

Appendix E

Table of Annexation Statutes As Amended by Amended Substitute Senate Bill 5 of the 124th General Assembly

ORC Section	Retained in Current Form	Amended	Repealed	New Section Enacted	Current Section Replaced with New Section with Same Number	Content of ORC Section
505.62		x				Authority for township trustees to use general revenue fund to hire attorneys, expert witnesses, and consultants.
709.01	x					General provisions on annexation and detachment, and special provisions relating to U.S. military bases.
709.011	x					Responsibility of municipality to notify board of elections on boundary changes.
709.012	x					Provisions relating to reduction in number of township firefighters as a result of annexation.
709.013				x		<p>Specifies how commissioners deal with multiple annexation petitions containing the same property.</p> <p>Provides that if more than one annexation petition contains the same property, and if one petition is granted, it has the effect of removing the property from the other petitions.</p> <p>Specifies the order courts will consider appeals when two or more in which petitions are appealed that contain the same property.</p>
709.014				x		<p>Authorizes county commissioners to establish fees and require a deposit, and requires the clerk to account for the funds.</p> <p>County commissioners may appoint the clerk or county administrator to set date, time, and place of hearings and send notices to the agent.</p>

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709.015				x		Discusses “substantial compliance” with requirements for annexation and directs county commissioners to cure procedural defects.
709.02		x				<p>Owners may petition for annexation.</p> <p>Petition for annexation filed with clerk.</p> <p>Contents of annexation petition.</p> <p>Requires agent for petitioners to also file list of lots, tracts, and parcels in the petition which are not considered part of the annexation petition.</p> <p>Defines an “owner” for purposes of an annexation petition.</p>
709.021				x		<p>Specifies that special or expedited procedures will be used when an annexation petition is signed by all owners -- 100% petitions.</p> <p>Expedited petitions also filed with clerk and contents of petition and definition of “owner” are same as specified in ORC 709.02.</p> <p>Generally, the only sections that apply to 100% petitions are ORC 709.014, 709.015, 709.04, 709.11, 709.12, 709.192, and 709.21.</p> <p>Defines parties for the purpose of two of the special 100% annexation petition procedures, those under 709.022 (Expedited Type 1) and 709.024 (Expedited Type 2). Parties for these types of annexation include only the municipality to which annexation is proposed, the township(s), and the agent.</p>
709.022				x		Provisions related to Expedited Type 1 Annexations -- those with consent of all parties and requiring signatures of all property owners.
709.023				x		Provisions related to Expedited Type 2 Annexations -- those where land will not be excluded from township and requiring signatures of all property owners.
709.024				x		Provisions related to Expedited Type 3 Annexations -- those for the purpose of undertaking a significant economic development project and requiring the land not to be removed from the township and requiring signatures of all property owners.

ORC Section	Retained in Current Form	Amended	Repealed	New Section Enacted	Current Section Replaced with New Section with Same Number	Content of ORC Section
709.03		x				Provisions related to processing "regular" annexation petitions -- those with signatures of at least 51% of the property owners.
709.031					x	Referral of regular annexation petition, legal description, a map/plat to county engineer, amendments to petitions, and questions relating to the authority of persons to sign as owners of property.
709.032		x				Provisions defining necessary parties to a regular annexation, issuance of subpoenas, recording of hearing, requests for a court report, and transcription of hearings. This section also deals with the filing of affidavits, removal of signatures from the petition at the hearing, and other topics related to the hearing.
709.033		x				Adoption of resolutions granting or denying a regular annexation, including the conditions and standards upon which the board of county commissioners makes its decision. This section also includes requirements for notification of parties after the granting or denial of a petition.
709.04		x				Processing of a petition by a municipality after approval by the board of county commissioners.
709.05	x					Provisions relating to municipal rejection of a petition granted by the board of county commissioners.
709.06	x					Provisions relating to filing documents, upon acceptance of annexation by municipality, with county auditor and recorder and transmission to Secretary of State.
709.07					x	Procedures for appeal of the granting or denial of an annexation petition.
709.08			x			Provisions relating to injunctions that have been repealed.

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709.09			x			Provisions relating to injunctions that have been repealed.
709.10	x					Effective date of annexation, municipal referendum, and rights and privileges of inhabitants.
709.11					x	If territory proposed to be annexed is in more than one county, proceedings are in county where majority of acreage is located.
709.12	x					Apportionment of indebtedness upon annexation and the division of funds.
709.13		x				General section on municipally-initiated annexations.
709.14		x				Passage of ordinance by municipality authorizing the annexation of contiguous territory owned by the municipality, a county, or the state.
709.15		x				Filing of petition by municipality and contents on petition.
709.16					x	Annexation procedure when by petition of municipality of land owned by the municipality, county, or state.
709.17			x			Election on annexations initiated by a municipality which has been repealed.
709.18			x			Location annexations initiated by a municipality which has been repealed.
709.19		x				Provisions detailing required payments to township by municipality when land is annexed and removed from township of origin.
709.191	x					Alternative payments to township by municipality and enforcement of such agreement.
709.192				x		Authority for municipality and township to enter into annexation agreements.

ORC Section	Retained in Current Form	Amended	Repealed	New Section Enacted	Current Section Replaced with New Section with Same Number	Content of ORC Section
709.20	x					Rights and privileges of inhabitants when a municipality initiates the annexation of municipal, county, or state-owned land.
709.21		x				Effect of errors, irregularities, or defects in annexation proceedings when an annexation has become final.
929.02		x				Conforming changes to the Agricultural Districts Law.
5705.31		x				Provisions relating to allocation of inside millage and reallocation of inside millage pursuant to an annexation agreement.
5705.315				x		Allocation of inside millage during a tax year upon annexation.