



MIKE DEWINE
GOVERNOR
STATE OF OHIO

Executive Order 2021-16D

The Emergency Adoption of Rules 122:31-1-01, 122:31-1-02, 122:31-1-03, 122:31-1-04, 122:31-1-05, 122:31-1-06, 122:32-1-01, 122:32-1-02, 122:32-1-03, 122:32-1-04, 122:32-1-05, and 122:32-1-06 of the Ohio Administrative Code by the Ohio Department of Development

WHEREAS, the Building Demolition and Site Revitalization Program (“Demolition Program”) and Brownfield Remediation Program (“Brownfield Program”) were created by the 134th General Assembly in Amended Substitute House Bill 110; and

WHEREAS, the Ohio Department of Development is designated with overseeing the Demolition Program and Brownfield Program; and

WHEREAS, the purpose of the Demolition Program is to award grants for the demolition of commercial and residential buildings and revitalization of surrounding properties on sites that are not brownfields; and

WHEREAS, the purpose of the Brownfield Program is to award grants for the remediation of brownfield sites throughout Ohio; and

WHEREAS, Section 122.6512 of the Revised Code authorizes the Ohio Department of Development to promulgate rules for the Demolition Program; and

WHEREAS, Section 122.6511 of the Revised Code authorizes the Ohio Department of Development to promulgate rules for the Brownfield Program; and

WHEREAS, Section 119.03(G) of the Ohio Revised Code authorizes the Governor, on the request of a State agency, to suspend the normal rule making procedures with respect to specific rules when an emergency exists necessitating the immediate adoption, amendment, or rescission of such rules. When such a determination is made, the agency may immediately adopt, amend, or rescind such rules, but the rules are only valid for one hundred and twenty (120) days; and

WHEREAS, the Ohio Department of Development has requested a determination whether an emergency exists that requires the adoption of rules 122:31-1-01, 122:31-1-02, 122:31-1-03, 122:31-1-04, 122:31-1-05, 122:31-1-06, 122:32-1-01, 122:32-1-02, 122:32-1-03, 122:32-1-04, 122:32-1-05, and 122:32-1-06 on an emergency basis and that would therefore permit the Ohio

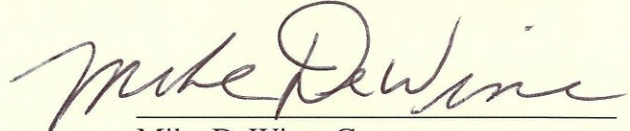
Department of Development, pursuant to Sections 122.6511 and 122.6512 of the Ohio Revised Code, to immediately adopt these rules.

NOW THEREFORE, I, Mike DeWine, Governor of the State of Ohio, have determined, upon the request of the Ohio Department of Development, that an emergency exists requiring the immediate adoption of rules 122:31-1-01, 122:31-1-02, 122:31-1-03, 122:31-1-04, 122:31-1-05, 122:31-1-06, 122:32-1-01, 122:32-1-02, 122:32-1-03, 122:32-1-04, 122:32-1-05, and 122:32-1-06 of the Ohio Administrative Code.

I hereby order that the procedures prescribed by Section 119.03 of the Ohio Revised Code with respect to the adoption of the specified rules be suspended and that the Ohio Department of Development be permitted to adopt the rules immediately by filing them electronically with the Secretary of State, the Director of the Legislative Service Commission, and the Joint Committee on Agency Rule Review ("JCARR").

Furthermore, I hereby order that this Executive Order be filed in electronic form with the Ohio Department of Development, the Secretary of State, the Director of the Legislative Service Commission, and JCARR.

I signed this Executive Order on December 7, 2021, in Columbus, Ohio, and it will expire one hundred and twenty (120) days from the effective date of the emergency rules, or upon the adoption of the rules through the normal JCARR process, whichever is sooner.



Mike DeWine, Governor

ATTEST:

Frank LaRose, Secretary of State

