

# RECORD OF RESOLUTIONS

Resolution No. 28-2026 Passed March 2nd, 2026

**A RESOLUTION OPPOSING HOUSE BILL 92 WHICH SEEKS TO PLACE LIMITATIONS ON RECOVERY AND LIEN IMPOSITION BY MUNICIPALITIES AGAINST PROPERTY OWNERS OF NON-OWNER-OCCUPIED PROPERTIES FOR UNPAID WATER, SEWER, AND ELECTRIC RATES AND CHARGES.**

**WHEREAS**, The Legislature in the State of Ohio has proposed House Bill 92 which would place limitations on recovery and lien imposition by municipalities against property owners of non-owner-occupied properties for unpaid water, sewer, and electric rates and charges; and

**WHEREAS**, The Village of Brewster maintains public utility services for its municipal residents including water, sewer and electric services, and

**WHEREAS**, Public (Municipal) Utilities do not represent landlords, but rather they represent public utility customers, most of which are property owners and voters; and

**WHEREAS**, Public (Municipal) Utilities have not made a decision to go into the “business” of renting property. Landlords have made that decision, which has potential profit and risks; and

**WHEREAS**, Under SB 180, would eliminate the ability of Public Utilities to certify unpaid utility bills to property taxes and landlords will have effectively shifted all the risk of unpaid utilities from themselves to Public (Municipal) Utilities, **NOT** tenants which will in effect increase landlord’s profits by effectively increasing Public (Municipal) Utility customers’ rates, and

**WHEREAS**, Public (Municipal) Utilities have no say in who a landlord rents to, so Public (Municipal) Utilities have no ability up front to control risk of tenants not paying their utilities as landlords do. Without any risk, there is no incentive by a landlord to do a proper credit check on the tenants to whom he rents, and

**WHEREAS**, Landlords rather than public (Municipal) Utilities have the ability to increase the deposits they charge to protect themselves from the risk of unpaid utility bills by their tenants, and

**WHEREAS**, If Substitute House Bill 92 is passed, Public (Municipal) Utilities will have to consider increasing utility deposits in order to regulate operational costs and maintain rates which will create an increased burden to owner occupied residents/customers, and

**WHEREAS**, In Brewster out of approximately 850 accounts, with some added through turn-over, the Village of Brewster only certified 4 utility accounts to property taxes in 2024 indicating that this is not a major burden upon landlords in the village and indicating that Brewster for one is aggressive to assure that all utilities bills are paid,

**WHEREAS**, Landlords are in a better position to collect delinquent utility bills from their renters just as they have to do for other unpaid costs such as unpaid rent or damage repairs, and

**WHEREAS**, Inevitably, without either the ability to certify delinquent utility bills and/or the threat to certify delinquent utility bills, public utility bills for ALL customers will have to be increased and as a result will shift the burden for uncollectable utility bills from Landlords to Public (Municipal) Utilities and ultimately the resident customers, and

**WHEREAS**, Passing legislation to eliminate Public (Municipal) Utilities’ ability to certify unpaid and/or delinquent utility bills to a property owner’s property taxes boils down to a choice between enhancing Landlords ability to make a profit versus increasing

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utility rates for Public Utility customers.

**NOW, THEREFORE**, be it resolved by the Village Council of the Village of Brewster, Stark County, Ohio, that:

**Section 1.** This Brewster Village Council is aware of the Legislature's proposed House Bill 92 which would place limitations on recovery and lien imposition by municipalities against property owners of non-owner-occupied properties for unpaid water, sewer, and electric rates and charges and believes said HB 92 would not be in the best interest of the Citizens of the Village of Brewster as well as the Citizens of the State of Ohio in general.

**Section 2.** Brewster Village Council believes that the passage of HB 92 to which would place limitations on recovery and lien imposition by municipalities against property owners of non-owner-occupied properties for unpaid water, sewer, and electric rates and charges would cause increased costs to the Citizens of the Village of Brewster as well as the Citizens of the State of Ohio in general.

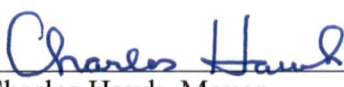
**Section 3.** The Brewster Village Council strongly opposes the passage of HB 92 to place limitations on recovery and lien imposition by municipalities against property owners of non-owner-occupied properties for unpaid water, sewer, and electric rates and charges and desires to convey said opposition to the Ohio Legislature.

**Section 4.** The Clerk is hereby directed to provide a certified copy of this Resolution to the Honorable Jodi Salvo, Representative for the 51<sup>st</sup> District of the Ohio House of Representatives at 77 S. High St, 11<sup>th</sup> Floor, Columbus, Ohio 43215.

**Section 5.** That this Resolution is hereby DECLARED to be an EMERGENCY MEASURE necessary for the immediate preservation of the public peace, health, safety, and welfare of the citizens of the Village of Brewster and for the further reason that immediate action is necessary to notify the legislature of grave concerns the proposed measure will have in maintaining affordable public utility services to the Village residents / utility customers as well as the economic impact on the taxpayers of the Village of Brewster and all of the State of Ohio; and provided it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be if full force immediately upon its passage and approval by the Mayor. Otherwise it shall take effect and be in force from and after the earliest period allowed by law.

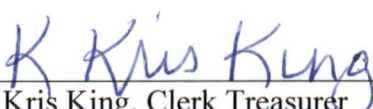
**Section 6.** That it is FOUND and DETERMINED that all formal actions of this Council concerning and relating to the adoption of this Ordinance were resolved in an open meeting of this Council and all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

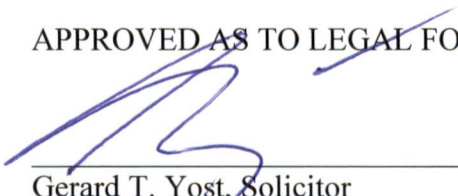
PASSED, this 2<sup>nd</sup> day of March, A.D., 2026

  
Charles Hawk, Mayor  
Village of Brewster

ATTEST:

APPROVED AS TO LEGAL FORM:

  
K. Kris King, Clerk Treasurer  
Village of Brewster

  
Gerard T. Yost, Solicitor  
Village of Brewster

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## CERTIFICATION

I, K. Kris King, hereby certify that the above is a true copy of a resolution passed at a regular meeting of the Brewster Village Council held on the 2nd day of March, 2026.

K. Kris King  
Clerk K. Kris King

I, K. Kris King, Clerk of the Council of the Village of Brewster, State of Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by Council as follows: Brewster Municipal Services, Brewster Barber Shop, Brewster Federal Credit Union, Brewster Post Office and Brewster Laundromat.

K. Kris King  
Clerk K. Kris King