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Summary of Ohio Revised Code (ORC) provisions on merger process (Sections 709.43 – 709.48)

1. **Petition proposing merger is filed with county board of elections** (separate petitions may be presented by each political subdivision involved). Each petition must state the purpose of the petition, and include the names of no less than five electors of each affected political subdivision (municipality or township) to be nominated to serve as members of a merger commission. A copy of the petition must be filed with the city council of each municipality and the board of trustees of each township involved.
 - Petitions must be signed by not less than 10 percent of electors in each political subdivision (municipality and township) (based on number voting for governor in most recent gubernatorial election)
2. If the petitions are validated by the board of elections, the board submits a **ballot question on the establishment of a merger commission for approval in the next general election taking place at least 75 days after the petition was filed**. The question is placed on the ballot in each political subdivision for which merger is proposed, and the ballot must include the names of the merger commission nominees from each subdivision.
3. Not less than 30 days before the merger commission election, the township board of trustees and the city council must each hold a public meeting in which they state and explain their position on the proposed merger.
4. a. **If the establishment of a merger commission is approved by a majority of voters in each political jurisdiction, a merger commission is formed** to formulate conditions of a merger. The commission must hold its first meeting at 9 a.m. on the 10th day after the election is certified by the county board of elections; if one of the parties to the merger is a township, the first meeting must be held in the office of the township board of trustees.

b. If the establishment of a merger commission is disapproved by a majority of voters in either the municipality or the township, the merger process ends, and no further petitions for a merger may be filed for at least 3 years after the date of this election.
5. All proposed merger conditions must be voted on by the merger commission.

a. If no condition can be agreed on by the majority of members from each subdivision, the commission may vote on whether a merger should occur. In that event, if the majority from each subdivision votes against a merger, no further action is taken, and no petitions for merger may be submitted for 3 years.

b. If a majority of members from each subdivision agree on proposed conditions, the commission issues a report listing the conditions agreed to, and the reasoning behind adopting each condition. The commission's agreement and the list of conditions must be certified by the commission to the county board of elections, after the next general election occurring after the election of the members of the merger commission but not less than 75 days preceding the second general election occurring after the election of the merger commission

6. The conditions of merger are submitted to the voters for acceptance or rejection at the second general election after the election of the merger commission. **The conditions must be approved by a majority of voters in each political subdivision.**

a. If the conditions are approved by a majority of voters in each political subdivision, the merger becomes effective on January 1 of the year following certification of the election results by the county board of elections.

b. If the conditions are rejected, no merger petitions may be submitted for three years after that vote.

7. When a merger includes an unincorporated area of a township, the board of county commissioners and the city council of the municipality involved must negotiate an agreement relating to services provided by the county to the township, and develop transition plans to address arrangements for provision of those services. They must meet to discuss transition plans within 30 days of the effective date of the merger, and agree on a transition plan within 60 days of that meeting.

(No petitions for annexation may be submitted after a petition for a merger commission has been filed, until either the petition for a merger commission is defeated or the merger conditions are defeated.)