



Ohio Legislative Service Commission

Bill Analysis

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S.B. 131

129th General Assembly
(As Introduced)

Sens. Jordan, Schaffer, Seitz, Stewart, Grendell

BILL SUMMARY

- Exempts a county or independent agricultural society or the Ohio Expositions Commission licensed under the Vehicle Parks Law from having to comply with the requirements of that law during the time it operates a fair and related periods.

CONTENT AND OPERATION

Exemption from Vehicle Parks Law requirements during fair time

The bill exempts each of the following entities that operate a fair and hold a license issued under the Vehicle Parks Law (R.C. Chapter 3729.) from complying with the requirements of that law during the time that preparation for, operation of, and dismantling of the fair occurs: (1) a county agricultural society, (2) an independent agricultural society, and (3) the Ohio Expositions Commission.¹ As a result, the bill extends to these three entities, which are licensed, an exemption that currently applies to certain other persons and independent agricultural societies that operate fairs but are not required to be licensed.

Background – camping at fairgrounds

The Vehicle Parks Law governs recreational vehicle parks and campgrounds referred to as "recreation camps," "combined park-camps," and "temporary park-camps" (see "**Definitions**," below). Because many fairgrounds in Ohio host events at which camping is permitted, a particular fairgrounds operator is generally required to obtain

¹ R.C. 3729.05(E).

the license that is appropriate for the type of campground that is operated.² Licenses are issued by the board of health of a city or general health district, the authority having the duties of a board of health in a city, or, when a board of health is not eligible to administer and enforce the Vehicle Parks Law, the Director of Health.³

There are persons and independent agricultural societies that operate fairs and do not obtain licenses under the Vehicle Parks Law. That is because current law exempts from licensure requirements a person who operates a county or state fair or an independent agricultural society that operates a fair if (1) recreational vehicles, portable camping units, or any combination of them are parked at the site of the fair only during the time of preparation for, operation of, and dismantling of the fair, and (2) the recreational vehicles, portable camping units, or any combination of them belong to participants in the fair.⁴ The purpose of the exemption, according to the Department of Health, is to permit fair participants to be present on the fairgrounds without requiring them to hold a license.⁵

Because these persons and agricultural societies are exempt from licensure, they are not subject to an initial or annual inspection⁶ or the requirements applicable to licensees adopted by the Public Health Council in rules. These requirements include standards pertaining to site location and layout, density, water supply, drainage, sewage facilities, toilet facilities, handwashing and shower facilities, dump stations, electrical service, lighting, and general maintenance, including rodent control.⁷

Definitions

"Recreational vehicle park" means any tract of land used for parking five or more self-contained recreational vehicles and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the park facilities and any tract of land that is subdivided for lease or other contract of the individual lots for the express or implied purpose of placing self-contained recreational vehicles for recreation, vacation, or business purposes. "Recreational vehicle park" does not include any tract

² R.C. 3729.05(A)(3); memorandum regarding "camping at fairgrounds" from W. Gene Phillips, MPH, RS, Chief, Bureau of Environmental Health, Ohio Department of Health, to Health Commissioners and Directors of Environmental Health (July 1, 2009).

³ R.C. 3729.01(I) and 3729.06(B).

⁴ R.C. 3729.05(D).

⁵ Memorandum, *supra* note 2.

⁶ R.C. 3729.05(B).

⁷ Ohio Administrative Code Chapter 3701-26.

of land used solely for the storage or display for sale of self-contained recreational vehicles, solely as a temporary park-camp, or solely as a manufactured home park.

"Recreation camp" means any tract of land upon which five or more portable camping units are placed and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of the camp. A tract of land that is subdivided for lease or other contract of the individual lots is a recreation camp if five or more portable camping units are placed on it for recreation, vacation, or business purposes. "Recreation camp" does not include any tract of land used solely for the storage or display for sale of dependent recreational vehicles, solely as a temporary park-camp, or solely as a manufactured home park.

"Combined park-camp" means any tract of land upon which a combination of five or more self-contained recreational vehicles or portable camping units are placed and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the park facilities. A tract of land that is subdivided for lease or other contract of the individual lots is a combined park-camp if a combination of five or more recreational vehicles or portable camping units are placed on it for recreation, vacation, or business purposes. "Combined park-camp" does not include any tract of land used solely as a temporary park-camp or solely as a manufactured home park.

"Temporary park-camp" means any tract of land used for a period not to exceed a total of 21 days per calendar year for the purpose of parking five or more recreational vehicles, dependent recreational vehicles, or portable camping units, or any combination thereof, for one or more periods of time that do not exceed seven consecutive days or parts thereof.⁸

HISTORY

ACTION	DATE
Introduced	03-23-11

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⁸ R.C. 3729.01.