

Dear Township Officials:

ISSUE - Household Sewage Treatment Systems (HSTS)

The OTA received a call from a township official asking about our stance on SB 100, which is sponsored by Senator Tim Grendell and SB 110, which is sponsored by Senator Niehaus.

Now for a little background.

The HSTS issue has been debated for the last five years or so. Back in the 125th General Assembly, HB 231 was passed that drastically altered the HSTS laws in Ohio. The OTA was the only statewide organization that opposed HB 231. The changes that were made back in HB 231 were done so with limited interested party meetings and the OTA was gravely concerned that HB 231 would result in property owners not being able to afford septic systems. As you all know, townships do not have the ability to have their own water and sewer unless they are a home rule township or the township is a part of a regional water or sewer district. Septic systems are needed in order for township viability in Ohio.

The OTA has run blurbs in the magazine and newsletter about HB 231 and HSTS in general over the last few years and we have given legislative updates on the matter as information has become available. The latest information was included in the Weekly Update on May 3, 2009.

Now to the issue at hand.

As mentioned in a legislative alert two weeks ago, there were two HSTS bills introduced in the Ohio Senate. To view the bills in their entirety, please go to www.legislature.state.oh.us.

SB 110 HOUSEHOLD SEWAGE (Niehaus) To revise the Household Sewage and Small Flow On-Site Sewage Treatment Systems Law, and to declare an emergency.

SB 100 HOUSEHOLD SEWAGE (Grendell) To revise the Household Sewage and Small Flow On-Site Sewage Treatment Systems Law, to establish the Household Sewage Treatment System Revolving Loan Program and the Household Sewage Treatment System Grant Program in the Department of Health, to make appropriations, and to declare an emergency.

The Ohio Township Association has taken the position of support for SB 110, Senator Niehaus' bill. The OTA Officers and Board of Directors have not had an official vote on this bill, as both of these bills were introduced after our last Board meeting on April 3. However, the OTA Officers and Board were alerted at the April 3 Board meeting that several different bills were likely to be introduced on the topic of HSTS and that the OTA would be reviewing all bills carefully. The Board was reminded that Executive Director Cochran was a member of the HSTS Study Commission that made recommendations for changes to HSTS law.

Why does the OTA support SB 110?

SB 110 contains the recommendations of the HSTS Study Commission, on which OTA Executive Director Michael Cochran represented townships. The Study Commission was

comprised of a wide variety of interest groups and met for many months to hammer out concerns and differences amongst the interested parties. While no group got everything they were asking for, the OTA believes that SB 110 is good bill that will protect property owners and will not be cost prohibitive for people that have failing septic systems.

Who else supports SB 110?

Association of Ohio Health Commissioners Ohio Waste Haulers Association Ohio Onsite Wastewater Association Ohio Manufactured Homes Association Ohio Precast Concrete Association Ohio Association of Realtors Ohio Environmental Council Ohio Environmental Health Association

What legislative action has been taken?

Testimony was heard Wednesday on SB 100 and SB 110 before the Senate Environment & Natural Resources Committee. The OTA submitted written testimony on SB 110. (attached, along with additional proponent testimony) There were several township officials that testified in support of SB 100, Senator Grendell's bill. While the OTA does represent all townships in Ohio, we do recognize that townships will not always agree with the stance of the State Association. We encourage townships to share their views, concerns or opinions on matters. (attached is the statehouse newspaper's coverage of the committee hearing.)

From its opponent stance on SB 231 to the hearing today, the OTA remains steadfast to the principles of protecting township residents from unreasonable HSTS costs, increasing property owners' options with their own lots, and increasing local control to the greatest extent possible.

Should any member have any questions or concerns, please do not hesitate to contact Mike Cochran or me at the State Association.

Sincerely,

Heidi M. Fought
Director of Governmental Affairs
Ohio Township Association
6500 Taylor Road, Suite A
Blacklick, OH 43004
(614) 863-0045
(614) 863-9751 Fax

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