



Ohio Revised Code

Section 703.20 Surrender of corporate power by villages.

Effective: September 29, 2017

Legislation: House Bill 49 - 132nd General Assembly

(A) Villages may surrender their corporate powers upon the petition to the legislative authority of the village, or, in the alternative, to the board of elections of the county in which the largest portion of the population of the village resides as provided in division (B)(1) of this section, of at least thirty per cent of the electors thereof, to be determined by the number voting at the last regular municipal election and by an affirmative vote of a majority of the electors at a special election, which shall be provided for by the legislative authority or, in the alternative, at a general or special election as provided for by the board of elections under division (B)(1) of this section. The election shall be conducted, canvassed, and the result certified and made known as at regular municipal elections. If the result of the election is in favor of the surrender, the village clerk or, in the alternative, the board of elections shall certify the result to the secretary of state, the auditor of state, and the county recorder, who shall record it in their respective offices. The corporate powers of the village shall cease upon the recording of the certified election results in the county recorder's office.

(B)(1) If the legislative authority of a village fails to act upon the petition within thirty days after receipt of the petition, the electors may present the petition to the board of elections to determine the validity and sufficiency of the signatures. The petition shall be governed by the rules of section 3501.38 of the Revised Code. The petition shall be filed with the board of elections of the county in which the largest portion of the population of the village resides. If the petition is sufficient, the board of elections shall submit the question "Shall the village of _____ surrender its corporate powers?" for the approval or rejection of the electors of the village at the next general or special election, in any year, occurring after the period ending ninety days after the filing of the petition with the board. If the result of the election is in favor of the surrender, the board of elections shall certify the results to the secretary of state, the auditor of state, and the county recorder, who shall record it in their respective offices. The corporate powers of the village shall cease upon the recording of the certified election results in the county recorder's office.

(2) In addition to filing the petition with the board of elections as provided in division (B)(1) of this section, a copy of the petition shall be filed with the board of township trustees of each township



affected by the surrender.

(C) The auditor of state shall assist in facilitating a timely and systematic manner for complying with the requirements of section 703.21 of the Revised Code.