

**NOTICE TO ATTORNEYS WHO PRACTICE IN MUNICIPAL COURT:**  
**THE JUDGES OF THE FRANKLIN COUNTY MUNICIPAL COURT HEREBY GIVE**  
**NOTICE OF THEIR INTENTION TO ADOPT LOCAL RULE 18 AS FOLLOWS:**

**Rule 18. Environmental Division Practice**

18.01 **Precedence of Rules.** All Rules of the Franklin County Municipal Court are applicable to the Environmental Division. To the extent that the provisions of Local Rule 18 may conflict with other Rules, the provisions of Local Rule 18 apply to cases under the jurisdiction of the Environmental Division.

18.02 **Scheduling.**

(A) To the extent practicable, the Court shall attempt to schedule matters involving identical parties and/or identical or similarly situated properties on the same date.

(B) While there may be exceptions due to the peculiarities of a given case, it is the intent of the Court that cases in which a permanent injunction is sought will be terminated within 180 days from the date of filing.

18.03 [Reserved]

18.04 **Motions.**

(A) A courtesy copy of each motion shall be provided to the Court in one or both of the following manners:

(1) By delivering a hard copy to an Environmental Division Bailiff or Judicial Secretary.

(2) By sending an electronic copy to an Environmental Division Magistrate, Bailiff and/or Judicial Secretary.

(B) The following motions may be considered ex parte:

(1) Amend a complaint;

(2) Add a party;

(3) Leave to file an answer or otherwise plead;

(4) File a third-party complaint;

(5) Withdraw as attorney of record (as set forth in Local Rule 3.02(A));

(6) Dismiss a party or an action, by stipulation;

(7) Close a case, by stipulation

(8) Any other motion, for good cause shown.

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(C) When a party makes a motion for leave to amend a complaint or to add a new party, the moving party shall serve a copy of the motion via one of the methods set forth in Civ.R. 5, including upon all new parties to be added.

**18.05 Procedure for hearings and trials.**

(A) Parties shall provide one copy of all exhibits to the Court Reporter and one copy of all exhibits to the Court.

(B) In cases brought under R.C. 3767.41 or similar provision of law, exhibits depicting an alleged violation of a local code provision or the abatement of a violation of a local code provision shall include citations to the local code provision alleged to be violated or abated.

**18.06 Procedure in cases brought pursuant to R.C. 3767.03.**

(A) Filing.

(1) Pursuant to R.C. 3767.03, an action brought pursuant to that provision shall be brought in equity in the name of the state, upon the relation of the individual or entity bringing the action, to seek abatement of nuisance activity and a permanent injunction enjoining the maintenance of that nuisance.

(2) Any claims brought pursuant to provisions of law other than R.C. 3767.03 shall be filed in a separate case.

(3) To the extent practicable, the Court shall attempt to schedule proceedings in cases related to R.C. 3767.03 cases involving the same parties or real properties on the same date, pursuant to Local Rule 18.02(A).

(B) Relator bond. If a case is brought pursuant to R.C. 3767.03 by a complainant other than the governmental officials listed in R.C. 3767.03, the complainant shall execute a bond pursuant to the provisions of R.C. 3767.03.

(C) Scheduling. To ensure compliance with the timing requirements of R.C. 3767.05, if a preliminary injunction (denoted as a “temporary injunction” in R.C. 3767) has been requested under R.C. 3767.04(B), the Court shall issue a Case Scheduling Order at the conclusion of the preliminary injunction hearing setting a date for the permanent injunction hearing and any other relevant dates. If no preliminary injunction has been requested in a case brought pursuant to R.C. 3767.03, the Court shall schedule a status conference and shall issue a Case Scheduling Order at the conclusion of the status conference setting a date for the permanent injunction hearing and any other relevant dates.

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- (D) Inventory. The inventory required by R.C. 3767.04 shall be returned to the Court by filing with the Clerk of Court and providing a courtesy copy in the manner specified in Local Rule 18.04(A).
- (E) Seeking delivery of real or personal property prior to issuance of permanent injunction. Individuals claiming to be owners of real or personal property and seeking to have that property delivered to them pursuant to R.C. 3767.04(C) shall make their appearance and claim pursuant to that statutory provision by filing a motion.
- (F) Seeking delivery of real property prior to issuance of permanent injunction. Owners of real property seeking to obtain a release pursuant to R.C. 3767.06 shall make their appearance and claim pursuant to that statutory provision by filing a motion.
- (F) Claiming personal property or contents after issuance of permanent injunction. Individuals seeking to claim unsold personal property or contents under R.C. 3767.06(B) shall make their appearance and claim pursuant to that statutory provision by filing a motion within the 10-day period specified in the statutory provision.

18.07 [Reserved]

18.08 Contempt procedures.

- (A) If a party seeks a stay of previously-imposed contempt fines, the party shall make the request by filing a written motion.
- (B) If a party seeks to reimpose stayed contempt fines, the party shall make the request by filing a written motion.

18.09 Reopening.

- (A) Motions to reopen a case shall be served pursuant to Civ.R. 4.
- (B) If, in moving to reopen a case, a party seeks to have the Court hold another party in contempt of a previous order, the moving party shall file a written contempt motion.