***LEGISLATIVE REVIEW***

***SEPTEMBER 26, 2017 – REPORT #10***

***TIF LEGISLATION SCHEDULED FOR ALL TESTIMONY TUESDAY***

**HB 69 TIF DISTRICTS (Cupp, B.)** To require reimbursement of certain township fire and emergency medical service levy revenue forgone because of the creation of a municipal tax increment financing district.

HB 69 amends existing Tax Incremental Financing Law to add township fire, emergency medical and ambulance levies to the list of special- purpose levies. HB 69 gives townships the choice of collecting the reimbursement, waiving it, or negotiating a partial reimbursement of the money the levy would have raised but for the TIF. The bill only applies prospectively and to TIFs created by municipal corporations where townships provide the fire, emergency, or rescue services. HB 69 has been scheduled for another committee hearing for all testimony on Tuesday. It is likely to continue moving and be voted out of committee in the coming weeks. If you are interested in submitting testimony opposing HB 69, please feel free to contact OHBA ASAP with any insight on the potential impact or concerns with adding fire and emergency services to the list of already required reimbursements.

***NPDES ENFORCEMENT FEEDBACK***

OHBA has received questions recently on the OEPA’s strict enforcement of both inspection and stabilization requirements pursuant to the NPDES permit. Although the rules have not changed in several years, OHBA is looking into some concerns raised with unreasonable, costly enforcement in some local jurisdictions. One particular instance relates to final stabilization and strict enforcement of seeding, growing grass in the middle of the summer, which was unsuccessful, but very expensive. If anyone has experienced similar issues or has a more reasonable experience to share, OHBA is currently gathering more information.

***POWELL WILL PAY $1.8 MILLION TO SETTLE DEVELOPERS LAWSUIT***

A settlement has been reached following a decision by the Southern District of Ohio that a charter amendment put on the ballot and approved is unconstitutional, granting permanent injunctive relief. This case has been ongoing for several years, including amicus briefs submitted by OHBA at the Ohio Supreme Court level, as well as, by NAHB at the Federal District Court level. This is an important land use case. If the Supreme Court’s decision had been left to stand, future opponents to development would have been able to use this case as a roadmap to retroactively reverse local zoning decisions through the initiative process. Please contact OHBA with any questions.

***OHBA FALL BOARD MEETING***

OHBA Fall Board of Trustees Meeting is scheduled for Tuesday, November 14th at the Hilton Easton in Columbus. At this meeting you will obtain updated information on issues affecting the industry, election of 2018 officers, top awards will be given and find out who the 2017 The Best of Ohio Homes winners are.

Meeting information has been sent out. If you need information, please contact [build@ohiohba.com](mailto:build@ohiohba.com) or 614-228-6648.