



Ohio Legislative Service Commission

Bill Analysis

Michelle R. McGreevy

H.B. 291

128th General Assembly
(As Introduced)

Reps. Jordan and Carney, J. Adams, R. Adams, Blessing, Boose, Derickson, Gardner, Hackett, Hite, Luckie, Okey, Patten, Philips, Stebelton, Wagner, Wachtmann, Zehringer

BILL SUMMARY

- When operating a fair, exempts a county agricultural society, independent agricultural society, and the Ohio Exposition Commission from the requirements of the Vehicle Parks Law during the period of time of preparation for, operation of, and dismantling of the fair if the society or Commission holds a license under that Law.

CONTENT AND OPERATION

Current law, commonly known as the "Vehicle Parks Law," establishes requirements governing recreational vehicle parks, recreation camps, combined park-camps, and temporary park-camps (see **COMMENT**) (R.C. 3709.03, not in the bill). The public health council is required to adopt rules governing the review of plans and issuance of licenses for and the location, layout, construction, drainage, sanitation, safety, and operation of recreational vehicle parks, recreation camps, and combined park-camps, and the layout, sanitation, safety, and operation of temporary park-camps (R.C. 3729.02, not in the bill). Persons who intend to operate a recreational vehicle park, recreation camp, combined park-camp, or a temporary park camp must obtain a license to operate the park or camp from the board of health with jurisdiction over the park or camp¹ (R.C. 3729.05(A)(1) and (2)).

¹ Current law refers to a "licensor" which is generally defined to mean either the board of health of a city or general health district, the authority having the duties of a board of health in any city, or the Director of Health (the Director may be the licensor when a board of health is not eligible to administer and enforce the Vehicle Parks Law, see R.C. 3729.06, not in the bill). "Licensor" also means an authorized representative of any of those entities or of the Director. (R.C. 3729.01(I).)

Current law prohibits a person from causing development to occur within any portion of a recreational vehicle park, recreation camp, combined park-camp, or temporary park-camp that is located within a 100-year flood plain in a municipal corporation or an unincorporated area unless the person first obtains a permit from the municipal corporation in accordance with the flood plain management ordinance of the municipal corporation, or a permit from the board of county commissioners of the county in which the development is to occur in accordance with the flood plain management resolution of the county, as applicable (R.C. 3729.04 (A) and (B), not in the bill). In addition, the Director of Health is required to approve plans for development² within a recreational vehicle park, recreation camp, or combined park-camp (R.C. 3729.03, not in bill). Finally, the Vehicle Parks Law includes requirements governing inspections, surveys of boards of health, enforcement, fees, and other related issues (R.C. 3729.06 to 3729.13, not in the bill).

The bill declares that the following entities that operate a fair and that hold a license issued under the Vehicle Parks Law are not required to comply with the requirements normally imposed on a licensee under that Law and rules adopted under it during the time of preparation for, operation of, and dismantling of the fair:

- (1) A county agricultural society;
- (2) An independent agricultural society; and
- (3) The Ohio Expositions Commission. (R.C. 3729.05(E).)

COMMENT

"Recreational vehicle park" means any tract of land used for parking five or more self-contained recreational vehicles and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the park facilities and any tract of land that is subdivided for lease or other contract of the individual lots for the express or implied purpose of placing self-contained recreational vehicles for recreation, vacation, or business purposes. "Recreational vehicle park" does not include any tract of land used solely for the storage or display for sale of self-contained recreational

² Under current law, "development" generally means any artificial change to improved or unimproved real estate, including, without limitation, buildings or structures, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials, and the construction, expansion, or substantial alteration of a recreational vehicle park, recreation camp, or combined park-camp, for which plan review is required under the Vehicle Parks Law. "Development" does not include the building, construction, erection, or manufacture of any building to which certain provisions of the Building Standards Law are applicable. (R.C. 3729.01(E).)

vehicles, solely as a temporary park-camp, or solely as a manufactured home park. (R.C. 3729.01(S).)

"Recreation camp" means any tract of land upon which five or more portable camping units are placed and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of the camp. A tract of land that is subdivided for lease or other contract of the individual lots is a recreation camp if five or more portable camping units are placed on it for recreation, vacation, or business purposes. "Recreation camp" does not include any tract of land used solely for the storage or display for sale of dependent recreational vehicles, solely as a temporary park-camp, or solely as a manufactured home park. (R.C. 3729.01(Q).)

"Combined park-camp" means any tract of land upon which a combination of five or more self-contained recreational vehicles or portable camping units are placed and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the park facilities. A tract of land that is subdivided for lease or other contract of the individual lots is a combined park-camp if a combination of five or more recreational vehicles or portable camping units are placed on it for recreation, vacation, or business purposes. "Combined park-camp" does not include any tract of land used solely as a temporary park-camp or solely as a manufactured home park. (R.C. 3729.01(C).)

"Temporary park-camp" means any tract of land used for a period not to exceed a total of 21 days per calendar year for the purpose of parking five or more recreational vehicles, dependent recreational vehicles, or portable camping units, or any combination thereof, for one or more periods of time that do not exceed seven consecutive days or parts thereof (R.C. 3729.01(V)).

HISTORY

ACTION	DATE
Introduced	09-30-09

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