

**As Introduced**

**128th General Assembly  
Regular Session  
2009-2010**

**H. B. No. 169**

**Representative Murray**

**Cosponsors: Representatives Foley, Hagan, Domenick, Boyd, Okey**

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**A B I L L**

To amend section 4563.10 of the Revised Code to apply 1  
the Airport Zoning Law to public utility or 2  
railroad buildings or structures that create an 3  
airport hazard. 4

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

**Section 1.** That section 4563.10 of the Revised Code be 5  
amended to read as follows: 6

**Sec. 4563.10.** Nothing in sections 4563.01 to 4563.21 of the 7  
Revised Code, ~~shall confer~~ confers any power on any political 8  
subdivision or airport zoning board to prohibit the use of any 9  
land for farming, dairying, pasturage, apiculture, horticulture, 10  
floriculture, viticulture, or animal and poultry husbandry, except 11  
where ~~such that~~ use ~~shall create~~ creates an airport hazard. ~~The~~ 12  
~~provisions of sections~~ Sections 4563.01 to 4563.21 of the Revised 13  
Code ~~shall do~~ do not apply ~~in respect~~ to the location, relocation, 14  
erection, construction, reconstruction, change, alteration, 15  
maintenance, removal, use, or enlargement of any buildings or 16  
structures, now existing or constructed in the future, of any 17  
public utility or railroad, except where those buildings or 18  
structures, or modifications to such, create an airport hazard. 19

**Section 2.** That existing section 4563.10 of the Revised Code 20  
is hereby repealed. 21