

## Section 504.04 | Exercise of powers under limited home rule government.

Ohio Revised Code / Title 5 Townships / Chapter 504 Limited Home Rule Government

*Effective: September 30, 2021 Latest Legislation: House Bill 110 - 134th General Assembly*

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(A) A township that adopts a limited home rule government may do all of the following by resolution, provided that any of these resolutions, other than a resolution to supply water or sewer services in accordance with sections [504.18](#) to [504.20](#) of the Revised Code, may be enforced only by the imposition of civil fines as authorized in this chapter:

(1) Exercise all powers of local self-government within the unincorporated area of the township, other than powers that are in conflict with general laws, except that the township shall comply with the requirements and prohibitions of this chapter, and shall enact no taxes other than those authorized by general law, and except that no resolution adopted pursuant to this chapter shall encroach upon the powers, duties, and privileges of elected township officers or change, alter, combine, eliminate, or otherwise modify the form or structure of the township government unless the change is required or permitted by this chapter;

(2) Adopt and enforce within the unincorporated area of the township local police, sanitary, and other similar regulations that are not in conflict with general laws or otherwise prohibited by division (B) of this section;

(3) Supply water and sewer services to users within the unincorporated area of the township in accordance with sections [504.18](#) to [504.20](#) of the Revised Code;

(4) Adopt and enforce within the unincorporated area of the township any resolution of a type described in section [503.52](#) or [503.60](#) of the Revised Code.

(B) No resolution adopted pursuant to this chapter shall do any of the following:

(1) Create a criminal offense or impose criminal penalties, except as authorized by division (A) of this section or by section [503.52](#) of the Revised Code;

(2) Impose civil fines other than as authorized by this chapter;

(3) Establish or revise subdivision regulations, road construction standards, urban sediment rules, or storm water and drainage regulations, except as provided in section [504.21](#) of the Revised Code;

(4) Establish or revise building standards, building codes, and other standard codes except as provided in section [504.15](#) of the Revised Code;

(5) Increase, decrease, or otherwise alter the powers or duties of a township under any other chapter of the Revised Code pertaining to agriculture or the conservation or development of natural resources;

(6) Establish regulations affecting hunting, trapping, fishing, or the possession, use, or sale of firearms;

(7) Establish or revise water or sewer regulations, except in accordance with section [504.18](#), [504.19](#), or [504.21](#) of the Revised Code;

(8) Impose a fee, assessment, or other charge on auxiliary containers, on the sale, use, or consumption of such containers, or on the basis of receipts received from the sale of such containers. As used in this division, "auxiliary container" has the same meaning as in section [5767.32](#) of the Revised Code.

Nothing in this chapter shall be construed as affecting the powers of counties with regard to the subjects listed in divisions (B)(3) to (5) of this section.

(C) Under a limited home rule government, all officers shall have the qualifications, and be nominated, elected, or appointed, as provided in Chapter 505. of the Revised Code, except that the board of township trustees shall appoint a full-time or part-time law director pursuant to section [504.15](#) of the Revised Code, and except that a five-member board of township trustees approved for the township before September 26, 2003, shall continue to serve as the legislative authority with successive members serving for four-year terms of office until a termination of a limited home rule government under section [504.05](#) of the Revised Code.

(D) In case of conflict between resolutions enacted by a board of township trustees and municipal ordinances or resolutions, the ordinance or resolution enacted by the municipal corporation prevails. In case of conflict between resolutions enacted by a board of township trustees and any county resolution, the resolution enacted by the board of township trustees prevails.

*Last updated August 4, 2021 at 10:58 AM*

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Available Versions of this Section

## Section 504.06 | Citations for violation of township resolutions.

Ohio Revised Code / Title 5 Townships / Chapter 504 Limited Home Rule Government

*Effective: December 20, 2005    Latest Legislation: Senate Bill 107 - 126th General Assembly*

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(A) Peace officers serving the township pursuant to section 504.16 of the Revised Code may issue citations to persons who violate township resolutions adopted pursuant to this chapter. Each citation shall contain provisions that:

- (1) Advise the person upon whom it is served that the person must answer in relation to the violation charged in the citation within fourteen days after the citation is served upon the person;
- (2) Indicate the allowable answers that may be made and that the person will be afforded a court hearing if the person denies in the person's answer having committed the violation;
- (3) Specify that the answer must be made in person or by mail to the township fiscal officer;
- (4) Indicate the amount of the fine that arises from the violation.

(B) A peace officer who issues a citation for a violation of a township resolution shall complete the citation by identifying the violation charged and by indicating the date, time, and place of the violation charged. The officer shall sign the citation, affirm the facts that it contains, and without unnecessary delay file the original citation with the court having jurisdiction over the violation. A copy of a citation issued pursuant to this section shall be served pursuant to the Rules of Civil Procedure upon the person who violated the resolution. No peace officer is entitled to receive witness fees in a cause prosecuted under a township resolution adopted pursuant to this chapter.

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## Section 504.08 | Enforcement of resolution.

Ohio Revised Code / Title 5 Townships / Chapter 504 Limited Home Rule Government

*Effective: September 17, 1991    Latest Legislation: House Bill 77 - 119th General Assembly*

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To enforce a township resolution adopted under this chapter, a board of township trustees may authorize the township law director to do any of the following:

- (A) File for injunctive relief if the violation of the resolution is a matter of health or safety;
  - (B) File for a lien upon the property of a violator if the violation relates to the use of the property and if the violator has failed to pay a fine imposed pursuant to section 504.07 of the Revised Code within ten days after the judgment imposing the fine has become final. The unpaid fine shall be entered on the tax duplicate and is a lien upon the property from and after the date of entry and shall be collected as other taxes, returned to the township, and placed in the township general fund.
  - (C) Take any measure for the collection of an unpaid money judgment that is authorized by division (D) of section 504.07 of the Revised Code.
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### Available Versions of this Section

September 17, 1991 – House Bill 77 - 119th General Assembly

## Section 504.05 | Imposition of civil fines.

Ohio Revised Code / Title 5 Townships / Chapter 504 Limited Home Rule Government

*Effective: September 17, 1991    Latest Legislation: House Bill 77 - 119th General Assembly*

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The board of township trustees may impose a civil fine for a violation of a resolution adopted pursuant to this chapter, and may graduate the amount of the fine based on the number of previous violations of the resolution. No fine shall exceed one thousand dollars. Any resolution that imposes a fine shall clearly state the amount of the fine for the first and for subsequent violations.

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### Available Versions of this Section

September 17, 1991 – House Bill 77 - 119th General Assembly