

Appendix C

A Resolution of the Board of Commissioners of _____ County Appointing the Clerk or County Administrator to Set the Date, Time, and Place for Annexation Hearings and to Provide Associated Notices to the Agent for the Petitioners

_____ moved to adopt the following resolution:

WHEREAS, Amended Substitute Senate Bill 5 (Senate Bill 5) of the 124th General Assembly has been passed by the General Assembly and signed by the Governor; and

WHEREAS, the effective date of SB 5 is October 26, 2001; and

WHEREAS, Section 709.014 (B) of the Ohio Revised Code (ORC) as enacted by SB 5 authorizes the Board of County Commissioners to appoint the (Clerk or County Administrator) to set the date, time, and place for hearings on annexation petitions and to provide associated notices to the agent for the petitioners;

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of _____ County as follows:

Section 1.0 Delegation of Authority to (Clerk or County Administrator) to Set Hearing

The Board hereby appoints the (Clerk or County Administrator) to establish the date, time, and place for annexation hearings.

Section 1.1 Compliance With Law

The (Clerk or County Administrator) shall establish the hearing dates for annexation petitions in order to comply with all statutory requirements of SB 5 and other sections of the ORC. In accordance with Section 709.03 (A) of the ORC and Section 1 of this resolution, the (Clerk or County Administrator) shall, within five days after the petition is filed with the Board, set the time, date, and place of the hearing. The hearing shall occur at least 60 days after but no more than 90 days after the date on which the petition is filed with the Board. In the case of a hearing pursuant to ORC 709.024 (E), the hearing shall be at the next regular session of the Board.

Section 1.2 Delegation of Authority to (Clerk or County Administrator) to Provide Notice to Agent for Petitioners

The Board hereby appoints the (Clerk or County Administrator) to provide notice to the

agent for the petitioners of the time, date, and place of the hearing.

In accordance with Section 709.03 (A) or 709.024 (E) of the ORC, the (Clerk or County Administrator) shall provide this notice immediately after the Clerk determines the date of the hearing.

Section 1.3 Notification to the Board and Entry of the Hearing Date in the Journal

Upon setting the date, time, and place of the hearing pursuant to Section 709.03 (A) of the ORC, the (Clerk or County Administrator shall inform the Board, at its next regular session, of the date, time and place of the hearing and the Board shall cause this information to be entered in its journal.

This resolution was seconded by _____.

Roll call vote

_____	_____
_____	_____
_____	_____