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- § 1:11 Common-law concept of municipal corporation no longer valid in Ohio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
- § 7:39 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

§ 26:6

§ 26:2	Implementing the housing amendment
§ 26:3	Housing advisory boards
§ 26:4	Metropolitan housing authorities
§ 26:5	Municipal public housing

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
§	26:27	Tort liability, and urban renewal as governmental function
§	26:28	Miscellaneous urban renewal issues
8	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

Chapter 28

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
	28:37 28:38 28:39 28:40 28:41 28:42 28:43 28:44

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 environmental 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

§ 30:15	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 Boulder case
§ 31:5 § 31:6	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		
8 55.0	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		
9 00.00	0.1		
Chap	oter 56		
Appropriation of Property—Forms			
	opilation of Froperty Torms		
I. OR	DINANCE, RESOLUTION, NOTICE		
	DINANCE, RESOLUTION, NOTICE		
I. OR § 56:1 § 56:2			
§ 56:1	DINANCE, RESOLUTION, NOTICE Notice of survey, appraisal, soundings, etc Ordinance authorizing appraisal, negotiation, and acquisition of		
\$ 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	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	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		
\$ 56:1 \$ 56:2 \$ 56:3 \$ 56:4 \$ 56:5 \$ 56:6 II. C (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. C (0) \$ 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	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		
\$ 56:1 \$ 56:2 \$ 56:3 \$ 56:4 \$ 56:5 \$ 56:6 II. CC \$ 56:7 \$ 56:8 \$ 56:9	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		
\$ 56:1 \$ 56:2 \$ 56:3 \$ 56:4 \$ 56:5 \$ 56:6 II. CC \$ 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 (quick-take) Answer (general denial)		
\$ 56:1 \$ 56:2 \$ 56:3 \$ 56:4 \$ 56:5 \$ 56:6 II. CC \$ 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