

Pre SB 19
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tion and developmental disabilities, or the department of rehabilitation and correction as is appropriate.

HISTORY: 1980 H 900, eff. 7-1-80
1973 S 174; 1972 H 494; 130 v H 969

Note: Former 3735.58 repealed by 126 v 321, eff. 12-31-57; 125 v 93; 1953 H 1; GC 1078-66.

PRACTICE AND STUDY AIDS

Gotherman & Babbit, Ohio Municipal Law, Text 26.04

CROSS REFERENCES

Mental health department, sale of lands, 5119.39
Department of mental retardation and developmental disabilities, real property, 5123.22 to 5123.231
Recording conveyances by state, 5301.13

LEGAL ENCYCLOPEDIAS AND ALR

OJur 3d: 77, Public Housing and Urban Renewal § 40
Am Jur 2d: 40, Housing Laws and Urban Redevelopment § 22

3735.59 Contract for furnishing services

A metropolitan housing authority may contract with persons, associations, or corporations, or with the state, a state department or agency, or a state public body as defined in section 3735.51 of the Revised Code for furnishing to the authority food services, health clinics, medical services, or other services for tenants of the authority who are not able to provide for themselves.

The director of any state department may enter into agreements with a metropolitan housing authority for furnishing such services to the authority for tenants described in division (F) of section 3735.40 of the Revised Code pursuant to terms agreed upon between the director and the authority and for such compensation as will reimburse the department for the services rendered.

HISTORY: 130 v H 969, eff. 3-10-64

Note: Former 3735.59 repealed by 126 v 321, eff. 12-31-57; 125 v 93; 1953 H 1; GC 1078-67.

PRACTICE AND STUDY AIDS

Gotherman & Babbit, Ohio Municipal Law, Text 26.04

LEGAL ENCYCLOPEDIAS AND ALR

OJur 3d: 77, Public Housing and Urban Renewal § 32, 43
Am Jur 2d: 40, Housing Laws and Urban Redevelopment § 22

3735.60 Expiration—Repealed

HISTORY: 1971 H 1, eff. 3-26-71
126 v 321; 125 v 93; 1953 H 1; GC 1078-69

3735.61 to 3735.615 Sale of property acquired under veterans emergency housing act—Repealed

HISTORY: 1981 S 114, eff. 10-27-81
129 v 582; 126 v 376; 1953 H 1; GC 1078-70

VETERANS HOUSING CORPORATIONS

3735.62 Veterans housing corporations

Any five or more veterans, all of whom are citizens of the United States and residents of this state, may form a corporation not for profit under sections 1702.01 to 1702.58, inclusive, of the Revised Code, relating to corporations not for profit, for the purpose of purchasing real property and constructing thereon residences for sale to members of such corporation without any profit to the corporation, borrowing money for such purpose, and mortgaging or pledging any assets of the corporation as security therefor, and doing such other things as are appropriate in order to carry out such purpose. The business of such corporation shall be carried on only within such municipal corporation or other political subdivision of this state as is specified in the articles of incorporation. As used in this section, "veteran" means any person who has served in any branch of the armed forces of the United States in or during any war in which this country has been or is engaged. Except as specified in this section, such corporation shall be governed by such sections.

HISTORY: 126 v 432, eff. 10-11-55
1953 H 1; GC 10186-31

LEGAL ENCYCLOPEDIAS AND ALR

OJur 3d: 77, Public Housing and Urban Renewal § 44

REINVESTMENT AREAS

3735.65 Definitions

As used in sections 3735.65 to 3735.70 of the Revised Code:

(A) "Housing officer" means an officer or agency of a municipal corporation or county designated by the legislative authority of the municipal corporation or county, pursuant to section 3735.66 of the Revised Code, for each community reinvestment area to administer sections 3735.65 to 3735.69 of the Revised Code. One officer or agency may be designated as the housing officer for more than one community reinvestment area.

(B) "Community reinvestment area" means an area within a municipal corporation or unincorporated area of a county for which the legislative authority of the municipal corporation or, for the unincorporated area, of the county, has adopted a resolution under section 3735.66 of the Revised Code describing the boundaries of the area and containing a statement of finding that the area included in the description is one in which housing facilities or structures of historical significance are located and new housing construction and repair of existing facilities or structures are discouraged.

(C) "Remodeling" means any change made in a structure for the purpose of making it structurally more sound, more habitable, or for the purpose of improving its appearance.

(D) "Structure of historical or architectural significance" means those designated as such by resolution of the legislative authority of a municipal corporation, for those located in a municipal corporation, or the county, for those located in the unincorporated area of the county based on

age, rarity, architectural quality, or because of a previous designation by a historical society, association, or agency.

HISTORY: 1977 S 251, eff. 11-18-77
1969 H 754

PRACTICE AND STUDY AIDS

Gotherman & Babbit, Ohio Municipal Law, Text 26.07, 26.08(B), 26.09, 26.10(A), 26.11, 26.13(A)

LEGAL ENCYCLOPEDIAS AND ALR

OJur 3d: 77, Public Housing and Urban Renewal § 104, 105, 108

3735.66 Community reinvestment areas

The legislative authorities of municipal corporations and counties may survey the housing within their jurisdictions and, after the survey, may adopt resolutions describing the boundaries of community reinvestment areas which contain the conditions required for the finding under division (B) of section 3735.65 of the Revised Code.

The resolution adopted pursuant to this section shall be published in a newspaper of general circulation in the municipal corporation, if the resolution is adopted by the legislative authority of a municipal corporation, or in a newspaper of general circulation in the county, if the resolution is adopted by the legislative authority of the county, once a week for two consecutive weeks immediately following its adoption.

Each legislative authority adopting a resolution pursuant to this section shall designate a housing officer. In addition, each such legislative authority, not later than fifteen days after the adoption of the resolution, shall submit to the director of development a copy of the resolution, along with a map of the community reinvestment area. The map shall be of sufficient detail to denote the specific boundaries of the area.

HISTORY: 1992 S 363, eff. 1-13-93
1977 S 251; 1969 H 754

UNCODIFIED LAW

1992 S 363, § 3, eff. 1-13-93, reads: Not later than ninety days after the effective date of this section, any county or municipal corporation that has adopted a resolution prior to the effective date of this section creating a community reinvestment area under section 3735.66 of the Revised Code, and any county, township, or municipal corporation that has adopted a resolution or ordinance prior to the effective date of this section granting a tax increment financing tax exemption under section 5709.41, 5709.73, or 5709.78 of the Revised Code, shall submit to the Director of Development a copy of that resolution or ordinance.

PRACTICE AND STUDY AIDS

Gotherman & Babbit, Ohio Municipal Law, Text 26.07, 26.08(A)(B), 26.11, 26.13(A)

CROSS REFERENCES

Newspapers of general circulation, 7.12

LEGAL ENCYCLOPEDIAS AND ALR

OJur 3d: 77, Public Housing and Urban Renewal § 104, 105

NOTES ON DECISIONS AND OPINIONS

OAG 87-047. Where a community reinvestment area has been properly established under RC 3735.66, it continues to exist despite

subsequent changes in conditions in the area, as where the only residential structure in the area is destroyed by fire.

3735.67 Application for exemption from real property taxation; procedures; limits

(A) The owner of any real property in a community reinvestment area may file an application for an exemption from real property taxation for a new structure or remodeling, completed after the effective date of the resolution adopted pursuant to section 3735.66 of the Revised Code, with the housing officer designated pursuant to section 3735.66 of the Revised Code, for the community reinvestment area in which the property is located.

(B) The housing officer shall verify the construction of the new structure or the cost of the remodeling and the facts asserted in the application. The housing officer shall determine whether the construction or the cost of the remodeling meets the requirements for an exemption under division (D)(1), (2), or (3) of this section. In cases involving a structure of historical or architectural significance, the housing officer shall not determine whether the remodeling meets the requirements for a tax exemption unless the appropriateness of the remodeling has been certified, in writing, by the society, association, agency, or legislative authority that has designated the structure or by any organization or person authorized, in writing, by such society, association, agency, or legislative authority to certify the appropriateness of the remodeling.

(C) If the construction or remodeling meets the requirements for exemption, and after complying with section 5709.83 of the Revised Code, the housing officer shall forward the application to the county auditor with a certification as to the division of this section under which the exemption is granted and the period of the exemption as determined by the legislative authority pursuant to that division.

(D) The tax exemption shall first apply in the year following the calendar year in which the certification is made to the county auditor by the housing officer pursuant to this section. If the remodeling qualifies for an exemption under division (D)(1) or (2) of this section, the dollar amount by which the remodeling increased the market value of the structure shall be exempt from real property taxation. If the construction of the structure qualifies for an exemption under division (D)(3) of this section, the structure shall not be considered an improvement on the land on which it is located for the purpose of real property taxation.

The construction of new structures and the remodeling of existing structures are hereby declared to be a public purpose for which exemptions from real property taxation may be granted for the following periods:

(1) For every dwelling containing not more than two family units, located within the same community reinvestment area, and upon which the cost of remodeling is at least two thousand five hundred dollars, a period to be determined by the legislative authority adopting the resolution, pursuant to section 3735.66 of the Revised Code, describing the community reinvestment area where the dwelling is located, but not exceeding ten years;

(2) For every dwelling containing more than two units, and commercial or industrial properties, located within the same community reinvestment area, and upon which the cost of remodeling is at least five thousand dollars a period to be determined by the legislative authority adopting the

resolution, pursuant to section 3735.66 of the Revised Code, describing the community reinvestment area where the dwelling or property is located, but not exceeding twelve years;

(3) For construction of every dwelling, or commercial or industrial structure located within the same community reinvestment area, a period to be determined by the legislative authority adopting the resolution, pursuant to section 3735.66 of the Revised Code, describing the community reinvestment area where the dwelling or structure is located, but not exceeding fifteen years.

HISTORY: 1990 H 103, eff. 3-27-91
1977 S 251; 1971 H 1; 1969 H 754

PRACTICE AND STUDY AIDS

Baldwin's Ohio Township Law, Text 3.04
Baldwin's Ohio School Law, Text 39.04
Gotherman & Babbit, Ohio Municipal Law, Text 26.07, 26.10(A) to (D), 26.11, 26.13(A), 26.14

CROSS REFERENCES

Joint economic development districts, tax abatement, 715.70
Certification of tax information to education department, 3317.021
Tax on privilege to use public property for nonpublic purpose, 5705.61
Real property tax exemptions, 5709.01
Miscellaneous real property tax exemptions, 5709.05 to 5709.19
Tax exemption for property used for scientific research, charge upon sale of property, 5709.12
Compensation for school districts for revenue lost as result of tax exemptions, 5709.82
Property tax exemption applied for, notice to school board, 5715.27

LEGAL ENCYCLOPEDIAS AND ALR

OJur 3d: 77, Public Housing and Urban Renewal § 104, 106 to 108; 86, Taxation § 690
Am Jur 2d: 40, Housing Laws and Urban Redevelopment § 27 to 32

NOTES ON DECISIONS AND OPINIONS

OAG 87-047. Once a community reinvestment area has been established, if the only residential structure in the area is destroyed by fire, real property in the area continues to be eligible for real property tax exemptions under RC 3735.67 in the calendar year following certification when construction or renovation is complete and the application for the exemption is certified by the housing officer.

Ethics Op 89-008. RC 2921.42(A)(1) and 102.03(D) prohibit a city council member from voting, deliberating, participating in discussions, or otherwise authorizing or using the official authority or influence of his position with regard to an application for a property tax abatement submitted by a company with which he is employed.

3735.68 Inspections; revocation of exemption

The housing officer shall make annual inspections of the properties within the community reinvestment area upon which are located structures or remodeling for which an exemption has been granted under section 3735.67 of the Revised Code. If the housing officer finds that the property has not been properly maintained or repaired due to the neglect of the owner, he may revoke the tax exemption at any time after the first year of exemption. The housing officer shall notify the county auditor and the owner of the

property that the tax exemption no longer applies. If the housing officer revokes a tax exemption, he shall send a report of the revocation to the community reinvestment area housing council, established pursuant to section 3735.69 of the Revised Code, containing a statement of his findings as to the maintenance and repair of the property and his reason for revoking the exemption.

HISTORY: 1977 S 251, eff. 11-18-77

Note: Former 3735.68 repealed by 1977 S 251, eff. 11-18-77; 1969 H 754.

PRACTICE AND STUDY AIDS

Gotherman & Babbit, Ohio Municipal Law, Text 26.07, 26.12, 26.13(A)

LEGAL ENCYCLOPEDIAS AND ALR

OJur 3d: 77, Public Housing and Urban Renewal § 108

3735.69 Housing council for each area

(A) A community reinvestment area housing council shall be appointed for each community reinvestment area. When the area is located within a municipal corporation, the council shall be composed of two members appointed by the mayor of the municipal corporation, two members appointed by the legislative authority of the municipal corporation, and one member appointed by the planning commission of the municipal corporation. The majority of the foregoing members shall then appoint two additional members who shall be residents of the political subdivision. When the area is located within an unincorporated area of a county, the council shall be composed of one member appointed by each member of the board of county commissioners of the county where the area is located and two members appointed by the county planning commission. The majority of the foregoing members shall then appoint two additional members who shall be residents of the political subdivision. Terms of the members of the council shall be for three years. An unexpired term resulting from a vacancy in the council shall be filled in the same manner as the initial appointment was made.

The council shall make an annual inspection of the properties within the community reinvestment area for which an exemption has been granted under section 3735.67 of the Revised Code. The council shall also hear appeals under section 3735.70 of the Revised Code.

(B) On or before the thirty-first day of March each year, any municipal corporation or county that has created a community reinvestment area under section 3735.66 of the Revised Code shall submit to the director of development a status report summarizing the activities and projects for which an exemption has been granted in that area.

HISTORY: 1992 S 363, eff. 1-13-93
1987 H 171; 1977 S 251

Note: 3735.69 contains provisions analogous to former 3735.71, repealed by 137 v 251, eff. 11-18-77.

Note: Former 3735.69 repealed by 1977 S 251, eff. 11-18-77; 1969 H 754.

PRACTICE AND STUDY AIDS

Gotherman & Babbit, Ohio Municipal Law, Text 26.07, 26.12, 26.13(A)(B)

CROSS REFERENCES

County planning commissions, Ch 713
Municipal legislative authorities, powers, 731.43 to 731.50
Mayors, duties, 733.30 to 733.34

LEGAL ENCYCLOPEDIAS AND ALR

OJur 3d: 77, Public Housing and Urban Renewal § 105, 109

NOTES ON DECISIONS AND OPINIONS

OAG 87-047. Once a community reinvestment area has been established, if the only residential structure in the area is destroyed by fire, residents of such structure who were members of the housing council established under RC 3735.69 may continue to serve on the council only if they intend to resume residence in the area, but if it is impossible to fill vacancies on the council due to a lack of area residents, it is not necessary to fill such vacancies, and the council may operate with fewer than seven members.

3735.70 Appeals

Any person aggrieved under sections 3735.65 to 3735.69 of the Revised Code may appeal to the community reinvestment area housing council, which shall have the authority to overrule any decision of a housing officer. Appeals may be taken from a decision of the council to the court of common pleas of the county where the area is located.

HISTORY: 1977 S 251, eff. 11-18-77

Note: 3735.70 contains provisions analogous to former 3735.72, repealed by 137 v 251, eff. 11-18-77.

Note: Former 3735.70 repealed by 1977 S 251, eff. 11-18-77; 1969 H 754.

PRACTICE AND STUDY AIDS

Gotherman & Babbit, Ohio Municipal Law, Text 26.07, 26.12, 26.13(A)(B)

CROSS REFERENCES

Administrative decisions, appeals to common pleas court, 119.12, Ch 2506

LEGAL ENCYCLOPEDIAS AND ALR

OJur 3d: 77, Public Housing and Urban Renewal § 109
Am Jur 2d: 2, Administrative Law § 553 et seq.

**3735.71 and 3735.72 Housing rehabilitation council—
Repealed**

HISTORY: 1977 S 251, eff. 11-18-77
1972 S 485; 1969 H 754

Note: See now 3735.69 and 3735.70 for provisions analogous to former 3735.71 and 3735.72, respectively.

Chapter 3737**FIRE MARSHAL; FIRE SAFETY; PETROLEUM
UNDERGROUND STORAGE****PRELIMINARY PROVISIONS**

3737.01 Definitions
3737.02 Fees collected by fire marshal; exceptions

STATE FIRE COMMISSION POWERS

3737.03 Powers of the state fire commission
3737.04 to 3737.13 Bureau of fire prevention—Repealed

**POWERS, DUTIES, AND APPOINTMENT OF FIRE
MARSHAL**

3737.14 Right to examine buildings, premises, and vehicles
3737.15 Report to superintendent of insurance—Repealed
3737.16 Information may be required of insurance company in fire investigation; offenses
3737.17 Standards and orders prescribed for handling of flammable and combustible liquids—Repealed
3737.18 Standards and orders prescribed for handling liquid petroleum gas; definition—Repealed
3737.19 and 3737.20 Standards and orders for protection of persons and property; appeal to fire marshal—Repealed
3737.21 Appointment of fire marshal
3737.22 Duties of fire marshal; bureaus
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3737.24 Investigation of major fires
3737.25 Taking testimony
3737.26 Prosecutions
3737.27 Witnesses

3737.28 Oaths; duty to testify
3737.29 Private investigations
3737.31 Superintendent of insurance may require reports
3737.32 Investigation of bombing
3737.33 Training school
3737.331 Seminars for prosecutors on arson

CERTIFICATION

3737.34 Certification of fire safety inspectors

FIRE CODE VIOLATIONS; PROCEEDINGS

3737.41 Remedies for dangerous conditions
3737.42 Citations for violation of state fire code
3737.43 Hearing on citation; appeal
3737.44 Injunctive relief; order to vacate premises temporarily; mandamus
3737.45 Demolition or repair at expense of owner; sale of real estate due to failure to pay; procedures
3737.46 Legal officers' duties

PROHIBITIONS

3737.51 Prohibitions; civil penalties
3737.61 Posting notices in transient residential buildings
3737.62 Negligent burning
3737.63 Spreading alarm of unfriendly fire
3737.64 Impersonating fire safety inspector
3737.65 Standards for equipment; certificate and provisional certificate

Am. Sub. S. B. No. 19

SECTION 3. (A) Except as otherwise provided in division (B) of this section, the amendments made by this act to sections 3735.67 and 3735.68 and the enactment of sections 3735.671, 3735.672, and 3735.673 of the Revised Code apply only to community reinvestment areas described in resolutions adopted under section 3735.66 of the Revised Code on or after July 1, 1994, and to applications for exemption from taxation under section 3735.67 of the Revised Code for property within community reinvestment areas described in such resolutions and filed with housing officers on or after that date.

(B) The amendments or enactments by this act of sections 3735.67, 3735.671, 3735.672, 3735.673, and 3735.68 of the Revised Code do not apply, and those sections in effect prior to those amendments do apply, to any exemption to be granted based upon or pursuant to any resolution or ordinance enacted under section 3735.66 of the Revised Code prior to the effective date of those amendments or enactments. In addition, those amendments and enactments do not apply, and those sections as in effect prior to those amendments do apply, to the first two amendments to such ordinance or resolution, including amendments of such resolution or ordinance made after the effective date of the amendments or enactments to those sections by this act, which grant an extension of the date after which the granting of tax exemptions may be terminated pursuant to the provisions of such resolution or ordinance, provided each such extension does not exceed five years and provided further that the applicable housing officer determines in writing, which determination shall be conclusive, that good faith efforts and material progress have been made toward the investments, including but not limited to existing or new buildings, machinery, equipment, furniture, and fixtures, of a nature contemplated in connection with the adoption of any such resolution or ordinance being amended.