) Elimination or reduction of damage from flooding; 1707

(2) Removal of water conditions that jeopardize public 1708
health, safety, or welfare; 1709

(3) Increased value of land resulting from an improvement; 1710

(4) Use of water for irrigation, storage, regulation of 1711
stream flow, soil conservation, water supply, or any other 1712
incidental purpose; 1713

(5) Providing an outlet for the accelerated runoff from 1714
artificial drainage if a stream, watercourse, channel, or ditch 1715
that is under improvement is called upon to discharge functions 1716
for which it was not designed. Uplands that have been removed from 1717
their natural state by deforestation, cultivation, artificial 1718
drainage, urban development, or other human methods shall be 1719
considered to be benefited by an improvement that is required to 1720
dispose of the accelerated flow of water from the uplands. 1721

(L) "Improvement" or "conservation works of improvement" 1722
means an improvement that is made under the authority established 1723
in division (C) of section 1515.08 of the Revised Code. 1724

(M) "Land" has the same meaning as in section 6131.01 of the 1725
Revised Code. 1726

Sec. 1515.14. Within the limits of funds appropriated to the 1727
department of natural resources, there shall be paid in each 1728
calendar year to each local soil and water conservation district 1729
an amount not to exceed one dollar for each one dollar received in 1730
accordance with section 1515.10 of the Revised Code, received from 1731
tax levies in excess of the ten-mill levy limitation approved for 1732
the benefit of local soil and water conservation districts, or 1733
received from an appropriation by a municipal corporation or a 1734

township to a maximum of eight thousand dollars, provided that the
Ohio soil and water conservation commission may approve payment to
a district in an amount in excess of eight thousand dollars in any
calendar year upon receipt of a request and justification from the
district. The county auditor shall credit such payments to the
special fund established pursuant to section 1515.10 of the
Revised Code for the local soil and water conservation district.
The department may make advances at least quarterly to each
district on the basis of the estimated contribution of the state
to each district. Moneys received by each district shall be
expended for the purposes of the district.

Sec. 1515.18. An owner of land that is located in a soil and
water conservation district may file a petition with the
supervisors of the district requesting the construction of a
conservation works of improvement. Upon the receipt of such a
petition, the supervisors shall make a preliminary determination
to accept or reject the petition.

A petition may be rejected if the supervisors determine that
the information that it contains about the proposed improvement is
insufficient to enable the supervisors to proceed with the
petition under this chapter or if the petition appears to be
frivolous. The supervisors also may reject a petition on the
grounds that the district lacks sufficient staff or other
resources to proceed with the improvement in accordance with this
chapter. If the supervisors reject a petition, they shall notify
the petitioner of the reasons for the rejection. A petition that
was rejected due to insufficient information may be supplemented
with additional information and filed again.

If the supervisors accept a petition for a proposed
improvement, they shall establish a date and time for a view of
the proposed improvement, which date shall be not fewer than

twenty-five nor more than ninety days after the date on which the
petition was filed. The supervisors shall designate a convenient
place near the proposed improvement at which the view shall start.

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Upon receipt of a petition, the supervisors also shall
establish a date and time on and at which and designate a location
at which they will hold a hearing on the proposed improvement. The
hearing shall occur not later than ninety days after the date
established for the view.

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Sec. 1515.181. As soon as the supervisors of a soil and water
conservation district have established the dates, times, and
locations of the view and the hearing concerning a proposed
improvement, they shall send, at least twenty days prior to the
date established for the view, a written notice of the view and
the hearing to the landowners within the area to be benefited by
the proposed improvement and to the board of county commissioners
and the county engineer. The supervisors shall notify all
landowners that are adjacent to the proposed improvement by
certified mail and shall notify all others by certified mail or
first class mailings. Any such written notice shall have the words
"Legal Notice" printed in plain view on the face of the envelope.
In addition, the supervisors shall invite to the view and the
hearing the staff of the soil and water conservation district and
the staff of the natural resources conservation service in the
United States department of agriculture that is involved with the
district together with any other people that the supervisors
consider to be necessary to the proceedings.

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Sec. 1515.182. On the date established for the view of a
proposed improvement, the supervisors of a soil and water
conservation district shall meet at the designated location near
the proposed improvement at the established time. At that time,

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they shall hear proof of the need for the proposed improvement 1796
offered by any landowner that is affected by it. 1797

The supervisors shall view the area in which the proposed 1798
improvement is to be constructed. If the proposed improvement is a 1799
ditch, the view shall include the line of the proposed ditch and 1800
each branch, lateral, or spur of the ditch that is mentioned in 1801
the petition. If the area to be viewed is extensive, the 1802
supervisors may conduct the view on more than one day and may 1803
adjourn from day to day, or a longer period, until the view is 1804
completed. 1805

Sec. 1515.183. Upon acceptance of a petition requesting the 1806
construction of an improvement, the supervisors of a soil and 1807
water conservation district shall begin to prepare, as a guide to 1808
the board of county commissioners and the petitioners, a 1809
preliminary report regarding the proposed improvement. The 1810
supervisors shall present the completed preliminary report at the 1811
hearing that is held on the proposed improvement. 1812

The preliminary report shall include a preliminary estimate 1813
of cost, comments on the feasibility of the project, and a 1814
statement of the supervisors' opinion as to whether the benefits 1815
from the project are likely to exceed the estimated cost. The 1816
preliminary report shall identify all factors that are apparent to 1817
the supervisors, both favorable and unfavorable to the proposed 1818
improvement, so that the petitioners may be informed concerning 1819
what is involved with the construction of the improvement. 1820

In addition to reporting on the improvement as petitioned, 1821
the supervisors may submit alternate proposals to accomplish the 1822
intent of the petition. The preliminary report and all alternate 1823
proposals shall be reviewed and receive concurrence from an 1824
engineer who is employed by the division of soil and water 1825

conservation or by the natural resources conservation service in 1826
the United States department of agriculture and who is responsible 1827
for providing technical assistance to the district or from any 1828
other registered professional engineer whom the supervisors 1829
choose. 1830

Sec. 1515.184. On the date and at the time established for 1831
the hearing on a petition for a proposed improvement, the 1832
supervisors of a soil and water conservation district shall 1833
conduct the hearing. Prior to the hearing, landowners affected by 1834
the proposed improvement may file objections to it with the 1835
supervisors, and at the hearing the supervisors shall hear any 1836
objections so filed. In addition, the supervisors shall present 1837
their preliminary report on the proposed improvement and shall 1838
hear any evidence offered by any landowner for or against 1839
construction of the proposed improvement. If necessary, the 1840
hearing may occur on more than one day and may be adjourned from 1841
day to day or for a longer time that may be reasonable so that all 1842
interested landowners may have an opportunity to be heard in favor 1843
of or in opposition to the proposed improvement. 1844

Sec. 1515.185. If modifications or alternatives to a proposed 1845
improvement are proposed or discussed at the hearing on the 1846
improvement, the supervisors of the soil and water conservation 1847
district may adjourn the hearing for a period of time that is 1848
necessary to conduct a subsequent view of the proposed improvement 1849
in light of the proposed changes. If it appears that a subsequent 1850
view is necessary, the supervisors shall establish a date, time, 1851
and location for it and shall notify, in the same manner, the same 1852
persons that were required to be notified of the first view. 1853

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Sec. 1515.19. At the conclusion of the hearing on a proposed 1855

improvement, the supervisors of a soil and water conservation 1856
district may approve the petition for the improvement if they are 1857
reasonably certain that the cost of the proposed improvement will 1858
be less than the benefits from it and if they find that the 1859
improvement is necessary, that it will be conducive to the public 1860
welfare, that it will improve water management and development in 1861
the county in which the district is located to the advantage of 1862
lands located in it, and that it will aid lands in the area by 1863
promoting the economical, industrial, environmental, or social 1864
development of the area. 1865

Upon approval of the petition, the supervisors shall 1866
establish a date by which the supervisors must complete, in 1867
accordance with sections 1515.191 to 1515.193 of the Revised Code, 1868
plans and specifications for the improvement together with 1869
estimates of damages from and costs for it. The date established 1870
shall allow as much time as is necessary for the preparation of 1871
the plans, specifications, and estimates. The supervisors may 1872
extend the completion date if necessary. Upon completion of the 1873
plans, specifications, and estimates, the supervisors shall do 1874
both of the following: 1875

(A) Determine the area that would be benefited by the 1876
proposed improvement and certify the determination together with 1877
the supervisors' approval of the improvement to the board of 1878
county commissioners of each county containing land included in 1879
the benefited area; 1880

(B) Submit the plans, specifications, and estimates together 1881
with the preliminary report to each such board. 1882

Sec. 1515.191. Upon approval by the supervisors of a soil and 1883
water conservation district of a petition for a proposed 1884
improvement, the supervisors or their designee shall conduct all 1885

necessary surveys for the proposed improvement. In addition, the 1886
supervisors or their designee shall prepare plans for constructing 1887
the improvement and shall prepare maps showing the location of the 1888
land that is proposed to be assessed in accordance with section 1889
1515.24 of the Revised Code for the improvement. 1890

The supervisors or their designee shall prepare 1891
specifications for construction of the improvement and shall 1892
specify dimensions of any temporary easement that is necessary for 1893
construction purposes. In addition, the supervisors or their 1894
designee shall make estimates of the cost of material and any 1895
excavation costs. The construction of the improvement may be 1896
divided into construction areas if that would be expedient. 1897

In the case of an improvement that is a ditch or similar 1898
structure for the disposal of water, the specifications for its 1899
construction that the supervisors or their designee must prepare 1900
shall provide for spreading and leveling of spoil banks and shall 1901
provide for erosion and sediment control through the establishment 1902
of a sod or seeded strip not fewer than four feet nor more than 1903
fifteen feet wide, measured at right angles to the top of the 1904
ditch bank on both sides of the ditch, except where suitable 1905
vegetative cover exists. The strip or other such controls shall be 1906
considered to be part of the permanent improvement. Sod or seeded 1907
strips that are established and maintained in excess of four feet 1908
shall be compensated for by their removal from the taxable 1909
valuation of the property of which they are a part. 1910

The supervisors or their designee shall make note of all 1911
fences, floodgates, culverts, bridges, and other structures that 1912
will be removed or adjusted in constructing the improvement. The 1913
supervisors or their designee also shall make note of any gates 1914
that need to be installed in existing fences in order to provide 1915
access to the improvement for maintenance purposes. The gates 1916

shall be locked when requested by the owner of the fence and shall 1917
be considered to be a part of the original improvement and subject 1918
to maintenance along with the improvement. 1919

The supervisors shall submit the plans, specifications, and 1920
other information prepared in accordance with this section to the 1921
board of county commissioners of each county in which the proposed 1922
improvement is to be located. 1923

Sec. 1515.192. The supervisors of a soil and water 1924
conservation district or their designee shall estimate the value 1925
of land or other property that must be taken and the damages to be 1926
sustained by any owner as a result of the construction and 1927
subsequent maintenance of a proposed improvement. The supervisors 1928
or their designee shall prepare a schedule of damages consisting 1929
of the name and address of each owner that is alleged to be 1930
damaged, the amount of the estimated damages, and an explanation 1931
of the injury upon which the estimate is based. The supervisors' 1932
or their designee's schedule of damages also shall contain the 1933
value of the land or other property that is necessary to be taken 1934
and a complete description of that land or other property. The 1935
supervisors shall include the total of the estimated damages and 1936
valuations as part of the estimate of the total cost of 1937
constructing the improvement and shall submit the schedule of 1938
damages to the board of county commissioners of each county in 1939
which the improvement is to be located. 1940

Sec. 1515.193. The supervisors of a soil and water 1941
conservation district or their designee shall make an estimate of 1942
the cost of the construction of a proposed improvement, which 1943
shall include actual construction costs, any other expenses 1944
incurred in investigations and notifications related to the 1945
project, the value of land or other property that must be taken 1946

and the damages to be sustained by any owner as a result of the 1947
construction and subsequent maintenance of the proposed 1948
improvement, the cost of installing any gates in fences or any 1949
other structures that are necessary to provide access to the 1950
improvement for maintenance purposes, and any other incidental 1951
costs. Upon completion of the estimate of cost, the supervisors 1952
shall submit it to the board of county commissioners of each 1953
county in which the improvement is to be located. 1954

Sec. 1515.21. Upon receipt of a certification under section 1955
~~1515.20~~ 1515.19 of the Revised Code, the board of county 1956
commissioners shall, within sixty days, approve or disapprove 1957
construction of the improvement. If a board disapproves 1958
construction of the improvement, the supervisors may revise the 1959
plan for the improvement and again proceed under section ~~1515.20~~ 1960
1515.19 of the Revised Code. If the board of county commissioners 1961
of each county containing any of the territory included in the 1962
project area approves construction of the improvement, the board, 1963
or if there is more than one such county, the joint board formed 1964
under section 1515.22 of the Revised Code, has in addition to its 1965
other powers, the powers of a soil and water conservation district 1966
granted by division (C) of section 1515.08 of the Revised Code. 1967

When considering whether to approve or disapprove 1968
construction of an improvement, the board shall consider all of 1969
the following factors: 1970

(A) The cost of location and construction; 1971

(B) The compensation for land or other property that must be 1972
taken; 1973

(C) The benefits to the public welfare; 1974

(D) The benefits to land, public corporations, and the state 1975
needing the improvement; 1976

(E) In the case of an improvement involving the drainage of water, the effect on land below the improvement that may be caused by constructing the improvement and the sufficiency or insufficiency of the outlet that receives flow from the improvement; 1977
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(F) Any other proper matter that will assist the board in approving or disapproving construction of the improvement. 1982
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When, in the opinion of the board of county commissioners, it is necessary for the board to acquire real property or a right-of-way or other easement for a conservation works of improvement under ~~Chapter 1515. of the Revised Code~~ this chapter, the board may appropriate ~~such~~ the real property or right-of-way or other easement in accordance with sections 163.01 to 163.62 of the Revised Code. 1984
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If the board approves construction of the improvement, the county engineer shall file with the county recorder a property plat showing the general location of the improvement and a statement describing the dimensions of any permanent easement that is necessary for maintenance of the improvement. In the case of an improvement that is an open ditch, provisions that govern the permanent easement for maintenance of the ditch that are established in section 6137.12 of the Revised Code shall apply. 1991
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A board shall follow sections 307.86 to 307.91 of the Revised Code, except that the board may designate the board of supervisors as the contracting agency and it shall follow division (H) of section 1515.08 of the Revised Code, or except that if the improvement is being undertaken through the joint efforts and cooperation of the board of county commissioners or board of supervisors and another state or federal agency, and if the state or federal regulations or procedures are in conflict with ~~such~~ those sections with respect to the procedures for the preparing of 1999
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contracts, the issuing of bids, the making of awards, and 2008
generally the administering of the contracts, the board of county 2009
commissioners or board of supervisors may adopt the state or 2010
federal regulations or procedures in those areas where conflict 2011
exists and proceed with the improvement in accordance with the 2012
requirements of the state or federal regulations or procedures. 2013

Sec. 1515.211. A board of county commissioners that approves 2014
construction of a proposed improvement or the board's designee 2015
shall prepare a schedule of estimated assessments on property 2016
within the area that is to be benefited by the improvement. In 2017
preparing the schedule, the board or its designee shall use 2018
information concerning the proposed improvement that must be 2019
submitted to the board by the supervisors of a soil and water 2020
conservation district. The information includes plans for the 2021
proposed improvement, including surveys, maps, and specifications, 2022
together with schedules of damages, cost estimates, and any 2023
related reports that the supervisors or their designee prepared. 2024

The schedule of estimated assessments that must be prepared 2025
shall include the name and address of each owner of land believed 2026
to be benefited by the proposed improvement together with a 2027
description of the land. The names and descriptions shall be 2028
obtained from the tax duplicates of the county. The board or its 2029
designee shall enter in the schedule the amount of each estimated 2030
assessment, which shall be determined using considerations 2031
established in section 1515.24 of the Revised Code. In no case 2032
shall an assessment be less than twenty-five dollars. The total of 2033
the estimated assessments, including the total estimated 2034
assessments allocated to public corporations and the state, shall 2035
equal the estimated cost of the proposed improvement. The board 2036
shall use the schedule of estimated assessments for purposes of 2037
levying final assessments under section 1515.24 of the Revised 2038
Code. 2039

Sec. 1515.24. (A) ~~Upon~~ Following receipt of a certification 2040
made by the supervisors of a soil and water conservation district 2041
pursuant to section ~~1515.20~~ 1515.19 of the Revised Code together 2042
with receipt of all plans, specifications, and estimates submitted 2043
under that section and upon completion of a schedule of estimated 2044
assessments in accordance with section 1515.211 of the Revised 2045
Code, the board of county commissioners may adopt a resolution 2046
levying upon the property within the project area an assessment at 2047
a uniform or varied rate based upon the benefit to the area 2048
certified by the supervisors, as necessary to pay the cost of 2049
construction of the improvement not otherwise funded and to repay 2050
advances made for purposes of the improvement from the fund 2051
created by section 1515.15 of the Revised Code. The board of 2052
county commissioners shall direct the person or authority 2053
preparing assessments to give primary consideration, in 2054
determining a parcel's estimated assessments relating to the 2055
disposal of water, to the potential increase in productivity that 2056
the parcel may experience as a result of the improvement and also 2057
to give consideration to the amount of water disposed of, the 2058
location of the property relative to the project, the value of the 2059
project to the watershed, and benefits ~~as defined in section~~ 2060
~~6131.01 of the Revised Code~~. The part of the assessment that is 2061
found to benefit state, county, or township roads or highways or 2062
municipal streets shall be assessed against the state, county, 2063
township, or municipal corporation, respectively, payable from 2064
motor vehicle revenues. The part of the assessment that is found 2065
to benefit property owned by any public corporation, any political 2066
subdivision of the state, or the state shall be assessed against 2067
the public corporation, the political subdivision, or the state 2068
and shall be paid out of the general funds or motor vehicle 2069
revenues of the public corporation, the political subdivision of 2070
the state, or the state, except as otherwise provided by law. 2071

(B) The assessment shall be certified to the county auditor 2072
and by the county auditor to the county treasurer. The collection 2073
of the assessment shall conform in all matters to Chapter 323. of 2074
the Revised Code. 2075

(C) Any land owned and managed by the department of natural 2076
resources for wildlife, recreation, nature preserve, or forestry 2077
purposes is exempt from assessments if the director of natural 2078
resources determines that the land derives no benefit from the 2079
improvement. In making such a determination, the director shall 2080
consider the purposes for which the land is owned and managed and 2081
any relevant articles of dedication or existing management plans 2082
for the land. If the director determines that the land derives no 2083
benefit from the improvement, the director shall notify the board 2084
of county commissioners, within thirty days after receiving the 2085
assessment notification required by this section, indicating that 2086
the director has determined that the land is to be exempt and 2087
explaining the specific reason for making this determination. The 2088
board of county commissioners, within thirty days after receiving 2089
the director's exemption notification, may appeal the 2090
determination to the court of common pleas. If the court of common 2091
pleas finds in favor of the board of county commissioners, the 2092
department of natural resources shall pay all court costs and 2093
legal fees. 2094

(D)(1) The board shall give notice by first class mail to 2095
every public and private property owner whose property is subject 2096
to assessment, at the tax mailing or other known address of the 2097
owner. The notice shall contain a statement of the amount to be 2098
assessed against the property of the addressee, a description of 2099
the method used to determine the necessity for and the amount of 2100
the proposed assessment, a description of any easement on the 2101
property that is necessary for purposes of the improvement, and a 2102
statement that the addressee may file an objection in writing at 2103

the office of the board of county commissioners within thirty days 2104
after the mailing of notice. If the residence of any owner cannot 2105
be ascertained, or if any mailed notice is returned undelivered, 2106
the board shall publish the notice to all such owners in a 2107
newspaper of general circulation within the project area, at least 2108
once each week for three weeks, which notice shall include the 2109
information contained in the mailed notice, but shall state that 2110
the owner may file an objection in writing at the office of the 2111
board of county commissioners within thirty days after the last 2112
publication of the notice. 2113

(2) Upon receipt of objections as provided in this section, 2114
the board shall proceed within thirty days to hold a final hearing 2115
on the objections by fixing a date and giving notice by first 2116
class mail to the objectors at the address provided in filing the 2117
objection. If any mailed notice is returned undelivered, the board 2118
shall give due notice to the objectors in a newspaper of general 2119
circulation in the project area, stating the time, place, and 2120
purpose of the hearing. Upon hearing the objectors, the board may 2121
adopt a resolution amending and approving the final schedule of 2122
assessments and shall enter it in the journal. 2123

(3) Any owner whose objection is not allowed may appeal 2124
within thirty days to the court of common pleas of the county in 2125
which the property is located. 2126

(4) The board of county commissioners shall make an order 2127
approving the levying of the assessment and shall proceed under 2128
section 6131.23 of the Revised Code after one of the following has 2129
occurred, as applicable: 2130

(a) Final notice is provided by mail or publication. 2131

(b) The imposition of assessments is upheld in the final 2132
disposition of an appeal that is filed pursuant to division (D)(3) 2133
of this section. 2134

(c) The resolution levying the assessments is approved in a referendum that is held pursuant to section 305.31 of the Revised Code.

(5) The county treasurer shall deposit the proceeds of the assessment in the fund designated by the board and shall report to the county auditor the amount of money from the assessment that is collected by the treasurer. Moneys shall be expended from the fund for purposes of the improvement.

(E) Any moneys collected in excess of the amount needed for construction of the improvement and the subsequent first year's maintenance may be maintained in a fund to be used for maintenance of the improvement. In any year subsequent to a year in which an assessment for construction of an improvement levied under this section has been collected, and upon determination by the board of county commissioners that funds are not otherwise available for maintenance or repair of the improvement, the board shall levy on the property within the project area an assessment for maintenance at a uniform percentage of all construction costs based upon the assessment schedule used in determining the construction assessment. The assessment is not subject to the provisions concerning notice and petition contained in this section. An assessment for maintenance shall not be levied in any year in which the unencumbered balance of funds available for maintenance of the improvement exceeds twenty per cent of the cost of construction of the improvement, except that the board may adjust the level of assessment within the twenty per cent limitation, or suspend temporarily the levying of an assessment, for maintenance purposes as maintenance funds are needed.

For the purpose of levying an assessment for maintenance of an improvement, a board may use the procedures established in Chapter 6137. of the Revised Code regarding maintenance of improvements as defined in section 6131.01 of the Revised Code in

lieu of using the procedures established under this section. 2167

(F) The board of county commissioners may issue bonds and 2168
notes as authorized by section 131.23 or 133.17 of the Revised 2169
Code. 2170

Sec. 3707.38. The board of health of a city or general health 2171
district may appoint, define the duties of, and fix the 2172
compensation of the number of inspectors of shops, wagons, 2173
appliances, and food, and the number of other persons necessary to 2174
carry out this chapter and Chapter 3717. of the Revised Code and, 2175
if applicable, to carry out any duties assumed by the board under 2176
an agreement entered into under division ~~(B)~~(A)(2) of section 2177
917.02 of the Revised Code. Inspectors for those purposes may 2178
enter any house, vehicle, or yard. The board may authorize the 2179
health commissioner to perform the duties of the inspectors. 2180

Sec. 3715.65. (A) No person shall sell, deliver, offer for 2181
sale, hold for sale, or give away any new drug unless+ 2182

~~(1) An~~ an application with respect to the drug has become 2183
effective under section 505 of the "Federal Food, Drug, and 2184
Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended. 2185

~~(2) If the drug is not subject to the "Federal Food, Drug,~~ 2186
~~and Cosmetic Act," the drug has been tested and found to be safe~~ 2187
~~for use under the conditions prescribed, recommended, or suggested~~ 2188
~~in its labeling, and, prior to selling the drug or offering it for~~ 2189
~~sale, there has been filed with the director of agriculture an~~ 2190
~~application setting forth all of the following:~~ 2191

~~(a) Full reports of investigations that have been made to~~ 2192
~~show whether or not the drug is safe for use;~~ 2193

~~(b) A full list of the articles used as components of the~~ 2194
~~drug;~~ 2195

(c) A full statement of the drug's composition;	2196
(d) A full description of the methods used in, and the facilities and controls used for, the manufacture, processing, and packing of the drug;	2197 2198 2199
(e) Samples, as the director may require, of the drug and the articles used as components of the drug;	2200 2201
(f) Specimens of the labeling proposed to be used for the drug.	2202 2203
(B) An application provided for in division (A)(2) of this section shall become effective sixty days after it is filed, except that if the director finds after due notice to the applicant and after giving the applicant an opportunity for a hearing, that the drug is not safe for use under the conditions prescribed, recommended, or suggested in the drug's proposed labeling, the director shall, prior to the effective date of the application, issue an order refusing to permit the application to become effective. The order may be revoked by the director.	2204 2205 2206 2207 2208 2209 2210 2211 2212
(C) This section does not apply to the following:	2213
(1) A drug intended solely for investigational use by experts qualified by scientific training and experience to investigate the safety of drugs, provided that the drug is plainly labeled "For investigational use only";	2214 2215 2216 2217
(2) A drug sold in this state at any time prior to the enactment of sections 3715.01 and 3715.52 to 3715.72 of the Revised Code, or introduced into interstate commerce at any time prior to the enactment of the "Federal Food, Drug, and Cosmetic Act";	2218 2219 2220 2221 2222
(3) Any drug that is licensed under the "Public Health Service Act," 58 Stat. 682 (1944), 42 U.S.C.A. 301, as amended, or under the "Virus-Serum-Toxin Act," 37 Stat. 832 (1913), 21	2223 2224 2225

U.S.C.A. 151, as amended. 2226

Sec. 5301.68. An owner of land may grant a conservation 2227
easement to the department of natural resources, a park district 2228
created under Chapter 1545. of the Revised Code, a township park 2229
district created under section 511.18 of the Revised Code, a 2230
conservancy district created under Chapter 6101. of the Revised 2231
Code, a soil and water conservation district created under Chapter 2232
1515. of the Revised Code, a county, a township, a municipal 2233
corporation, or a charitable organization that is authorized to 2234
hold conservation easements by division (B) of section 5301.69 of 2235
the Revised Code, in the form of articles of dedication, easement, 2236
covenant, restriction, or condition. An owner of land also may 2237
grant an agricultural easement to the director of agriculture; to 2238
a municipal corporation, county, ~~or township,~~ or soil and water 2239
conservation district; or to a charitable organization described 2240
in division (B) of section 5301.69 of the Revised Code. An owner 2241
of land may grant an agricultural easement only on land that is 2242
valued for purposes of real property taxation at its current value 2243
for agricultural use under section 5713.31 of the Revised Code or 2244
that constitutes a homestead when the easement is granted. 2245

All conservation easements and agricultural easements shall 2246
be executed and recorded in the same manner as other instruments 2247
conveying interests in land. 2248

Sec. 5301.691. (A)(1) Subject to divisions (A)(2) and ~~(E)~~(F) 2249
of this section, the director of agriculture, with moneys credited 2250
to the agricultural easement purchase fund created in section 2251
901.21 of the Revised Code, may purchase agricultural easements in 2252
the name of the state. 2253

(2) Not less than thirty days prior to the acquisition of an 2254
agricultural easement under division (A)(1) of this section or the 2255

extinguishment of such an easement purchased under that division, 2256
the director shall provide written notice of the intention to do 2257
so to the board of county commissioners of the county in which the 2258
land that is or is proposed to be subject to the easement or 2259
extinguishment is located, and either to the legislative authority 2260
of the municipal corporation in which the land is located, if it 2261
is located in an incorporated area, or to the board of township 2262
trustees of the township in which the land is located, if it is 2263
located in an unincorporated area. If, within thirty days after 2264
the director provides the notice, the board of county 2265
commissioners, legislative authority, or board of township 2266
trustees requests an informational meeting with the director 2267
regarding the proposed acquisition or extinguishment, the director 2268
shall meet with the legislative authority or board to respond to 2269
the board's or authority's questions and concerns. If a meeting is 2270
timely requested under division (A)(2) of this section, the 2271
director shall not undertake the proposed acquisition or 2272
extinguishment until after the meeting has been concluded. 2273

The director, upon the director's own initiative and prior to 2274
the purchase of an agricultural easement under division (A)(1) of 2275
this section or the extinguishment of such an easement, may hold 2276
an informational meeting with the board of county commissioners 2277
and the legislative authority of the municipal corporation or 2278
board of township trustees in which land that would be affected by 2279
the proposed acquisition or extinguishment is located, to respond 2280
to any questions and concerns of the board or authority regarding 2281
the proposed acquisition or extinguishment. 2282

(B)(1) Subject to division ~~(E)~~(F) of this section, the 2283
legislative authority of a municipal corporation, board of county 2284
commissioners of a county, or board of trustees of a township, 2285
with moneys in the political subdivision's general fund not 2286
required by law or charter to be used for other specified purposes 2287

or with moneys in a special fund of the political subdivision to 2288
be used for the purchase of agricultural easements, may purchase 2289
agricultural easements in the name of the municipal corporation, 2290
county, or township. 2291

(2) Subject to division ~~(E)~~(F) of this section, the 2292
legislative authority of a municipal corporation, board of county 2293
commissioners of a county, or board of township trustees of a 2294
township may acquire agricultural easements by gift, devise, or 2295
bequest. Any terms may be included in an agricultural easement so 2296
acquired that are necessary or appropriate to preserve on behalf 2297
of the grantor of the easement the favorable tax consequences of 2298
the gift, devise, or bequest under the "Internal Revenue Act of 2299
1986," 100 Stat. 2085, 26 U.S.C.A. 1, as amended. 2300

(C)(1) Subject to division (F) of this section, the board of 2301
supervisors of a soil and water conservation district, with moneys 2302
in any fund not required by law to be used for other specified 2303
purposes or with moneys provided to the board through matching 2304
grants made under section 901.22 of the Revised Code for the 2305
purchase of agricultural easements, may purchase agricultural 2306
easements in the name of the board. 2307

(2) Subject to division (F) of this section, the board of 2308
supervisors of a soil and water conservation district may acquire 2309
agricultural easements by gift, devise, or bequest. Any terms may 2310
be included in an agricultural easement so acquired that are 2311
necessary or appropriate to preserve on behalf of the grantor of 2312
the easement the favorable tax consequences of the gift, devise, 2313
or bequest under the "Internal Revenue Act of 1986," 100 Stat. 2314
2085, 26 U.S.C.A. 1, as amended. 2315

(D)(1) The term of an agricultural easement purchased wholly 2316
or in part with money from the agricultural easement purchase fund 2317
shall be perpetual and shall run with the land. 2318

(2) The term of an agricultural easement purchased by ~~such a~~ 2319
the legislative authority of a municipal corporation, board of 2320
county commissioners of a county, board of township trustees of a 2321
township, or board of supervisors of a soil and water conservation 2322
district without the use of any money from the agricultural 2323
easement purchase fund may be perpetual or for a specified period. 2324
The agricultural easement shall run with the land. The instrument 2325
conveying an agricultural easement for a specified period shall 2326
include provisions specifying, at a minimum, all of the following: 2327

(a) The consideration to be paid for the easement and manner 2328
of payment; 2329

(b) Whether the easement is renewable and, if so, procedures 2330
for its renewal; 2331

(c) The circumstances under which the easement may be 2332
extinguished; 2333

(d) The method for determining the amount of money, if any, 2334
due the holder of the easement upon extinguishment and for payment 2335
of that amount to the holder. 2336

~~(D)~~(E)(1) The director and each legislative authority of a 2337
municipal corporation, board of county commissioners, ~~or~~ board of 2338
township trustees, or board of supervisors of a soil and water 2339
conservation district, upon acquiring an agricultural easement by 2340
purchase, gift, devise, or bequest under this section or section 2341
901.21 of the Revised Code, shall name an appropriate 2342
administrative officer, department, or division to supervise and 2343
enforce the easement. A legislative authority ~~or~~ of a municipal 2344
corporation, board of county commissioners, or board of township 2345
trustees may enter into a contract with the board of park 2346
commissioners of a park district established under Chapter 1545. 2347
of the Revised Code, the board of park commissioners of a township 2348
park district established under section 511.18 of the Revised 2349

Code, or the board of supervisors of a soil and water conservation 2350
district ~~established under Chapter 1515. of the Revised Code~~ 2351
having territorial jurisdiction within the municipal corporation, 2352
county, or township, or with a charitable organization described 2353
in division (B) of section 5301.69 of the Revised Code, to 2354
supervise on behalf of the legislative authority or board an 2355
agricultural easement so acquired. A board of supervisors of a 2356
soil and water conservation district may enter into a contract 2357
with the board of park commissioners of a park district 2358
established under Chapter 1545. of the Revised Code or the board 2359
of park commissioners of a township park district established 2360
under section 511.18 of the Revised Code having territorial 2361
jurisdiction within the soil and water conservation district, or 2362
with a charitable organization described in division (B) of 2363
section 5301.69 of the Revised Code, to supervise on behalf of the 2364
board an agricultural easement so acquired. The contract may be 2365
entered into on such terms as are agreeable to the parties and 2366
shall specify or prescribe a method for determining the amounts of 2367
any payments to be made by the legislative authority ~~or~~, board of 2368
county commissioners ~~or~~, board of township trustees, or board of 2369
supervisors for the performance of the contract. 2370

(2) With respect to an agricultural easement purchased with a 2371
matching grant that is made under division (D) of section 901.22 2372
of the Revised Code and that consists in whole or in part of 2373
moneys from the clean Ohio agricultural easement fund created in 2374
section 901.21 of the Revised Code, the recipient of the matching 2375
grant shall make an annual monitoring visit to the land that is 2376
the subject of the easement. The purpose of the visit is to ensure 2377
that no development that is prohibited by the terms of the 2378
easement has occurred or is occurring. In accordance with rules 2379
adopted under division (A)(1)(d) of section 901.22 of the Revised 2380
Code, the grant recipient shall prepare a written annual 2381
monitoring report and submit it to the office of farmland 2382

preservation in the department of agriculture. If necessary to
enforce the terms of the easement, the grant recipient shall take
corrective action in accordance with those rules. The director may
agree to share these monitoring and enforcement responsibilities
with the grant recipient.

~~(E)~~(F) The director; a municipal corporation, county, ~~or~~
township, or soil and water conservation district; or a charitable
organization ~~described in division (B) of section 5301.69 of the~~
~~Revised Code~~, may acquire agricultural easements by purchase,
gift, devise, or bequest only on land that is valued for purposes
of real property taxation at its current value for agricultural
use under section 5713.31 of the Revised Code or that constitutes
a homestead when the easement is granted.

~~(F)~~(G) An agricultural easement acquired by the director
under division (A) of this section may be extinguished if an
unexpected change in the conditions of or surrounding the land
that is subject to the easement makes impossible or impractical
the continued use of the land for the purposes described in the
agricultural easement, or if the requirements of the easement are
extinguished by judicial proceedings. Upon the sale, exchange, or
involuntary conversion of the land subject to the easement, the
director shall be paid an amount of money that is at least equal
to the proportionate value of the easement compared to the total
value of the land at the time the easement was acquired. Moneys so
received shall be credited to the agricultural easement purchase
fund.

An agricultural easement acquired by a municipal corporation,
county, or township under division (B) of this section or by a
soil and water conservation district under division (C) of this
section may be extinguished under the circumstances prescribed,
and in accordance with the terms and conditions set forth, in the
instrument conveying the agricultural easement. An agricultural

easement acquired by a charitable organization described in 2415
division (B) of section 5301.69 of the Revised Code may be 2416
extinguished under the circumstances prescribed, and in accordance 2417
with the terms and conditions set forth, in the instrument 2418
conveying the agricultural easement. 2419

Any instrument extinguishing an agricultural easement shall 2420
be executed and recorded in the same manner as other instruments 2421
conveying or terminating interests in real property. 2422

~~(G)~~(H) Promptly after the recording and indexing of an 2423
instrument conveying an agricultural easement to any person or to 2424
a municipal corporation, county, ~~or~~ township, or soil and water 2425
conservation district or of an instrument extinguishing an 2426
agricultural easement held by any person or such a political 2427
subdivision, the county recorder shall mail, by regular mail, a 2428
photocopy of the instrument to the office of farmland preservation 2429
in the department of agriculture. The photocopy shall be 2430
accompanied by an invoice for the applicable fee established in 2431
section 317.32 of the Revised Code. Promptly after receiving the 2432
photocopy and invoice, the office of farmland preservation shall 2433
remit the fee to the county recorder. 2434

~~(H)~~(I) The director, the legislative authority of a municipal 2435
corporation, a board of county commissioners, ~~or~~ a board of 2436
township trustees, or a board of supervisors of a soil and water 2437
conservation district may receive and expend grants from any 2438
public or private source for the purpose of purchasing 2439
agricultural easements and supervising and enforcing them. 2440

Sec. 6131.23. The assessments estimated in accordance with 2441
section 6131.14 of the Revised Code shall be payable in not less 2442
than two semiannual installments. At the time of the final 2443
hearing, in the order approving the levying of the assessments, 2444
the board of county commissioners shall determine how long a 2445

period of time, in semiannual installments, as taxes are paid, 2446
shall be given the owners of land benefited to pay the assessments 2447
that are made for an improvement and whether or not bonds or notes 2448
shall be issued and sold in anticipation of such payments. If 2449
bonds or notes are to be issued, the interest shall be added to 2450
the assessments. If the estimated cost of the improvement does not 2451
exceed five hundred dollars, not more than two semiannual 2452
installments, as taxes are paid, shall be given to owners of lands 2453
benefited to pay the assessments that are made for the 2454
improvement. If the estimated cost of the improvement exceeds five 2455
hundred dollars, the board may determine the number of 2456
installments in which the assessments are to be paid. If any such 2457
assessment is twenty-five dollars or less, or whenever the unpaid 2458
balance of any such assessment is twenty-five dollars or less, the 2459
same shall be paid in full, and not in installments, at the time 2460
the first or next installment would otherwise become due. 2461

When assessments are payable in installments and county 2462
general funds are used to pay for the improvement, the assessment 2463
shall not exceed ten semiannual installments, as computed by the 2464
county auditor pursuant to section 6131.49 of the Revised Code, 2465
and shall be payable upon completion of the contract. 2466

When assessments are made payable in installments and bonds 2467
or notes have been sold to pay for the improvement, interest shall 2468
be added to the installments of assessments at the same rate as is 2469
drawn by the bonds or notes issued to pay for the improvements. 2470
Any owner may pay the estimated assessments on ~~his~~ the owner's 2471
land in cash within thirty days after the final hearing without 2472
paying any interest thereon. If the legislative authority of a 2473
political subdivision chooses to pay the assessments on all 2474
parcels within the subdivision, both public and private, in one 2475
installment, it shall pass a resolution so stating and shall send 2476
the resolution, or a copy thereof, to the board of county 2477

commissioners before making the payment. The legislative authority 2478
shall pay all subsequent maintenance assessments levied under 2479
section 6137.03 of the Revised Code if it chooses to pay the 2480
construction assessments on all parcels within the subdivision. 2481

Bonds may be sold for any repayment period that the board of 2482
county commissioners may determine proper, not to exceed sixteen 2483
semiannual installments, except that for bonds sold by a board of 2484
county commissioners for soil and water conservation district 2485
improvements pursuant to section 1515.24 of the Revised Code, the 2486
repayment period shall not exceed thirty semiannual installments. 2487

Section 2. That existing sections 183.12, 317.32, 505.101, 2488
901.21, 901.22, 917.01, 917.02, 917.031, 917.09, 917.091, 917.19, 2489
917.22, 918.01, 918.02, 918.08, 918.11, 918.25, 918.28, 921.06, 2490
921.23, 955.51, 955.52, 955.53, 1515.01, 1515.14, 1515.21, 2491
1515.24, 3707.38, 3715.65, 5301.68, 5301.691, and 6131.23 and 2492
section 1515.20 of the Revised Code are hereby repealed. 2493