CHAPTER 1 INTRODUCTION AND HISTORY OF THE COUNTY

- § 1:1 History and overview of the law of counties in Ohio
- § 1:2 County officers
- § 1:3 —County commissioners
- § 1:4 —County auditor
- § 1:5 —County treasurer
- § 1:6 —Coroner
- § 1:7 —Prosecuting attorney
- § 1:8 —Sheriff
- § 1:9 —Clerk of courts
- § 1:10 —County recorder
- § 1:11 —County engineer
- § 1:12 Additional areas of county influence

CHAPTER 2 COUNTY ORGANIZATION GENERALLY AND ALTERNATIVE FORMS OF COUNTY GOVERNMENT

- § 2:1 County organization—Generally
- § 2:2 Creation of a new county—Change of location of a county seat
- § 2:3 Division of funds
- § 2:4 Creation of certain commissions, departments or agencies for public service, health and parks
- § 2:5 County credit cards—Procurement cards
- § 2:6 Payment of expenses owed to the county by financial transaction devices
- § 2:7 Alternative form of county government—Generally
- § 2:8 —Adoption procedure
- § 2:9 —County commissioners—Election—Qualification and terms
- § 2:10 —Rules, operation, powers and duties of the board
- § 2:11 —General powers and duties of the county executive
- § 2:12 —Elective county executive
- § 2:13 —Appointive county executive
- § 2:14 —County departments

CHAPTER 3 COUNTY COMMISSIONERS

- § 3:1 Term, qualification and bond
- § 3:2 Organization, powers and duties—Generally

- § 3:3 —Clerk of the board
- § 3:4 —County administrator
- § 3:5 —Employment of outside professionals
- § 3:6 —Establishment of necessary boards and departments
- § 3:7 —County employee and officer insurance
- § 3:8 Liability of the board—Claims by the county
- § 3:9 Provision of county facilities

CHAPTER 4 PROSECUTING ATTORNEY

- § 4:1 Duties and responsibilities
- § 4:2 Election, qualifications, oath and bond
- § 4:3 Additional duties and responsibilities—Protection of public funds
- § 4:4 —Prosecutions for injuries to timber
- § 4:5 —Annual reports
- § 4:6 —Reclamation of decedents' property
- § 4:7 —Notification of victims upon escape of violent offender
- § 4:8 —Certification of official bonds
- § 4:9 Rewards in drug-related cases
- § 4:10 Assistants, secret service officers and other counsel
- § 4:11 Removal from office

CHAPTER 5 COUNTY SHERIFF

- § 5:1 Term of office, qualifications and bond
- § 5:2 Duties and responsibilities
- § 5:3 Appointment of deputies and others
- § 5:4 Additional duties and responsibilities
- § 5:5 Fees and expenditures

CHAPTER 6 CORONER

- § 6:1 Term of office, qualifications and bond
- § 6:2 General duties and responsibilities
- § 6:3 Appointment of deputies and others
- § 6:4 Additional duties and responsibilities

CHAPTER 7 COUNTY ENGINEER

- § 7:1 Term of office, qualifications and bond
- § 7:2 General duties and responsibilities
- § 7:3 Appointment of deputies and others

CHAPTER 8 COUNTY RECORDER

- § 8:1 Term of office, qualifications and bond
- § 8:2 General duties and responsibilities—Duty to record
- § 8:3 —Types of records to be maintained
- § 8:4 —Reverse indexes
- § 8:5 —Daily registers

- § 8:6 —Notice index
- § 8:7 —Formal requirements for recordation
- § 8:8 —Land registration law
- § 8:9 Appointment of deputies and others

CHAPTER 9 COUNTY AUDITOR

- § 9:1 Term of office, qualifications and bond
- § 9:2 —Continuing education
- § 9:3 General duties and responsibilities—Creation of general tax list and duplicate
- § 9:4 —Settlement for real and public utility property taxes and delinquencies
- § 9:5 —Record of moneys
- § 9:6 —Accurate account current
- § 9:7 —Warrants on county treasury
- § 9:8 —Determination of levy
- § 9:9 —Preparation of financial reports
- § 9:10 —Transfer of real property and apportionment of taxes
- § 9:11 —Tax suspension list
- § 9:12 —Miscellaneous duties
- § 9:13 Appointment of deputies and others
- § 9:14 Removal

CHAPTER 10 COUNTY TREASURER

- § 10:1 Term of office, qualifications and bond
- § 10:2 General duties and responsibilities—Keeping accounts
- § 10:3 —Inspection of books
- § 10:4 —Receipt of money
- § 10:5 —Payments from the treasury
- § 10:6 —Settlement with auditor and property tax reduction
- § 10:7 —Payments to political subdivisions
- § 10:8 Treasurer's fees
- § 10:9 Delinquent tax and assessment collection fund
- § 10:10 Examination of books by taxpayers
- § 10:11 Post office box and contract with financial institution
- § 10:12 Appointment of deputies and others—Location of office
- § 10:13 Removal
- § 10:14 Continuing education
- § 10:15 Miscellaneous matters

CHAPTER 11 COUNTY BOARDS OF ELECTION

- § 11:1 Selection
- § 11:2 Organization of the board
- § 11:3 Duties
- § 11:4 Compensation

CHAPTER 12 CLERK OF COURTS

- § 12:1 Qualifications, term and bond
- § 12:2 General powers and duties—Filings
- § 12:3 —Maintenance of court dockets
- § 12:4 —Additional duties
- § 12:5 —Collection of fees
- § 12:6 —Deputies
- § 12:7 —Immunity

CHAPTER 13 BUDGET, PROPERTY TAXATION AND COLLECTION

- § 13:1 Budget
- § 13:2 Property taxation and collection
- § 13:3 —Unvoted millage—Indirect and direct debt limits
- § 13:4 —Voted millage
- § 13:5 —Reduction factor (H.B. 920)
- § 13:6 —Notice of taxes and attachment of lien
- § 13:7 —Payment of taxes
- § 13:8 —Tax bills
- § 13:9 —Failure to pay when due—Penalties and interest
- § 13:10 —Payment arrangements for delinquent taxes

CHAPTER 14 DEPOSITS AND INVESTMENTS OF PUBLIC MONEYS

- § 14:1 Deposits and investments of public moneys—Generally
- § 14:2 Active and inactive moneys
- § 14:3 Eligible public depositories
- § 14:4 Designation of depositories for active moneys
- § 14:5 County investment advisory committee
- § 14:6 Deposit and investment of inactive moneys—Permitted investments
- § 14:7 —Prohibited investments
- § 14:8 County investment policies and procedures
- § 14:9 Reserves
- § 14:10 Interest on public deposits and payment of public moneys
- § 14:11 Maturity and sale of public deposits and investments
- § 14:12 Security for repayment of county public deposits
- § 14:13 Conflict of interest and liability exemptions

CHAPTER 15 BORROWING

- § 15:1 Introduction
- § 15:2 Basic borrowing terms
- § 15:3 Permanent improvement levies
- § 15:4 Unvoted bonds
- § 15:5 Voted bonds

TABLE OF CONTENTS

- § 15:6 Debt limitations applicable to the voted bonds
- § 15:7 Bonds for special purposes
- § 15:8 Federal securities law
- § 15:9 Federal tax law

CHAPTER 16 COUNTY ASSESSMENTS

- § 16:1 County assessments—Generally
- § 16:2 Ditch assessments—Ditch improvements defined
- § 16:3 —Filing of a petition
- § 16:4 —Posting of bond
- § 16:5 —Viewing date and notice
- § 16:6 —Filing of reports, plans, and schedules by the county engineer
- § 16:7 —Notice of the final hearing date
- § 16:8 —Final hearing
- § 16:9 Appeals
- § 16:10 —Levying of assessments
- § 16:11 —Issuance of bonds
- § 16:12 Road assessments—Road improvement defined
- § 16:13 —Filing of the petition
- § 16:14 —Viewing and approval of the road improvement
- § 16:15 —Computation of the assessments
- § 16:16 —Levying of the assessments
- § 16:17 Sewer and water assessments—Generally
- § 16:18 —Initiating the assessment
- § 16:19 —Adoption of resolution of necessity
- § 16:20 —Resolution to proceed
- § 16:21 —Filing of appeals
- § 16:22 —Certification of the assessments
- § 16:23 —Issuance of bonds or notes
- § 16:24 —Petitioned assessments

CHAPTER 17 TAX INCREMENT FINANCING

- § 17:1 Authority and jurisdiction
- § 17:2 Property tax exemption and service payments in lieu of taxes
- § 17:3 Procedure for implementing a TIF—TIF resolution
- § 17:4 —School district notice and consent requirements
- § 17:5 —Filing with ohio department of development
- § 17:6 —Requirement to make service payments in lieu of taxes
- § 17:7 —Exemption application
- § 17:8 Incentive districts
- § 17:9 Redevelopment tax equivalent fund
- § 17:10 Debt issued to finance public infrastructure improvements
- § 17:11 Compensation payments to other affected taxing authorities
- § 17:12 Nondiscriminatory hiring practices
- § 17:13 Annual reports and the tax incentive review council

CHAPTER 18 COUNTY ROADS AND HIGHWAYS

§ 18:1 Establishment of county roads § 18:2 Procedure for establishing, altering, or vacating road—Action by board of county commissioners § 18:3 —Action by joint board of county commissioners § 18:4 —Action by landowners —Action by state department of transportation § 18:5 Dedication of land for county roads § 18:6 § 18:7 Rights-of-way § 18:8 Improvement of county roads—Improvement initiated by board of county commissioners § 18:9 —Improvement initiated by petitioners § 18:10 —Improvement initiated by joint board of county commissioners § 18:11 Financing road improvements § 18:12 —County maintenance and repair fund § 18:13 —Tax levies § 18:14 -Contracts

CHAPTER 19 TRUSTEES OF THE SINKING FUND

§ 19:1 Trustees of the sinking fund—Generally

County highway system

§ 19:2 Duties and responsibilities

§ 18:15

- § 19:3 Drawing and paying moneys
- § 19:4 Abolishment of sinking fund

CHAPTER 20 COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES

- § 20:1 County department of job and family services—Generally
- § 20:2 Director's term of office, duties, and powers
- § 20:3 Employment matters
- § 20:4 General duties and responsibilities
- § 20:5 County planning committees and Ohio Works First ombudspersons

CHAPTER 21 COUNTY HOSPITALS

- § 21:1 County hospitals—Generally
- § 21:2 Management and control of hospital facilities—Board of county hospital trustees
- § 21:3 Powers and duties of board of county hospital trustees—Generally
- § 21:4 —Investment of funds
- § 21:5 —Construction and hospital expansion
- § 21:6 —Finances

§ 21:7	—Employment matters
§ 21:8	—Employees' fringe benefits
§ 21:9	—Hospital administration
§ 21:10	County hospital commissions—Generally
§ 21:11	—Bond financing
8 21.12	Location outside of county

CHAPTER 22 BOARD OF ALCOHOL, DRUG ADDICTION AND MENTAL HEALTH SERVICES

§	22:1	Introduction
§	22:2	Membership
§	22:3	Term, length and reappointment
§	22:4	Removal of members
§	22:5	Meetings
§	22:6	Powers and duties of the board—Generally
§	22:7	—Contracting
§	22:8	Powers and duties of the board—Requirements related to abuse and neglect
§	22:9	—Employment—Executive director
§	22:10	Legal advice and representation

CHAPTER 23 COUNTY JAILS

§	23:1	Administration
§	23:2	Minimum Jail Standards and rules of conduct
§	23:3	Jail staffing—Duties of the sheriff
§	23:4	—Other personnel
§	23:5	The design of the jail
§	23:6	Limitations on the confinement of minors
§	23:7	Confinement of federal or state prisoners in a county jail
§	23:8	Contracts for food, medical, and other services and cooks
§	23:9	Medical testing and treatment
§	23:10	Reimbursement for costs
§	23:11	Religious services
§	23:12	Jail commissary
§	23:13	Prisoner access to certain exercise equipment and fighting skills
		programs
§	23:14	Prisoner access to the internet
§	23:15	Use of other jails—Jails belonging to other counties
§	23:16	—Municipal jails and workhouses
§	23:17	—Privatized jails
§	23:18	—Rehabilitation work camps
8	23.19	—Minimum security iails

CHAPTER 24 MEMORIAL BUILDINGS, COUNTY FACILITIES REVIEW BOARD, AND COUNTY WORKFORCE DEVELOPMENT SYSTEM

§	24:1	County memorial buildings
§	24:2	Board of trustees
§	24:3	—Composition of the board of trustees
§	24:4	—Duties of the board of trustees
§	24:5	-Employment of professionals and laborers
§	24:6	Financing the county soldiers' memorial
§	24:7	—The Memorial Fund
§	24:8	County facilities review board
§	24:9	County facilities review board membership
§	24:10	—Duties of the board
§	24:11	Workforce development system

CHAPTER 25 COUNTY TRANSIT SYSTEMS AND REGIONAL TRANSIT AUTHORITIES

§	25:1	Introduction
§	25:2	County transit systems
§	25:3	Regional transit authorities—Generally
§	25:4	—Creation of a regional transit authority
§	25:5	Board of trustees of a regional transit authority
§	25:6	Powers of the board of trustees
§	25:7	—Contracts of the regional transit authority
§	25:8	—Insurance
§	25:9	—Property acquisition
§	25:10	—Taxation of a regional transit authority

CHAPTER 26 AIRPORT AUTHORITIES

§ 26:1 Creation of airport authority
§ 26:2 Board of trustees
§ 26:3 —Duties and authority
§ 26:4 —Exercise of eminent domain authority
§ 26:5 —Operation of airport authority
§ 26:6 Financing

CHAPTER 27 PORT AUTHORITIES

§ 27:1 Statutory scheme— "Old" and "new" ports
§ 27:2 Creation by municipal corporation, township or county
§ 27:3 —Appropriation—Dissolution
§ 27:4 Board of directors—Membership
§ 27:5 —Civil immunity of directors
§ 27:6 Board of directors— Membership—Sovereign immunity of port authority

§	27:7	Board of directors—Membership—Employees—Advisory
		board—Special police officers
§	27:8	Jurisdiction
§	27:9	Powers and duties of port authorities
§	27:10	Confidentiality of information
§	27:11	Bidding and contract procedure
§	27:12	—Prevailing wages
§	27:13	—Conveyance or exchange of property
§	27:14	Rents and charges—Surplus
§	27:15	Tax levy—Anticipatory notes
§	27:16	Restriction on the powers of municipal corporations and counties
§	27:17	Contracts and arrangements—Acquisition of property
§	27:18	Power to act on behalf of county or other subdivisions
§	27:19	Tax exemption for port authority property
§	27:20	Application of provisions applying to old ports, or operation
		under new ports provisions
§	27:21	New port agreements with governmental agencies—Other new
		port provisions

CHAPTER 28 SOLID WASTE MANAGEMENT DISTRICTS

§	28:1	Creation of a solid waste management district
§	28:2	Creation of a solid waste management district—Withdrawal from or dissolution of joint solid waste management district
§	28:3	Solid waste management plan
§	28:4	Solid waste management district board—Generally
§	28:5	—Financing improvements
§	28:6	—Assignment of rates and charges
§	28:7	Personnel
§	28:8	Personnel employment of professionals
§	28:9	Solid waste management district facilities
§	28:10	Regional solid waste authority
§	28:11	—Board of trustees of a regional solid waste authority

CHAPTER 29 NEW COMMUNITY DISTRICTS

§	29:1	New community districts—Generally
§	29:2	Creating new community districts—Dissolution
§	29:3	Board of trustees
§	29:4	Powers and authority
§	29:5	Financing improvements

CHAPTER 30 CONVENTION FACILITIES AUTHORITY

§ ;	30:1	Creation and dissolution of a convention facilities
		authority—Generally
8 3	30:2	Powers and authority—General powers

§	30:3	—Land acquisition
§	30:4	—Cooperation with governmental agencies
§	30:5	—Lease, sale or encumbrance of facility
§	30:6	—Collection of rentals and user fees
§	30:7	—Tax exemptions
§	30:8	Board of directors—Appointment and qualification of board of directors
§	30:9	—Term of office and quorum
§	30:10	General duties and responsibilities—Preservation of journal and records
§	30:11	—Employment matters
§	30:12	—Issuance of bonds and notes
§	30:13	—Levy of taxes
§	30:14	—Investment of moneys
	1 T A TOD	

CHAPTER 31 BOARD OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

§	31:1	Membership
§	31:2	Term length and reappointment
§	31:3	Removal of members
§	31:4	Meetings
§	31:5	Powers and duties of the board—Generally
§	31:6	—Contracting
§	31:7	—Participation in regional councils of governments
§	31:8	—Requirements related to abuse, neglect and other major
		unusual incidents
§	31:9	Employment—Superintendent
§	31:10	—Service and support administrators
§	31:11	—Service, professional, and management employees
§	31:12	—Other employees and volunteers
§	31:13	—Certification, licensing, and registration—Background checks
§	31:14	Legal advice and representation
§	31:15	Rights of individuals served by county boards

CHAPTER 32 COUNTY LIBRARIES § 32:1 County libraries—Generally

8	32:1	County libraries—Generally
§	32:2	Creation of county district library
§	32:3	Enlargement of county district library
§	32:4	Consolidation of county district library
§	32:5	Members of the library board of trustees—Appointment of trustees for county library
§	32:6	—Appointment of trustees for county district library
§	32:7	Authorize library to receive an allocation of county's inside millage
§	32:8	The library budget—Review budget request

§	32:9	—LLGSF distribution
§	32:10	Submission of tax levy to vote of the electorate—Purposes of levy
§	32:11	—Procedure for levy submission
§	32:12	Submission of bond issue to the vote of the electorate—Financing
		library permanent improvements
§	32:13	—Procedure for bond approval

CHAPTER 33 ZONING

§	33:1	Authority for county rural zoning regulations	
§	33:2	Planned-unit developments	
§	33:3	County rural zoning commission	
§	33:4	Recommendations of the county rural zoning commission	
§	33:5	Zoning amendments	
§	33:6	Hearing on amendments—Notice—Referendum	
§	33:7	Inspection and certificates—Zoning inspector	
§	33:8	—Zoning certificates	
§	33:9	Exceptions to county rural zoning power	
§	33:10	Enforcement	
§	33:11	Board of zoning appeals	
§	33:12	Limitation on actions	
§	33:13	County regulations and municipal territory	
§	33:14	Township zoning regulations take precedence	
§	33:15	Township repeal of county zoning plan	
A	Appendix A List of Ohio Counties—Origin		

Table of Laws and Rules

Table of Cases

Index

Volume 1

D		T
$\boldsymbol{\mathcal{P}}$	2 PT	
_	a = c	_

r	Г	Δ	v	4
		•	×	

A MUNICIPAL ORGANIZATION AND ADMINISTRATION

Chapter 1

Nature, Authority, and Classification

I. IN GENERAL

\$ 1:1	Definition	of municipal	corporation

- § 1:2 Political subdivision, body politic and corporate
- § 1:3 Creation under authority of state with consent of inhabitants
- § 1:4 Inhabitants and territory
- § 1:5 Municipal corporation not a limited purpose corporation
- § 1:6 Name, seal
- § 1:7 Plan of government
- § 1:8 Municipal corporation as "person"
- § 1:9 De facto existence

II. HOME RULE AUTHORITY

- § 1:10 Powers of local self-government
- § 1:11 Common-law concept of municipal corporation no longer valid in Ohio
- § 1:12 Ohio home rule defined
- § 1:13 Home rule and state and federal powers

III. MUNICIPALITIES AND OTHER POLITICAL SUBDIVISIONS

- § 1:14 Powers of other political subdivisions
- § 1:15 Exercise of municipal powers by charter county
- § 1:16 Meaning of "municipal" and "municipality"

IV. CITIES AND VILLAGES

- § 1:17 Classification of municipalities
- § 1:18 Manner of classification

- § 1:19 Transition from village to city and vice versa
- § 1:20 Effect of transition on form of government
- § 1:21 Officials of municipality undergoing status change
- § 1:22 Judicial notice of status of municipal corporations

Chapter 2

Creation, Alteration, and Dissolution

I. INCORPORATION

- § 2:1 Legislative control over incorporation
- § 2:2 Petition for incorporation
- § 2:3 Maps and description to be accurate
- § 2:4 Incorporation of territory within three miles of existing municipal corporation
- § 2:5 Incorporation of territory including military bases
- § 2:6 Notice and hearing by county commissioners, order of incorporation
- § 2:7 Recording transcript, filing with secretary of state, effective date of incorporation
- § 2:8 Court action to challenge incorporation, collateral attack
- § 2:9 First election of officers, term
- § 2:10 Procedure for incorporation of territory in two or more counties
- § 2:11 Judicial notice of existence of village created from township
- § 2:12 Effect of error, irregularity, or procedural defect in incorporation

II. CHANGE OF NAME

§ 2:13 Proceedings to change name of municipality

III. BOUNDARIES

- § 2:14 Municipal boundaries not subject to home rule powers
- § 2:15 Municipal and township boundaries
- § 2:16 Change of municipal boundaries
- § 2:17 Adjustment of boundaries

IV. ANNEXATION IN GENERAL

- § 2:18 Annexation not subject to home rule powers
- § 2:19 Statutory methods of annexation
- § 2:20 Annexation of territory including military bases

V. ANNEXATION ON PETITION OF LANDOWNERS

- § 2:21 Annexation of adjacent unincorporated territory upon application of inhabitants
- § 2:22 Petition of owners for annexation

- § 2:23 Presentation of petition to county commissioners
- § 2:24 Post-filing procedures
- § 2:25 Hearing
- § 2:26 Findings required for approving annexation
- § 2:27 Time within which county commissioners must act on petition
- § 2:28 Proceedings following approval or denial of annexation
- § 2:29 Appeal from grant or denial of petition
- § 2:30 Effective date of annexation
- § 2:31 Apportionment of debts
- § 2:32 Venue of proceedings when territory to be annexed situated in more than one county

VI. ANNEXATION ON PETITION OF MUNICIPALITY

- § 2:33 Annexation of contiguous territory on application of municipal corporation
- § 2:34 Procedure
- § 2:35 Effect of annexation
- § 2:36 Effect of error, irregularity, or defect in proceedings

VII. MERGER OF MUNICIPALITIES

- § 2:37 Statutory methods provided for merger
- § 2:38 Merger under RC 709.22 to RC 709.34
- § 2:39 Merger under RC 709.43 to RC 709.47
- § 2:40 Effect of merger

VIII. MERGER OF MUNICIPALITY AND ADJACENT TOWNSHIP

§ 2:41 Procedure to merge township with municipality

IX. DETACHMENT OF TERRITORY

- § 2:42 Methods for detachment of territory
- § 2:43 Detachment upon petition to county commissioners
- § 2:44 Detachment by election
- § 2:45 Detachment by petition to common pleas court
- § 2:46 Apportionment of property, funds, and indebtedness

X. DISSOLUTION

- § 2:47 Voluntary surrender of corporate powers
- § 2:48 Involuntary surrender of corporate powers
- § 2:49 Effect of surrender of corporate powers

Chapter 3

Powers and Functions

I. MUNICIPAL POWERS GENERALLY

Ş	3:1	Constitutional	grant	of power
8	0.1	Constitutional	gram	or bowe

- § 3:2 Powers of charter and noncharter municipalities
- § 3:3 Exercise of powers
- § 3:4 Delegation of powers

II. LIMITATIONS ON POWERS

- § 3:5 Constitutional limitations generally
- § 3:6 Local affairs and matters of statewide concern
- § 3:7 Conflict with general laws
- § 3:8 Limitations on spending, taxation, and debts

III. POLICE POWER

- § 3:9 Police power generally
- § 3:10 State and municipal interests with respect to police power
- § 3:11 Power to define criminal offenses
- § 3:12 Health and sanitation
- § 3:13 Fire and police protection

IV. MUNICIPAL FINANCES

§ 3:14 Power to tax and spend and to incur debts

V. POWERS WITH RESPECT TO PROPERTY

- § 3:15 Eminent domain
- § 3:16 Power to acquire, hold, and dispose of property

VI. MISCELLANEOUS POWERS AND FUNCTIONS

- § 3:17 Municipal civil service
- § 3:18 Election of municipal officials
- § 3:19 Municipal census
- § 3:20 Municipalities not authorized to create or regulate courts
- § 3:21 Governmental and proprietary functions
- § 3:22 Publication of informational materials

Chapter 4

Plans of Government

§ 4:1 Plans for the organization of municipal government

§ 4:2 Methods of adopting or changing plan of government

I. GENERAL STATUTORY PLAN FOR CITIES

- § 4:3 General plan for cities, executive and legislative departments
- § 4:4 City council, organization, authority
- § 4:5 Division of city into wards, redistricting
- § 4:6 President of council
- § 4:7 City executive officers
- § 4:8 Board of control
- § 4:9 City income tax administrator and board of income tax appeals

II. GENERAL STATUTORY PLAN FOR VILLAGES

- § 4:10 General plan for villages
- § 4:11 Village council
- § 4:12 Village executive officers
- § 4:13 Village administrator
- § 4:14 Village income tax administrator and board of income tax appeals

III. OPTIONAL STATUTORY PLANS FOR CITIES AND VILLAGES

- § 4:15 Adoption of optional statutory plan, effect
- § 4:16 Commission plan
- § 4:17 City manager plan
- § 4:18 Federal plan

IV. PROVISIONS COMMON TO ALL OPTIONAL STATUTORY PLANS

- § 4:19 Auditor, duties
- § 4:20 Treasurer, duties
- § 4:21 Clerk, duties
- § 4:22 City law director or village solicitor, duties
- § 4:23 Income tax administrator and board of income tax appeals
- § 4:24 Qualifications of members of legislative authority
- § 4:25 Chairman of legislative authority
- § 4:26 Legislative procedure
- § 4:27 Fiscal procedures
- § 4:28 Officers and employees
- § 4:29 Civil service commission in cities
- § 4:30 Annual report of municipality
- § 4:31 Abandonment of optional statutory plan

V. CHARTER GOVERNMENT

- § 4:32 Organization of municipal government under home rule charter
- § 4:33 Constitutional authority to adopt charter

- § 4:34 Key characteristics of home rule charter
- § 4:35 Factors in choosing to adopt charter
- § 4:36 Initiating charter adoption procedure
- § 4:37 Duties of charter commission, framing charter
- § 4:38 Submission of proposed charter to electors
- § 4:39 Interpretation of charter
- § 4:40 Amendment of charter
- § 4:41 Abandonment of charter

VI. ORGANIZATIONAL CHARTS

§ 4:42 Organizational charts for various plans of municipal government

Chapter 5

Municipal Legislative Authority

I. COMPOSITION, MEMBERSHIP, AND ELECTION

- § 5:1 Municipal legislative authority, in general
- § 5:2 Composition of municipal legislative authority
- § 5:3 Establishment of wards
- § 5:4 Elections
- § 5:5 Qualifications of members
- § 5:6 Legislative authority as judge of election and qualifications of its members
- § 5:7 Vacancies
- § 5:8 Organization of municipal legislative authority

II. POWERS, DUTIES, AND LIABILITIES

- § 5:9 Powers of municipal legislative authority
- § 5:10 Unlawful self-imposed limitations
- § 5:11 Conflicts of interest
- § 5:12 Personal liability, immunity
- § 5:13 Criminal liability
- § 5:14 Changes in compensation during term

III. PROCEEDINGS

- § 5:15 Application of common law to proceedings
- § 5:16 Quorum: Majority and plurality
- § 5:17 Rules of procedure
- § 5:18 Regular and special meetings of legislative authority
- § 5:19 Adjournment to later date
- § 5:20 Voting requirements and procedures
- § 5:21 Refusal to vote is acquiescence in result
- § 5:22 Tie vote

8	5:23	Change of vote
_		8
§	5:24	Vote requirement for emergency legislation
§	5:25	Standing and special committees
§	5:26	Committee of the whole
§	5:27	Reconsideration of legislation
§	5:28	Record of proceedings
§	5:29	Judicial review of legislative action
§	5:30	Rules of order governing the council of the city

Chapter 6

Open Meetings and Public Records

I. OPEN MEETING LAW

§ 6:1	Requirement for open meetings
§ 6:2	Definitions of "public body" and "meeting"
§ 6:3	Committees of public bodies
§ 6:4	Statutory exceptions to open meeting law
§ 6:5	Executive sessions
§ 6:6	Notice requirements
§ 6:7	Effect of violations, remedies
§ 6:8	Effect of RC 121.22 on charter and noncharter municipalities

II. ACCESS TO PUBLIC RECORDS

§ 6:9	Requirement for access to public records
§ 6:10	Definitions
§ 6:11	General rule of disclosure
§ 6:12	Exceptions to general rule
§ 6:13	Medical records exception
§ 6:14	Trial preparation records exception
§ 6:15	Confidential police investigations exception
§ 6:16	Peace officer, firefighter or EMT residential and familia information
§ 6:17	Exception where confidentiality required by other laws
§ 6:18	Remedies

Chapter 7

Municipal Legislation

I. IN GENERAL

§ 7:1	Municipal legislative action in general
§ 7:2	Ordinances, resolutions, and motions
§ 7:3	Ordinance as law

- § 7:4 Public and private laws
- § 7:5 Obedience of legislative body to own ordinances

II. ENACTMENT OF LEGISLATION

- § 7:6 Compliance with statutory or charter requirements
- § 7:7 Introduction of legislation
- § 7:8 Single subject, incorporation by reference
- § 7:9 Three readings, voting
- § 7:10 Emergency measures
- § 7:11 Approval or veto by mayor
- § 7:12 Authentication and filing
- § 7:13 Publication
- § 7:14 Repeal
- § 7:15 Codification

III. VALIDITY OF MUNICIPAL LEGISLATION

- § 7:16 Requirements for validity
- § 7:17 Presumption of validity
- § 7:18 Constitutionality
- § 7:19 Requirement of definiteness
- § 7:20 Requirement of reasonableness
- § 7:21 Classification and equal protection of the laws
- § 7:22 Retrospective legislation
- § 7:23 Effect of partial invalidity
- § 7:24 Curing defect

IV. CONSTRUCTION

- § 7:25 Rules of construction
- § 7:26 When strict construction required

V. ENFORCEMENT

- § 7:27 Penal sanctions for violation of municipal ordinances
- § 7:28 Injunction against violation of municipal ordinances

VI. INITIATIVE AND REFERENDUM

- § 7:29 Constitutional right of initiative and referendum
- § 7:30 Self-executing and non-self-executing constitutional provisions
- § 7:31 Statutory and charter provisions
- § 7:32 Scope of right of initiative and referendum
- § 7:33 Statutory procedure for exercising right

VII. INITIATIVE PETITION

§ 7:34 Signatures

- § 7:35 Statement of circulator
 § 7:36 Filing
 § 7:37 Certification and submission to referendum
- § 7:38 Effect of irregularities on election
- § 7.56 Effect of fregularities of election
- § 7:39 Adoption and effective date of initiated ordinances

Chapter 8

Municipal Offices and Administrative Agencies

§ 8:1 Executive power, where reposed

I. CHIEF EXECUTIVE

- § 8:2 Powers and duties of mayor
- § 8:3 Removal of mayor from office
- § 8:4 Acting mayor, vacancy in office of mayor
- § 8:5 City manager

II. AUDITOR

- § 8:6 City auditor
- § 8:7 Duties of city auditor
- § 8:8 Auditor in optional plan municipalities

III. TREASURER

- § 8:9 City treasurer
- § 8:10 Duties of city treasurer
- § 8:11 Village treasurer

IV. CLERK

- § 8:12 Village clerk
- § 8:13 Duties of village clerk
- § 8:14 Clerk of council

V. LEGAL COUNSEL

- § 8:15 Law director or village solicitor
- § 8:16 Duties of law director
- § 8:17 City director of law as legal advisor to city school district
- § 8:18 Taxpayer's action

VI. BOARD OF CONTROL

- § 8:19 Board of control
- § 8:20 Duties of board of control

VII. BOARD OF PUBLIC AFFAIRS, VILLAGE ADMINISTRATOR

- § 8:21 Board of trustees of public affairs, village administrator
- § 8:22 Duties of village board of public affairs and village administrator

VIII. PUBLIC SAFETY

- § 8:23 Safety forces
- § 8:24 Department of public safety
- § 8:25 Director of public safety, duties
- § 8:26 Members of safety forces as public officers, civil service
- § 8:27 Police department
- § 8:28 Village police force, marshal
- § 8:29 Police personnel
- § 8:30 Assignment of police officers, work hours, pay
- § 8:31 Arrest powers
- § 8:32 Personal liability of police officers
- § 8:33 Property recovered by police
- § 8:34 Fire department
- § 8:35 Fire equipment
- § 8:36 Investigation of fires
- § 8:37 Hours of work for firemen, platoon system
- § 8:38 Fireman's assumption of risk
- § 8:39 Police and fire pension and related funds
- § 8:40 Police and firemen's disability and pension fund
- § 8:41 Checklist of major police and fire pension provisions

IX. HEALTH ADMINISTRATION

- § 8:42 State and municipal powers in health administration
- § 8:43 City and general health districts
- § 8:44 Board of health

X. PUBLIC SERVICE

- § 8:45 Public service department, director
- § 8:46 Duties of director of public service
- § 8:47 Street commissioner

XI. OTHER OFFICES AND AGENCIES

- § 8:48 Authority to create offices
- § 8:49 Village administrator
- § 8:50 Civil service commission
- § 8:51 Planning commission
- § 8:52 Board of park commissioners, recreation board, park trustees
- § 8:53 Board of hospital commissioners
- § 8:54 Board of cemetery trustees

- § 8:55 City records commission
- § 8:56 Income tax administrator, board of income tax appeals
- § 8:57 Other boards and commissions

Chapter 9

Public Officials

I. CHARACTERISTICS OF PUBLIC OFFICE

- § 9:1 Nature of public office, in general
- § 9:2 Public office as privilege, no property right in public office
- § 9:3 Right to refuse office
- § 9:4 Municipal officers
- § 9:5 Public office distinguished from public employment

II. ELIGIBILITY, APPOINTMENT, AND QUALIFICATION

- § 9:6 Eligibility for public office
- § 9:7 Multiple offices, compatible and incompatible offices
- § 9:8 Appointment or election
- § 9:9 Qualification for office
- § 9:10 Oath of office
- § 9:11 Official bond
- § 9:12 Certifying qualification to court of common pleas
- § 9:13 De facto officers

III. RESIGNATION AND REMOVAL

- § 9:14 Resignation
- § 9:15 Forfeiture of office
- § 9:16 Removal from office
- § 9:17 Recall of elected officer
- § 9:18 Revocation of appointment, abolition of office

IV. COMPENSATION

- § 9:19 Compensation
- § 9:20 Increase or decrease in compensation

V. PERFORMANCE OF DUTIES, LIABILITY

- § 9:21 Presumption of proper performance
- § 9:22 Personal liability of public officer

VI. ETHICS REQUIREMENTS FOR PUBLIC OFFICERS AND EMPLOYEES

§ 9:23 Financial disclosure

- § 9:24 Conflict of interest
- § 9:25 Improper interest in public contract
- § 9:26 Unauthorized compensation
- § 9:27 Advisory opinions on ethics questions

Chapter 10

Civil Service

I. IN GENERAL

- § 10:1 Definition of "civil service"
- § 10:2 Constitutional basis of civil service, purpose
- § 10:3 Construction of civil service laws
- § 10:4 Ohio Civil Service Act, application
- § 10:5 Municipal civil service commission

II. CLASSIFIED AND UNCLASSIFIED CIVIL SERVICE

- § 10:6 Classified and unclassified civil service
- § 10:7 Competitive class
- § 10:8 Unskilled labor class

III. APPOINTMENTS TO CIVIL SERVICE POSITIONS

- § 10:9 Competitive examinations
- § 10:10 Eligible lists
- § 10:11 Appointments in classified service
- § 10:12 Veteran preference in original appointments
- § 10:13 Residence requirement
- § 10:14 Discretion of appointing authority
- § 10:15 Probationary period
- § 10:16 Emergency appointments

IV. COMPENSATION AND FRINGE BENEFITS

- § 10:17 Compensation of employees
- § 10:18 Leave
- § 10:19 Workers' compensation, unemployment compensation
- § 10:20 Pensions and retirement

V. PROMOTION, TRANSFER, REINSTATEMENT

- § 10:21 Promotions in classified service
- § 10:22 Transfers and reclassifications in classified service
- § 10:23 Reinstatement in classified service

VI. TENURE, PERSONNEL ACTIONS

§ 10:24 Tenure

§	10:25	Layoff procedures
8	10:26	Disciplinary actions

VII. POLICE AND FIRE CIVIL SERVICE

§ 10:27	Police and fire civil service, special provisions
§ 10:28	Original police and fire appointments in noncharter
	municipalities
§ 10:29	Police and fire promotions in noncharter municipalities
§ 10:30	Disciplinary actions

VIII. PROHIBITED ACTIVITIES, ETHICS

§ 10:31	Political activity
§ 10:32	Payment for appointment or promotion
§ 10:33	Abuse of office
§ 10:34	Fraud in civil service examinations
§ 10:35	Violation of Civil Service Act and rules
§ 10:36	Un-american activities
§ 10:37	Applicability of ohio ethics law

Chapter 11

Labor Relations

I. BACKGROUND OF PUBLIC SECTOR COLLECTIVE BARGAINING

§ 11:1	Introduction
§ 11:2	Public sector collective bargaining prior to April 1984
§ 11:3	Ohio Public Employees Collective Bargaining Act

II. DEFINITIONS, COVERAGE

§	11:4	Public employers
§	11:5	Public employees
§	11:6	Supervisor defined
§	11:7	Management level employees
§	11:8	Unions
§	11:9	Exclusive representative
§	11:10	Other definitions

III. STATE EMPLOYMENT RELATIONS BOARD

§ 11:11	State employment relations board (SERB)
§ 11:12	Powers, duties, and functions of board
§ 11:13	Rulemaking power of board, prior consultation
§ 11:14	Public records, SERB reports

IV. RIGHTS OF LABOR AND MANAGEMENT, SCOPE OF COLLECTIVE BARGAINING

- § 11:15 Employee rights
- § 11:16 Management rights
- § 11:17 Scope of collective bargaining
- § 11:18 Duty to bargain

V. UNION REPRESENTATION

- § 11:19 Assimilation of NLRA decisional law regarding exclusive representation
- § 11:20 Selection of exclusive representative
- § 11:21 Determination of bargaining unit
- § 11:22 Petition for election to determine exclusive representative
- § 11:23 Election to determine exclusive representative

VI. COLLECTIVE BARGAINING AGREEMENT

- § 11:24 Collective bargaining agreement, in general
- § 11:25 Deduction of union dues
- § 11:26 Effect of agreement on statutes and ordinances
- § 11:27 Request for funds to implement agreement
- § 11:28 State office of collective bargaining

VII. BARGAINING PROCESS, DISPUTE RESOLUTION, STRIKES

- § 11:29 Overview of bargaining process
- § 11:30 Dispute settlement process
- § 11:31 Prenegotiation procedures
- § 11:32 Negotiations
- § 11:33 Optional methods of dispute resolution
- § 11:34 Mediation
- § 11:35 Resort to fact-finding panel in event of impasse
- § 11:36 Binding arbitration for police, fire, and other "essential personnel"
- § 11:37 Legal strikes
- § 11:38 Illegal strikes

VIII. UNFAIR LABOR PRACTICES

- § 11:39 Employer unfair labor practices
- § 11:40 Union and employee unfair labor practices
- § 11:41 Unfair labor practice not grounds for charges
- § 11:42 Jurisdictional work disputes
- § 11:43 Remedies for unfair labor practices

IX. MISCELLANEOUS PROVISIONS

§ 11:44 Sunshine law inapplicable to bargaining sessions

- § 11:45 Prohibitions
- § 11:46 Union reports, conflicts of interest
- § 11:47 Liberal construction of act

X. OHIO OSHA

§ 11:48 Public employment risk reduction program

B MUNICIPAL FINANCES

Chapter 12

Taxation and Fiscal Management

I. MUNICIPAL TAXING POWER

- § 12:1 Nature of power to tax
- § 12:2 Constitutional limitations on taxing power
- § 12:3 Requirement of public purpose for taxation
- § 12:4 Doctrine of state pre-emption

II. PROPERTY, INCOME, AND OTHER TAX REVENUES

- § 12:5 Taxes municipality authorized to impose, in general
- § 12:6 Property taxes
- § 12:7 Ten-mill limitation
- § 12:8 Methods for exceeding ten-mill limitation
- § 12:9 Tax duplicate, computing municipal share
- § 12:10 General and special levies
- § 12:11 Income tax rate, limitation, exceeding limitation
- § 12:12 Income subject to tax
- § 12:13 Exempt income
- § 12:14 Credits against income tax
- § 12:15 Computing income earned or taxable in municipality
- § 12:16 Collection and enforcement of income tax
- § 12:17 Other tax revenues

III. GENERAL AND SPECIAL FUNDS

- § 12:18 Funds required to be established
- § 12:19 Optional funds
- § 12:20 Distribution of tax revenues into funds
- § 12:21 Bond funds
- § 12:22 Distribution of property sale proceeds into funds
- § 12:23 Transfers between funds

IV. TAX BUDGET

§ 12:24 Steps in budget process, timetable

Local Government Law

		LOCAL GOVERNMENT LAW
8	12:25	County budget commission
	12:26	Preparation of municipal tax budget, contents
	12:27	Adoption of tax budget, submission to county auditor
	12:28	Action by budget commission
	12:29	Certification to taxing authority, certificate of estimated
9		resources
§	12:30	Approval of necessary tax levies, revision of budget by municipality
§	12:31	Amendments to certificate of estimated resources
§	12:32	Local government fund
§	12:33	Appeal to board of tax appeals
V	. AF	PPROPRIATIONS AND EXPENDITURES
8	12:34	Annual appropriation measure
	12:35	County auditor's certificate
	12:36	Amendments and supplements to appropriation ordinance
	12:37	Unencumbered balance
	12:38	Expenditures, requirements and procedures
V	1. D	EPOSITS AND INVESTMENTS
8	12:39	Deposit of municipal funds
	12:40	Estimate of deposits
	12:41	Procedures for awarding deposits
	12:42	Security for deposits
	12:43	Cash reserve, insuring cash and securities in municipal custody
	12:44	Investment of municipal funds
	12:45	Custody of municipal securities, liability for losses
V	TI. A	AUDITS
8	12:46	Audit of municipalities
8	12.40	Audit of municipalities
	Thor	stor 19
ľ	map	oter 13
F	Zorz	rowing Money
	J OI 1	owing money
т	IN	GENERAL
_	13:1	Power to borrow money
_	13:2	Limitations on borrowing power
§	13:3	Revenue bonds not debt within constitutional meaning, special
_		fund doctrine
	13:4	Ten-mill constitutional tax limitation as debt limitation
_	13:5	Debt securities, definitions
	13:6	Negotiability of debt securities
§	13:7	Anticipatory notes

§ 13:8 Uniform Public Securities Law

II.	CENERAL.	OBLIGATION BONDS	3
	THUINIUM ALL	CODUITATION DOMES	•

§ 13:9	Bonds must be for permanent improvement
§ 13:10	Restrictions on debt securities for current operating expenses
§ 13:11	Taxing authority, fiscal officer
§ 13:12	Statutory limitation of net indebtedness, exceptions
§ 13:13	Interest limits, rebates to federal government, volume cap
§ 13:14	Classes of general obligation bonds
§ 13:15	Procedure for voted bonds
§ 13:16	Filing legislation with county auditor, calculation of levy
§ 13:17	Resolution to proceed, certification to board of elections
8 13.18	Election

III. ANTICIPATORY SECURITIES

§ 13:20	Anticipatory securities, in general
§ 13:21	Legislation authorizing anticipatory securities
§ 13:22	Amount of anticipatory securities
§ 13:23	Maturity and renewal of anticipatory securities

§ 13:19 Issuance of securities, tax levy for debt service

IV. SALE OF SECURITIES GENERALLY

§	13:24	Sale of securities, in general
Ş	13:25	Certificate of maximum maturity

V. ISSUANCE AND SALE OF BONDS

§	13:26	Procedure for issuance of bonds
§	13:27	Form and contents of securities
§	13:28	Including capitalized interest in principal amount
§	13:29	Financing costs
§	13:30	Sale of bonds
§	13:31	Proceeds of sale
§	13:32	Delivery of securities
§	13:33	Transcript of proceedings
§	13:34	Incontestability
§	13:35	Registered and coupon securities
§	13:36	Issuance of duplicate securities
Ş	13:37	Remedies of holders

VI. ASSESSMENT BONDS

§ 13:38	Securities payable from assessments
§ 13:39	Procedure for issuing assessment bonds
§ 13:40	Transcript of special assessment bond issue

VII. REVENUE BONDS

- § 13:41 Revenue bonds
- § 13:42 Authority to issue public utility mortgage revenue bonds
- § 13:43 Ordinance to issue mortgage revenue bonds
- § 13:44 Mortgage or indenture as security for payment
- § 13:45 Other revenue bonds
- § 13:46 Ordinance to issue other revenue bonds

VIII. VALIDATION OF SECURITIES

§ 13:47 Action for judicial validation

IX. RENEWAL AND REFUNDING

- § 13:48 Renewal
- § 13:49 Refunding
- § 13:50 Bonds are general obligations of the state
- § 13:51 Process for issuance of bonds; Terms

Chapter 14

Special Assessments

I. IN GENERAL

- § 14:1 Nature of special assessments
- § 14:2 Power to assess
- § 14:3 Purposes for which assessments may be levied
- § 14:4 Constitutional and statutory limitations on assessments
- § 14:5 Requirement for special benefit
- § 14:6 Liberal construction of assessment proceedings

II. IMPROVEMENT COSTS AND METHODS OF APPORTIONMENT

- § 14:7 Items of cost included in assessment
- § 14:8 Methods of apportioning costs among benefited properties, selection
- § 14:9 Apportionment based on tax value
- § 14:10 Apportionment based on benefits
- § 14:11 Apportionment based on foot frontage
- § 14:12 Apportionment on lands not subdivided into lots
- § 14:13 Assessment based on district benefited
- § 14:14 Assessment on petition of landowners for improvement

III. ASSESSMENTS FOR PUBLIC IMPROVEMENTS GENERALLY

§ 14:15 Initiation of improvement, plans and estimates

§ 14:48 § 14:49

§	14:16	Joinder of improvements, and joint improvements by multiple municipalities
8	14:17	Resolution of necessity
_	14:18	Notice of adoption of resolution of necessity and filing of
2	14.10	estimated assessments
§	14:19	Owner's objections to estimated assessments, hearing by equalization board
8	14:20	Ordinance determining whether to proceed with improvement
	14:21	Levy and adjustments of assessments
	14.21 $14:22$	Assessing ordinance, notice of passage
_	14:23	Assessment of public property
	14.24	Assessment of adjoining lots under same ownership
	14.24 14.25	Abutting, adjacent, or contiguous property
	14:26	Effect of improvements by owner
	14.20 $14:27$	Exemptions from assessment
	14:28	Waiver of limitations on amount of assessment
	14.29	Owner's claim for damages from improvement, statutory remedy
	14:30	Owner's action for damages in absence of statutory remedy
	14:31	Jury to assess damages, measure of damages
2	14.01	oury to assess damages, measure or damages
Γ	V. SII	DEWALK ASSESSMENTS
§	14:32	Sidewalk assessments, in general
8	14:33	Initiating sidewalk construction or repair
	14:34	Notice to owner to construct or repair sidewalks
§	14:35	Municipality's action on owner's failure to construct or repair
	14:36	Notice of estimated assessments, objections
	14:37	Cleaning sidewalks, assessment for cleaning streets
V	. SEV	VER AND WATER ASSESSMENTS
8	14:38	Assessment for service connections
	14:39	Assessment for sewer and water supply
	14:40	Preliminary assessments for water and sewer improvements
	14:41	Assessment for joint sewers
	14:42	Sewer use charges as rent, lien
3	11.12	bewer use charges as rent, nen
V	TO I	HER ASSESSMENTS
§	14:43	Additional subjects of special assessments
	14:44	Special improvement districts
V	TI. CO	OLLECTION OF ASSESSMENTS
8	14:45	Payment terms
	14:46	Assessment lien, duration, priority
	14:47	Placement of assessments on tax list, collection as taxes
_	14:48	Collection of uncertified assessments by municipality
8	14.40	Conection of uncertified assessments by municipanty

Jurisdiction of common pleas court in collection of assessments

VIII. IRREGULARITIES IN ASSESSMENTS

- § 14:50 Insufficient or excessive assessment § 14:51 Actions to enjoin or set aside assessment
- § 14:52 Expense of irregular assessment
- § 14:53 Reassessment in case of irregularity or illegality

Chapter 15

Fiscal Emergencies

- § 15:1 Scope of municipal fiscal emergency act
- § 15:2 Definitions
- § 15:3 Fiscal emergency conditions
- § 15:4 State auditor to determine existence of fiscal emergency
- § 15:5 State oversight of fiscal affairs in emergency
- § 15:6 Municipality required to develop and submit financial plan
- § 15:7 State control and approval of debt obligations and expenditures
- § 15:8 Other requirements and restrictions
- § 15:9 Continuation of special exceptions to uniform public securities law
- § 15:10 Termination of state supervision

C PROPERTY, CONTRACTS, AND SERVICES

Chapter 16

Municipal Property

§ 16:1 Power to acquire, use, and dispose of property

I. ACQUISITION OF PROPERTY

- § 16:2 Acquisition of real property, in general
- § 16:3 Acquisition for public purpose, excess property
- § 16:4 Property received by gift
- § 16:5 Property acquired by dedication to public purpose

II. CONTROL AND USE OF PROPERTY

- § 16:6 Power to control and use property for public purpose
- § 16:7 Effect of restrictive covenants
- § 16:8 Use of dedicated property

III. DISPOSITION OF PROPERTY

- § 16:9 Power to dispose of property
- § 16:10 Sale, lease, or other disposition of real property
- § 16:11 Statutory procedures for sale or lease of real property

§ 16:12 Vacation of dedicated property

IV. PERSONAL PROPERTY

- § 16:13 Purchase of personal property
- § 16:14 Sale of personal property
- § 16:15 Sale of refuse

Chapter 17

Municipal Public Improvements

- § 17:1 Municipal power to make public improvements
- § 17:2 Approval of planning commission
- § 17:3 Joint municipal public improvements
- § 17:4 Validity of contract where contract price exceeds estimate
- § 17:5 Methods of making municipal public improvements
- § 17:6 Municipal public improvements by force account
- § 17:7 Lease-purchase plan and installment contracts

Chapter 18

Eminent Domain

I. POWER OF EMINENT DOMAIN

- § 18:1 Municipal power of eminent domain
- § 18:2 Constitutional requirements for appropriation of property
- § 18:3 Purposes for which private property may be taken
- § 18:4 Appropriation of property outside municipality, payments in lieu of taxes
- § 18:5 Property and interests subject to appropriation
- § 18:6 Procedure for exercising power of eminent domain, in general
- § 18:7 Statutory procedure for exercise of eminent domain

II. INITIATING APPROPRIATION PROCEEDINGS

- § 18:8 Resolution of necessity and intent, notice, resolution to proceed
- § 18:9 Entry upon land for surveys and examinations
- § 18:10 Necessity of inability to agree with owner
- § 18:11 Petition for appropriation
- § 18:12 Requirement for filing plans for improvement

III. OWNER'S ANSWER TO APPROPRIATION PETITION

- § 18:13 Answer to appropriation petition
- § 18:14 Effect of failure to file answer

IV. QUICK-TAKE PROCEDURE

- § 18:15 Taking of property before compensation assessed
- § 18:16 Possession of structures under quick-take procedure
- § 18:17 Withdrawal of deposit by owner

V. PRE-TRIAL PROCEEDINGS

- § 18:18 Preliminary determination of certain issues
- § 18:19 Setting time of trial
- § 18:20 Depositions
- § 18:21 Additional parties

VI. TRIAL, DETERMINING COMPENSATION

- § 18:22 Jury to assess compensation
- § 18:23 View of premises
- § 18:24 Trial in general
- § 18:25 Trial, determining compensation
- § 18:26 Procedure where appropriated property includes only part of building
- § 18:27 Interest on judgment, costs
- § 18:28 Relocation benefits
- § 18:29 Review
- § 18:30 Payment or deposit of compensation
- § 18:31 Abandonment of proceedings

VII. CONSTRUCTIVE APPROPRIATION, REMEDIES

- § 18:32 Constructive appropriation, what constitutes taking
- § 18:33 Remedies for taking without compensation
- § 18:34 Damage claims arising from special assessments distinguished

Chapter 19

Streets and Public Ways

I. IN GENERAL

- § 19:1 Definitions
- § 19:2 Purpose of streets, municipality's powers and duties
- § 19:3 Nature of municipality's title in streets
- § 19:4 Streets as part of state highway system

II. ESTABLISHMENT OF STREETS

- § 19:5 Establishment of streets, in general
- § 19:6 Dedication of streets

- § 19:7 Acquiring streets by purchase, appropriation, or adverse possession
- § 19:8 Effect of incorporation or annexation on streets and private ways

III. STREET IMPROVEMENTS, RELATED IMPROVEMENTS

- § 19:9 Street improvements, in general
- § 19:10 Grade of streets
- § 19:11 Public utilities in or on streets
- § 19:12 Storm and sanitary sewer system
- § 19:13 Street lighting
- § 19:14 Sidewalks, curbs, and gutters

IV. CONTROL AND USE OF STREETS

- § 19:15 Control of streets, in general
- § 19:16 Traffic control
- § 19:17 Limiting size and weight of vehicles
- § 19:18 Parking
- § 19:19 Conduct of private business on streets
- § 19:20 Obstructions and encroachments on streets
- § 19:21 Regulation of trees and shrubs on abutting land

V. RIGHTS AND DUTIES OF ABUTTING OWNERS

- § 19:22 Rights of abutting owners, in general
- § 19:23 Right of access to street
- § 19:24 Right to light, air, view, and privacy
- § 19:25 Right to lateral or subjacent support
- § 19:26 Duties of abutting owners

VI. VACATION OF STREETS, USE OF UNNEEDED LAND

- § 19:27 Vacation of street
- § 19:28 Loss of street by nonuse
- § 19:29 Use of land not needed for street purposes

Chapter 20

Parks and Recreation Facilities

I. IN GENERAL

- § 20:1 Parks, public squares, and commons distinguished
- § 20:2 Public squares or commons

II. PARKS AND RECREATION FACILITIES GENERALLY

- § 20:3 Municipal power to establish and maintain parks and recreation facilities
- § 20:4 Joint parks and other facilities
- § 20:5 Disposition of park property

III. MANAGEMENT, CONTROL, AND USE

- § 20:6 Management of parks and recreation facilities, in general
- § 20:7 Governing boards
- § 20:8 Park concessions
- § 20:9 Control of use, laws and regulations governing use, traffic control
- § 20:10 Constitutional rights of users
- § 20:11 Municipal liability for maintenance and operation of parks

IV. SPECIALIZED PARKS AND FACILITIES

- § 20:12 Zoological parks
- § 20:13 Public halls
- § 20:14 Stadiums
- § 20:15 Swimming pools
- § 20:16 Municipal golf courses

Chapter 21

Public Utilities

§ 21:1 Nature of public utility

I. REGULATION OF PRIVATELY OWNED UTILITIES

- § 21:2 Municipal franchising of utilities
- § 21:3 Municipal regulation of privately owned utilities
- § 21:4 Municipal regulation of public utility facilities
- § 21:5 Rate regulation by municipality
- § 21:6 Rate regulation by public utilities commission
- § 21:7 Rate formula used by public utilities commission
- § 21:8 Power siting board
- § 21:9 Regulation of utility use of right-of-ways

II. ACQUISITION, EXPANSION, AND DISPOSITION OF UTILITIES BY MUNICIPALITY

- § 21:10 Power to contract with others for utility service to municipality
- § 21:11 Power of municipality to own and operate public utility
- § 21:12 Acquisition of public utility by municipality
- § 21:13 Use of eminent domain to acquire utility property

§ 21:14	Bond issues to finance acquisition
§ 21:15	Tax exemption of municipally owned utility
§ 21:16	Extension of utility service to annexed territory
§ 21:17	Sale or other disposition of municipal utility

III. OPERATION OF MUNICIPALLY OWNED UTILITIES

§ 21:18	Operation of municipal utilities, authority
§ 21:19	Joint municipal operation of utilities
§ 21:20	Obligation to provide service
§ 21:21	Water system
§ 21:22	Sewer system
§ 21:23	Charges and rates
§ 21:24	Collection of charges
§ 21:25	Use of revenues

Chapter 22

Municipal Contracts

I. IN GENERAL

§	22:1	Power to contract
§	22:2	Implied contracts
§	22:3	Ultra vires contracts
§	22:4	Municipal license and contract distinguished
§	22:5	Joint purchasing
§	22:6	Intergovernmental contracts
§	22:7	Interpretation of contracts
§	22:8	Conflict of interest as to municipal contract prohibited

II. GENERAL REQUIREMENTS FOR PUBLIC CONTRACTS

§	22:9	Elements of municipal contracts
§	22:10	Authorization by legislative authority
§	22:11	Approval by board of control, execution
§	22:12	Cost estimates and contract price
§	22:13	Certificate of availability of funds
§	22:14	Prevailing wages required
§	22:15	Union labor
§	22:16	Nondiscrimination
§	22:17	Preference for domestic products and services
8	22.18	Duties of contractor

III. REQUIREMENT FOR COMPETITIVE BIDDING

§ 22:19 Requirement for competitive bidding

§	22:20	Purpose of competitive bidding
§	22:21	When competitive bidding not required
§	22:22	Cooperative purchasing
§	22:23	Reverse Internet auctions
	22:24	Liability for noncompliance with competitive bidding
		requirement
_		
I	v. co	MPETITIVE BIDDING PROCEDURES
§	22:25	Plans, specifications, and cost estimates
§	22:26	Level of detail required in plans and specifications
§	22:27	Specifying exclusive and alternative products, processes, and methods
§	22:28	Notice to bidders
§	22:29	Form and contents of bid, in general
§	22:30	Separate bids by class of work, and for labor and materials
§	22:31	Submission of samples
	22:32	Price escalator provisions
	22:33	Prequalification of bidders
§	22:34	Bid bond, performance bond
§	22:35	Modification or withdrawal of bids
§	22:36	Opening of bids
§	22:37	Rejection of bids
§	22:38	Acceptance of bid
§	22:39	Lowest and best bid, lowest responsible bidder
§	22:40	Bids deviating from request
§	22:41	Time for accepting bid, delay costs
§	22:42	Rescission of action awarding contract
§	22:43	Injunction against award of contract
§	22:44	Modification of contract, extra work
§	22:45	Assignment of contract
V	. PEF	RFORMANCE AND PAYMENT
8	22:46	Performance
	22:47	Schedule and retainage for payments
_	22:48	Bonus, penalty, and liquidated damages provisions
Ð		, , ,, ,

D HEALTH, SAFETY, AND WELFARE

Chapter 23

Municipal Police Power

I. NATURE OF POLICE POWER

§ 23:1 Nature of police power

TABLE OF CONTENTS

- § 23:2 Police power distinguished from other governmental powers
- § 23:3 Source of police power
- § 23:4 Inalienability of police power

II. RESTRICTIONS ON POLICE POWER—CONFLICT WITH GENERAL LAWS

- § 23:5 Municipal home rule powers and conflict with general laws
- § 23:6 What constitutes general laws
- § 23:7 What constitutes conflict with general laws
- § 23:8 Doctrine of pre-emption

III. RESTRICTIONS ON POLICE POWER—OTHER CONSTITUTIONAL LIMITATIONS

- § 23:9 Constitutional limitations in general
- § 23:10 Due process of law
- § 23:11 Equal protection of laws
- § 23:12 Fourteenth Amendment
- § 23:13 Impairment of obligation of contract
- § 23:14 Freedom of speech and of the press
- § 23:15 Interstate commerce

IV. EXERCISE OF POLICE POWER IN GENERAL

- § 23:16 Extraterritorial exercise of municipal power
- § 23:17 Requirement of public need to justify use of police power
- § 23:18 Requirement that use of police power be reasonable
- § 23:19 Regulation for aesthetic purposes
- § 23:20 Use of police power not to be discriminatory
- § 23:21 Police power and property rights
- § 23:22 Police power and personal rights

V. REGULATION OF BUSINESSES AND OCCUPATIONS

- § 23:23 Regulation of business and occupations in general
- § 23:24 State statutes providing for licensing
- § 23:25 Registration, licensing, and permits
- § 23:26 Nature of licenses
- § 23:27 Municipal power to license
- § 23:28 Uniformity of licenses
- § 23:29 Requiring multiple licenses
- § 23:30 Issuance, transfer, suspension, or revocation of license
- § 23:31 Peddlers
- § 23:32 Solicitation house to house (green river ordinance)
- § 23:33 Trailer parks and camps
- § 23:34 Regulation of business hours

§ 23:35 Use of street for business purposes

VI. ZONING, BUILDING, AND HOUSING CODES

- § 23:36 Zoning regulations
- § 23:37 Building and housing codes
- § 23:38 Building permits
- § 23:39 Right of entry for inspection
- § 23:40 Compelling repair or demolition
- § 23:41 Enforcement of building and housing codes

VII. OTHER EXERCISES OF POLICE POWER

- § 23:42 Regulations affecting churches
- § 23:43 Regulation of alcoholic beverages
- § 23:44 Liberty of contract
- § 23:45 Price control
- § 23:46 Regulations affecting union activities
- § 23:47 Public health
- § 23:48 Public morality
- § 23:49 Public safety and welfare
- § 23:50 Firearms regulation
- § 23:51 Nuisances
- § 23:52 Billboards

Chapter 24

Public Health

I. POWER TO REGULATE PUBLIC HEALTH MATTERS

- § 24:1 Public health protection as exercise of state police power
- § 24:2 Municipal and state power to regulate public health
- § 24:3 Public health and doctrine of statewide concern

II. PUBLIC HEALTH ADMINISTRATION

- § 24:4 Health districts generally
- § 24:5 General health districts
- § 24:6 City health districts
- § 24:7 Contracts for public health services, and intergovernmental cooperation
- § 24:8 Powers and duties of district boards of health
- § 24:9 Health commissioner
- § 24:10 Other board of health personnel

III. POWERS AND DUTIES AS TO SPECIFIC HEALTH CONCERNS

§ 24:11 Communicable diseases in general

§ 24:12	Quarantine
§ 24:13	Health nuisances in general
§ 24:14	Stagnant water or putrid substances
§ 24:15	Noxious weeds or litter
§ 24:16	Sanitary condition of buildings
§ 24:17	Food, food service, and drug inspection
§ 24:18	Public health regulation of trades and occupations
§ 24:19	Keeping of vital statistics as state function
§ 24:20	911 emergency telephone system

Chapter 25

Platting, Planning, and Zoning

§ 25:1 Community planning, zoning, and platting in general

I. PLATTING AND SUBDIVISIONS

§ 25:2	Nature and purpose of platting
§ 25:3	Subdivision control
§ 25:4	Municipal regulation of subdivisions and plats
§ 25:5	Subdivision plat and approval of plat
§ 25:6	Action upon refusal to approve plat
§ 25:7	Effect of platting
§ 25:8	Approval of division of parcel without plat
§ 25:9	Division of parcel by instrument of conveyance
§ 25:10	Penalties for violation of platting requirements

II. COMMUNITY PLANNING

§ 25:11	Nature and purpose of planning
§ 25:12	Municipal planning commissions
§ 25:13	Regional and county planning commissions
§ 25:14	Functions of regional or county planning commission
§ 25:15	Adoption of regional or county plan by municipality
§ 25:16	Planning commission duties as to plans, maps, and plats
§ 25:17	General or master plan
§ 25:18	Authority of planning commission as to specific plan components
§ 25:19	Effect of plan
§ 25:20	New community authority

III. ZONING IN GENERAL

§ 25	5:21	Nature and purpose of zoning
§ 25	5:22	Constitutional authority for municipal zoning
§ 25	5:23	Constitutional limitations on zoning
§ 25	5:24	Presumption of validity of zoning regulations
§ 25	5:25	Requirement that zoning regulation be reasonable

§ 25:27 Effect of rezoning to meet changing conditions	
IV. ZONING LEGISLATION AND ENFORC	EMENT

- § 25:28 Enactment of zoning ordinance
- § 25:29 Stop-gap ordinances
- § 25:30 Pending legislation and effect on applications
- § 25:31 Amendment of zoning ordinance
- § 25:32 Enforcement of zoning ordinance

V. ZONING TECHNIQUES AND SUBJECTS

- § 25:33 Zoning by districts
- § 25:34 Spot zoning
- § 25:35 Regulation of uses, or performance zoning
- § 25:36 Zoning affecting governmental uses
- § 25:37 Zoning for aesthetic purposes
- § 25:38 Zoning for traffic control purposes
- § 25:39 Area requirements
- § 25:40 Setback requirements
- § 25:41 Side and rear yard requirements
- § 25:42 Height limitations

VI. NONCONFORMING USES, VARIANCES, AND EXCEPTIONS

- § 25:43 Nonconforming uses in general
- § 25:44 Maintaining pre-existing nonconforming use in status quo
- § 25:45 Extension or substitution of nonconforming uses
- § 25:46 Termination of nonconforming uses in general
- § 25:47 Compulsory termination of nonconforming uses
- § 25:48 Variances and exceptions
- § 25:49 Power to grant variances and exceptions
- § 25:50 Appeal of rulings on variances and exceptions

VII. REMEDIES

- § 25:51 Remedies in general
- § 25:52 Necessity for exhaustion of administrative remedies

Chapter 26

Public Housing and Urban Renewal

I. PUBLIC HOUSING

§ 26:1 Housing as valid public purpose

§ 26:2	Implementing the housing amendment
§ 26:3	Housing advisory boards
§ 26:4	Metropolitan housing authorities

§ 26:5 Municipal public housing

§ 26:6 Ohio housing finance agency

II. COMMUNITY REINVESTMENT AREAS, REHABILITATION AND PRESERVATION

§	26:7	Community reinvestment areas
§	26:8	Designating reinvestment areas
§	26:9	Housing officer
§	26:10	Tax exemption for new or remodeled structures
§	26:11	Tax exemption for structures of historical or architectural significance
§	26:12	Revocation of tax exemption
§	26:13	Appeal to area housing council
§	26:14	Table of tax exemptions for community reinvestment

III. URBAN RENEWAL

§	26:15	Urban renewal in general
§	26:16	Defining urban renewal area
§	26:17	Constitutional issues in urban renewal—Due process
§	26:18	—Lending public credit
§	26:19	—Home rule
§	26:20	—Equal protection of the laws
§	26:21	—Public use
§	26:22	Use of renewal area for commercial or industrial development
§	26:23	Appropriation of property for urban renewal
§	26:24	Relocation assistance
§	26:25	Competitive bidding in urban renewal projects
§	26:26	Public utilities in urban renewal projects
e	00.07	M-+ 1:-1:1:411

§ 26:27 Tort liability, and urban renewal as governmental function

§ 26:28 Miscellaneous urban renewal issues

§ 26:29 Revenue bonds to finance urban renewal projects

IV. PRIVATE REDEVELOPMENT

§ 26:30 Community urban redevelopment corporations

V. ENTERPRISE ZONES

§ 26:31	Unlimited enterprise zones
§ 26:32	Limited enterprise zones; Old zones
§ 26:33	Director of development responsibilities
§ 26:34	Notice of intra-state relocation
§ 26:35	Form of enterprise agreement

- § 26:36 Tax incentives available in enterprise zones
 § 26:37 Additional incentives available from director of development
 § 26:38 Agreement with school district or taxing district
- Chapter 27

Criminal Law and Public Safety

I. MUNICIPAL ASPECTS OF THE CRIMINAL LAW

- § 27:1 Municipal authority to enact penal laws
- § 27:2 Determining conflict with general laws
- § 27:3 Advantages in overlapping municipal and state codes or offenses
- § 27:4 Drafting considerations
- § 27:5 Courts having jurisdiction over municipal offenses
- § 27:6 Responsibility for prosecution
- § 27:7 Rules of procedure
- § 27:8 Costs chargeable to municipalities

II. PRESERVATION OF THE PUBLIC PEACE IN GENERAL

- § 27:9 Municipal responsibility for security of persons and property
- § 27:10 Duties of police
- § 27:11 Federal aid for local law enforcement
- § 27:12 Homeland security

III. CONTROL OF DISORDER

- § 27:13 Municipal liability for damage caused by riotous conduct
- § 27:14 Challenges to safety and public peace
- § 27:15 Measures designed to preserve public peace and safety
- § 27:16 Disorderly conduct and vagrancy
- § 27:17 Prohibition of riotous conduct
- § 27:18 Obstruction of officer during emergency
- § 27:19 Disrupting public services
- § 27:20 Disrupting public meeting
- § 27:21 Authority of mayor in case of riot
- § 27:22 Proclamation of emergency
- § 27:23 Order to desist from riotous conduct
- § 27:24 Authority of sheriff
- § 27:25 Use of state troops
- § 27:26 Use of highway patrol
- § 27:27 Use of federal troops
- § 27:28 Riot insurance
- § 27:29 Control of firearms
- § 27:30 Crimes committed by juveniles

Traffic Control

I. STATE AND MUNICIPAL POWERS OVER TRAFFIC CONTROL

- § 28:1 State control and regulation of traffic
- § 28:2 State highway system within municipalities
- § 28:3 Statutory authority for local traffic regulations
- § 28:4 Municipal power to regulate traffic

II. TRAFFIC CONTROL TECHNIQUES AND DEVICES

- § 28:5 Traffic engineering
- § 28:6 Control of traffic by zoning regulations
- § 28:7 Restricting traffic on certain streets
- § 28:8 Size, width, and loads of vehicles
- § 28:9 Traffic lanes
- § 28:10 Crosswalks and safety zones
- § 28:11 Traffic control signs and devices

III. MOVING TRAFFIC REGULATIONS

- § 28:12 Speed in general
- § 28:13 Authorized variance from state speed limits
- § 28:14 Exercise of police power to regulate speed
- § 28:15 Drag racing
- § 28:16 Drunk driving
- § 28:17 Implied consent, and chemical tests
- § 28:18 Emergency vehicles
- § 28:19 Highway maintenance vehicles
- § 28:20 Funeral processions

IV. PARKING

- § 28:21 On-street parking
- § 28:22 Parking meters and revenue
- § 28:23 Off-street parking
- § 28:24 Impoundment of illegally parked vehicles

V. REGULATION OF VEHICLES OR DRIVERS

- § 28:25 Compulsory vehicle inspection
- § 28:26 Safety equipment
- § 28:27 Sirens and flashers
- § 28:28 Regulation of motor carriers
- § 28:29 Regulation of taxicabs and vehicles for hire

§	28:30	Regulation of school buses
§	28:31	Municipal taxation of motor vehicles
§	28:32	Licensing drivers

VI. MISCELLANEOUS REGULATIONS

§	28:33	Requirements in case of accident
§	28:34	Removing ignition keys
8	28:35	Weapons in vehicles

VII. ENFORCEMENT OF TRAFFIC REGULATIONS

§	28:36	Traffic enforcement in general
§	28:37	Enforcement personnel and equipment
§	28:38	Radar and other timing devices
§	28:39	Identity of driver
§	28:40	Uniform traffic ticket
§	28:41	Arrest of violators
§	28:42	Search of motor vehicles
§	28:43	Waiver of appearance and bail
§	28:44	Fines for traffic violations
§	28:45	Suspension of driving privilege

E FEDERAL AND STATE REGULATIONS

Chapter 29

Superfund Liability and Environmental Issues

I. SUPERFUND LIABILITY

§	29:1	Superfund liability generally
§	29:2	Superfund definitions
§	29:3	Strict liability under Superfund
§	29:4	Joint and several liability under superfund
§	29:5	Response costs
§	29:6	Persons or entitles liable under CERCLA
§	29:7	Defenses to superfund liability
§	29:8	Exemptions from owner or operator liability
§	29:9	Contribution
§	29:10	Liability of municipalities under superfund

II. SOLID WASTE

§	29:11	Supervisory capacity of ohio envi	ironmental protection agency
2	20.12	Definitions	

§	29:13	Exemptions from solid waste disposal statutes and rules
§	29:14	Federal incentive for solid waste regulation
§	29:15	State preemption of solid waste disposal regulation
§	29:16	Solid waste management advisory council
§	29:17	Solid waste management districts
§	29:18	Solid waste management plans
§	29:19	Schedule for plan implementation
§	29:20	Draft plan approvals
§	29:21	Fees
§	29:22	Licensing of solid waste facilities
8	29:23	Role of boards of health as to solid waste facilities

III. VOLUNTARY ACTION PROGRAM

Š	29:24	Voluntary action program generally
§	29:25	Eligible sites
§	29:26	Applicable standards
§	29:27	Certified professionals and laboratories
§	29:28	Voluntary action
§	29:29	Covenant not to sue
§	29:30	Liability protection for lenders and fiduciaries
§	29:31	Cost recovery
§	29:32	Immunity from tort actions
§	29:33	Admissibility of evidence regarding participation in the VAP
§	29:34	Financial assistance for voluntary actions
8	29:35	Audits of voluntary actions

Chapter 30

Federal Civil Rights Act and Local Governments

30:1	Federal Civil Rights Act
30:2	Jurisdiction of federal district court
30:3	Jurisdiction of state courts
30:4	Pleading a claim
30:5	Liability of local governments under Section 1983
30:6	Liability of municipal officials and private persons
30:7	Representation and indemnification of officials and employees
30:8	Action under color of state law
30:9	Official policy or custom as grounds for liability
30:10	Scienter or intent
30:11	Basis for due process violation
30:12	Defenses
30:13	Remedies
30:14	Property rights and municipal regulation
	30:2 30:3 30:4 30:5 30:6 30:7 30:8 30:9 30:10 30:11 30:12 30:13

§ 30:15	First Amendment rights of public employees and independent contractors
§ 30:16	Due process rights of qualified public employees
Chap	oter 31
Anti	trust Law and Municipalities
I. HIS	STORICAL PERSPECTIVE
§ 31:1 § 31:2	Municipalities subjected to antitrust law scrutiny The Lafayette case The Midcal case
§ 31:3 § 31:4	The <i>Miacai</i> case The <i>Boulder</i> case
-	Local Government Antitrust Act of 1984 Antitrust cases will continue
II. OV	ERVIEW OF CASE LAW
§ 31:7 § 31:8 § 31:9 § 31:10	State action exemption Antitrust scrutiny Clear articulation of state policy and active state supervision Home rule grant inadequate for state action exemption
III. A	NTITRUST LEGISLATION IN OHIO
§ 31:11	Ohio antitrust law
IV. A	VOIDING ANTITRUST LITIGATION
§ 31:12 § 31:13	Governmental contracting process and antitrust laws Checklist for avoiding antitrust suits
	Volume 2
F LIA	BILITY, ACTIONS, AND REMEDIES
Chap	oter 32
Tort § 32:1	Liability of Municipalities Common-law doctrine of sovereign immunity abolished
I. LO	CAL GOVERNMENT TORT LIABILITY ACT
§ 32:2 § 32:3	Local Government Tort Liability Act Amendments to Tort Liability Act

§	32:4	Imposition of liability
§	32:5	Definition of governmental function
§	32:6	Definition of proprietary function
§	32:7	Other definitions
§	32:8	Defenses and immunities
§	32:9	Restrictions on damages
§	32:10	Limitation of actions
§	32:11	Damages not to be specified in complaint
§	32:12	Satisfaction of judgments
§	32:13	Judgment bonds
§	32:14	Insurance and self-insurance
§	32:15	Joint self-insurance pools
§	32:16	Defense and indemnification of employees
§	32:17	Matters not covered by Tort Liability Act

II. PRINCIPLES AFFECTING LIABILITY—IN GENERAL

§ 32:18	Case law prior to Tort Liability Act
§ 32:19	Respondeat superior, ultra vires, and independent contractors
§ 32:20	Nonfeasance
§ 32:21	Negligence

III. PRINCIPLES AFFECTING LIABILITY—NUISANCE, TRESPASS, AND CONVERSION

§	32:22	Nuisance
§	32:23	Notice of defect constituting nuisance
§	32:24	Trespass or conversion as appropriation of property
§	32:25	Duty to maintain streets
§	32:26	Liability for snow and ice accumulation
§	32:27	Traffic signals and warning signs
§	32:28	Conditions constituting street nuisances
§	32:29	Bridges
§	32:30	Damage to abutting property from street improvement
§	32:31	Responsibilities of municipality and property owner for sidewalks
§	32:32	Injuries from falls on sidewalk

IV. PRINCIPLES AFFECTING LIABILITY—PARKS AND PLAYGROUNDS

§ 32:33 Duty to maintain parks and playgrounds

V. PRINCIPLES AFFECTING LIABILITY—BUILDINGS

§	32:34	Unsafe buildings
8	32:35	Demolition of unsafe buildings

VI. PRINCIPLES AFFECTING LIABILITY—UTILITIES AND SERVICES

- § 32:36 Water service § 32:37 Sewers, inspection
- § 32:38 Diverting water
- § 32:39 Garbage and rubbish disposal

VII. PRINCIPLES AFFECTING LIABILITY—MISCELLANEOUS

- § 32:40 Operation of police and fire vehicles
- § 32:41 Commandeered vehicle
- § 32:42 Right to hearing to clear name

Chapter 33

Actions and Remedies

I. IN GENERAL

- § 33:1 Capacity to sue and be sued
- § 33:2 Parties and pleading
- § 33:3 Venue
- § 33:4 Restrictions on actions generally
- § 33:5 Estoppel and laches
- § 33:6 Effect of annexation on pending actions
- § 33:7 Moral claims
- § 33:8 Duties of law director

II. EXTRAORDINARY WRITS

- § 33:9 Mandamus
- § 33:10 Quo warranto
- § 33:11 Prohibition

III. TAXPAYERS' ACTIONS

- § 33:12 Taxpayers' actions
- § 33:13 Testing validity of ordinance
- § 33:14 Right of taxpayer to intervene

IV. ACTIONS ON CONTRACT, DEBT OR ACCOUNT

- § 33:15 Contract actions
- § 33:16 Specific performance
- § 33:17 Recovery of municipal funds
- § 33:18 Remedies of bondholders and other creditors

§ 33:26

V. OTHER ACTIONS AND REMEDIES

§ 33:19 Tort actions
§ 33:20 "Constitutional tort" actions
§ 33:21 Criminal actions
§ 33:22 Injunction
§ 33:23 Declaratory judgment
§ 33:24 Action by unsuccessful bidder
§ 33:25 Damages

Arbitration

VI. JUDGMENTS AGAINST MUNICIPALITIES

§ 33:27 Judgments against municipality
§ 33:28 Satisfaction of judgments against municipality
§ 33:29 Court costs and interest
§ 33:30 Supersedeas bond, appeal bond

VII. APPEALS FROM ADMINISTRATIVE DECISIONS

§ 33:31 Appeal of final administrative order to common pleas court
§ 33:32 Perfecting appeal from administrative order
§ 33:33 Hearing on appeal
§ 33:34 Action on appeal

G MISCELLANEOUS

Chapter 34

Intergovernmental Cooperation

- § 34:1 Meeting changing conditions of urban life § 34:2 Impact of federal programs
- § 34:3 Municipal cooperative effort and means available
- § 34:4 Means of cooperation available outside framework of municipal government
- § 34:5 Adoption of county home rule charter
- § 34:6 Alternatives to adoption of county charter
- § 34:7 Use of authority method
- § 34:8 Authorities in Ohio
- § 34:9 Commissions established by statute
- § 34:10 Special districts
- § 34:11 Cooperative recreational facilities
- § 34:12 Special purpose corporations
- § 34:13 Industrial and economic development
- § 34:14 Workforce investment
- § 34:15 Regional councils of governments
- § 34:16 State boards for special purposes

Part II

Forms

Chapter 35

Creation, Existence, Alteration, and Dissolution—Forms

I. INCORPORATION

- § 35:1 Petition to incorporate village (to county commissioners)
- § 35:2 Resolution determining territory proposed for incorporation is within three miles of existing municipality and ordering notice to affected municipality
- § 35:3 Resolution determining territory proposed for incorporation is not within three miles of existing municipality and fixing time and place of hearing on petition
- § 35:4 Resolution ordering incorporation
- § 35:5 Resolution denying incorporation

II. CHANGE OF NAME

- § 35:6 Petition to change name of municipality
- § 35:7 Court order changing name of municipality

III. SURRENDER OF CORPORATE POWERS

- § 35:8 Petition for surrender of corporate powers
- § 35:9 Ordinance calling special election for surrender of corporate powers
- § 35:10 Certificate of result of special election for surrender of corporate powers

IV. BOUNDARY WITH TOWNSHIP

- § 35:11 Ordinance for conforming boundaries of city and township
- § 35:12 Petition for change of township boundaries to make them identical with those of city

V. ANNEXATION

- § 35:13 Notice to board of elections of annexation
- § 35:14 Petition for annexation on application of owners
- § 35:15 Order of county commissioners setting date for hearing
- § 35:16 Notice to clerks of municipal corporation, townships, and other county (if any) of filing of petition for annexation, and affidavit of service

§	35:17	Notice of petition for annexation to owners of real estate, certification, and affidavit of service
8	35:18	Notice of withdrawal of signature of petitioner
-	35:19	Report of county engineer on accuracy of description and map
•	35:20	Order of county commissioners approving annexation
§	35:21	Order of county commissioners disapproving annexation
§	35:22	Certification of record by clerk of board of county commissioners
§	35:23	Ordinance accepting annexation on application of owners of real estate
§	35:24	Notice of appeal from resolution of board of county commissioners granting the petition
§	35:25	Ordinance authorizing annexation of unincorporated territory
§	35:26	Petition for annexation upon application of municipal corporation
§	35:27	Ordinance proposing annexation of one municipal corporation to another
§	35:28	Petition for annexation of one municipal corporation to another
§	35:29	Certificate of clerk of board of elections
§	35:30	Ordinance appointing commissioners for annexation
§	35:31	Ordinance for election on question of annexation of one municipal corporation to another
§	35:32	Ordinance of annexing municipal corporation consenting to annexation

VI. DETACHMENT

§	35:33	Petition to county commissioners to detach territory from municipality
§	35:34	Ordinance assenting to detachment
§	35:35	Resolution of county commissioners ordering detachment
§	35:36	Petition to board of elections to detach territory from municipality
§	35:37	Petition to common pleas court to detach farm land from municipality
§	35:38	Order detaching farm land

Chapter 36

Organization—Forms

§ 36:1 Introductory comment note

I. SELECTED CLAUSES

§ 36:2	Charter provision establishing maximum tax rate
§ 36:3	Charter provision permitting levies outside charter limitations
§ 36:4	Charter provision for initiative, referendum, and recall
§ 36:5	Civil service charter provisions
§ 36:6	Charter provision requiring hearings and planning commission
	action on zoning measures

- § 36:7 Charter provision establishing ward boundaries § 36:8 Charter provision regarding finance, taxation, and debt
- II. ADOPTION OR AMENDMENT
- § 36:9 Ordinance providing for submitting question "Shall a commission be chosen to frame a charter?"
- § 36:10 Ordinance providing for election on charter adoption
- § 36:11 Ordinance providing for election on amendment to charter

Open Meeting Law—Forms

§ 37:1 Open meeting law provision in ordinance or resolution

Chapter 38

Ordinances and Resolutions—Forms

§ 38:1 Introductory note

I. ORDINANCES AND RESOLUTIONS

- § 38:2 Ordinance enacting uncodified provision
- § 38:3 Ordinance amending prior uncodified provision
- § 38:4 Ordinance amending, enacting, and repealing codified provisions
- § 38:5 Resolution
- § 38:6 Purpose, scope, and application clauses
- § 38:7 Definition section
- § 38:8 Defining offenses
- § 38:9 Defining penalties
- § 38:10 Severability clause
- § 38:11 Repeal clauses
- § 38:12 Effective date
- § 38:13 Emergency clause
- § 38:14 Authentication of ordinance or resolution

II. PUBLIC AND LEGAL NOTICES

- § 38:15 Ordinance regarding posting of ordinances, resolutions, and notices
- § 38:16 Notice of public hearings on rezoning
- § 38:17 Notice to bidders
- § 38:18 Notice of civil service examination
- § 38:19 Notice of sale of unclaimed property by police chief
- § 38:20 Notice of public hearing on tax budget
- § 38:21 Notice of public hearing on appropriation ordinance
- § 38:22 Notice of determination of active and inactive funds for deposit

Administrative Departments, Boards, and Commissions—Forms

I. COUNCIL AND ADMINISTRATIVE AGENCY MEETINGS—MINUTES—RECORDS

§	39:1	Ordinance dividing city into wards (noncharter city, general statutory plan)
8	39:2	Council procedure, regular meetings (noncharter city)
_	39:3	Rules of council (small noncharter city)
_	39:4	Rules of council (village)
§	39:5	Duties of clerk of council (charter city)
§	39:6	Illustrative minutes, convening of regular session
§	39:7	Illustrative minutes, adjournment
§	39:8	Illustrative minutes, passage of emergency ordinance
§	39:9	Illustrative minutes, motion to dispense with reading of minutes
§	39:10	Illustrative minutes, motion to excuse nonattendance
§	39:11	Ordinance concerning special meetings of council
§	39:12	Notice of special meeting of council
§	39:13	Illustrative minutes, special meeting of council
§	39:14	Resolution providing for submission of alternative plan for council composition to electors
§	39:15	Resolution providing for submission of abandonment of alternative plan for council composition to electors
§	39:16	Ordinance creating records commission
§	39:17	Model ordinance—Requirements for public meetings
§	39:18	Rules for giving notice of meetings to the public and news media

II. POLICE AND FIRE ADMINISTRATION—MUTUAL AID, POLICE, AND FIRE SERVICES

§	39:19	Ordinance establishing police (or fire) department
§	39:20	Ordinance establishing police (or fire) department (alternate)
§	39:21	Ordinance establishing village police department
§	39:22	Ordinance authorizing private policemen
§	39:23	Ordinance creating school guard
§	39:24	Ordinance creating school safety coordinating committee
§	39:25	Municipal police aid agreement
§	39:26	Resolution authorizing agreement for mutual police radio service
§	39:27	Resolution authorizing agreement for mutual breathalyzer test services
§	39:28	Mutual fire aid agreement
§	39:29	Mutual fire aid agreement (alternate)
§	39:30	Optional indemnity clauses for mutual fire aid agreement

§ 39:31	Ordinance authorizing response to emergency fire calls outside
6 00 00	municipality absent aid agreement
§ 39:32 § 39:33	Ordinance establishing auxiliary police unit in a city Ordinance establishing auxiliary police unit in a village
§ 39:33 § 39:34	Miscellaneous contract provisions for city maintaining workhouse
\$ 00.01	iniscendineous contract provisions for city maintaining workhouse
III. VI	LLAGE ADMINISTRATOR
§ 39:35	Ordinance creating position
§ 39:36	Ordinance abolishing position
§ 39:37	Ordinance waiving residency requirement
§ 39:38	Ordinance designating village administrator as purchasing agent
IV. MU	JNICIPAL CEMETERIES
§ 39:39	Cemetery regulations
§ 39:40	Deed for cemetery lot
§ 39:41	Application to disinter body
§ 39:42	Permit to disinter body
v. Mu	NICIPAL PROSECUTOR'S OFFICE FORMS
§ 39:43	Interoffice complaint form
§ 39:44	Record sheet
§ 39:45	Transmittal letter to prosecuting witness
§ 39:46	Questionnaire for prosecuting witness
§ 39:47	Prosecutor's checklist
§ 39:48	Waiver of counsel (mayor's court)
§ 39:49	Multiple use form (mayor's court)
§ 39:50	Affidavit of financial condition—Indigency
§ 39:51	Letter to defense counsel concerning discovery
§ 39:52	Letter to prosecuting witness concerning discovery
§ 39:53	Affidavit for search warrant
§ 39:54	Search warrant
VI. MU	JNICIPAL LAW DEPARTMENT FORMS
§ 39:55	Sample letter opinion
§ 39:56	Summary worksheet—Budget request
§ 39:57	Detailed worksheet—Budget request
VII. M	ORAL CLAIMS
§ 39:58	Resolution defending municipal officers and employees in civil actions
§ 39:59	Resolution authorizing defense of municipal employees in federal
3 33.00	civil rights action
§ 39:60	Claim statement
§ 39:61	Release of claims

Officers and Employees, Civil Service—Forms

I. CIVIL SERVICE

- § 40:1 Rules and regulations of civil service commission (noncharter city)
- § 40:2 Medical certificate, promotion for police and fire personnel
- § 40:3 Affidavit; Credit for residence
- § 40:4 Notice of passage of examination
- § 40:5 Notice of failure of examination
- § 40:6 Civil service examination record
- § 40:7 Civil service eligibility list

II. POSITIONS; COMPENSATION

- § 40:8 Ordinance establishing position
- § 40:9 Ordinance authorizing overtime pay
- § 40:10 Ordinance authorizing payment of vacation pay to next of kin
- § 40:11 Ordinance waiving residence requirements for certain officials

III. ORGANIZATION MEMBERSHIP

§ 40:12 Ordinance authorizing membership in organization

IV. EMPLOYEE OATHS

- § 40:13 Oath
- § 40:14 Civil service oath
- § 40:15 Oath pertaining to purchase of office

V. BONDS

- § 40:16 Municipal code bond requirements
- § 40:17 Official bond (State of Ohio)
- § 40:18 Bond for public official, definite term
- § 40:19 Bond for public official, indefinite term

Chapter 41

Labor Relations—Forms

- § 41:1 Request for determination of clear and present danger
- § 41:2 Certificate of posting
- § 41:3 Notice of appearance
- § 41:4 Unfair labor practice charge
- § 41:5 Petition to challenge rebate determination

88888	41:6 41:7 41:8 41:9 41:10 41:11 41:12	Request for recognition Notice to employees of request for recognition Objection to request for recognition Petition for representation election—Employee organization Petition for decertification election Application for religious exemption Consent election agreement
_	41:13	Addendum to consent election agreement for self-determination
§ § §	41:14 41:15 41:16 41:17 41:18	election Notice to negotiate Request for determination of unauthorized strike Notice of intent to strike or picket Registration report Employee organization annual report
-	41:19 41:20	Petition for amendment of certification Petition for clarification of bargaining unit
§ § §	41:21 41:22 41:23 41:24	Employee organization certification of fact-finding vote Employer certification of fact-finding vote RC 4117.19 noncompliance complaint Petition for representation election—Employer

Borrowing Money—Forms

§	42:1	Resolution requesting fiscal officer to certify estimated life and maximum maturity
§	42:2	Certificate of fiscal officer as to estimated life and maximum maturity
§	42:3	Resolution declaring necessity
§	42:4	Certificate of county auditor of average annual levy for issue of bonds
§	42:5	Ordinance determining to proceed
§	42:6	Notice of election
§	42:7	Note ordinance
§	42:8	Notice of sale of bonds
§	42:9	Resolution of award
§	42:10	Municipal note
§	42:11	Bond ordinance—Negotiated sale
8	42.12	Form of hand

Chapter 43

Taxation; Expenditure and Deposit of Municipal Funds—Forms

I. DEPOSIT AND INVESTMENT OF PUBLIC FUNDS

§ 43:1 Resolution estimating inactive deposits to be awarded

§	43:2	Resolution providing for deposit of municipal funds (inactive
		deposit)
§	43:3	Publication notice for applications
§	43:4	Affidavit of publisher showing publication of notice of meeting for designation of depository
§	43:5	Application for deposit of public moneys
§	43:6	Resolution designating financial institution as public depository
§	43:7	Notice to bank advising it of designation as depository
_	43:8	Contract for inactive deposit of public money
_	43:9	Agreement for deposit of public funds
8	43:10	Bond of public depository
§	43:11	Resolution accepting contract and securities for deposit of public money
8	43:12	Notice to treasurer of designation of depository
_	43:13	Resolution directing treasurer to sell interim investments or transfer interim or inactive to active deposits
§	43:14	Ordinance providing for investment of public funds
_	43:15	Ordinance providing for deposits and investments of public funds (charter municipality)
§	43:16	Model investment policy
I	I. MU	NICIPAL BUDGET
§	43:17	Fiscal officer's certificate of amount necessary to pay final judgments
§	43:18	Notice of budget hearing

III. LEVYING TAXES

§ 43:19

§ 43:20

§ 43:21	Resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the county auditor
§ 43:22	Resolution declaring it necessary to levy a tax in excess of the ten-mill limitation
§ 43:23	Notice of election on tax levy in excess of the ten-mill limitation
§ 43:24	Resolution levying tax outside of ten-mill limitation after approval by voters

IV. APPROPRIATION OF FUNDS

Resolution adopting budget

Resolution adopting budget (short form)

§ 43:25	Annual appropriation ordinance
§ 43:26	Ordinance appropriating additional funds
§ 43:27	Ordinance transferring funds

V. MUNICIPAL INCOME TAXATION

§ 43:28 Ordinance taxing lottery and gambling winnings

VI. MISCELLANEOUS

§ 43:29	Resolution requesting notice of hearings on property tax
	valuations
§ 43:30	Resolution requesting tax advances from county
§ 43:31	Ordinance authorizing city payment of real estate taxes

Chapter 44

Special Assessments—Forms

§	44:1	Resolution of necessity
§	44:2	Notice to property owners of passage of resolution of necessity and estimated assessment
§	44:3	Resolution appointing assessment equalization board
§	44:4	Notice of hearing of assessment equalization board
§	44:5	Notice of change in estimated assessment by equalization board
§	44:6	Report of assessment equalization board
§	44:7	Resolution approving report of assessment equalization board
§	44:8	Ordinance determining to proceed with public improvement
§	44:9	Notice to county auditor of intention to proceed
§	44:10	Notice of public hearing on improvement
§	44:11	Resolution that improvement should be made
§	44:12	Ordinance levying assessments
§	44:13	Notice of passage of ordinance levying assessments
§	44:14	Notice to county auditor of levy of assessments
§	44:15	Ordinance establishing sewerage or water supply district
§	44:16	Notice that general plan for district is on file
§	44:17	Ordinance adopting general plan for district
§	44:18	Ordinance designating portion of general plan required for immediate use
§	44:19	Resolution declaring necessity of constructing or repairing sidewalks, curbs or gutters
§	44:20	Notice of passage of resolution on construction or repair of sidewalks, curbs or gutters
§	44:21	Notice of estimated assessments for sidewalks, curbs or gutters
§	44:22	Ordinance levying assessments for sidewalks, curbs or gutters
§	44:23	Notice of passage of ordinance levying assessments

Chapter 45

Municipal Fiscal Emergencies—Forms

§ 45:1	Calculation: Past due accounts (general fund)
§ 45:2	Calculation: Past due accounts (all funds)
8 45.9	Colombation, Doficita

§ 45:4 Calculation: Cash sufficiency

Chapter 46

Streets and Public Ways—Forms

I. REPAIRS AND IMPROVEMENTS

§	46:1	Ordinance narrowing existing roadway
§	46:2	Ordinance establishing street grade
§	46:3	Resolution requesting county to cooperate in separation of grades
§	46:4	Ordinance prohibiting street openings
§	46:5	Ordinance regulating driveway culverts and roadside ditches
§	46:6	Ordinance naming new street
§	46:7	Ordinance changing name of street
§	46:8	Ordinance authorizing contracting for sidewalk repairs on public property
§	46:9	Sidewalk repair permit ordinance
§	46:10	Ordinance authorizing contract with developer for installation of improvements
§	46:11	Ordinance consenting to street improvement by county
§	46:12	Ordinance consenting to county maintenance and repair of streets
§	46:13	Ordinance consenting to snow removal by county
§	46:14	Ordinance authorizing contract with county to improve road
§	46:15	Resolution requesting county to widen county road
8	46.16	Resolution requesting county to improve road

II. TREE TRIMMING; WEED REMOVAL

§	46:17	Ordinance regulating trees and weeds
§	46:18	Resolution to cut and destroy weeds
§	46:19	Notice to cut weeds
§	46:20	Resolution to remove litter
§	46:21	Notice to remove litter
§	46:22	Notice to remove dead tree
§	46:23	Ordinance regulating planting and removal of trees

Chapter 47

Municipal Property—Forms

I. PURCHASE AND EXCHANGE OF PROPERTY

§ 47:1	Ordinance authorizing purchase
§ 47:2	Ordinance authorizing purchase from a school board
8 47.3	Ordinance authorizing hid at sheriff's sale

§ 47	:4	Ordinance	authorizing	exchange				
§ 47	:5	Ordinance	authorizing	exchange	of property	with S	State of	Ohio
II.	LE	ASES						

ş	47:6	Introductory note
ş	47:7	Resolution to advertise for bids for concession leases
ş	47:8	Concession lease
ş	47:9	Ordinance authorizing lease of city-owned property to highest
		bidder
ş	47:10	Lease of office space
ş	47:11	Concession agreement (fishing and boating supplies)
ş	47:12	Lease of property for off-street parking
ş	47:13	Ordinance directing lease of recreational facilities
ş	47:14	Agreement for temporary use of private property by city
ş	47:15	Ordinance authorizing lease of city property for garden

III. EASEMENTS

§ 47:16

§ 47:17

§ 47:18	Acceptance of water line easement by city
_	
§ 47:19	Ordinance to purchase water line easement across railroad
§ 47:20	Ordinance authorizing purchase of sewer easements
§ 47:21	Easement from developers for sewer installation and
	maintenance
§ 47:22	Access easement across city property
§ 47:23	Ordinance authorizing purchase of perpetual easement for street widening
§ 47:24	Ordinance authorizing easement to state for highway
§ 47:25	Release of easement

Ordinance authorizing concession lease of airport hangar

Ordinance authorizing consent to assignment of lease

IV. PERMITS

§ 47:26 Ordinance authorizing special permit for use of street

V. SALE OF PROPERTY

§ 47:27	Ordinance authorizing sale of property in fee simple
§ 47:28	Ordinance authorizing sale of municipal property following bid
§ 47:29	Notice for bids in sale of land
§ 47:30	Ordinance authorizing execution and delivery of deed in
_	exchange
§ 47:31	Ordinance directing sale of property without warranty
§ 47:32	Official deed with covenants as to use

VI. VACATING PROPERTY

§ 47:33 Resolution declaring intention to vacate

§ 47:34 Ordinance vacating a roadway

Public notice requesting bids

Chapter 48

Contracts—Forms

I. BIDDING

8 48.1

0	
§ 48:2	Bid request
§ 48:3	Ordinance authorizing execution of contract with successful bidder
	and payment of purchase price

- § 48:4 Resolution determining best bid, council purchase
- § 48:5 Ordinance authorizing contract without bidding
- § 48:6 Ordinance authorizing contract without bidding due to emergency in utility operations
- § 48:7 Ordinance authorizing contract for purchase of used equipment without bidding
- § 48:8 Affidavit of bidder disclosing personal property taxes
- § 48:9 Resolution rejecting a bid

II. BONDS

- § 48:10 Bid guaranty bond
- § 48:11 Maintenance bond
- § 48:12 Performance bond

III. MODIFICATION AND TERMINATION

- § 48:13 Ordinance authorizing payment for additions or modifications to contract previously entered into
- § 48:14 Ordinance authorizing supplemental agreement
- § 48:15 Resolution authorizing release or rescission of a contract

IV. MISCELLANEOUS

- § 48:16 Ordinance authorizing contract for purchase from the state or a political subdivision
- § 48:17 Certificate that money is in treasury or in process of collection at the time of making contract
- § 48:18 Ordinance regarding contracts exceeding statutory or charter amount

Chapter 49

Municipal Police Power—Forms

I. PERMITS, LICENSES, AND CERTIFICATES

§ 49:1 Regulation of peddlers, solicitors and canvassers

§	49:2	Application for license as solicitor or peddler
§	49:3	License for peddler or solicitor
§	49:4	Application for building permit
§	49:5	Building permit
§	49:6	Ordinance authorizing license agreement
§	49:7	Street opening permit
§	49:8	Driveway permit
8	49.9	Sidewalk normit

II. NUISANCES

§ 49:10	Ordinance declaring nuisances
§ 49:11	Ordinance declaring health nuisances
§ 49:12	Ordinance regulating abandoned refrigerators
§ 49:13	Notice of nuisance and request to abate To: [Name]
§ 49:14	Ordinance assessing cost of abating nuisances
§ 49:15	Ordinance regulating cleaning of premises
§ 49:16	Ordinance regulating parking during heavy snowfall

III. HOUSING AND BUILDING

§	49:17	Electrical permit
§	49:18	Electrical permit to allow installation of additional equipment
§	49:19	Gas permit
§	49:20	Heating permit
§	49:21	Plumbing permit
§	49:22	Ordinance adopting model and Ohio building codes by reference
§	49:23	Ordinance prohibiting discharge of storm water into sanitary sewer
§	49:24	Ordinance prohibiting discharge of storm water into sanitary sewer (alternate)
§	49:25	Ordinance authorizing demolition of unsafe buildings

IV. ANTIDISCRIMINATION

§ 49:26 Ordinance prohibiting discrimination in places of public accommodation

Chapter 50

Public Health—Forms

I. ORDINANCE AND INSPECTION FORMS

§ 50:1	Ordinance prohibiting starting of grass fires
§ 50:2	Resident inspection form (occupied property)
§ 50:3	Resident inspection form (vacant property)

Platting, Planning, and Zoning—Forms

I. PLAT PREPARATION, CERTIFICATION, AND RECORDING

§	51:1	Regulation outlining steps
§	51:2	Certificate of ownership and dedication
§	51:3	Certificate of surveyor
§	51:4	Approval by planning commission
§	51:5	Engineer's certificate of improvements, acknowledging sufficiency of bond
§	51:6	Engineer's certificate of improvements and their installation
§	51:7	Council certificate on acceptance of land or improvements for maintenance
§	51:8	Certificate of county recording

II. ACCEPTANCE AND DEDICATION

§ 51:9	Sample dedication plat
§ 51:10	Resolution approving plat for record purposes only
§ 51:11	Ordinance accepting dedicated street in plat previously accepted
§ 51:12	Resolution accepting plat, authorizing construction of improvements, and confirming dedication of public lands
§ 51:13	Ordinance accepting conveyance for street purposes; Dedication; Naming

III. BONDS

§ 51:14 Subdivision bond to install improvements
§ 51:15 Performance bond to complete improvements
§ 51:16 Maintenance bond

IV. PLANNING AND ZONING

§ 51:17	Ordinance establishing city planning commission (small noncharter city)
§ 51:18	Notice to property owner of public hearing on amendment to master plan
§ 51:19	Notice of council hearing on zoning ordinance amendment
§ 51:20	Ordinance amending zoning map (new territory)
§ 51:21	Ordinance amending zoning map (zoned territory)
§ 51:22	Ordinance amending zoning map (setback lines)
§ 51:23	Resolution approving zoning variance
§ 51:24	Ordinance provisions regarding zoning for newly annexed areas

V. PROCEDURAL FORMS: PLANNING AND ZONING COMMISSION

§ 51:25	Property description form
§ 51:26	Petition for zoning change
§ 51:27	Petition for use district exception
§ 51:28	Petition for variance
§ 51:29	Petition for permit
§ 51:30	Ruling on permit refusal
§ 51:31	Petition for appeal (upon refusal of permit)
§ 51:32	Petition for rehearing

VI. HISTORIC LANDMARKS

§ 51:33	Ordinance establishing a historic district
§ 51:34	Ordinance establishing a landmark commission

VII. PRIVATE SWIMMING POOLS; FENCES; SIGNS AND BILLBOARDS

§ 51:35	Ordinance regulating private swimming pools
§ 51:36	Ordinance prohibiting barbed wire and electrically charged
	fences
§ 51:37	Ordinance regulating fences and other landscape features
§ 51:38	Ordinance regulating signs
§ 51:39	Resolution authorizing banner to be stretched across street

Chapter 52

Public Housing; Urban Renewal—Forms

§ 52:1 Ordinance enacting urban renewal process

Chapter 53

Public Utilities—Forms

I. WATER

§ 53:1	Ordinance fixing water rates
§ 53:2	Ordinance establishing sewer and water districts
§ 53:3	Ordinance providing for water service by contract with a privat water company and fixing rates
§ 53:4	Water service permit
§ 53:5	Contract with water user; Ordinance relating to liens for water charges

- § 53:6 Water tapping permit
- § 53:7 Water service record
- § 53:8 Water customer bill

II. SEWAGE DISPOSAL

- § 53:9 Ordinance authorizing sewer improvement, payment from city fund
- § 53:10 Ordinance restricting use of a storm sewer
- § 53:11 Ordinance requiring sewer tapper's license
- § 53:12 Sewer permit

III. RATE REGULATION

- § 53:13 Ordinance regulating electric rates (private company)
- § 53:14 Ordinance regulating gas rates (private company)

Chapter 54

Remedies and Actions—Forms

I. APPEALS TO ADMINISTRATIVE AGENCIES

- § 54:1 Notice of appeal from order of building or housing inspector
- § 54:2 Notice of appeal from denial of building permit
- § 54:3 Notice of appeal from denial of building permit because of zoning
- § 54:4 Notice of appeal from order of notice of zoning violation
- § 54:5 Notice of appeal from order of removal, suspension, demotion, or reduction in pay

II. APPEALS TO COURT OF COMMON PLEAS

- § 54:6 Notice of appeal from Board of Zoning Appeals
- § 54:7 Notice of appeal from Civil Service Commission
- § 54:8 Motion to stay order of Civil Service Commission pending appeal
- § 54:9 Order staying removal, suspension, demotion, or reduction in pay pending appeal
- § 54:10 Request (praecipe) for transcript
- § 54:11 Certificate authenticating transcript
- § 54:12 Motion to allow presentation of additional evidence on appeal
- § 54:13 Judgment entry affirming or reversing administrative decision

Chapter 55

Traffic Control—Forms

I. TRAFFIC CONTROL

§ 55:1 Ordinance creating division of traffic engineering

§ 55:2	Ordinance authorizing the safety director to promulgate traffic regulations
§ 55:3	Ordinance designating intersections at which turns are prohibited
§ 55:4	Ordinance designating stop streets
§ 55:5	Ordinance designating traffic control intersections
II. PA	ARKING
§ 55:6	Parking regulations
§ 55:7	Ordinance designating parking infractions, establishing
§ 55:8	violations bureau Regulation governing passenger and commercial loading
§ 55.8 § 55:9	Parking meter regulations
§ 55:10	Regulation governing on-street parking meter zones, fees
§ 55:11	Regulation governing off-street parking meter zones, fees
§ 55:12	Ordinance suspending parking regulations for certain streets for a designated period
§ 55:13	Ordinance prohibiting parking in fire lanes
III. M	IISCELLANEOUS
§ 55:14	Ordinance prohibiting tire peeling
§ 55:15	Ordinance regulating joggers
Chap	oter 56
App	ropriation of Property—Forms
	ropriation of Property—Forms DINANCE, RESOLUTION, NOTICE
I. OR	DINANCE, RESOLUTION, NOTICE
	DINANCE, RESOLUTION, NOTICE Notice of survey, appraisal, soundings, etc Ordinance authorizing appraisal, negotiation, and acquisition of
I. OR § 56:1	DINANCE, RESOLUTION, NOTICE Notice of survey, appraisal, soundings, etc
I. OR § 56:1 § 56:2 § 56:3 § 56:4	DINANCE, RESOLUTION, NOTICE Notice of survey, appraisal, soundings, etc Ordinance authorizing appraisal, negotiation, and acquisition of easement or fee simple
I. OR § 56:1 § 56:2 § 56:3 § 56:4 § 56:5	DINANCE, RESOLUTION, NOTICE Notice of survey, appraisal, soundings, etc Ordinance authorizing appraisal, negotiation, and acquisition of easement or fee simple Resolution of intent to appropriate easement or fee simple Notice to owner of resolution Ordinance appropriating fee simple (quick-take procedure)
I. OR § 56:1 § 56:2 § 56:3 § 56:4	DINANCE, RESOLUTION, NOTICE Notice of survey, appraisal, soundings, etc Ordinance authorizing appraisal, negotiation, and acquisition of easement or fee simple Resolution of intent to appropriate easement or fee simple Notice to owner of resolution
\$ 56:1 \$ 56:2 \$ 56:3 \$ 56:4 \$ 56:5 \$ 56:6	DINANCE, RESOLUTION, NOTICE Notice of survey, appraisal, soundings, etc Ordinance authorizing appraisal, negotiation, and acquisition of easement or fee simple Resolution of intent to appropriate easement or fee simple Notice to owner of resolution Ordinance appropriating fee simple (quick-take procedure)
\$ 56:1 \$ 56:2 \$ 56:3 \$ 56:4 \$ 56:5 \$ 56:6	DINANCE, RESOLUTION, NOTICE Notice of survey, appraisal, soundings, etc Ordinance authorizing appraisal, negotiation, and acquisition of easement or fee simple Resolution of intent to appropriate easement or fee simple Notice to owner of resolution Ordinance appropriating fee simple (quick-take procedure) Ordinance appropriating easement or fee simple
I. OR § 56:1 § 56:2 § 56:3 § 56:4 § 56:5 § 56:6 II. CO	DINANCE, RESOLUTION, NOTICE Notice of survey, appraisal, soundings, etc Ordinance authorizing appraisal, negotiation, and acquisition of easement or fee simple Resolution of intent to appropriate easement or fee simple Notice to owner of resolution Ordinance appropriating fee simple (quick-take procedure) Ordinance appropriating easement or fee simple DURT PROCEDURE
\$ 56:1 \$ 56:2 \$ 56:3 \$ 56:4 \$ 56:5 \$ 56:6 II. CO \$ 56:7	DINANCE, RESOLUTION, NOTICE Notice of survey, appraisal, soundings, etc Ordinance authorizing appraisal, negotiation, and acquisition of easement or fee simple Resolution of intent to appropriate easement or fee simple Notice to owner of resolution Ordinance appropriating fee simple (quick-take procedure) Ordinance appropriating easement or fee simple DURT PROCEDURE Affidavit as to unknown heirs
\$ 56:1 \$ 56:2 \$ 56:3 \$ 56:4 \$ 56:5 \$ 56:6 II. CC \$ 56:7 \$ 56:8 \$ 56:9 \$ 56:10	DINANCE, RESOLUTION, NOTICE Notice of survey, appraisal, soundings, etc Ordinance authorizing appraisal, negotiation, and acquisition of easement or fee simple Resolution of intent to appropriate easement or fee simple Notice to owner of resolution Ordinance appropriating fee simple (quick-take procedure) Ordinance appropriating easement or fee simple DURT PROCEDURE Affidavit as to unknown heirs Affidavit as to nonresident Notice by publication Complaint for appropriation
\$ 56:1 \$ 56:2 \$ 56:3 \$ 56:4 \$ 56:5 \$ 56:6 II. CO \$ 56:7 \$ 56:8 \$ 56:9 \$ 56:10 \$ 56:11	DINANCE, RESOLUTION, NOTICE Notice of survey, appraisal, soundings, etc Ordinance authorizing appraisal, negotiation, and acquisition of easement or fee simple Resolution of intent to appropriate easement or fee simple Notice to owner of resolution Ordinance appropriating fee simple (quick-take procedure) Ordinance appropriating easement or fee simple DURT PROCEDURE Affidavit as to unknown heirs Affidavit as to nonresident Notice by publication Complaint for appropriation (quick-take)
\$ 56:1 \$ 56:2 \$ 56:3 \$ 56:4 \$ 56:5 \$ 56:6 II. CO \$ 56:7 \$ 56:8 \$ 56:9 \$ 56:10 \$ 56:11 \$ 56:12	DINANCE, RESOLUTION, NOTICE Notice of survey, appraisal, soundings, etc Ordinance authorizing appraisal, negotiation, and acquisition of easement or fee simple Resolution of intent to appropriate easement or fee simple Notice to owner of resolution Ordinance appropriating fee simple (quick-take procedure) Ordinance appropriating easement or fee simple DURT PROCEDURE Affidavit as to unknown heirs Affidavit as to nonresident Notice by publication Complaint for appropriation Complaint for appropriation (quick-take) Answer (general denial)
\$ 56:1 \$ 56:2 \$ 56:3 \$ 56:4 \$ 56:5 \$ 56:6 II. CO \$ 56:7 \$ 56:8 \$ 56:9 \$ 56:10 \$ 56:11	DINANCE, RESOLUTION, NOTICE Notice of survey, appraisal, soundings, etc Ordinance authorizing appraisal, negotiation, and acquisition of easement or fee simple Resolution of intent to appropriate easement or fee simple Notice to owner of resolution Ordinance appropriating fee simple (quick-take procedure) Ordinance appropriating easement or fee simple DURT PROCEDURE Affidavit as to unknown heirs Affidavit as to nonresident Notice by publication Complaint for appropriation (quick-take)

§	56:15	Entry setting trial date after specific denial
§	56:16	Motion to declare value and vest title
§	56:17	Entry declaring value and vesting title
§	56:18	Praecipe for writ of possession
§	56:19	Writ of possession
§	56:20	Entry of settlement
§	56:21	Jury verdict
§	56:22	Entry confirming jury verdict
§	56:23	Certificate of appropriation
§	56:24	Entry for distribution
8	56:25	Right-of-entry

III. EMINENT DOMAIN

- § 56:26 Acquisition offer letter for easement
- Appendix A Calendars and Ohio Guide to Candidate Requirements
- Appendix B Tables and Charts
- Appendix C Procedure Outlines and Ordinance Digest

Table of Laws and Rules

Table of Cases

Index

Part I

Text A INTRODUCTION

Chapter 1

History of the Township

I. HISTORY

- § 1:1 Historical political subdivision
- § 1:2 Earliest division of the Ohio territory
- § 1:3 Original legislation authorizing townships
- § 1:4 Claim of Connecticut to the Western Reserve
- § 1:5 Hutchins' survey
- § 1:6 Irregularity of boundaries

II. STATEHOOD

- § 1:7 Ohio admitted into the Union
- § 1:8 Original township officers and responsibilities
- § 1:9 Effect of increase in population
- § 1:10 Changes in duties of officers

III. TOWNSHIPS TODAY

- § 1:11 Ohio subdivisions today
- § 1:12 Distinctive role of township
- § 1:13 The role of township officers
- § 1:14 Increasing role of the township
- § 1:15 Future of township government
- § 1:16 Ohio township day

Chapter 2

Township as a Unit of Government

§ 2:1 Civil and territorial townships—Two concepts

I. CIVIL TOWNSHIP

§ 2:2 Civil township, constitutional basis

- § 2:3 Civil township as a legal entity
- § 2:4 Joint economic development district and cooperative economic development agreements
- § 2:5 Regional cooperation and aid to economic development
- § 2:6 Tax increment financing

II. TOWNSHIP LIMITED HOME RULE—ADOPTION, CONTINUATION AND TERMINATION

- § 2:7 Limited home rule in general
- § 2:8 Method of adoption—Majority vote of board of trustees
- § 2:9 —Petition of the electors of unincorporated area
- § 2:10 —Unanimous vote of board of township trustees
- § 2:11 Election to determine question of limited home rule—Date of election
- § 2:12 —Ballot language
- § 2:13 —Notice
- § 2:14 —Effective date
- § 2:15 Home rule—Duration
- § 2:16 —Continuation
- § 2:17 ——Date of election to continue
- § 2:18 ——Ballot language whether to continue
- § 2:19 ——Notice of election to continue
- § 2:20 —Termination by initiative petition
- § 2:21 —Date of termination
- § 2:22 —Repeal of resolutions upon termination

III. LIMITED HOME RULE—POWERS AND DUTIES

- § 2:23 Powers of limited home rule townships—General powers
- § 2:24 —Exceptions and limitations
- § 2:25 —Township trustees and clerks—Law director required
- § 2:26 —Conflicts with municipal ordinances and county resolutions
- § 2:27 —Civil fines
- § 2:28 —Citations
- § 2:29 ——Answer
- § 2:30 Notification to the court—Court action
- § 2:31 ——Payment of judgment
- § 2:32 ——Appeal
- § 2:33 Enforcement of resolutions—Specific powers

IV. ADOPTION OF RESOLUTIONS UNDER LIMITED HOME RULE

- § 2:34 Resolutions—Form and style
- § 2:35 —Reading
- § 2:36 —Voting
- § 2:37 —Effective date

- § 2:38 —Recording§ 2:39 —Revision or amendment
- § 2:40 —Publication
- § 2:41 —Initiative and referendum petitions
- § 2:42 "Resolutions—Zoning"
- § 2:43 Building and other standard codes—Adoption of standard codes
- § 2:44 —Conflicts with county standard codes

V. TOWNSHIP LAW DIRECTOR AND POLICE UNDER LIMITED HOME RULE

- § 2:45 Law director—Township legal counsel
- § 2:46 Police

VI. JURISDICTION OVER VIOLATIONS UNDER LIMITED HOME RULE; DECLARATORY JUDGMENTS

- § 2:47 Jurisdiction over violations of resolutions, costs, fines
- § 2:48 Declaratory judgment

VII. EFFECT OF LIMITED HOME RULE ON PRIOR ACTS

§ 2:49 Prior acts not affected

VIII. TERRITORIAL TOWNSHIPS

- § 2:50 Territorial township
- § 2:51 Area
- § 2:52 Ohio has no "towns"

IX. BOUNDARIES

- § 2:53 Change in township boundaries
- § 2:54 Effect of coextensive boundaries
- § 2:55 Procedure when municipality desires to become coextensive
- § 2:56 Township may exclude a city
- § 2:57 Effect of alteration
- § 2:58 Merger of township with municipal corporation
- § 2:59 Change in township name

Chapter 3

Inspection and Supervision of Public Offices

§ 3:1 Inspection and supervision of public offices

§	3:2	Chief inspector and supervisor of public offices
§	3:3	Audit of accounts
§	3:4	Procedure following audit
§	3:5	Annual financial report
§	3:6	Contents of financial report
§	3:7	Failure to file financial report
§	3:8	Refusal to keep accounts or make reports
§	3:9	Unauditable public office
§	3:10	Forms required
§	3:11	Uniform system of accounting
§	3:12	Ohio township handbook

Ohio Township Association

- § 4:1 Origin and purpose§ 4:2 First officers
- § 4:3 Achievement
- § 4:4 The association today

Chapter 5

Regional Councils of Local Government Units

- § 5:1 Regional councils
- § 5:2 Membership
- § 5:3 Representatives to council
- § 5:4 Director of development to assist council
- § 5:5 Withdrawal
- § 5:6 Powers
- § 5:7 Officers and governing board
- § 5:8 Fiscal officer
- § 5:9 Staff—Facilities
- § 5:10 Funds
- § 5:11 Gifts
- § 5:12 Annual report
- § 5:13 Membership not public office
- § 5:14 Contract for services

B OFFICERS AND EMPLOYEES

Officers Generally

I. TOWNSHIP OFFICERS

- § 6:1 Organization of a township
- § 6:2 Township officials
- § 6:3 Eligibility for office
- § 6:4 Election

II. OATH

- § 6:5 Oath and bond as qualification for office
- § 6:6 Oath of office
- § 6:7 Form of oath

III. BOND

- § 6:8 Bond
- § 6:9 Sureties on bond
- § 6:10 Discharge of sureties

IV. VACANCY

- § 6:11 Vacancy in office
- § 6:12 Filling vacancy
- § 6:13 Continuity of office
- § 6:14 Failure to keep accounts
- § 6:15 Offenses

V. BOOKS AND RECORDS

- § 6:16 Delivery of records and property to successor
- § 6:17 Books for township officers

VI. CONFLICT OF INTEREST

§ 6:18 Interest in contracts

VII. RETIREMENT

§ 6:19 Public employees retirement system

VIII. LIABILITY INSURANCE

§ 6:20 Liability insurance

IX. MEMBERSHIP IN ASSOCIATION

§ 6:21 Membership in township association

Township Trustees

- § 7:1 Composition and term of board of township trustees
- § 7:2 Election of trustees
- § 7:3 Qualifications
- § 7:4 Bond of township trustees
- § 7:5 Additional or new bond
- § 7:6 Oath of office
- § 7:7 Failure to take oath and give bond
- § 7:8 Vacancy in trusteeship
- § 7:9 Sickness or injury of trustee
- § 7:10 Filling vacancy in trusteeship
- § 7:11 Powers of trustees
- § 7:12 Compensation of trustees
- § 7:13 Compensated services
- § 7:14 Expenses for attendance at conventions
- § 7:15 Newsletters
- § 7:16 Penal or criminal liability of trustee
- § 7:17 Civil or tort liability of trustees prior to 11-20-85

I. TORT LIABILITY

- § 7:18 General
- § 7:19 Liabilities
- § 7:20 Defenses and immunities
- § 7:21 Immunity of township employees
- § 7:22 Limitation of actions
- § 7:23 Damages
- § 7:24 Township's responsibility to employees
- § 7:25 Liability insurance—Self-insurance programs
- § 7:26 Joint self-insurance pools—Joint risk-management programs
- § 7:27 Nonapplicability of RC Chapter 2744

Chapter 8

Township Clerk

- § 8:1 Qualifications for township clerk
- § 8:2 Term and election
- § 8:3 Deputy township clerk
- § 8:4 Vacancy in office
- § 8:5 Bond
- § 8:6 Oath
- § 8:7 Priority of clerk's oath and bond
- § 8:8 Function of the township clerk, generally

§	8:9	Personal liability
§	8:10	State auditor training program
§	8:11	Records kept by township clerk
§	8:12	Books to be provided
§	8:13	Clerk as ministerial officer
§	8:14	Investigation and report of fires
§	8:15	Clerk as fiscal officer
§	8:16	Annual financial report
§	8:17	Compensation of clerk
§	8:18	Fees
§	8:19	Expenses for attendance at conventions

Chapter 9

Meetings of Trustees—Minutes

§	9:1	Trustees meetings, generally
§	9:2	Responsibility of trustees to the public
§	9:3	Public meetings
§	9:4	Executive session
§	9:5	Regular meetings
§	9:6	Special meetings
§	9:7	Notice to the public of regular and special meetings
§	9:8	Rules for government of board
§	9:9	Parliamentary procedure
§	9:10	Quorum
§	9:11	Minutes as permanent record
§	9:12	Customary agenda
-	9:13	Conduct of January organizational meeting—Officer presiding
_	9:14	—Preliminary proceedings
_	9:15	—Election of officers
	9:16	—Time and place of meetings
_	9:17	Conduct of general meeting—Agenda
_	9:18	—Guide rules
_	9:19	—Preliminary proceedings
	9:20	—Action by motion and resolution
_	9:21	—Discussion and amendment
§	9:22	—Form of resolution
§	9:23	Conduct of general meeting—Voting
§	9:24	Conduct of general meeting—Requirements of minutes

Chapter 10

Legal Counsel

- § 10:1 Necessity for legal counsel
- § 10:2 Prosecuting attorney or township law director as counsel

- § 10:3 Duties of prosecuting attorney
- § 10:4 Power to employ other counsel
- § 10:5 Compensation and benefits

Police Employees—Constables and Police Officers

- § 11:1 General
- § 11:2 Purchase of police dogs or horses by township police officers

I. CONSTABLES

- § 11:3 General functions
- § 11:4 Appointment of constables
- § 11:5 Bond for constables
- § 11:6 Peace officer training
- § 11:7 Compensation
- § 11:8 Qualifications for the office
- § 11:9 Territorial jurisdiction
- § 11:10 Extension of territorial jurisdiction
- § 11:11 Duties of constable—Criminal
- § 11:12 —Civil
- § 11:13 Service of process
- § 11:14 Payment of moneys
- § 11:15 Special constables
- § 11:16 Special police constables
- § 11:17 Constable as bailiff
- § 11:18 Constable as ministerial officer of county court
- § 11:19 Fees of constables
- § 11:20 Fees of constable in criminal cases
- § 11:21 Removal or suspension
- § 11:22 Misfeasance or malfeasance in office
- § 11:23 Control during emergencies
- § 11:24 Authority under contract for police protection

II. POLICE DISTRICT POLICE OFFICERS

- § 11:25 Police district—Officers' general functions
- § 11:26 —Composition
- § 11:27 —Altering territorial limits
- § 11:28 —Taxes
- § 11:29 —Rules and regulations
- § 11:30 —Contract for police protection
- § 11:31 —Equipment and buildings
- § 11:32 —Tax levy

-Issuance of bonds and notes § 11:33 § 11:34 —Dissolution § 11:35 Police officers—Appointment § 11:36 —Peace officer training § 11:37 —Compensation § 11:38 -Qualifications for office § 11:39 —Territorial jurisdiction § 11:40 —Duties -Fees § 11:41 § 11:42 —Removal or suspension § 11:43 —Authority to arrest and detain until warrant can be obtained § 11:44 —Transfer under incorporation proceedings

Chapter 12

§ 12:15

§ 12:16

§ 12:17

§ 12:18

Employees Generally—Employee Benefits

I. EMPLOYEES GENERALLY

§ 12:1 Definition § 12:2 Qualifications § 12:3 Hiring § 12:4 Payment § 12:5 Outstanding employee recognition § 12:6 Changes in rate § 12:7 Hours of employment § 12:8 **Emergency situations** § 12:9 Vacation and sick leave § 12:10 Holiday pay § 12:11 Fringe benefits § 12:12 Termination of employment § 12:13 Payroll records § 12:14 Group insurance

II. CIVIL SERVICE TOWNSHIP

Liability insurance

Criminal liability

Self-insurance for health care

Cafeteria plan

§ 12:19 Creation of civil service township

III. PUBLIC EMPLOYEES RETIREMENT SYSTEM

- § 12:20 Public employees retirement board
- § 12:21 Eligibility for membership

§	12:22	Compulsory membership
§	12:23	Exceptions
§	12:24	Optional membership
§	12:25	Coverage of township employees
§	12:26	Plan options
§	12:27	Contributions made jointly
§	12:28	Rate of contribution
§	12:29	Benefits
§	12:30	Retirement benefits
§	12:31	Health benefits
§	12:32	Medicare benefits
§	12:33	Terms defined
§	12:34	Prior service credit
§	12:35	Purchase of additional prior service credit
§	12:36	Transfer of service credit
§	12:37	Retirement incentive plan
§	12:38	Severance
§	12:39	Termination of membership—Leave of absence
§	12:40	Computation of retirement income
§	12:41	Withholding payment to enforce restitution to employer for theft offense

IV. DEFERRED COMPENSATION

§ 12:42 Deferred compensation for tax purposes

V. WORKERS' COMPENSATION

§ 12:43 Coverage of township officers and employees § 12:44 Records § 12:45 Forms for reporting premiums § 12:46 Payment of premiums § 12:47 Self-insurance

UNEMPLOYMENT COMPENSATION VI.

§ 12:48 Township employees covered § 12:49 Records to be kept by clerk § 12:50 Contribution by township § 12:51 Application for benefits

VII. PUBLIC WORKS RELIEF COMPENSATION

- § 12:52 Public works relief compensation § 12:53 Compensation for injury or death
- § 12:54 Claims for compensation

Police and Firefighters' Funds

I. OHIO POLICE AND FIRE PENSION FUND

- § 13:1 Transfer of assets to fund
- § 13:2 Purpose
- § 13:3 Membership and participation
- § 13:4 Fund trustees
- § 13:5 Police and firefighters employer's contribution
- § 13:6 Contributions by members
- § 13:7 Duties of township clerk
- § 13:8 Deferred retirement option plan
- § 13:9 Benefits and beneficiaries

II. OHIO PUBLIC SAFETY OFFICERS DEATH BENEFIT FUND

- § 13:10 Purpose
- § 13:11 Contributions to the fund
- § 13:12 Benefits and beneficiaries

III. VOLUNTEER FIREFIGHTERS DEPENDENTS FUND

- § 13:13 Volunteer firefighters' dependents fund
- § 13:14 Board of trustees—Creation
- § 13:15 —Membership
- § 13:16 —Organization
- § 13:17 Initial premiums
- § 13:18 Benefits and beneficiaries

Chapter 14

Elections

- § 14:1 Conduct of elections
- § 14:2 Special elections
- § 14:3 Primaries
- § 14:4 Duties of township officials
- § 14:5 Expense to the township
- § 14:6 Nominating petitions
- § 14:7 Requirements, deadline, and forms
- § 14:8 Election equipment
- § 14:9 Prosecuting attorney
- § 14:10 Election in annexed territory—Municipal boundaries coterminus with township boundaries

C FISCAL PROCEDURE

Chapter 15

Fiscal Administration—Accounts and Reports

- § 15:1 Scope of chapter
- § 15:2 Nature of township office—Fiscal restrictions
- § 15:3 Clerk as fiscal officer
- § 15:4 Fiscal assistance
- § 15:5 Uniform system of accounting
- § 15:6 Annual financial report

I. FORMS

- § 15:7 Requisition
- § 15:8 Purchase order
- § 15:9 Voucher
- § 15:10 Warrant
- § 15:11 Electronic transfer of funds
- § 15:12 Procedure for payment of outstandings
- § 15:13 Procedure for payment of employees' wages
- § 15:14 Road payroll form
- § 15:15 Individual payroll record
- § 15:16 Receipt
- § 15:17 Bank deposit slip

II. JOURNALS

- § 15:18 Receipts journal
- § 15:19 Cash journal

III. APPROPRIATION LEDGER

- § 15:20 Annual appropriation resolution
- § 15:21 Auditor's certification that appropriations do not exceed estimate
- § 15:22 Establishing the appropriation ledger
- § 15:23 Use of appropriation ledger

Chapter 16

Budget and Taxation

- § 16:1 The right to tax
- § 16:2 Creation of taxing districts

§	16:3	Township taxing authority
§	16:4	Ten-mill limitation
§	16:5	One percent equals ten mills
§	16:6	Authority to levy taxes
§	16:7	Division into separate levies
§	16:8	General levy for current expenses
§	16:9	Commingling of estate tax funds
§	16:10	Special levies without vote of the people within ten-mill limitation
§	16:11	Special levy in excess of the ten-mill limitation, with vote of the people
§	16:12	Prohibition against use of public funds to influence vote on tax levy
§	16:13	Funds to be established
§	16:14	Other special funds
§	16:15	Transfer of funds
§	16:16	County budget commission
§	16:17	Function of budget commission
	16:18	Appeal from decision of budget commission
	16:19	Budget timetable
	16:20	Tax budget
	16:21	Operating budget
§	16:22	Submission to county auditor
§	16:23	Action by budget commission
§	16:24	Adjustment and revision by commission
§	16:25	Certification to township trustees
§	16:26	Official certificate of estimated resources
§	16:27	Resolution of township trustees
§	16:28	Appeal to board of tax appeals
	16:29	Annual appropriation measure
	16:30	Classification
	16:31	Expenditures
	16:32	Sources of revenue
_		

Chapter 17

Deposit of Public Funds

I. UNIFORM DEPOSITORY ACT

§ 17:1	Uniform system for deposit of public funds
§ 17:2	Definitions
§ 17:3	Deposit of public moneys with township clerk
§ 17:4	Failure of depository
§ 17:5	Banks eligible as public depositories
8 17.6	Limitation

§ 17:7 Active and inactive deposits

II. INACTIVE DEPOSITS

- § 17:8 Resolution of estimate of inactive deposit
- § 17:9 Publication of resolution
- § 17:10 Application by bank for inactive deposits
- § 17:11 Award of inactive deposits

III. INTERIM DEPOSITS

- § 17:12 Application for interim deposits
- § 17:13 Award of interim deposits
- § 17:14 Investment of interim funds

IV. ACTIVE DEPOSITS

- § 17:15 Application for active deposits
- § 17:16 Award of active deposits

V. DESIGNATION OF DEPOSITORIES

- § 17:17 Conflict of interest waived
- § 17:18 Meeting of board of township trustees
- § 17:19 Effect of amendment of law
- § 17:20 Evidence of deposits

VI. SALE OR TRANSFER OF DEPOSITS

§ 17:21 Transfer from inactive or interim to active deposits

VII. CASH RESERVE

§ 17:22 Cash reserve

VIII. INTEREST AND SERVICE CHARGES

- § 17:23 Interest
- § 17:24 Service charges
- § 17:25 Apportionment of interest

IX. SECURITY FOR DEPOSIT

- § 17:26 Security for deposits
- § 17:27 Eligible securities
- § 17:28 Sale of securities on failure of depository to pay public deposit
- § 17:29 Exchange and substitution of securities

X. TRUSTEE

§ 17:30 Designation of trustee by bank

- § 17:31 Receipt by trustee for securities
- § 17:32 Compensation of trustee

XI. DISCRIMINATION

§ 17:33 Complaint by depository of discrimination

Chapter 18

Borrowing Money

I. AUTHORITY

- § 18:1 Authority to borrow money
- § 18:2 Sources of statutory authority

II. THE UNIFORM PUBLIC SECURITIES LAW

- § 18:3 Borrowing to finance permanent improvements
- § 18:4 —Nature of indebtedness
- § 18:5 Borrowing to meet current expenses
- § 18:6 —Nature of indebtedness
- § 18:7 Borrowing for emergency purposes and to pay judgments and settlements of claims
- § 18:8 Fiscal watch

III. TOWNSHIP SECURITIES NOT SUBJECT TO THE UNIFORM PUBLIC SECURITIES LAW

- § 18:9 Purposes
- § 18:10 Nature of indebtedness

IV. TAX ANTICIPATION NOTES ISSUED PURSUANT TO RC 5705.191

- § 18:11 Borrowing to finance permanent improvements and current expenses
- § 18:12 —Nature of indebtedness

V. LIMITATIONS ON ISSUANCE OF DEBT

- § 18:13 Statutory limitation on indebtedness—Generally
- § 18:14 —Limited home rule government townships
- § 18:15 Constitutional limitation on unvoted indebtedness
- § 18:16 Other limitations
- § 18:17 Maximum allowable interest rate

VI. PROCEEDINGS FOR THE ISSUANCE OF SECURITIES FOR PERMANENT IMPROVEMENTS UNDER THE UNIFORM PUBLIC SECURITIES LAW

§ 18:18 Procedure

§	18:19	Determination of estimated life and maturity
§	18:20	Certificate
§	18:21	Maximum maturity of bonds and maturities
§	18:22	Maturity of anticipatory securities
§	18:23	Resolution authorizing anticipatory securities
§	18:24	Renewal of anticipatory securities
§	18:25	Resolution authorizing bonds
§	18:26	One purpose rule
§	18:27	Amount of securities issue, capitalized interest and other costs included in issue

VII. PROCEEDINGS FOR THE ISSUANCE OF CURRENT REVENUE SECURITIES UNDER THE UNIFORM PUBLIC SECURITIES LAW

§ 18:28 Resolution authorizing securities

VIII. PROCEEDINGS FOR ISSUANCE OF TAX ANTICIPATION NOTES FOR PERMANENT IMPROVEMENTS AND CURRENT EXPENSES UNDER RC 5705.191

- § 18:29 Maturity of notes
- § 18:30 Resolution authorizing notes

IX. SALE OF SECURITIES

§ 18:31 Offer to bond retirement fund § 18:32 Sale, combination of securities § 18:33 Private sale, public sale, notice of sale § 18:34 Disclosure, official statement Award of securities to successful bidder § 18:35 § 18:36 Delivery of securities Proceeds of sale § 18:37 Transcript of proceedings, incontestability § 18:38 § 18:39 Call or redemption of securities, funding and refunding bonds § 18:40 Lost or destroyed securities

X. PROCEDURE FOR ISSUANCE OF UNVOTED DEBT NOT SUBJECT TO THE UNIFORM PUBLIC SECURITIES LAW

- § 18:41 Maturity of securities§ 18:42 Resolution authorizing securities
- § 18:43 Sale of the securities
- § 18:44 Delivery of the securities

XI. MISCELLANEOUS

§ 18:45 Issuance of securities in fully registered form

§ 18:46 Arbitrage bonds, rebate, qualified tax-exempt obligations

XII. PROCEDURE: ELECTION PROCEEDINGS FOR VOTED INDEBTEDNESS UNDER THE UNIFORM PUBLIC SECURITIES LAW

§ 18:47 Proceedings under RC 133.18, submitting bond issue to electors

XIII. RESOLUTION OF NECESSITY

- § 18:48 Resolution of necessity
- § 18:49 —Contents
- § 18:50 Auditor's calculation and certification

XIV. RESOLUTION TO PROCEED

- § 18:51 Resolution determining to proceed
- § 18:52 —Contents
- § 18:53 Time for certification

XV. ELECTION

- § 18:54 Notice of election
- § 18:55 Contents of notice
- § 18:56 Form of ballot
- § 18:57 Certification of election results

XVI. TAX LEVY

- § 18:58 Tax levy for debt service
- § 18:59 Time within which voted bonds may be issued

Chapter 19

Special Assessments

I. AUTHORITY

- § 19:1 Sources of statutory authority
- § 19:2 Nature of indebtedness and limitations on issuance

II. PROCEDURE

- § 19:3 Purpose of the procedures
- § 19:4 Petition
- § 19:5 Resolution of necessity
- § 19:6 Method of apportioning costs
- § 19:7 Plans and cost estimates for project
- § 19:8 Eminent domain

§	19:9	Notice to property owners of hearing on determination to make improvement
§	19:10	Hearing on objections to improvements
§	19:11	Estimated assessments
§	19:12	Notice to property owners of hearing on estimated assessments
§	19:13	Hearing on estimated assessments
§	19:14	Resolution confirming estimated assessments
§	19:15	Construction bids
§	19:16	Paying the contractor—Bond anticipation notes
§	19:17	Final costs—Assessment lists
§	19:18	Special assessment bonds
§	19:19	Other purposes for which townships levy special assessments

Contracts and Purchases

I. CONTRACTS GENERALLY

§ 20:1	Contracts of township
§ 20:2	Restriction
§ 20:3	Continuing contract

II. ADMINISTRATIVE PROCEDURE

§	20:4	Certificate of township clerk
§	20:5	Contracts for supplies and equipment
§	20:6	Purchase or sale with other agency or subdivision
§	20:7	Emergency contract for purchases
§	20:8	Credit card purchases
§	20:9	Preference for Ohio and American products and contractors
§	20:10	Requisition
§	20:11	Purchase order as contract
§	20:12	Appropriation ledger
§	20:13	Warrant for payment
§	20:14	Blanket certificate
§	20:15	Compensation of trustees and clerk
§	20:16	Township exempt from certain taxes

III. BIDS AND AWARDS

§	20:17	Competitive bidding
§	20:18	Awarding contracts to lowest responsive and responsible
		bidder—Notice of rejection—Protest
§	20:19	Separate bids for work and materials
§	20:20	Separate contracts
§	20:21	Exception to separate contract requirement

IV. AWARD OF CONTRACT

- § 20:22 Award of contract
- § 20:23 Limitation on time for awarding contract
- § 20:24 Limitation as to contract price and cost
- § 20:25 Partial payment
- § 20:26 Delay costs

V. PAYMENT UNDER CONTRACT

- § 20:27 Estimate of labor and material
- § 20:28 Escrow when contract fifty percent complete
- § 20:29 Release of escrow
- § 20:30 Filing of estimates of labor and material
- § 20:31 Partial payment to the contractor for materials delivered
- § 20:32 Failure to make timely payment of estimate

VI. DISCRIMINATION

§ 20:33 Discrimination prohibited

VII. MINIMUM WAGE

§ 20:34 Minimum wage provision

VIII. BID GUARANTY BOND

- § 20:35 Bid guaranty at time of submitting a bid
- § 20:36 Bid bond—In general
- § 20:37 —Indemnification
- § 20:38 —Execution
- § 20:39 Procedure on acceptance of contract
- § 20:40 Bidder's responsibilities after submitting bid
- § 20:41 Approval of bond or bid guarantee

IX. PURCHASING THROUGH DEPARTMENT OF ADMINISTRATIVE SERVICES, REGIONAL PLANNING COMMISSION OR JOINT PURCHASES

- § 20:42 Purchasing through department of administration services
- § 20:43 Purchasing through a regional planning commission
- § 20:44 Joint purchases with counties, townships, or national or state association

D ROAD CONSTRUCTION AND MAINTENANCE

Chapter 21

Township Roads—Historical View

§ 21:1 Original legislation

- § 21:2 Congressional subsidy to new state
 § 21:3 Private road companies
 § 21:4 Township contribution
- § 21:5 State highway department
- § 21:6 Cass Highway Act

General Duties—Financing

- § 22:1 Classification of highways
- § 22:2 Classification of road work
- § 22:3 Responsibilities of trustees defined by law
- § 22:4 Improvement and maintenance distinguished
- § 22:5 Cooperation between state, county and township
- § 22:6 Road access management
- § 22:7 Converting a township road into a state or county road
- § 22:8 Financing improvements
- § 22:9 Signs on township or state roads—Intersection signs
- § 22:10 —Township boundary signs on state roads

Chapter 23

Establishing New Roads

- § 23:1 Methods of establishing new roads
- § 23:2 Common law dedication
- § 23:3 Dedication by prescription
- § 23:4 Statutory dedication
- § 23:5 Powers of township trustees limited
- § 23:6 Exceptions
- § 23:7 Abandonment of township roads

Chapter 24

Road Improvements

- § 24:1 Improvements defined
- § 24:2 Powers of township trustees
- § 24:3 Mandatory duty and liability of trustees
- § 24:4 Supervision by county engineer
- § 24:5 Procedure to secure improvement of roads
- § 24:6 Petition to secure improvement
- § 24:7 Processing petition for road improvements
- § 24:8 Resolution to secure improvement
- § 24:9 Contents of resolution of necessity
- § 24:10 Filing of plans

§ 24:11	Reconstruction or repair—Notice
0	-
§ 24:12	Construction—Service of summons
§ 24:13	Procedure for appropriation
§ 24:14	Taking possession of the property
§ 24:15	Determination of claims
§ 24:16	Resolution determining to proceed
§ 24:17	Contents of resolution determining to proceed
§ 24:18	Improvement contracts

Chapter 25

Road Districts Outside Municipalities

- § 25:1 Municipalities within townships§ 25:2 Municipality roads and streets
- § 25:3 Dual taxation
- § 25:4 Special road districts outside municipalities

Chapter 26

Road Maintenance and Repair

§	26:1	Duty of trustees
§	26:2	Liability of trustees
§	26:3	Choice of procedure
§	26:4	Modes of procedure
§	26:5	Township highway superintendent
§	26:6	Supervision by county engineer
§	26:7	Duties of county engineer
§	26:8	Annual meeting of road officials
_	26:9	Distinction between improvement and maintenance
_	26:10	Force account defined
_	26:11	Supervision of force account performance
_	26:12	Force account and competitive bids
_	26:13	Purchase of machinery and equipment
§	26:14	Cost of machinery and equipment
§	26:15	Lease or rental of road equipment
§	26:16	Disposal of old equipment
§	26:17	Bonds and notes for machinery and equipment
§	26:18	Dragging and graveling of unimproved roads
§	26:19	Appropriation of funds for dragging
§	26:20	Equipment for dragging
§	26:21	Weed control
§	26:22	Maintenance and repair fund
§	26:23	Levies for maintenance and repair
§	26:24	Levy on all taxable property within township
§	26:25	Levy on taxable property outside municipalities
_		

§ 26:	Construction and repair in township road districts outside municipalities
	1
§ 26:	27 Suits by township trustees
§ 26:	Permit for excavation
§ 26:	9 Abutting owners
§ 26:	Repair and maintenance of private sewer in township road right-of-way

Street Lighting—Sidewalks

I. STREET LIGHTING

§	27:1	Artificial lighting
§	27:2	Petition for lighting of streets
§	27:3	Procedure
§	27:4	Hearing and inspection
§	27:5	Number of lights to be specified
§	27:6	Two methods of procuring lighting
§	27:7	Notice to bidders
§	27:8	Contract with successful bidder
§	27:9	Ownership of equipment
§	27:10	Contract for electric service
§	27:11	Renewal of existing lighting contract
§	27:12	Cost of furnishing and maintaining lighting
§	27:13	Assessment against abutting landowners
§	27:14	Increase in lighting
§	27:15	Combined contract
§	27:16	Compensation of officers
§	27:17	Relocation of overhead cables and underground wires

II. SIDEWALKS

§	27:18	Construction of sidewalks
§	27:19	Expense of construction
§	27:20	Notice of hearing
§	27:21	Notice of special assessments hearing
§	27:22	Construction of sidewalks by property owners

E TERRITORY

Chapter 28

Annexation and Detachment

§ 28:1 Statutory procedure for annexation and detachment

I. ANNEXATION

Š	28:2	Two procedures for annexation
§	28:3	Special annexation procedures
§	28:4	Employing counsel
§	28:5	Annexation by petition of owners of real estate
§	28:6	Requirements of petition
§	28:7	Public hearing
§	28:8	Approval by legislative authority of municipality required
§	28:9	Petition to enjoin annexation
§	28:10	Apportionment of indebtedness
§	28:11	Annexation upon application of a municipal corporation
§	28:12	Petition of municipality to county commissioners
§	28:13	Annexation agreements
§	28:14	Election on question of annexation
§	28:15	Exceptions
§	28:16	Effect of annexation

II. DETACHMENT

§ 28:17	Detachment
§ 28:18	Detachment by petition to the county commissioners
§ 28:19	Effect of ruling of county commissioners
§ 28:20	Detachment by election
§ 28:21	Apportionment of property, funds and indebtedness
§ 28:22	Detachment of unplatted farm lands

Chapter 29

Incorporation

§ 29:1 Legislative control of incorporation procedure

I. INCORPORATION OF VILLAGE

§	29:2	Manner of incorporation
§	29:3	Requirements of petition
§	29:4	Qualifications for incorporation
§	29:5	Presentation of petition to county commissioners
§	29:6	Notice of hearing on the petition
§	29:7	Hearing
§	29:8	Order allowing incorporation
§	29:9	Certified transcript of proceedings to county recorder
§	29:10	Beginning of corporate existence
§	29:11	Cause for injunction against recorder
§	29:12	Hearing on petition for injunction
§	29:13	Apportionment of property and funds

II. INCORPORATION OF CITY

§ 29:14	Manner of incorporation
§ 29:15	Territorial requirements for proposed incorporation
§ 29:16	Petition for incorporation of city
§ 29:17	Notice of filing of petition
§ 29:18	Responsibilities of county commissioners and board of elections
§ 29:19	Special election on question of incorporation
\$ 29:20	Cost of election, transition to new municipality

Chapter 30

Township Zoning

		_
§	30:1	Zoning defined
§	30:2	Authority for zoning regulations
§	30:3	Rural zoning in Ohio
§	30:4	Initiative for proceedings to secure township zoning
§	30:5	Township zoning commission
§	30:6	Recommended plan for zoning
§	30:7	Public hearing by township zoning commission
§	30:8	Approval by county or regional planning commission
§	30:9	Public hearing by township trustees
§	30:10	Trustees' action on zoning proposal—Setting date for election
§	30:11	Majority vote required for approval
§	30:12	Maintaining township zoning resolutions
§	30:13	Time for challenging validity of zoning resolution

I. AMENDMENT

§ 30:14	Amendment of zoning plan
§ 30:15	Hearing on amendments—Notice—Referendum
§ 30:16	Time for challenging validity of amendment

II. INSPECTION AND CERTIFICATES

2	30:17	Zoning in anastan
8	50:17	Zoning inspector
§	30:18	Zoning certificates
§	30:19	Exceptions
§	30:20	Agriculture
§	30:21	Public utilities and communication towers

III. ENFORCEMENT

§ 30:22 Enforcement

IV. BOARD OF ZONING APPEALS

§ 30:23 Township board of zoning appeals

§	30:24	Board of zoning appeals—Powers
§	30:25	—Meetings
§	30:26	—Appeals to the board
§	30:27	—Public hearing
§	30:28	—Appeal of board decision

V. REPEAL OF ZONING PLAN

§ 30:29 Repeal of zoning plan

Chapter 31

Regional and County Planning and Zoning

§ 31:1	Planning distinguished from zoning
§ 31:2	Jurisdiction
§ 31:3	Precedence
§ 31:4	County planning commission
§ 31:5	Regional planning commission
§ 31:6	Purchasing through a regional planning commission
§ 31:7	Effect of adoption of plans and maps
§ 31:8	Certification to county recorder
§ 31:9	Submission of proposed zoning resolution
§ 31:10	Request for plan for township
§ 31:11	Rural slum and blighted areas

F TOWNSHIP FUNCTIONS

Chapter 32

Animals

Š	32:1	Township control over certain animals
§	32:2	Notification requirements
§	32:3	Dead animals
§	32:4	Diseased animals
§	32:5	Animals running at large
§	32:6	Township resolution to control dogs
§	32:7	Injury or death caused by dogs
§	32:8	Bounties
§	32:9	Fishing, hunting, and trapping
§	32:10	Blackbird control

Buildings and Furnishings—Real Estate

§	33:1	Township buildings
§	33:2	Erection of town hall
§	33:3	Procurement of site
§	33:4	Control of town hall and other township buildings
§	33:5	Lease of offices or building site
§	33:6	Joint action by township and village as to public building
§	33:7	Acquisition of real estate
§	33:8	Exchange, transfer, or acquisition of real property
§	33:9	Appropriation of property
§	33:10	Power to hold property
§	33:11	Power to lease
§	33:12	Disposal of property
§	33:13	Transfer of real property to municipality
§	33:14	Satisfaction of debt or claim
8	33:15	Contracts for energy conservation in township buildings

Chapter 34

Cable Television

- § 34:1 Contract with cable television company§ 34:2 Contract with other political subdivision as agent
- § 34:3 Political subdivisions providing cable service

Chapter 35

Cemeteries

§	35:1	Establishment and operation of cemeteries
§	35:2	Management of cemeteries
§	35:3	Title to cemeteries
§	35:4	Union cemeteries
§	35:5	Establishment of cemeteries
§	35:6	Approval by electors
§	35:7	Additions to cemetery lands
§	35:8	Sale of cemetery lots
§	35:9	Proceeds of sale of cemetery lots
§	35:10	Care of cemetery
§	35:11	Trust funds for perpetual care
§	35:12	Plots for veterans
§	35:13	Disinterment
§	35:14	Abandoned cemeteries

Ditches, Drains, and Watercourses

§ 36:1 Responsibility for ditches, drains and watercourses § 36:2 Authority of board of county commissioners § 36:3 Petition by landowner § 36:4 Bond of landowner § 36:5 View of the site § 36:6 Notice § 36:7 Hearing § 36:8 Finding § 36:9 Hearings on assessments and damages § 36:10 Appeal Contract for ditch improvement § 36:11

Chapter 37

Fences

37:1	Partition fence defined
37:2	Expense of partition fence
37:3	Composition of partition fence
37:4	Duty of trustees
37:5	Costs of viewing
37:6	Division when line is in a stream
37:7	Failure to comply
37:8	Cost of building fences
37:9	Duty of county auditor
37:10	Duty of township clerk
37:11	Duty of county recorder
37:12	Proceedings if one party owns entire fence
37:13	Hedge fence
37:14	Size of hedge fence
	37:2 37:3 37:4 37:5 37:6 37:7 37:8 37:9 37:10 37:11 37:12 37:13

Chapter 38

Fire Protection

8	38:1	Methods of securing protection
§	38:2	Responsibility of township
§	38:3	Duty of investigating fires
§	38:4	Purchase of equipment and services
§	38:5	Financing fire protection
§	38:6	Firefighters
§	38:7	Liability insurance
§	38:8	Firefighters' funds

§	38:9	Liability for negligence
§	38:10	Gas mask protection
§	38:11	Extension of fire protection services
§	38:12	Control during emergencies
§	38:13	False fire alarm at commercial establishment—Charges assessed
Ş	38:14	Hazardous chemicals or substances

I. AMBULANCE SERVICE—EMERGENCY MEDICAL SERVICE

38:15	Ambulance and emergency medical service
38:16	Joint ambulance district
38:17	Employees of joint ambulance district
38:18	Contracts for services
38:19	Immunity of township or municipal corporation
38:20	Fire and ambulance district
	38:15 38:16 38:17 38:18 38:19 38:20

Chapter 39

Forests—Trees

§ 39:1	Authority to create township forest
§ 39:2	Purchase of forest land
§ 39:3	Duty of trustees
§ 39:4	Inspection for dutch elm disease
§ 39:5	Treatment of diseased trees
§ 39:6	Equipment for disposal of tree leaves

Chapter 40

Garbage and Waste Disposal—Dumps

I. GARBAGE AND WASTE DISPOSAL

§	40:1	Collection and disposal of garbage
§	40:2	Waste disposal district
§	40:3	Tax levy for waste disposal service
§	40:4	Service charge for waste disposal service
§	40:5	Delinquent service charge
§	40:6	County garbage and refuse disposal districts
§	40:7	Scope
§	40:8	Payment of cost of service by bond issue
§	40:9	Payment of cost by direct service charges
§	40:10	Delinquent service charge

II. DUMPS

§ 40:11 Acquisition of land for dumping purposes

§ 40:12 Selection of site § 40:13 Operation of sanitary dumps § 40:14 Hazardous gas concentrations § 40:15 Environmental emergency

Chapter 41

Health

§ 41:1 Health districts § 41:2 Contract for services § 41:3 District advisory council § 41:4 Function of district advisory council District board of health § 41:5 § 41:6 Health commissioner § 41:7 Other personnel § 41:8 Rules and regulations § 41:9 Duties of general health district board § 41:10 District health fund § 41:11 Levy for expenses § 41:12 Quarantine of indigents § 41:13 Water pollution control § 41:14 Air pollution control

Chapter 42

§ 41:15

Hospitals

§ 42:1 Tax for hospital purposes § 42:2 Contract with municipal corporation for hospital services § 42:3 Tax levy exempts municipal property § 42:4 Payment of proceeds of tax Annual report to trustees

Nonsmoking areas in places of public assembly

- § 42:5
- § 42:6 Prohibition
- § 42:7 Joint township hospital districts
- § 42:8 Bond levy for operating costs

Chapter 43

Housing Projects

- § 43:1 Federal government projects
- Township cooperation § 43:2

Chapter 44

Libraries

§ 44:1 Township library

- § 44:2 Tax levy § 44:3 Township
- § 44:3 Township library property
- § 44:4 Change to a county district library
- § 44:5 Contract for library services
- § 44:6 Classified property taxes

Local Option—Liquor Control— Liquor Permits

I. INTOXICATING LIQUORS

- § 45:1 Local option on sale of intoxicating liquors
- § 45:2 Petition for local option election
- § 45:3 Questions submitted to electors
- § 45:4 Effect of election

II. MALT BEVERAGES

- § 45:5 Local option on sale of beer
- § 45:6 Petition for local option election
- § 45:7 Local option election as to premises where liquor violation has been found to have occurred

III. TRANSFER OR RENEWAL OF LIQUOR PERMITS

- § 45:8 Objections to transfer or renewal of liquor permit
- § 45:9 Appeal
- § 45:10 Filing of objections

IV. REGULATION OF PERMIT HOLDERS

§ 45:11 Noise regulation

Chapter 46

Township Regulation of Massage Establishments, Adult Cabarets and Adult-Oriented Businesses

- § 46:1 Regulation of massage establishments and adult cabarets by townships—In general, definitions
- § 46:2 —Activities exempt from regulation by township
- § 46:3 Adoption of regulations—Adoption procedure
- § 46:4 —Referendum

8	46:5	Availability of regulations to public
_		
8	46:6	Prohibitions and penalties
§	46:7	—Massage establishments
§	46:8	—Adult cabarets
§	46:9	Application for permit or license—In general
§	46:10	—Permit to operate an adult cabaret or massage establishment
§	46:11	—License to act as masseur or masseuse
§	46:12	Grounds for denial or revocation—Permit to operate massage establishment or adult cabaret
§	46:13	—License to act as masseur or masseuse
§	46:14	Hearing on denial or revocation of permit or license, record, appeal
§	46:15	Periodic inspections and examinations, display of permits
§	46:16	Deposit and use of permit and license fees
§	46:17	Regulation of adult-oriented businesses
§	46:18	Initiative petitions for resolutions regulating adult-oriented businesses
§	46:19	Enforcement of adult-oriented business regulations, penalties

Chapter 47

Memorials

8	47.1	nonoring war dead
§	47:2	Soldiers' monuments
§	47:3	Maintenance and care
§	47:4	Memorial buildings
§	47:5	Trustees of memorial buildings
§	47:6	Maintenance of memorial buildings
§	47:7	Election to finance memorial building

Chapter 48

Nuisances

§ 48:1	Township may act to prevent nuisances
§ 48:2	Specific powers
§ 48:3	General or related nuisance statutes
§ 48:4	Duties of board of a general health district
§ 48:5	Legislation to regulate nuisances
§ 48:6	Tax credit for abatement of nuisance on real property

Chapter 49

Parking of Vehicles—Noise Control

- Parking regulations and orders of board of township trustees
- § 49:2 Notice

§ 49:3 Approval of director of transportation
§ 49:4 Enforcement
§ 49:5 Private tow-away zone
§ 49:6 Parking enforcement unit and officers
§ 49:7 Storage of junk motor vehicles
§ 49:8 Snow emergency parking

I. REGULATION OF NOISE

- § 49:9 Noise regulations for passenger cars and motorcycles on streets and highways
- § 49:10 Noise regulation, muffler requirements
- § 49:11 Penalties, noise regulations

Chapter 50

Parks and Recreation

I. TOWNSHIP PARKS

§ 50:1 Establishment of a township park § 50:2 Acquisition of property for a park § 50:3 Donations and grants for park purposes § 50:4 Tax exemption of park property § 50:5 Maintenance and operation of township park § 50:6 Improvement of public parks, squares and grounds § 50:7 Appropriation and tax levy for township park § 50:8 Contribution to park commissioners by township § 50:9 Cooperation with county board of park commissioners § 50:10 Mutual acquisition and maintenance § 50:11 Recreational facilities Joint recreation board § 50:12

II. TOWNSHIP PARK DISTRICT

- § 50:13 Petition for township park
- § 50:14 Board of park commissioners
- § 50:15 Legal counsel
- § 50:16 Election on question of establishment of township park
- § 50:17 Powers and duties of park board
- § 50:18 Conversion of township park district
- § 50:19 Law enforcement in the park district
- § 50:20 Contracts for police services
- § 50:21 Police services without contract
- § 50:22 Liability insurance for park district
- § 50:23 Condemnation of land for park district purposes
- § 50:24 Use of school funds for stadiums and recreational facilities in the park district

§ 50:25	Petition for sale of park lands
	<u> </u>
§ 50:26	Disposition of money from sale of park lands
§ 50:27	Tax levy to defray expenses of the park district
§ 50:28	Issuance of bonds of the park district
8 50.29	Prohibitions

Chapter 51

Snow Removal

§ 51:1	Removal of snow by township trustees
§ 51:2	Removal of snow, ice or other obstructions from undedicated roads
	in emergency conditions

§ 51:3 Exemption from commercial vehicle license

Chapter 52

Police Protection

Š	52:1	Contract for police protection
§	52:2	Providing police protection to other subdivisions without a
		contract
§	52:3	Police district
§	52:4	Joint township police district
§	52:5	Funding
§	52:6	Authority to arrest and detain until warrant can be obtained
§	52:7	Power to make arrests for traffic violations
§	52:8	Notifying next of kin
§	52:9	Control during emergencies
§	52:10	False security alarm at commercial establishment or
		residence—Charges assessed
§	52:11	Neighborhood crime watch funding
§	52:12	Voluntary motor vehicle decal registration program
8	52:13	Curfew for minors

Chapter 53

Port Authority

§	53:1	General
§	53:2	Creation of port authority—Joint operation
§	53:3	Conveyance, lease, or exchange of property
§	53:4	Contracts with governmental entities
§	53:5	Reimbursement for expenses

Chapter 54

Public Utilities

§ 54:1 Definition

Local Government Law

§ 54:2 Service to township residents
§ 54:3 Contract of trustees with public utility company
§ 54:4 Municipal light and power
§ 54:5 Rates
§ 54:6 Regional water and sewer district
§ 54:7 Contract with county commissioners for water supply improvements

Chapter 55

Promoting Tourism

- § 55:1 Appropriation for promotion of tourism
- § 55:2 Tourist-oriented directional signs

Chapter 56

School and Ministerial Lands

- § 56:1 History
- § 56:2 Control of school lands

Chapter 57

Traffic Regulation

- § 57:1 Speed limits
- § 57:2 Authority to make arrests
- § 57:3 Traffic consultant
- § 57:4 Regulation of traffic
- § 57:5 Snowmobiles and special vehicles

Chapter 58

Weeds and Brush

§ 58:1 Noxious weeds defined § 58:2 Responsibility of landowner, partition fence § 58:3 Notice to landowner § 58:4 Cost § 58:5 Township cemeteries § 58:6 Destruction of weeds along highways § 58:7 Time for cutting weeds § 58:8 Notice to destroy weeds on land in township § 58:9 Effect of noncompliance with notice § 58:10 Expense is lien upon land

Welfare

- § 59:1 Poor relief
- § 59:2 Senior citizen assistance
- § 59:3 Admission to county home
- § 59:4 Burial of indigents

Part II

Forms

Chapter 60

Trustees and Officers—Forms

I. BOND AND OATH OF OFFICE

- § 60:1 Notice to elected or appointed official to give bond and take oath
- § 60:2 Bond— Approval of bond—Oath or affirmation of office
- § 60:3 Certificate of oath or affirmation
- § 60:4 Notices of surety's intent to apply for release from bond
- § 60:5 Surety's application for release from bond
- § 60:6 Resolution requiring new bond
- § 60:7 Resolution approving new bond

II. APPOINTMENT TO OFFICE

- § 60:8 Certificate of appointment to fill vacancy in office of trustee or clerk
- § 60:9 Resolution appointing deputy clerk when clerk absent or incapacitated
- § 60:10 Resolution appointing township administrator and fixing compensation
- § 60:11 Resolution appointing additional legal counsel
- § 60:12 Resolution appointing police constable

III. TRUSTEE, OFFICER OR EMPLOYEE DOING BUSINESS WITH TOWNSHIP

§ 60:13 Affidavit of connection with corporation doing business with township

IV. COMPENSATION OF TRUSTEES

§ 60:14 Trustee's statement for services under per diem compensation plan

§ 60:15 Resolution adopting salary method for compensating trustees

V. MEETINGS OF TRUSTEES

- § 60:16 Resolution for open meetings under sunshine law
- § 60:17 Resolution calling special trustees' meeting
- § 60:18 Notice of special trustees' meeting—Receipt of notice

VI. TRANSACTIONS AND MINUTES

- § 60:19 General form of resolution or order
- § 60:20 General form of record of proceedings (minutes)
- § 60:21 Clerk's certificate authenticating record or extract

VII. REMOVAL OF OFFICERS

- § 60:22 Notice of charges and proceedings to remove officer
- § 60:23 Resolution for removal of officer
- § 60:24 Resignation of officer

Chapter 61

Budget and Taxation—Forms

I. TAX LEVIES

- § 61:1 Resolution of necessity for levying tax exceeding ten-mill limitation
- § 61:2 County auditor's certificate—Option one
- § 61:3 —Option two
- § 61:4 Resolution to proceed
- § 61:5 Director of elections receipt
- § 61:6 Form of ballot
- § 61:7 Notice of election on tax levy exceeding ten-mill limitation
- § 61:8 County auditor's certificate of estimated property tax millage rate
- § 61:9 County auditor's certificate of estimated property tax revenue
- § 61:10 Certificate of result of election on tax levy exceeding ten-mill limitation
- § 61:11 Resolution levying tax exceeding ten-mill limitation after voter approval

II. BUDGET

- § 61:12 Annual departmental budget
- § 61:13 Annual township budget
- § 61:14 Certificate of resources as issued by clerk
- § 61:15 Notice of public hearing on township budget

- § 61:16 Resolution accepting amounts and rates determined by budget commission
- § 61:17 Appeal of budget commission's determination

III. APPROPRIATIONS

§ 61:18 Resolution making annual appropriation

IV. ADVANCES

- § 61:19 Resolution for advance payment out of current tax collection
- § 61:20 Request for advance of taxes collected
- § 61:21 Notice to county auditor on disposition of note proceeds
- § 61:22 Certificate of receipt and disposition of advance for debt service

Chapter 62

Deposit of Public Funds—Forms

- § 62:1 Resolution estimating inactive deposits to be awarded
- § 62:2 Resolution inviting bids from potential depositories of inactive deposits
- § 62:3 Resolution providing for deposit or investment of public money, and inviting bids
- § 62:4 Notice to potential depositories of inactive deposits
- § 62:5 Notice of meeting to choose depository—Proof of publication
- § 62:6 Application by financial institution for designation as depository
- § 62:7 Resolution designating public depositories
- § 62:8 Notice of designation as depository
- § 62:9 Contract for deposit of public funds
- § 62:10 Bond of public depository
- § 62:11 Resolution approving public depository's contract and bond or deposit of securities
- § 62:12 Resolution directing clerk to sell interim investments or transfer deposits from inactive to active

Chapter 63

Borrowing Money—Forms

I. SECTION 505.262 SECURITIES

- § 63:1 Section 505.262 securities resolution
- § 63:2 Certificate of county auditor
- § 63:3 Section 505.262 securities form

II. TAX ANTICIPATION NOTES

§ 63:4 Fiscal officer's certificate

	63:5 63:6	Resolution authorizing tax anticipation notes Tax anticipation note form
I	II. B	OND ELECTION PROCEEDINGS
§	63:7	Resolution declaring the necessity of submitting the question of issuing bonds
§	63:8	County auditor's certificate
	63:9	Resolution to proceed
	63:10	Director of elections receipt
	63:11 63:12	Notice of election Ballot form
Γ	v. v(OTED BOND ANTICIPATION NOTES
8	63:13	Resolution requesting fiscal officer to certify
	63:14	Fiscal officer's certificate
	63:15	
§	63:16	Township voted bond anticipation note form
V	v. vo	TED BONDS
	63:17	Resolution requesting fiscal officer's certificate
	63:18	Fiscal officer's certificate
	63:19	
8	63:20	Voted bond form
V	I. SI	PECIAL ASSESSMENT NOTES
	63:21	Note resolution—Special assessments
	63:22	Fiscal officer's certificate
§	63:23	Township special assessment note form
V	II. S	PECIAL ASSESSMENT BONDS
	63:24	Fiscal officer's certificate
	63:25	Resolution authorizing township special assessment bonds
	63:26	Special assessment bond form
8	63:27	Invitation for proposals for general obligation special assessment bonds
Chapter 64		
2	Spec	eial Assessments—Forms
	64:1	Resolution of necessity for township improvement and special
§	64:2	assessment Certificate of decision to construct improvement and levy special assessment
§	64:3	Notice of resolution of necessity and filing of estimated assessment

§ 64:4	Notice of hearing by equalization board
§ 64:5	Notice of assessment or change in estimated assessment by
	equalization board
§ 64:6	Public notice of estimated assessments
§ 64:7	Resolution confirming assessments

Chapter 65

Contracts and Purchases—Forms

I. COMPETITIVE BIDDING

§	65:1	Notice inviting bids—Proof of publication
§	65:2	General form of bid
§	65:3	Bid bond
§	65:4	Resolution to re-advertise for bids
§	65:5	Resolution accepting bid and awarding contract
§	65:6	General form of contract for labor and materials
§	65:7	Performance bond (except construction manager)
§	65:8	Performance bond—Construction manager
§	65:9	Resolution approving bond and contract
§	65:10	Certificate of availability of funds

II. FORCE ACCOUNT

§ 65:11 Resolution proposing improvement by force account without competitive bidding

III. PURCHASES; CONTRACT PAYMENTS

§	65:12	County engineer's estimate
§	65:13	Resolution to proceed
§	65:14	Requisition
§	65:15	Purchase order
§	65:16	Voucher
§	65:17	Warrant or order to pay
§	65:18	Consent of materialmen and laborers for payment of contractor—Affidavit
§	65:19	Contractor's affidavit that bills for labor and materials paid
§	65:20	Resolution for final payment after inspection of work

IV. MISCELLANEOUS CONTRACTS FOR GOODS OR SERVICES

§ 65:21	Contract for dragging unimproved road
§ 65:22	Contract to build or repair partition fence
§ 65:23	Contract for cutting weeds and brush

Fire, Emergency and Police Protection—Forms

I. FIRE PROTECTION

- § 66:1 Resolution establishing township fire districts
- § 66:2 Resolution creating joint fire district
- § 66:3 Mutual aid fire-fighting agreement
- § 66:4 Resolution for training of firefighters
- § 66:5 Resolution adopting standard fire code

II. AMBULANCE AND EMERGENCY MEDICAL SERVICE

- § 66:6 Resolution creating joint ambulance district
- § 66:7 Contract for emergency ambulance and first aid service

III. POLICE PROTECTION

- § 66:8 Resolution creating township police district
- § 66:9 Resolution adopting rules of operation of township police district
- § 66:10 Mutual aid police agreement
- § 66:11 Resolution authorizing police aid to another jurisdiction without contract
- § 66:12 Resolution authorizing additional training for township police

IV. FUNDING FIRE, EMERGENCY AND POLICE PROTECTION

- § 66:13 Clauses for resolution to levy tax exceeding ten-mill limitation for fire or police protection
- § 66:14 Clauses for resolution of necessity for bond issue to purchase buildings, apparatus or equipment for fire or police department
- § 66:15 Resolution establishing charges for use of ambulance or emergency medical services
- § 66:16 Resolution establishing reserve balance account for purchase of fire, police and road maintenance equipment
- § 66:17 Resolution dissolving reserve balance account

Chapter 67

Zoning—Forms

I. INITIAL PROCEDURE

§ 67:1 Petition requesting trustees to proceed with township zoning

o	05.0	T) 1		- 1	* + 7		
0	67:2	Resolution	t.o	proceed	with.	township	Z011110

II.	TOWNSHIP	ZONING	COMMISSION	J
	I COM NOTIFE			w

- § 67:3 Resolution creating township zoning commission
- § 67:4 Resolution appointing members of zoning commission
- § 67:5 Resolution making appropriation for zoning commission
- § 67:6 Organizational resolution by zoning commission
- § 67:7 Resolution by zoning commission to employ planning consultants

III. ADOPTION OF ZONING PLAN

- § 67:8 Resolution by zoning commission fixing date of public hearing
- § 67:9 Notice of public hearing by zoning commission
- § 67:10 Resolution by zoning commission to submit proposed zoning resolution to township trustees
- § 67:11 Certification of proposed zoning resolution to township trustees
- § 67:12 Resolution fixing date for public hearing by trustees
- § 67:13 Notice of public hearing by trustees
- § 67:14 Resolution adopting zoning plan and ordering election
- § 67:15 Resolution amending text or map of zoning plan

IV. ZONING CHANGES

- § 67:16 Application for zoning change, with property description
- § 67:17 Resolution of trustees of intention to amend zoning resolution
- § 67:18 Resolution of zoning commission recommending zoning amendment
- § 67:19 Notice of public hearing on proposed zoning change
- § 67:20 Petition for referendum on zoning change

V. ZONING CERTIFICATES

§ 67:21 Application for zoning certificate

VI. TOWNSHIP BOARD OF ZONING APPEALS

- § 67:22 Resolution creating township board of zoning appeals
- § 67:23 Notice of appeal of denial of zoning certificate
- § 67:24 Notice of hearing on zoning appeal
- § 67:25 Resolution of board of zoning appeals approving zoning variance
- § 67:26 Resolution revoking zoning variance

VII. VIOLATIONS

§ 67:27 Notice of zoning violation

Chapter 68

Real

Property—Buildings—Memorials—Parks—Cemeteries—Forms

I. ACQUISITION OF PROPERTY

- § 68:1 Resolution authorizing purchase of real property
- § 68:2 Resolution to appropriate property
- § 68:3 Resolution to accept bequest, devise or gift of property

II. TOWN HALL

- § 68:4 Resolution to submit question of acquiring, improving or moving town hall to voters
- § 68:5 Resolution for purchase of site and erection of town hall

III. MEMORIALS

- § 68:6 Petition for soldiers and sailors monument
- § 68:7 Resolution appointing caretaker for memorial

IV. PARKS

- § 68:8 Petition to establish township park
- § 68:9 Resolution to certify petition to common pleas court—Certificate
- § 68:10 Resolution directing notice of election on establishment of township park
- § 68:11 Petition for sale of park lands
- § 68:12 Notice of election on sale of park lands

V. CEMETERIES

- § 68:13 Application for submission of question of establishing a cemetery to voters
- § 68:14 Resolution to submit question of establishing cemetery to voters
- § 68:15 Notice of election on question of establishing cemetery
- § 68:16 Resolution ordering purchase of site for cemetery
- § 68:17 Deed for cemetery lot
- § 68:18 Application to disinter body
- § 68:19 Permit to disinter body
- § 68:20 Resolution discontinuing abandoned cemetery

Chapter 69

Roads—Viaducts—Footbridges—Forms

I. ADMINISTRATION

§ 69:1	Resolution	creating	road	district	in	unin	corp	porated	area	of
	township									

- § 69:2 Resolution designating one trustee to be in charge of roads
- § 69:3 Resolution dividing township into three road districts and designating trustees in charge
- § 69:4 Resolution to appoint township highway superintendent
- § 69:5 Statement of township highway superintendent

II. ROAD IMPROVEMENT AND MAINTENANCE

- § 69:6 Resolution approving apportionment between townships for repair of townline road
- § 69:7 Petition of property owners for township road improvement
- § 69:8 Petition of mine owner for township road improvement
- § 69:9 Bond of petitioner to secure payment of costs and expenses of road improvement
- § 69:10 Resolution proposing road improvement
- § 69:11 Order fixing time for view and hearing on road improvement
- § 69:12 Notice to county engineer of view and hearing on road improvement
- § 69:13 Order dismissing proceedings for road improvement
- § 69:14 Resolution of necessity for road improvement and assessment
- § 69:15 Notice to county engineer to prepare plans and specifications for road improvement
- § 69:16 Public notice of proposed road improvement
- § 69:17 Objections to road improvement

III. FUNDING

- § 69:18 Resolution establishing emergency and incidental highway maintenance fund
- § 69:19 Resolution ordering payment for road improvement from named fund

IV. RELOCATION OF ROAD

- § 69:20 Petition to relocate road
- § 69:21 Notice of hearing on petition to relocate road
- § 69:22 Authorization to relocate road

V. VIADUCTS AND FOOTBRIDGES

§ 69:23 Clause for resolution of necessity for bond issue to build or repair viaduct

§ 69:24 Resolution to build, rebuild or repair footbridge, and to levy special tax

VI. MISCELLANEOUS

§ 69:25	Resolution declaring emergency and providing for clearing undedicated road
§ 69:26	Resolution fixing price for dragging unimproved roads
§ 69:27	Notice to drag road
§ 69:28	Notice to railroad to repair grade crossing

VII. REQUESTS TO COUNTY COMMISSIONERS TO ESTABLISH, IMPROVE OR VACATE ROAD

§ 69:29	Petition of freeholders to county commissioners to establish,
	change, improve or vacate public road
§ 69:30	Petition of mine owner to county commissioners to establish,
	change, improve or vacate public road
§ 69:31	Application of township trustees to county commissioners to
	construct, reconstruct or improve highway in county system
§ 69:32	Petition of abutting landowner to county commissioners to vacate
	abandoned township road

Chapter 70

I. STREETLIGHTING

8	10:I	Petition for streetilgnting in unincorporated area
§ '	70:2	Clerk's notice to trustees of filing of streetlighting petition
§ '	70:3	Notice of hearing on streetlighting petition
§ '	70:4	Resolution of necessity for streetlighting
§ ′	70:5	Certificate of trustees to county auditor re assessments for streetlighting
§ ′	70:6	Petition to discontinue streetlighting

II. SIDEWALKS

§	70:7	Petition for sidewalk
§	70:8	Resolution for construction of sidewalk pursuant to petition
§	70:9	Resolution for construction of sidewalk on trustees' initiative
§	70:10	Notice of intent to construct sidewalk and assess abutting
		property owners

III. PARKING

§ 70:11	Resolution prohibiting overnight parking
§ 70:12	Resolution requiring provision for off-street parking and
	coordinating with zoning requirements

§ 70:13 Resolution prohibiting parking in fire lanes

Chapter 71

Fences—Forms

I. PROCEEDINGS TO CONSTRUCT PARTITION FENCE AND APPORTION COSTS

- § 71:1 Complaint and application to trustees to apportion cost of building or repairing partition fence
- § 71:2 Resolution for trustees to view partition fence premises
- § 71:3 Notice of complaint and meeting to view partition fence
- § 71:4 Order assigning each party share of partition fence
- § 71:5 Notice to pay costs of partition fence proceedings
- § 71:6 Certificate to county auditor of unpaid cost of partition fence proceedings

II. CONTRACTING TO BUILD PARTITION FENCE

- § 71:7 Application of aggrieved party to trustees to contract to build partition fence in default of other party's failure to do so
- § 71:8 Resolution to contract to build partition fence
- § 71:9 Notice for bids to build partition fence
- § 71:10 Resolution accepting bid to build partition fence

III. PAYMENT OF PARTITION FENCE CONSTRUCTION COSTS

- § 71:11 Resolution to certify costs to county auditor on completion of partition fence
- § 71:12 Notice to party to pay share of partition fence construction costs
- § 71:13 Certificate to county auditor of unpaid cost of building partition fence

IV. MISCELLANEOUS

- § 71:14 Order to remove fence interfering with road grading or travel
- § 71:15 Resolution permitting landowner to plant hedge fence and maintain protection fence
- § 71:16 Notice to landowner to trim hedge fence

Chapter 72

Trees, Weeds and Brush—Forms

I. TREES

§ 72:1 Resolution authorizing spray program to control Dutch elm disease

§ 72:2 Letter notice to landowner of Dutch elm disease spray program

II. NOXIOUS WEEDS

- § 72:3 Information to trustees concerning growing noxious weeds
- § 72:4 Resolution to notify landowner to cut and destroy weeds
- § 72:5 Resolution to cut and destroy weeds on landowner's failure to do so
- § 72:6 Statement of cost of cutting weeds to be entered on tax duplicate

III. WEEDS AND BRUSH ALONG PARTITION FENCES

- § 72:7 Notice by owner to adjoining owner or occupant to cut brush and weeds along partition fence
- § 72:8 Complaint and request to trustees to view premises when adjacent landowner fails to cut brush and weeds along partition fence
- § 72:9 Resolution to contract to cut brush and weeds along partition fence
- § 72:10 Resolution to certify to county auditor cost of cutting brush and weeds along partition fence

Chapter 73

Health and Welfare—Forms

I. ENVIRONMENTAL PROTECTION

- § 73:1 Resolution requiring permits for contractors to burn building debris
- § 73:2 Complaint of air or water pollution

II. BUILDING STANDARDS

§ 73:3 Resolution proposing adoption of standard building code and ordering notice of hearings

III. SOCIAL SERVICES FOR OLDER PERSONS

- § 73:4 Resolution for township to participate in social service programs for senior citizens
- § 73:5 Resolution creating joint district for senior center
- § 73:6 Resolution authorizing transfer of township property to senior citizens organization

IV. WELFARE

§ 73:7 Statement of expenses incurred in burial of indigent

V. COMMUNITY IMPROVEMENT AND PROMOTION

§ 73:8 Resolution for township to participate in community improvement corporation

Table of Contents

- § 73:9 Resolution appropriating funds for support of convention or visitors bureau
- § 73:10 Resolution to appropriate funds for promotion of tourism

VI. JOINT ECONOMIC DEVELOPMENT DISTRICT

- § 73:11 Resolution scheduling hearing and ordering notice on joint economic development district contract
- § 73:12 Resolution approving contract to create joint economic development district
- § 73:13 Certificate that hearings held on joint economic development district contract

Chapter 74

Waste Disposal—Forms

I. WASTE DISPOSAL DISTRICT

- § 74:1 Petition for creation of waste disposal district
- § 74:2 Resolution creating waste disposal district
- § 74:3 Notice of creation of waste disposal district

II. WASTE DISPOSAL

- § 74:4 Resolution regulating disposal of recyclable waste
- § 74:5 Contract with municipality or independent contractor for waste collection and disposal
- § 74:6 Resolution regulating use of township solid waste facility

Chapter 75

Annexation and Detachment—Incorporation—Township Boundaries—Forms

I. ANNEXATION

- § 75:1 Petition of landowners to county commissioners for annexation to municipality
- § 75:2 Resolution of county commissioners ordering hearing on annexation petition
- § 75:3 Notice of hearing on annexation petition
- § 75:4 Resolution of township trustees to retain attorney in connection with annexation proceedings
- § 75:5 Resolution of county commissioners approving annexation
- § 75:6 Resolution of county commissioners rejecting annexation

§ 75:7 Resolution granting rehearing on annexation

II. DETACHMENT

- § 75:8 Petition by freeholder-electors to county commissioners to detach territory from municipality
- § 75:9 Petition by inhabitants to board of elections to hold election on detachment of territory from municipality

III. INCORPORATION

- § 75:10 Petition to incorporate village
- § 75:11 Resolution of county commissioners ordering hearing on petition for incorporation
- § 75:12 Notice of hearing on incorporation

IV. SURRENDER OF CORPORATE POWERS

- § 75:13 Petition to surrender corporate powers
- § 75:14 Ordinance calling for special election for surrender of corporate powers
- § 75:15 Certificate of result of election on surrender of corporate powers

V. TOWNSHIP BOUNDARIES

- § 75:16 Application to establish location of disputed boundary line
- § 75:17 Notice of hearing on disputed boundary line
- § 75:18 Petition to change boundaries and erect new township
- § 75:19 Notice of hearing on petition to erect new township
- § 75:20 Resolution of county commissioners creating new township

VI. TOWNSHIP NAME

- § 75:21 Petition to change name of township
- § 75:22 Notice of petition to change township name

Chapter 76

Miscellaneous Resolutions—Forms

I. TAXATION

- § 76:1 Resolution to submit question of tax on drilling oil or gas well to
- § 76:2 Resolution to levy lodging excise tax

II. MISCELLANEOUS RESOLUTIONS

§ 76:3 Resolution proposing contract with cable television company and ordering hearing and notice

Table of Contents

- § 76:4 Resolution to prohibit boxing matches in the township
- § 76:5 Resolution to require registration of transient vendors
- § 76:6 Resolution adopting general plan of water supply
- § 76:7 Resolution to adopt a curfew for minors

Chapter 77

Pleadings, Motions and Orders—Appropriation of Property—Forms

I. COMPLAINT

- § 77:1 Complaint for appropriation
- § 77:2 Affidavit as to unknown heirs
- § 77:3 Affidavit for service by publication on nonresident of Ohio

II. APPRAISAL

- § 77:4 Motion for appraisal of structures
- § 77:5 Order appointing appraisers
- § 77:6 Notice to appraisers
- § 77:7 Return and appraisal

III. WITHDRAWAL OF DEPOSIT

- § 77:8 Owners' motion to withdraw funds deposited with court
- § 77:9 Order permitting owners to withdraw funds on deposit

IV. ANSWER

- § 77:10 Answer—General denial
- § 77:11 —Specific denial

V. MOTION TO FIND VALUE IN DEFAULT OF ANSWER

- § 77:12 Trustees' motion for court to determine value of property in default of answer
- § 77:13 Order determining value of property

VI. VERDICT AND AWARD

- § 77:14 Jury verdict determining award
- § 77:15 Order confirming verdict
- § 77:16 Motion for distribution of award
- § 77:17 Order for distribution of award

Chapter 78

Pleadings, Motions and Orders—Miscellaneous—Forms

I. TRANSFER OF FUNDS

- § 78:1 Resolution for transfer from general fund to road and bridge fund
- § 78:2 Resolution of tax commissioner approving transfer from general fund to road and bridge fund
- § 78:3 Application to common pleas court for authority to transfer funds
- § 78:4 Order authorizing transfer of funds

II. DISPOSAL OR FORFEITURE OF PROPERTY

- § 78:5 Application to dispose of unclaimed property without auction; Proof of publication
- § 78:6 Order to dispose of unclaimed property
- § 78:7 Complaint for forfeiture and sale of property used in committing crime

III. ZONING ENFORCEMENT

- § 78:8 Complaint to enforce township zoning and to declare public nuisance
- § 78:9 Order granting temporary injunction to enforce township zoning
- § 78:10 Order granting permanent injunction to enforce township zoning

IV. DAMAGE TO TOWNSHIP ROAD

§ 78:11 Complaint to recover for damage to township road

V. ANNEXATION

§ 78:12 Complaint to enjoin annexation

VI. DETACHMENT

- § 78:13 Complaint to detach unplatted farm lands from municipality
- § 78:14 Order detaching unplatted farm lands from municipality
- § 78:15 Application for division of funds
- § 78:16 Notice to clerk for division of funds
- § 78:17 Order apportioning funds between municipality and township following detachment

VII. TAXATION

§ 78:18 Order to county auditor to levy and assess tax in default of action by township trustees

Chapter 79

Township Limited Home Rule—Forms

I. ADOPTION AND TERMINATION OF LIMITED HOME RULE

- § 79:1 Resolution to place adoption of limited home rule on ballot
- § 79:2 Petition to place adoption of limited home rule on ballot
- § 79:3 Resolution to place continuation of limited home rule on ballot
- § 79:4 Initiative petition to terminate limited home rule
- § 79:5 Notice of election on limited home rule issue

II. LIMITED HOME RULE RESOLUTIONS

§ 79:6 Sample resolution to exercise limited home rule powers

III. ENFORCEMENT OF LIMITED HOME RULE RESOLUTIONS

- § 79:7 Citation for violation
- § 79:8 Township clerk's notice to court

Chapter 80

Regulation of Massage Establishments and Adult Cabarets—Forms

- § 80:1 Resolution setting hearings and ordering notice on proposed massage establishment or adult cabaret regulations or amendments
- § 80:2 Resolution adopting or amending massage establishment or adult cabaret regulations and ordering notice
- § 80:3 Petition to submit regulations or amendments to referendum
- § 80:4 Regulations governing township massage establishments, adult cabarets, and adult-oriented businesses
- § 80:5 Amendment of massage establishment or adult cabaret regulations
- § 80:6 Permit to operate massage establishment or adult cabaret
- § 80:7 License as masseur or masseuse

Appendix A Calendar for Township Officers

Table of Laws and Rules

Table of Cases

Index

Table of Contents

PART I. TEXT

A. INTRODUCTION

CHAPTER 1. HISTORY OF THE TOWNSHIP

I. HISTORY

- § 1:1 Historical political subdivision
- § 1:5 Hutchins' survey
- § 1:6 Irregularity of boundaries

II. STATEHOOD

- § 1:7 Ohio admitted into the Union
- § 1:9 Effect of increase in population
- § 1:10 Changes in duties of officers

III. TOWNSHIPS TODAY

- § 1:11 Ohio subdivisions today
- § 1:12 Distinctive role of township
- § 1:16 Ohio township day

CHAPTER 2. TOWNSHIP AS A UNIT OF GOVERNMENT

I. CIVIL TOWNSHIP

- § 2:2 Civil township, constitutional basis
- § 2:3 Civil township as a legal entity
- § 2:4 Joint economic development district and cooperative economic development agreements [Deleted]
- § 2:5 Regional cooperation and aid to economic development [Deleted]
- § 2:6 Tax increment financing [Deleted]

II. TOWNSHIP LIMITED HOME RULE—ADOPTION, CONTINUATION AND TERMINATION

- § 2:7 Limited home rule in general
- § 2:8 Method of adoption—Townships with populations between 3,500 and 5,000 [Retitled]
- § 2:9 Method of adoption—Townships with populations between 5,000 and 15,000 [Retitled]
- § 2:10 Method of adoption—Townships with populations greater than 15,000 [Retitled]

- § 2:11 Method of adoption—Petition of the electors of unincorporated area [Retitled]
- § 2:12 Election to determine question of limited home rule—Date of election and notice [Retitled]
- § 2:13 Election to determine question of limited home rule—Ballot language [Retitled]
- § 2:19 Home rule—Continuation—Notice of election to continue

III. LIMITED HOME RULE—POWERS AND DUTIES

- § 2:24 Powers of limited home rule townships—Exceptions and limitations
- § 2:25 Powers of limited home rule townships—Township trustees and clerks—Law director required
- § 2:28 Powers of limited home rule townships—Citations
- § 2:29 Powers of limited home rule townships—Citations—Answer
- § 2:30 Powers of limited home rule townships—Citations—Notification to the court—Court action
- § 2:32 Powers of limited home rule townships—Citations—Appeal

IV. ADOPTION OF RESOLUTIONS UNDER LIMITED HOME RULE

- § 2:37 Resolutions—Effective date
- § 2:38 Resolutions—Recording
- § 2:39 Resolutions—Revision or amendment
- § 2:40 Resolutions—Publication
- § 2:41 Resolutions—Initiative and referendum petitions
- § 2:43 Building and other standard codes—Adoption of standard codes

V. TOWNSHIP LAW DIRECTOR AND POLICE UNDER LIMITED HOME RULE

- § 2:45 Law director—Township legal counsel
- § 2:46 Police

VI. JURISDICTION OVER VIOLATIONS UNDER LIMITED HOME RULE; DECLARATORY JUDGMENTS

§ 2:47 Jurisdiction over violations of resolutions, costs, fines

VIII. TERRITORIAL TOWNSHIPS

§ 2:50 Territorial township

IX. BOUNDARIES

- § 2:53 Change in township boundaries
- § 2:54 Effect of coextensive boundaries
- § 2:55 Procedure when municipality desires to become coextensive
- § 2:57 Effect of alteration
- § 2:58 Merger of township with municipal corporation
- § 2:58.50 Merger of township(s) with another township [New]
- § 2:59 Change in township name

CHAPTER 2A. ECONOMIC DEVELOPMENT [New]

§ 2A:1	Overview
§ 2A:2	Enterprise zones
§ 2A:3	Tax increment financing
§ 2A:4	Joint economic development district and cooperative economic development agreements
§ 2A:4.50	Joint economic development district zone and municipal utility district contracts [New]
§ 2A:5	Intergovernmental cooperation for economic development [Retitled]
§ 2A:6	Special improvement districts [New]
§ 2A:7	Port authorities—Generally
§ 2A:8	Port authorities—Creation and joint operation
§ 2A:9	Port authorities—Conveyance, lease, or exchange of property
§ 2A:10	Port authorities—Contracts with governmental entities
§ 2A:11	Port authorities—Reimbursement for expenses
§ 2A:12	Community improvement corporations
§ 2A:13	New community districts—Generally
§ 2A:14	New community districts—Creation and dissolution
§ 2A:15	New community districts—Powers of new community authorities
§ 2A:16	New community districts—Financing land development and community facilities
§ 2A:17	Agricultural security areas and qualifying agricultural real property
§ 2A:18	Tax Abatement Disclosure [New]
§ 2A:19	Downtown Redevelopment Districts [New]
§ 2A:20	Pertaining to medical marijuana [New]
§ 2A:21	Hemp cultivation and processing [New]
§ 2A:22	Industrial development bonds [New]

CHAPTER 3. INSPECTION AND SUPERVISION OF PUBLIC OFFICES

- § 3:1 Inspection and supervision of public offices
- § 3:2 Chief inspector and supervisor of public offices
- § 3:3 Audit of accounts
- § 3:4 Procedure following audit
- § 3:5 Annual financial report
- § 3:8 Refusal to keep accounts or make reports
- § 3:12 Ohio township handbooks

CHAPTER 4. OHIO TOWNSHIP ASSOCIATION

- § 4:1 Origin and purpose
- § 4:4 The association today

CHAPTER 5. REGIONAL COUNCILS OF LOCAL GOVERNMENT UNITS

- § 5:1 Regional councils
- § 5:2 Membership
- § 5:4 Director of development to assist council
- § 5:6 Powers

- § 5:10 Funds
- § 5:11 Gifts
- § 5:14 Contract for services

B. OFFICERS AND EMPLOYEES

CHAPTER 6. OFFICERS GENERALLY

I. TOWNSHIP OFFICERS

- § 6:1 Organization of a township
- § 6:2 Township officials
- § 6:3 Eligibility for office
- § 6:4 Election
- § 6:4.50 Association of official with casino [New]

II. OATH

- § 6:5 Oath and bond as qualification for office
- § 6:6 Oath of office

III. BOND

§ 6:8 Bond

IV. VACANCY

- § 6:11 Vacancy in office
- § 6:12 Filling vacancy
- § 6:15 Offenses

VI. CONFLICT OF INTEREST

§ 6:18 Interest in contracts

CHAPTER 7. TOWNSHIP TRUSTEES

- § 7:1 Composition and term of board of township trustees
- § 7:2 Election of trustees
- § 7:3 Qualifications
- § 7:4 Bond of township trustees
- § 7:5 Additional or new bond
- § 7:6 Oath of office
- § 7:8 Vacancy in trusteeship
- § 7:11 Powers of trustees
- § 7:11.50 Pandemic (COVID-19)—State law powers and temporary provisions [New]
- § 7:11.60 Pandemic (COVID-19)—Federal law [New]
- § 7:12 Compensation of trustees
- § 7:13 Compensated services
- § 7:15 Newsletters and commercial advertising [Retitled]
- § 7:16 Penal or criminal liability of trustee
- § 7:17 Civil or tort liability of trustees prior to 11-20-85
- § 7:17.50 Collaboration with other political subdivisions [New]

§ 7:17.75 Loans and grants allocated from the Local Government Innovation Fund [New]

I. TORT LIABILITY

- § 7:18 General
- § 7:19 Liabilities
- § 7:20 Defenses and immunities
- § 7:24 Township's responsibility to employees
- § 7:27 Nonapplicability of R.C. Chapter 2744

CHAPTER 8. TOWNSHIP FISCAL OFFICER [Retitled]

- § 8:1 Qualifications for township fiscal officer [Retitled]
- § 8:2 Term and election
- § 8:3 Deputy township fiscal officer [Retitled]
- § 8:4 Vacancy in office
- § 8:5 Bond
- § 8:6 Oath
- § 8:7 Priority of fiscal officer's oath and bond [Retitled]
- § 8:8 Function of the township fiscal officer, generally [Retitled]
- § 8:9 Personal liability
- § 8:10 Fiscal officer education [Retitled]
- § 8:11 Records kept by township fiscal officer [Deleted]
- § 8:12 Books to be provided
- § 8:13 Fiscal officer as ministerial officer [Retitled]
- § 8:14 Investigation and report of fires
- § 8:15 Township fiscal certifications [Retitled]
- § 8:16 Annual financial report
- § 8:17 Compensation of fiscal officer [Retitled]
- § 8:18 Fees
- § 8:19 Expenses for attendance at conventions
- § 8:20 Publication of notices [New]
- § 8:21 Removal of the fiscal officer [New]
- § 8:22 Fiscal officer certificate of transition [New]

CHAPTER 8A. PUBLIC RECORDS [New]

- § 8A:1 Public records requirements generally
- § 8A:2 Public records policies
- § 8A:3 Public records requests
- § 8A:4 Refusals of public records requests
- § 8A:5 Redactions in public records
- § 8A:6 Records kept by township fiscal officer
- § 8A:7 Destruction of public records
- § 8A:8 Public records requirements—Employment-related records
- § 8A:9 Public records requirements—Law enforcement and the judicial process
- § 8A:10 Settlements as public records
- § 8A:11 Violent death reporting system [New]

CHAPTER 9. MEETINGS OF TRUSTEES— **MINUTES**

- § 9:1 Trustees meetings, generally
- § 9:3 Public meetings
- § 9:4 Executive session
- § 9:5 Regular meetings
- Special meetings § 9:6
- Notice to the public of regular and special meetings § 9:7
- Parliamentary procedure § 9:9
- § 9:10 Quorum
- § 9:11 Minutes as permanent record
- § 9:13 Conduct of January organizational meeting—Officer presiding
- § 9:14 Conduct of January organizational meeting—Preliminary proceedings
- § 9:15 Conduct of January organizational meeting—Election of officers
- § 9:19 Conduct of general meeting—Preliminary proceedings
- § 9:21 Conduct of general meeting—Discussion and amendment § 9:23 Conduct of general meeting—Voting
- § 9:24 Conduct of general meeting—Requirements of minutes

CHAPTER 10. LEGAL COUNSEL

§ 10:2 Prosecuting attorney or township law director as counsel

CHAPTER 11. POLICE EMPLOYEES— CONSTABLES AND POLICE OFFICERS

§ 11:1 General

I. CONSTABLES

- § 11:4 Appointment of constables
- Bond for constables § 11:5
- Peace officer training § 11:6
- Compensation § 11:7
- § 11:8 Qualifications for the office
- § 11:11 Duties of constable—Criminal
- § 11:14 Payment of moneys
- § 11:17 Constable as bailiff
- § 11:18 Constable as ministerial officer of county court

POLICE DISTRICT POLICE OFFICERS II.

- § 11:32 Police district—Tax levy
- § 11:35 Police officers—Appointment
- § 11:36 Police officers—Peace officer training
- § 11:39 Police officers—Territorial jurisdiction
- § 11:42 Police officers—Removal or suspension

CHAPTER 12. EMPLOYEES GENERALLY— **EMPLOYEE BENEFITS**

T. EMPLOYEES GENERALLY

§ 12:1 Definition

Table of Contents

§ 12:2	Qualifications
§ 12:3	Hiring
§ 12:4	Payment
§ 12:7	Hours of employment
§ 12:9	Vacation, sick, and bereavement leave [Retitled]
§ 12:10	Holiday pay
§ 12:12	Termination of employment
§ 12:14	Group insurance
§ 12:15	Cafeteria plan
§ 12:15.50	Health and wellness benefit program [New]
§ 12:16	Self-insurance for health care

II. CIVIL SERVICE TOWNSHIP

§ 12:19 Creation of civil service township

III. PUBLIC EMPLOYEES RETIREMENT SYSTEM

§ 12:20	Public employees retirement board
	Eligibility for membership

- § 12:28 Rate of contribution
- § 12:30 Retirement benefits
- § 12:32 Medicare benefits
- § 12:35 Purchase of additional prior service credit
- § 12:37 Retirement incentive plan
- § 12:39 Termination of membership—Leave of absence
- § 12:41 Withholding payment to enforce restitution to employer for theft offense

IV. DEFERRED COMPENSATION

§ 12:42 Deferred compensation for tax purposes

V. WORKERS' COMPENSATION

- § 12:44 Records § 12:45 Forms for reporting premiums § 12:46 Payment of premiums
- § 12:46 Payment of premiums § 12:47 Self-insurance
- $\$ 12:47.50 Post-Traumatic Stress Disorder (PTSD) fund for first responders [New]

VI. UNEMPLOYMENT COMPENSATION

- § 12:48 Township employees covered
- § 12:49 Records to be kept by fiscal officer [Retitled]

VII. PUBLIC WORKS RELIEF COMPENSATION

- § 12:52 Public works relief compensation
- § 12:54 Claims for compensation

CHAPTER 13. POLICE AND FIREFIGHTERS' FUNDS

I. OHIO POLICE AND FIRE PENSION FUND

- § 13:5 Police and firefighters employer's contribution
- § 13:6 Contributions by members
- § 13:7 Duties of township fiscal officer [Retitled]

III. VOLUNTEER FIREFIGHTERS DEPENDENTS FUND

§ 13:16 Board of trustees—Organization

CHAPTER 14. ELECTIONS

- § 14:2 Special elections
- § 14:3 Primaries
- § 14:4 Duties of township officials
- § 14:5 Expense to the township
- § 14:7 Requirements, deadline, and forms
- § 14:8 Election equipment

C. FISCAL PROCEDURE

CHAPTER 15. FISCAL ADMINISTRATION— ACCOUNTS AND REPORTS

- § 15:3 Township fiscal officer [Retitled]
- § 15:5 Uniform system of accounting
- § 15:6 Annual financial report
- § 15:6.50 Fiscal emergency and dissolution [New]

I. FORMS

- § 15:7 Requisition
- § 15:8 Purchase order
- § 15:9 Voucher
- § 15:10 Warrant
- § 15:11 Electronic transfer of funds
- § 15:12 Procedure for payment of outstanding invoices [Retitled]
- § 15:13 Procedure for payment of employees' wages
- § 15:14 Road payroll form
- § 15:15 Individual payroll record
- § 15:16 Receipt
- § 15:17 Bank deposit slip

II. JOURNALS

- § 15:18 Receipts journal
- § 15:19 Cash journal

III. APPROPRIATION LEDGER

§ 15:20 Annual appropriation resolution

xviii

- § 15:21 Auditor's certification that appropriations do not exceed estimate
- § 15:22 Establishing the appropriation ledger
- § 15:23 Use of appropriation ledger

CHAPTER 16. BUDGET AND TAXATION

- § 16:1 The right to tax
- § 16:4 Ten-mill limitation
- § 16:6 Authority to levy taxes
- § 16:9 Commingling of estate tax funds
- § 16:10 Special levies without vote of the people within ten-mill limitation
- § 16:11 Voted levy in excess of the ten mill limitation and property tax rate calculations [Retitled]
- § 16:12 Prohibition against use of public funds to influence vote [Retitled]
- § 16:13 Funds to be established
- § 16:15 Transfer of funds
- § 16:16 County budget commission
- § 16:19 Budget timetable
- § 16:20 Tax budget
- § 16:24 Adjustment and revision by commission
- § 16:27 Resolution of township trustees
- § 16:28 Appeal to board of tax appeals
- § 16:29 Annual appropriation measure
- § 16:31 Expenditures
- § 16:32 Sources of revenue

CHAPTER 17. DEPOSIT OF PUBLIC FUNDS

I. UNIFORM DEPOSITORY ACT

- § 17:2 Definitions
- § 17:3 Deposit of public moneys with township fiscal officer [Retitled]
- § 17:5 Banks eligible as public depositories

II. INACTIVE DEPOSITS

§ 17:9 Publication of resolution

III. INTERIM DEPOSITS

§ 17:14 Investment of interim funds

IV. ACTIVE DEPOSITS

§ 17:16 Award of active deposits

V. DESIGNATION OF DEPOSITORIES

- § 17:17 Conflict of interest waived
- § 17:18 Meeting of board of township trustees
- § 17:20 Evidence of deposits

VI. SALE OR TRANSFER OF DEPOSITS

§ 17:21 Transfer from inactive or interim to active deposits

VII. CASH RESERVE

§ 17:22 Cash reserve

VIII. INTEREST AND SERVICE CHARGES

- § 17:24 Service charges
- § 17:25 Apportionment of interest

IX. SECURITY FOR DEPOSIT

- § 17:26 Security for deposits
- § 17:27 Eligible securities
- § 17:28 Sale of securities on failure of depository to pay public deposit
- § 17:29 Exchange and substitution of securities [Deleted]

X. TRUSTEE

- § 17:30 Designation of trustee by bank
- § 17:31 Receipt by trustee for securities
- § 17:32 Compensation of trustee

XI. DISCRIMINATION

§ 17:33 Complaint by depository of discrimination

CHAPTER 18. BORROWING MONEY

II. THE UNIFORM PUBLIC SECURITIES LAW

- § 18:3 Borrowing to finance permanent improvements
- § 18:5 Borrowing to meet current expenses
- § 18:7 Borrowing for emergency purposes and to pay judgments and settlements of claims
- § 18:8 Fiscal watch [Deleted]

V. LIMITATIONS ON ISSUANCE OF DEBT

- § 18:13 Statutory limitation on indebtedness—Generally
- § 18:14 Statutory limitation on indebtedness—Limited home rule government townships

VI. PROCEEDINGS FOR THE ISSUANCE OF SECURITIES FOR PERMANENT IMPROVEMENTS UNDER THE UNIFORM PUBLIC SECURITIES LAW

- § 18:20 Certificate
- § 18:21 Maximum maturity of bonds and maturities
- § 18:27 Amount of securities issue, capitalized interest and other costs included in issue

IX. SALE OF SECURITIES

- § 18:31 Offer to bond retirement fund
- § 18:32 Sale, combination of securities
- § 18:33 Private sale, public sale, notice of sale
- § 18:35 Award of securities to successful bidder

Table of Contents

- § 18:36 Delivery of securities
- § 18:37 Proceeds of sale
- § 18:38 Transcript of proceedings, incontestability
- § 18:40 Lost or destroyed securities

X. PROCEDURE FOR ISSUANCE OF UNVOTED DEBT NOT SUBJECT TO THE UNIFORM PUBLIC SECURITIES LAW

- § 18:41 Maturity of securities
- § 18:41.50 Lease-purchase agreements [New]

XIII. RESOLUTION OF NECESSITY

§ 18:50 Auditor's calculation and certification

XIV. RESOLUTION TO PROCEED

- § 18:52 Resolution determining to proceed—Contents
- § 18:53 Time for certification

XV. ELECTION

- § 18:54 Notice of election
- § 18:57 Certification of election results

CHAPTER 19. SPECIAL ASSESSMENTS

II. PROCEDURE

- § 19:8 Eminent domain
- § 19:9 Notice to property owners of hearing on determination to make improvement
- § 19:19 Special assessments for road improvements [Retitled]
- § 19:20 Special assessments for improving water drainage from roads, road relocation, and road beautification [New]
- $\$ 19:21 Special assessments for sidewalk, curb, and gutter improvements [New]
- § 19:22 Special assessments for sewage and utilities maintenance and improvement [New]
- § 19:23 Special assessments for waste disposal services and utility relocation [New]
- § 19:24 Special assessments in connection with maintaining and improving navigable waters [New]
- \S 19:25 Special improvement district assessments [New]
- § 19:26 Broadband expansion [New]

CHAPTER 20. CONTRACTS AND PURCHASES

I. CONTRACTS GENERALLY

- § 20:1 Contracts of township
- § 20:2 Restrictions [Retitled]
- § 20:3 Continuing contract
- § 20:3.50 Prerequisites for public contracts [New]

II. ADMINISTRATIVE PROCEDURE

- § 20:4 Certificate of township fiscal officer [Retitled]
- § 20:5 Contracts for supplies and equipment
- § 20:6 Purchase or sale with other agency or subdivision
- § 20:8 Credit and debit card purchases and policies [Retitled]
- § 20:10 Requisition
- § 20:11 Purchase order as contract
- § 20:12 Appropriation ledger
- § 20:13 Warrant for payment
- § 20:14 Blanket certificate
- § 20:15 Compensation of trustees and fiscal officer [Retitled]
- § 20:16 Township exempt from certain taxes

III. BIDS AND AWARDS

- § 20:17 Competitive bidding
- § 20:18 Awarding contracts to lowest responsive and responsible bidder— Notice of rejection—Protest
- § 20:19 Separate bids for work and materials
- § 20:21 Exception to separate contract requirement [Deleted]

V. PAYMENT UNDER CONTRACT

§ 20:30 Filing of estimates of labor and material

VI. DISCRIMINATION

§ 20:33 Discrimination prohibited

VII. PREVAILING WAGE

§ 20:34 Prevailing wage provision [Retitled]

IX. PURCHASING THROUGH DEPARTMENT OF ADMINISTRATIVE SERVICES, REGIONAL PLANNING COMMISSION, JOINT PURCHASES, OR AN EDUCATIONAL SERVICE CENTER

- § 20:42 Purchasing through department of administration services
- § 20:43 Purchasing through a regional planning commission
- § 20:44 Joint purchases with counties, townships, or national or state association
- § 20:45 Contracting with educational service center [New]

D. ROAD CONSTRUCTION AND MAINTENANCE

CHAPTER 22. GENERAL DUTIES—FINANCING

- § 22:3 Responsibilities of trustees defined by law
- § 22:5 Cooperation between state, county and township
- § 22:6 Road access management
- § 22:7.50 Converting a township road into a state or county road—Changing name of township road [New]

§ 22:8 First responder permanent improvement and infrastructure levies [Retitled]

CHAPTER 23. ESTABLISHING NEW ROADS

- § 23:1 Methods of establishing new roads
- § 23:7 Abandonment of township roads

CHAPTER 24, ROAD IMPROVEMENTS

- § 24:2 Powers of township trustees
- § 24:3 Mandatory duty and liability of trustees
- § 24:11 Reconstruction or repair—Notice
- § 24:12 Construction—Service of summons
- § 24:13 Procedure for appropriation
- § 24:18 Improvement contracts

CHAPTER 25. ROAD DISTRICTS OUTSIDE MUNICIPALITIES

§ 25:5 Bridges [New]

CHAPTER 26. ROAD MAINTENANCE AND REPAIR

- § 26:1 Duty of trustees
- § 26:2 Liability of trustees
- § 26:5 Township highway superintendent
- § 26:9 Distinction between improvement and maintenance
- § 26:13 Purchase of machinery and equipment
- § 26:14 Cost of machinery and equipment
- § 26:28 Permit for excavation
- § 26:29 Abutting owners
- § 26:30 Repair and maintenance of private sewer in township road right-of-way
- § 26:31 Placing township road on nonmaintained status [New]
- § 26:32 State scenic byways [New]

CHAPTER 27. STREET LIGHTING— SIDEWALKS

I. STREET LIGHTING

- § 27:3 Procedure
- § 27:7 Notice to bidders
- § 27:10 Contract for electric service
- § 27:13 Assessment against abutting landowners
- § 27:16 Compensation of officers
- § 27:17 Relocation of overhead cables, wires, and equipment [Retitled]
- § 27:17.50 Petition for the relocation of overhead cables, wires, and equipment [New]

II. SIDEWALKS

§ 27:20 Notice of hearing

E. TERRITORY

CHAPTER 28. ANNEXATION AND DETACHMENT

§ 28:1 Statutory procedure for annexation and detachment

I. ANNEXATION

- § 28:3 Special annexation procedures
- § 28:6 Requirements of petition
- § 28:7 Public hearing
- § 28:9 Petition to enjoin annexation
- § 28:13 Annexation agreements
- § 28:16 Effect of annexation

II. DETACHMENT

- § 28:20 Detachment by election
- § 28:21 Apportionment of property, funds and indebtedness

CHAPTER 29. INCORPORATION

I. INCORPORATION OF VILLAGE

§ 29:6 Notice of hearing on the petition

II. INCORPORATION OF CITY

§ 29:17 Notice of filing of petition

CHAPTER 30. TOWNSHIP ZONING

- § 30:2 Authority for zoning regulations
- § 30:5 Township zoning commission
- § 30:8 Approval by county or regional planning commission
- § 30:10 Trustees' action on zoning proposal—Setting date for election
- § 30:12 Maintaining township zoning resolutions

I. AMENDMENT

- § 30:14 Amendment of zoning plan
- § 30:15 Hearing on amendments—Notice—Referendum

II. INSPECTION AND CERTIFICATES

- § 30:17 Zoning inspector
- § 30:18 Zoning certificates
- § 30:19 Exceptions
- § 30:20 Agriculture
- § 30:21 Public utilities, communication towers, and small wind farms [Retitled]
- § 30:21.50 Large wind and solar projects [New]

III. ENFORCEMENT

§ 30:22 Enforcement

IV. BOARD OF ZONING APPEALS

- § 30:23 Township board of zoning appeals
- § 30:24 Board of zoning appeals—Powers
- § 30:25 Board of zoning appeals—Meetings
- § 30:26 Board of zoning appeals—Appeals to the board
- § 30:28 Board of zoning appeals—Appeal of board decision

CHAPTER 31. REGIONAL AND COUNTY PLANNING AND ZONING

§ 31:6 Purchasing through a regional planning commission

F. TOWNSHIP FUNCTIONS

CHAPTER 32. ANIMALS

- § 32:2 Notification requirements
- § 32:6 Township resolution to control dogs
- § 32:7 Injury or death caused by dogs
- § 32:9 Fishing, hunting, and trapping
- § 32:11 Control of dangerous wild animals [New]

CHAPTER 33. BUILDINGS AND FURNISHINGS—REAL ESTATE

- § 33:2 Erection of town hall
- § 33:4 Control of town hall and other township buildings
- § 33:7 Acquisition of real estate
- § 33:8 Exchange, transfer, or acquisition of real property
- § 33:9 Appropriation of property
- § 33:11 Power to lease
- § 33:11.50 Oil and gas leases [New]
- § 33:12 Disposal of property—Sale
- § 33:12.50 Disposal of property—Donation [New]
- § 33:13 Transfer of real property to municipality
- § 33:14.50 War relics [New]

CHAPTER 34. CABLE TELEVISION

- § 34:1 Townships may not contract for cable television service [Retitled]
- § 34:2 Contract with other political subdivision as agent [Deleted]
- § 34:3 Political subdivisions providing cable service [Deleted]

CHAPTER 35. CEMETERIES

- § 35:1 Establishment and operation of cemeteries
- § 35:2 Management of cemeteries
- § 35:3 Title to cemeteries
- § 35:5 Establishment of cemeteries
- § 35:8 Sale of cemetery lots
- § 35:9 Proceeds of sale of cemetery lots
- § 35:10 Care of cemetery

- § 35:11 Trust funds for perpetual care
- § 35:12 Plots for veterans
- § 35:15 Actions [New]
- § 35:16 Transfer of ownership [New]

CHAPTER 36. DITCHES, DRAINS, AND WATERCOURSES

- § 36:1 Responsibility for ditches, drains and watercourses
- § 36:2 Authority of board of county commissioners
- § 36:5 View of the site
- § 36:6 Notice

CHAPTER 37. FENCES

- § 37:1 Partition fence defined
- § 37:2 Owner agreements [Retitled]
- § 37:3 Sharing of expenses [Retitled]
- § 37:4 Existing and previously existing partition fences [Retitled]
- § 37:5 Preferred partition fences [Retitled]
- § 37:6 New-fence construction [Retitled]
- § 37:7 Entering another owner's property during construction [Retitled]
- § 37:8 Duty of trustees [Retitled]
- § 37:9 Cost of making assignment [Retitled]
- § 37:10 Failure to comply [Retitled]
- § 37:11 Duty of county recorder [Retitled]
- § 37:12 Fence removal [Retitled]
- § 37:13 Hedge fence [Deleted]
- § 37:14 Size of hedge fence [Deleted]

CHAPTER 38. FIRE PROTECTION

- § 38:1 Methods of securing protection
- § 38:1.50 Joint fire districts [New]
- § 38:2 Responsibility of township
- § 38:4 Purchase of equipment and services
- § 38:5 Financing fire protection
- § 38:6 Firefighters
- § 38:11 Extension of fire protection services
- § 38:13 False fire alarm at commercial establishment—Charges assessed
- § 38:14.50 Underground storage tanks [New]

I. AMBULANCE SERVICE—EMERGENCY MEDICAL SERVICE

- § 38:15 Ambulance and emergency medical service
- § 38:16 Joint ambulance district
- § 38:17 Employees of joint ambulance district
- § 38:18 Contracts for joint ambulance services [Retitled]
- § 38:20 Fire and ambulance district

CHAPTER 39. FORESTS—TREES

§ 39:6 Equipment for disposal of tree leaves

CHAPTER 40. GARBAGE AND WASTE DISPOSAL—DUMPS

I. GARBAGE AND WASTE DISPOSAL

- § 40:1 Collection and disposal of garbage
- § 40:2 Waste disposal district
- § 40:4 Service charge for waste disposal service

II. DUMPS

§ 40:11.50 Scrap metal or bulk merchandise container dealer [New]

CHAPTER 41. HEALTH

- § 41:1 Health districts
- § 41:2 Contract for services
- § 41:5 District board of health
- § 41:8 Rules and regulations
- § 41:9 Duties of general health district board
- § 41:10 District health fund
- § 41:11 Levy for expenses

CHAPTER 42. HOSPITALS

- § 42:4 Payment of proceeds of tax
- § 42:7 Joint township hospital districts

CHAPTER 44. LIBRARIES

§ 44:6 County public library fund [Retitled]

CHAPTER 45. LOCAL OPTION—LIQUOR CONTROL— LIQUOR PERMITS

I. INTOXICATING LIQUORS

- § 45:2 Petition for local option election
- § 45:4.50 Outdoor refreshment areas [New]

II. MALT BEVERAGES

- § 45:5.50 Community entertainment districts [New]
- § 45:7 Local option election as to premises where liquor violation has been found to have occurred

IV. REGULATION OF PERMIT HOLDERS

§ 45:12 Sale of wine at farmers markets [New]

TOWNSHIP REGULATION OF CHAPTER 46. MASSAGE ESTABLISHMENTS AND ADULT ENTERTAINMENT ESTABLISHMENTS [Retitled]

§ 46:1	Regulation of massage establishments and adult entertainment establishments by townships—In general [Retitled]
§ 46:2	Regulation of massage establishments and adult entertainment establishments by townships—Activities exempt from regulation by township [Retitled]
§ 46:3	Adoption of regulations—Adoption procedure
§ 46:4	Adoption of regulations—Initiative and referendum [Retitled]
§ 46:5	Availability of regulations to public
§ 46:6	Prohibitions and penalties
§ 46:7	Prohibitions and penalties—Massage establishments
§ 46:8	Prohibitions and penalties—Adult entertainment establishments [Retitled]
§ 46:9	Application for permit or license—In general
§ 46:10	Application for permit or license—Permit to operate a massage establishment or adult entertainment establishment [Retitled]
§ 46:12	Grounds for denial or revocation—Permit to operate massage establishment or adult entertainment establishment [Retitled]
§ 46:14	Hearing on denial or revocation of permit or license, record, appeal
§ 46:15	Periodic inspections and examinations, display of permits
§ 46:16	Deposit and use of permit and license fees
§ 46:17	Legal counsel for issues regarding adult entertainment establishments [Retitled]
§ 46:18	Initiative petitions for resolutions regulating adult-oriented businesses [Deleted]
§ 46:19	Enforcement of adult-oriented business regulations, penalties [Deleted]
§ 46:19.50	Adult entertainment establishments; legal guidance on restrictions; indemnification [New]

CHAPTER 47. MEMORIALS

§ 47:2 Soldiers' monuments

CHAPTER 48. NUISANCES

- § 48:1 Township may act to prevent nuisances
- § 48:2 Specific powers
- § 48:3 General or related nuisance statutes

CHAPTER 49. PARKING OF VEHICLES—NOISE CONTROL

- § 49:1 Parking regulations and orders of board of township trustees § 49:2 Notice Enforcement
- § 49:4
- § 49:5 Private tow-away zone
- § 49:7 Storage of junk motor vehicles
- § 49:7.50 Removal of junk motor vehicles [New]

I. **REGULATION OF NOISE**

§ 49:12 Township controlled off-street parking [New]

CHAPTER 50. PARKS AND RECREATION

I. TOWNSHIP PARKS

- § 50:2 Acquisition of property for a park
- § 50:5 Maintenance and operation of township park
- § 50:10 Mutual acquisition and maintenance
- § 50:11 Recreational facilities

II. TOWNSHIP PARK DISTRICT

- § 50:16 Election on question of establishment of township park
- § 50:17 Powers and duties of park board
- § 50:20 Contracts for police services
- § 50:27 Tax levy to defray expenses of the park district
- § 50:30 Park board credit and debit card policies [Retitled]

CHAPTER 51. SNOW REMOVAL

§ 51:1 Removal of snow by township trustees

CHAPTER 52. POLICE PROTECTION

- § 52:1 Contract for police protection
- § 52:2 Providing police protection to other subdivisions without a contract
- § 52:3 Police district
- § 52:4 Joint police district [Retitled]
- § 52:5 Funding
- § 52:6 Authority to arrest and detain until warrant can be obtained
- § 52:9 Control during emergencies
- § 52:10 False security alarm at commercial establishment or residence— Charges assessed
- § 52:14 Emergency management [New]
- § 52:15 Township arrests on interstates [New]

CHAPTER 52A. ANTI-TERRORISM [New]

- § 52A:1 Terrorism preparedness
- § 52A:2 Civilian cyber security reserve forces [New]

CHAPTER 54. PUBLIC UTILITIES

- § 54:1 Definition
- § 54:2 Service to township residents
- § 54:6 Regional water and sewer district
- § 54:7 Contract with county commissioners for water supply improvements

CHAPTER 55. PROMOTING TOURISM

- § 55:1 Appropriation for promotion of tourism
- § 55:3 Tourism development districts [New]
- § 55:4 Agritourism facilities [New]

CHAPTER 57. TRAFFIC REGULATION

§ 57:4 Regulation of traffic

§ 57:4.50 Photo Enforcement [New]

CHAPTER 58. WEEDS AND BRUSH

§ 58:4 Cost

§ 58:6 Destruction of weeds along highways

CHAPTER 59. WELFARE

§ 59:4 Burial of indigents

PART II. FORMS

CHAPTER 60. TRUSTEES AND OFFICERS— FORMS

I. BOND AND OATH OF OFFICE

- § 60:1 Notice to elected or appointed official to give bond and take oath
- § 60:2 Bond—Approval of bond—Oath or affirmation of office
- § 60:4 Notices of surety's intent to apply for release from bond

II. APPOINTMENT TO OFFICE

- § 60:8 Certificate of appointment to fill vacancy in office of trustee or fiscal officer [Retitled]
- § 60:9 Resolution appointing deputy fiscal officer when fiscal officer absent or incapacitated [Retitled]

III. TRUSTEE, OFFICER OR EMPLOYEE DOING BUSINESS WITH TOWNSHIP

§ 60:13 Affidavit of connection with corporation doing business with township

IV. COMPENSATION OF TRUSTEES

§ 60:14 Trustee's statement for services under per diem compensation plan

V. MEETINGS OF TRUSTEES

- § 60:16 Resolution for open meetings under sunshine law
- § 60:18 Notice of special trustees' meeting—Receipt of notice

VI. TRANSACTIONS AND MINUTES

- § 60:19 General form of resolution or order
- § 60:20 General form of record of proceedings (minutes)
- § 60:21 Fiscal Officer's certificate authenticating record or extract [Retitled]

VII. REMOVAL OF OFFICERS

§ 60:50 Oath or affirmation requirement [New]

CHAPTER 61. BUDGET AND TAXATION—FORMS

I. TAX LEVIES

0 01 1	T) 1		• , ,	c	1 .		1.		1
§ 61:1	Resolution	ot no	MARGEST 1	nr.	LOVIZZING	tov	ovecooding	tan_mill	limitation
8 OT.I	resolution	01 116	CCSSILV I	LUI	16 / / / / / / /	uan	CACCCUIIIE	rem-mm	IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII

- § 61:2 County auditor's certificate—Option one [Deleted]
- § 61:3 County auditor's certificate—Option two [Deleted]
- § 61:4 Resolution to proceed
- § 61:5 Director of elections receipt
- § 61:6 Form of ballot
- § 61:7 Notice of election on tax levy exceeding ten-mill limitation
- § 61:8 County auditor's certificate of estimated property tax millage rate
- § 61:9 County auditor's certificate of estimated property tax revenue
- § 61:10 Certificate of result of election on tax levy exceeding ten-mill limitation
- § 61:11 Resolution levying tax exceeding ten-mill limitation after voter approval [Deleted]

II. BUDGET

- § 61:14 Certificate of resources as issued by fiscal officer [Retitled]
- § 61:16 Resolution accepting amounts and rates determined by budget commission
- § 61:17 Appeal of budget commission's determination

IV. ADVANCES

- § 61:19 Resolution for advance payment out of current tax collection
- § 61:20 Request for advance of taxes collected
- § 61:21 Notice to county auditor on disposition of note proceeds
- § 61:22 Certificate of receipt and disposition of advance for debt service

CHAPTER 62. DEPOSIT OF PUBLIC FUNDS—FORMS

- § 62:2 Resolution inviting bids from potential depositories of inactive deposits
- § 62:4 Notice to potential depositories of inactive deposits
- § 62:5 Notice of meeting to choose depository—Proof of publication
- § 62:7 Resolution designating public depositories
- § 62:8 Notice of designation as depository
- § 62:9 Contract for deposit of public funds
- § 62:12 Resolution directing fiscal officer to sell interim investments or transfer deposits from inactive to active [Retitled]

CHAPTER 63. BORROWING MONEY—FORMS

I. SECTION 505.262 SECURITIES

- § 63:1 Section 505.262 securities resolution
- § 63:3 Section 505.262 securities form

II. TAX ANTICIPATION NOTES

§ 63:4 Fiscal Officer's certificate

- § 63:5 Resolution authorizing tax anticipation notes
- § 63:6 Tax anticipation note form

III. BOND ELECTION PROCEEDINGS

- § 63:7 Resolution declaring the necessity of submitting the question of issuing bonds
- § 63:8 County auditor's certificate
- § 63:9 Resolution to proceed

IV. VOTED BOND ANTICIPATION NOTES

- § 63:13 Resolution requesting fiscal officer to certify
- § 63:14 Fiscal Officer's certificate
- § 63:15 Note resolution
- § 63:16 Township voted bond anticipation note form

V. VOTED BONDS

- § 63:17 Resolution requesting fiscal officer's certificate
- § 63:18 Fiscal Officer's certificate
- § 63:19 Resolution authorizing voted township bonds
- § 63:20 Voted bond form

VI. SPECIAL ASSESSMENT NOTES

- § 63:21 Note resolution—Special assessments
- § 63:22 Fiscal Officer's certificate
- § 63:23 Township special assessment note form

VII. SPECIAL ASSESSMENT BONDS

- § 63:24 Fiscal Officer's certificate
- § 63:25 Resolution authorizing township special assessment bonds
- § 63:26 Special assessment bond form
- § 63:27 Invitation for proposals for general obligation special assessment bonds

CHAPTER 64. SPECIAL ASSESSMENTS—FORMS

- § 64:1 Resolution of necessity for township improvement and special assessment
- § 64:2 Certificate of decision to construct improvement and levy special assessment
- § 64:3 Notice of resolution of necessity and filing of estimated assessment
- § 64:4 Notice of hearing by equalization board
- § 64:6 Public notice of estimated assessments
- § 64:7 Resolution confirming assessments

CHAPTER 65. CONTRACTS AND PURCHASES—FORMS

I. COMPETITIVE BIDDING

§ 65:1 Notice inviting bids—Proof of publication

xxxii

- § 65:5 Resolution accepting bid and awarding contract
- § 65:6 General form of contract for labor and materials
- § 65:10 Certificate of availability of funds

II. FORCE ACCOUNT

§ 65:11 Resolution proposing improvement by force account without competitive bidding

III. PURCHASES; CONTRACT PAYMENTS

- § 65:15 Purchase order
- § 65:16 Voucher
- § 65:17 Warrant or order to pay

IV. MISCELLANEOUS CONTRACTS FOR GOODS OR SERVICES

- § 65:22 Contract to build or repair partition fence
- § 65:23 Contract for cutting weeds and brush

CHAPTER 66. FIRE, EMERGENCY AND POLICE PROTECTION—FORMS

I. FIRE PROTECTION

- § 66:2 Resolution creating joint fire district
- § 66:5 Resolution adopting standard fire code

II. AMBULANCE AND EMERGENCY MEDICAL SERVICE

§ 66:6 Resolution creating joint ambulance district

III. POLICE PROTECTION

§ 66:9 Resolution adopting rules of operation of township police district

IV. FUNDING FIRE, EMERGENCY AND POLICE PROTECTION

- § 66:15 Resolution establishing charges for use of ambulance or emergency medical services
- § 66:16 Resolution establishing reserve balance account for purchase of fire, police and road maintenance equipment
- § 66:17 Resolution dissolving reserve balance account

CHAPTER 67. ZONING—FORMS

II. TOWNSHIP ZONING COMMISSION

§ 67:6 Organizational resolution by zoning commission

III. ADOPTION OF ZONING PLAN

- § 67:10 Resolution by zoning commission to submit proposed zoning resolution to township trustees
- § 67:11 Certification of proposed zoning resolution to township trustees
- § 67:12 Resolution fixing date for public hearing by trustees
- § 67:13 Notice of public hearing by trustees
- § 67:14 Resolution adopting zoning plan and ordering election

IV. ZONING CHANGES

- § 67:17 Resolution of trustees of intention to amend zoning resolution
- § 67:18 Resolution of zoning commission recommending zoning amendment
- § 67:19 Notice of public hearing on proposed zoning change

VI. TOWNSHIP BOARD OF ZONING APPEALS

§ 67:24 Notice of hearing on zoning appeal

CHAPTER 68. REAL PROPERTY—BUILDINGS— MEMORIALS—PARKS—CEMETERIES— FORMS

I. ACQUISITION OF PROPERTY

- § 68:1 Resolution authorizing purchase of real property
- § 68:2 Resolution to appropriate property

II. TOWN HALL

§ 68:4 Resolution to submit question of acquiring, improving or moving town hall to voters

III. MEMORIALS

§ 68:6 Petition for soldiers and sailors monument

IV. PARKS

- § 68:10 Resolution directing notice of election on establishment of township park
- § 68:12 Notice of election on sale of park lands

V. CEMETERIES

- § 68:13 Application for submission of question of establishing a cemetery to voters
- § 68:15 Notice of election on question of establishing cemetery
- § 68:16 Resolution ordering purchase of site for cemetery
- § 68:17 Deed for cemetery lot
- § 68:17.50 Quitting of claims to cemetery lot [New]
- § 68:21 Deed to a board of township trustees [New]

CHAPTER 69. ROADS—VIADUCTS— FOOTBRIDGES—FORMS

I. ADMINISTRATION

§ 69:4 Resolution to appoint township highway superintendent

II. ROAD IMPROVEMENT AND MAINTENANCE

§ 69:10	Resolution proposing road improvement
§ 69:11	Order fixing time for view and hearing on road improvement
§ 69:12	Notice to county engineer of view and hearing on road
	improvement
§ 69:14	Resolution of necessity for road improvement and assessment
§ 69:15	Notice to county engineer to prepare plans and specifications for road improvement
§ 69:16	Public notice of proposed road improvement
§ 69:17.50	Resolution placing road on non-maintained status [New]

III. FUNDING

§ 69:18 Resolution establishing emergency and incidental highway maintenance fund

IV. RELOCATION OF ROAD

§ 69:21 Notice of hearing on petition to relocate road

V. VIADUCTS AND FOOTBRIDGES

 \S 69:24 Resolution to build, rebuild or repair footbridge, and to levy special tax

VI. MISCELLANEOUS

- § 69:25 Resolution declaring emergency and providing for clearing undedicated road
- § 69:28.50 Seasonal Hauling Agreement [New]

VII. REQUESTS TO COUNTY COMMISSIONERS TO ESTABLISH, IMPROVE OR VACATE ROAD

§ 69:33 Petition of township trustees to county commissioners to vacate abandoned township road [New]

CHAPTER 70. STREETLIGHTING— SIDEWALKS—PARKING—FORMS

I. STREETLIGHTING

- § 70:2 Fiscal Officer's notice to trustees of filing of streetlighting petition [Retitled]
- § 70:3 Notice of hearing on streetlighting petition
- § 70:4 Resolution of necessity for streetlighting

§ 70:5 Certificate of trustees to county auditor re assessments for streetlighting

III. PARKING

§ 70:13 Resolution prohibiting parking in fire lanes

CHAPTER 71. FENCES—FORMS

I. PROCEEDINGS TO CONSTRUCT PARTITION FENCE AND APPORTION COSTS

- § 71:1 Complaint and application to trustees to apportion cost of building or repairing partition fence
- § 71:2 Resolution for trustees to view partition fence premises
- § 71:3 Notice of complaint and meeting to view partition fence
- § 71:4 Order assigning each party share of partition fence
- § 71:5 Notice to pay costs of partition fence proceedings
- § 71:6 Certificate to county auditor of unpaid cost of partition fence proceedings

II. CONTRACTING TO BUILD PARTITION FENCE

- § 71:7 Application of aggrieved party to trustees to contract to build partition fence in default of other party's failure to do so
- § 71:8 Resolution to contract to build partition fence
- § 71:9 Notice for bids to build partition fence
- § 71:10 Resolution accepting bid to build partition fence

III. PAYMENT OF PARTITION FENCE CONSTRUCTION COSTS

- § 71:11 Resolution to certify costs to county auditor on completion of partition fence
- § 71:12 Notice to party to pay share of partition fence construction costs
- § 71:13 Certificate to county auditor of unpaid cost of building partition fence

IV. MISCELLANEOUS

- § 71:14 Order to remove fence interfering with road grading or travel
- § 71:15 Resolution permitting landowner to plant hedge fence and maintain protection fence [Deleted]
- § 71:16 Notice to landowner to trim hedge fence [Deleted]

CHAPTER 72. TREES, WEEDS AND BRUSH—FORMS

III. WEEDS AND BRUSH ALONG PARTITION FENCES

§ 72:10 Resolution to certify to county auditor cost of cutting brush and weeds along partition fence

CHAPTER 73. HEALTH AND WELFARE— FORMS

I. ENVIRONMENTAL PROTECTION

§ 73:1 Resolution requiring permits for contractors to burn building debris

II. BUILDING STANDARDS

§ 73:3 Resolution proposing adoption of standard building code and ordering notice of hearings

III. SOCIAL SERVICES FOR OLDER PERSONS

- § 73:4 Resolution for township to participate in social service programs for senior citizens
- § 73:6 Resolution authorizing transfer of township property to senior citizens organization

IV. WELFARE

§ 73:7 Statement of expenses incurred in burial of indigent

VI. JOINT ECONOMIC DEVELOPMENT DISTRICT

- § 73:11 Resolution scheduling hearing and ordering notice on joint economic development district contract
- § 73:12 Resolution approving contract to create joint economic development district
- § 73:13 Certificate that hearings held on joint economic development district contract

CHAPTER 74. WASTE DISPOSAL—FORMS

I. WASTE DISPOSAL DISTRICT

§ 74:2 Resolution creating waste disposal district

II. WASTE DISPOSAL

- § 74:5 Contract with municipality or independent contractor for waste collection and disposal
- § 74:6 Resolution regulating use of township solid waste facility

CHAPTER 74A. AGRICULTURAL SECURITY AREAS—FORMS [New]

- § 74A:1 Application for tax exemption
- § 74A:2 Tax exemption agreement for qualifying property

CHAPTER 75. ANNEXATION AND DETACHMENT—INCORPORATION— TOWNSHIP BOUNDARIES—FORMS

I. ANNEXATION

- § 75:2 Resolution of county commissioners ordering hearing on annexation petition
- § 75:5 Resolution of county commissioners approving annexation
- § 75:7 Resolution granting rehearing on annexation

IV. SURRENDER OF CORPORATE POWERS

- § 75:13 Petition to surrender corporate powers
- § 75:14 Ordinance calling for special election for surrender of corporate powers
- § 75:15 Certificate of result of election on surrender of corporate powers

CHAPTER 76. MISCELLANEOUS RESOLUTIONS—FORMS

I. TAXATION

- § 76:1 Resolution to submit question of tax on drilling oil or gas well to voters
- § 76:2 Resolution to levy lodging excise tax

II. MISCELLANEOUS RESOLUTIONS

- § 76:3 Resolution proposing contract with cable television company and ordering hearing and notice [Deleted]
- § 76:5 Resolution to require registration of transient vendors

CHAPTER 78. PLEADINGS, MOTIONS AND ORDERS—MISCELLANEOUS—FORMS

I. TRANSFER OF FUNDS

§ 78:1 Resolution for transfer from general fund to road and bridge fund

II. DISPOSAL OR FORFEITURE OF PROPERTY

- § 78:5 Application to dispose of unclaimed property without auction; Proof of publication
- § 78:6 Order to dispose of unclaimed property

CHAPTER 79. TOWNSHIP LIMITED HOME RULE—FORMS

I. ADOPTION AND TERMINATION OF LIMITED HOME RULE

§ 79:1 Resolution to place adoption of limited home rule on ballot

xxxviii

- § 79:2 Petition to place adoption of limited home rule on ballot
- § 79:3 Resolution to place continuation of limited home rule on ballot
- § 79:5 Notice of election on limited home rule issue

II. LIMITED HOME RULE RESOLUTIONS

§ 79:6 Sample resolution to exercise limited home rule powers

III. ENFORCEMENT OF LIMITED HOME RULE RESOLUTIONS

- § 79:7 Citation for violation
- § 79:8 Township fiscal officer's notice to court [Retitled]

CHAPTER 80. REGULATION OF MASSAGE ESTABLISHMENTS AND ADULT ENTERTAINMENT ESTABLISHMENTS—FORMS [Retitled]

§ 80:1	Resolution setting hearings and ordering notice on proposed massage establishment regulations or amendments [Retitled]
§ 80:2	Resolution adopting or amending massage establishment regulations and ordering notice [Retitled]
§ 80:2.50	Resolution adopting or amending adult entertainment establishment regulations and ordering notice [New]
§ 80:3	Petition to submit regulations or amendments to referendum
§ 80:4	Regulations governing township massage establishments and adult entertainment establishments [Retitled]
§ 80:5	Amendment of massage establishment or adult entertainment establishment regulations [Retitled]
§ 80:6	Permit to operate massage establishment or adult entertainment establishment [Retitled]
§ 80:7	License as masseur or masseuse

Appendix

Appendix A. Calendar for Township Officers

Table of Laws and Rules

Table of Cases

Index