

Appendix M

Procedural Checklist for Expedited Type 2 Annexations ORC 709.023

Petitions Submitted By All Property Owners With or Without Consent of Municipality & Township(s)

Petition Number _____

Name of Agent _____

Agent's Address _____

Agent's Phone # _____

Agent's Fax # _____

Agent's E-mail _____

Municipality to Which Annexation Is Proposed _____

Township(s) Included In Proposed Annexation _____

Other County Included in Annexation _____

Statutory Time Frame/Requirement	Description of Provision/Requirement	Date Received/ Completed
	Petition filed.	
Next regular session of board	Petition entered upon the journal. (ORC 709.023 (B))	
Anytime	Filing proof of service by agent that notices to each	

Statutory Time Frame/Requirement	Description of Provision/Requirement	Date Received/ Completed
	appropriate governmental official has been completed within 5 days after filing of petition. Note: Proof of service is limited to governmental officials even though notices to adjacent property owners must be sent by regular first class mail. (ORC 709.023 (B))	
Within 20 days after filing of petition	Filing of municipal statement of services. (ORC 709.023 (C))	
Within 20 days after filing of petition	Filing of municipal statement of incompatible land use and zoning buffer if area to be annexed is currently subject to county or township zoning. (ORC 709.023 (C))	
Within 25 days after filing petition	Filing of ordinance or resolution by municipality or township(s) consenting or objecting to the annexation. If no ordinance or resolution is submitted within 25 days, it is presumed to be consent. (ORC 709.023 (D))	
At next regular session of board IF both municipality and township(s) consent	Board must adopt a resolution granting annexation. (ORC 709.023 (D))	
Not less than 30 or more than 45 days after filing of petition IF either municipality or township(s) objects.	Board must "review" the petition and grant or deny the petition by resolution if it meets all of the conditions listed in ORC 709.023 (E) (1) - (7).	

Statutory Time Frame/Requirement	Description of Provision/Requirement	Date Received/ Completed
Immediately upon journalization of resolution granting or denying petition.	<p>If petition is granted, clerk delivers certified copy of entire record of annexation proceedings, all resolutions of the board, the petition, and map, and all other papers on file to the clerk or auditor of municipality.</p> <p>If petition is denied, clerk should send a certified copy of all resolutions to the municipality and agent. Note: The law is silent on this issue; however, CCAO recommends it be done. (ORC 709.023 (G) & ORC 709.033 (C) (1))</p>	
After adoption of resolution denying petition	Writ of Mandamus to compel the board to perform its duties may be sought by any party. (ORC 709.023 (G))	