



Ohio Revised Code

Section 303.58 Restricted area resolution by county commissioners.

Effective: October 11, 2021

Legislation: Senate Bill 52 - 134th General Assembly

(A) The board of county commissioners may adopt a resolution designating all or part of the unincorporated area of a county as a restricted area, prohibiting the construction of any or all of the following:

- (1) An economically significant wind farm;
- (2) A large wind farm;
- (3) A large solar facility.

(B) A resolution described in division (A) of this section may designate one or more restricted areas and shall fix restricted area boundaries within the unincorporated area of the county.

(C)(1) The board may adopt a resolution designating a restricted area at a regular meeting of the board or at a special meeting called for the purpose of discussing such a resolution.

(2) At least thirty days prior to the meeting at which a resolution to designate a restricted area will be discussed, the board shall do all of the following:

- (a) Provide public notice of the date and time of the meeting by one publication in a newspaper of general circulation within the county;
- (b) Publicly post a map showing the boundaries of the proposed restricted area at all public libraries within the county;
- (c) Provide written notice of the meeting, by first class mail, to all school districts, municipal corporations, and boards of township trustees located in whole, or in part, within the boundaries of the proposed restricted area.



(3) The board shall comply with the requirements of divisions (C)(1) and (2) of this section before the board modifies a resolution it previously adopted under this section.

(D) Any resolution designating a restricted area shall include a map of the restricted area, as well as texts sufficient to identify all boundaries of the restricted area. A copy of the resolution and any accompanying texts and maps shall be filed with the office of the county recorder of the county.

(E) A resolution adopted under this section shall not affect the construction of a utility facility that was presented to the board of county commissioners under section 303.61 of the Revised Code, and the board did not adopt a resolution prohibiting the facility within the time required under section 303.62 of the Revised Code.