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OHIO LEGISLATIVE SERVICE COMMISSION

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S.B. 114
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for S.B. 114's Bill Analysis](#)

Version: As Introduced

Primary Sponsor: Sen. Hottinger

Local Impact Statement Procedure Required: No

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Highlights

- Townships could receive small increases in fine revenue deposited into their general funds resulting from a greater number of violations of township noise regulations.
- Municipal courts or courts of common pleas could incur a slight increase in costs if there are more cases dealing with violations of township noise regulations as a result of the bill. However, any increased costs could be at least partially offset by assessing court costs to a party in the case.

Detailed Analysis

Townships could receive indeterminate but likely small increases in revenue deposited into their general funds as a result of fines levied under the bill. The bill expands current township authority to regulate noise to include anywhere within its unincorporated territory. This is in contrast to current law, under which a township may only regulate noise within the unincorporated territory if it is generated (1) at premises to which a D liquor permit (issued to nightclubs or restaurants) has been issued, or (2) in areas zoned for residential use. Under continuing law, violation of a township noise regulation or order is a misdemeanor of the second degree, which is punishable by fines of up to \$750 or incarceration for up to 90 days. Continuing law specifies that fines levied and collected for township noise violations are paid into the township general fund.

Expanding a township's authority to regulate noise within its unincorporated territory could also increase caseloads for municipal courts or courts of common pleas. Under continuing law, a person allegedly aggrieved by a violation of a township noise regulation may seek a declaratory judgment, injunction, or other appropriate relief. Continuing law also allows townships to seek an injunction against an alleged violator via civil action. If the expansion of township authority to regulate noise in unincorporated areas results in additional cases, then

the courts could experience increased costs. These costs however, could be at least partially offset by imposing court costs to a party in the case.