



Ohio Revised Code Section 523.04 Merger agreement.

Effective: September 29, 2011

Legislation: House Bill 153 - 129th General Assembly

(A) Within one hundred twenty days after approval of the merger by the electors under section 523.02 or 523.03 of the Revised Code, each board of township trustees of the townships merged, by adopting a joint resolution approved by a majority of the members of each board, shall enter into a merger agreement that contains the specific terms and conditions of the merger. At a minimum, the merger agreement shall set forth all of the following:

- (1) The names of the former townships that were merged;
- (2) The name of the new township;
- (3) The place in which the principal office of the new township will be located or the manner in which it may be selected;
- (4) The territorial boundaries of the new township;
- (5) The date on which the merger took effect;
- (6) The governmental operations and organization for the new township, including a plan for electing officers at the next general election that is held not later than ninety days after the merger agreement is finalized;
- (7) A procedure for the efficient and timely transition of specific services, functions, and responsibilities from each township and its respective offices to the new township;
- (8) Terms for the disposition of the assets and property of each township, if necessary;
- (9) The liquidation of existing indebtedness for each township, if necessary;



(10) A plan for the common administration and enforcement of resolutions of the townships merged, to be enforced uniformly within the new township;

(11) A provision that specifies whether there will be any zoning changes as a result of the merger, if applicable;

(12) A plan to conform the boundaries of an existing special purpose district with the new township, to dissolve the special purpose district, or to absorb the special purpose district into the new township. As used in this division, "special purpose district" has the meaning in division (F) of section 523.06 of the Revised Code.

(B) A copy of the joint resolution and the merger agreement adopted under this section shall be filed with the township fiscal officer of the new township. The merger agreement shall take effect on the day on which such filing is made.

(C) If no merger agreement, or if only a partial merger agreement, is entered into within the time period prescribed by division (A) of this section, the new township shall comply with and operate under a merger agreement that contains the terms and conditions required by section 523.06 of the Revised Code.