



Ohio Revised Code

Section 4926.43 Venue requirements.

Effective: May 17, 2021

Legislation: House Bill 2 - 134th General Assembly

A hearing regarding a complaint filed under section 4926.39 of the Revised Code is a special statutory proceeding under division (C) of Civil Rule 1 of the Rules of Civil Procedure. Any civil proceeding under section 4926.39 of the Revised Code shall be conducted in accordance with the Rules of Civil Procedure, except that a complaint regarding pole attachment disputes with respect to sections 4926.01 to 4926.60 of the Revised Code is not subject to general venue provisions in Civil Rule 3 of the Rules of Civil Procedure. To that extent only, such proceedings shall be deemed a special statutory proceeding under division (C)(8) of Civil Rule 1 of the Rules of Civil Procedure.

Venue for such a proceeding shall lie only in the county in which the cooperative's Ohio headquarters is located, provided that at least some portion of the attachment will occur in that county. In the event that the cooperative's Ohio headquarters is not located in a county in which some portion of the attachment will occur, or that more than one cooperative is a party, venue shall lie only in the county in which the largest physical portion of the attachment will occur.

Court orders relative to venue are final orders pursuant to division (B)(2) of section 2505.02 of the Revised Code. Orders not specifically relating to venue are reviewable on appeal in the same manner as judgments in any civil action.

Land acquisition actions pursuant to Chapter 163. of the Revised Code are not affected by this section and shall be heard in a venue as provided in that chapter or Civil Rule 3 of the Rules of Civil Procedure.
