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Volume XXX, No. 8

December 31, 2013

New Ohio Laws Taking Effect in 2014

Drivers Must “Move Over” for Construction Workers

A new traffic law requires drivers to move over to make room for construction workers on the highway. This law is contained in Ohio Revised Code Section 4511.213 which explains that drivers, if possible, must change lanes to the lane furthest from the vehicle or if a lane change would be impossible or unsafe, drivers must slow down and proceed with caution. This law has been in effect since 2004 but the previous law only applied to public safety, emergency, and road service vehicles. The new law now encompasses public utility and maintenance vehicles. For a first offender, a violation of this law results in a minor misdemeanor. If the offender has a prior motor vehicle or traffic conviction, it results in a fourth degree misdemeanor. If the offender has two or more prior motor vehicle or traffic convictions, it results in a third degree misdemeanor. Additionally, if the court finds one guilty of violating R.C. 4511.213, fines are doubled.

Exotic Animal License Requirements

In the wake of the 2011 incident in Zanesville, Ohio where over 50 exotic animals were released by their owner, Ohio legislators have worked to get tougher restrictions on owning exotic animals. The Dangerous Wild Animal Act is a result of that incident, and it aims to protect the safety of both the exotic animals and humans. The Act has been phased into law in stages, and it went into full effect at the start of 2014. “Dangerous wild animals” under Ohio law include an extensive list of various types of lions, tigers, monkeys and bears to name a few. “Restricted snakes” are also regulated under the Act. It requires owners of exotic animals to have a permit, and the state can seize animals from owners who are unable to meet the permit requirements. It also requires that exotic animals be registered with the Department of Agriculture. Additionally, the law places requirements on the type of care and shelter that these animals must receive.

Puppy Mill License Requirements

The new law contained in Chapter 956 of the Ohio Revised Code sets forth that no person is allowed to operate as a high volume dog breeder in Ohio without first obtaining the appropriate license by the Director of Agriculture and paying the requisite fee based on the volume of litters sold annually. A license may not be obtained without first meeting the standards established in the new law. Background checks are conducted by the Department of Agriculture to ensure that such standards are met. A “high volume breeder” is defined as those who produce at least nine litters of puppies and at least 60 adult dogs per calendar year. Requirements imposed on high volume breeders include standards for housing, nutrition, exercise, grooming, disease control and waste management. The new law is meant to prevent mistreatment of dogs in puppy mills by holding the people running these operations accountable.

Birth Certificate Access by Adoptees

In December 2013, Governor Kasich signed Senate Bill 23, which allows adoptees to access their original birth certificates. This new law impacts adoptees born between January 1964 and September 1996. This population of adoptees in Ohio have failed to receive any assistance on opening their birth records through Ohio legislation until now. Ohio law already allows adoptees born prior to January 1964 and after September 1996 to access their original birth certificates. Although the bill was signed into law, the law has a 90-day enactment period and a one-year waiting period. The purpose of the waiting period is to give birth parents the opportunity to file a “contact-preference” form specifying whether and how they wish to have contact by the adoptee and to have their names redacted from the document if they choose to do so. However, if birth parents choose to have their names redacted, they must still provide a detailed medical history. Adult adoptees will be able to access their birth certificates in March 2015.

Big Walnut Schools Receive \$5,000 Gift from NAIOP Central Ohio

Continuing a holiday tradition, NAIOP Central Ohio donated \$5,000 to the Big Walnut Local School District at a December 9 meeting of the Board of Education. Each year, the Central Ohio chapter of NAIOP makes a donation to a non-profit organization on behalf of the outgoing president. This year's president, Andy Wecker of Manos, Martin & Pergram, chose the parent teacher organizations of the Big Walnut elementary schools, including Harrison Street, and the 5th and 6th Intermediate School. "As a member of the Big Walnut Board of Education, I know that Big Walnut and Delaware County are a great place for people who want to make, fix, raise and grow things," Wecker said. "Our families and schools are a big part of that, and this gift from NAIOP to our PTOs is one way to recognize our community spirit."

NAIOP, the National Association for Industrial and Commercial Properties, was founded in 1967, and one of the key leaders in that effort was Jack O'Neill of Southgate Corporation from Newark/Heath Licking County, Ohio. It has evolved into one of North America's largest, most prestigious and valuable commercial real estate organizations. In Central Ohio, its members include Continental Real Estate, Columbus 2020, the Columbus Regional Airport Authority, the Daimler Group, Exxcel Project Management, NP Limited Partnership, the Pizzuti Companies and ProLogis.

In 2014, Wecker will be succeeded as chapter president by another Big Walnut resident, Richard Schuen, CEO and Principal at Colliers International in Columbus. In the Big Walnut area, Schuen's office has worked with Chip Carpenter Real Estate and Auction Company to redevelop a vacant shopping center with Washington Auto Parts and Hardware. Throughout Ohio, Colliers works on a full range of industrial, office, commercial and retail projects. "By developing, building, owning and leasing commercial real estate, NAIOP members work to house Ohio's businesses and their employees," Schuen said. "Our buildings are the homes for their opportunities and when these businesses are successful, they add to the real estate tax base that pays for public education and lightens the burden on homeowners," Schuen said.

Previous gifts made in honor of other presidents have been made to: Mount Aloysius, a home for special needs men, and its charity fundraiser, Mt. Al's Round-Up (Franz Geiger, 2012 President/NP Limited Partnership); Nationwide Children's Hospital (Andy Weeks, 2011 President / VanTrust Real Estate, LLC); Flying Horse Farms (Dwight McCabe, 2010 President / The McCabe Companies); Habitat for Humanity; and The Fisher Real Estate Society at The Ohio State University.

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Free Workplace Violence Seminar

A free workplace violence seminar sponsored by the Delaware City Police and The Strand Theatre will be held January 28 from 8:30 to 10:00 a.m. at The Strand Theatre. The Delaware City Police will teach:

- ◆ How to respond in a critical situation
- ◆ Ways to protect yourself and your employees
- ◆ Options to consider when writing your policy
- ◆ General preventative measures

A registration form for the seminar is available on the homepage of our website—www.mmpdlaw.com.

Notice

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If you have friends or associates who you think would enjoy receiving a copy of this Client Bulletin, please feel free to forward it on. Thank you.

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