

As Introduced

**129th General Assembly
Regular Session
2011-2012**

S. B. No. 241

Senator Coley

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A B I L L

To amend sections 349.01, 349.03, 349.04, 349.06, and
349.14 of the Revised Code to make changes to the
New Community Authority Law.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 349.01, 349.03, 349.04, 349.06, and
349.14 of the Revised Code be amended to read as follows:

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Sec. 349.01. As used in this chapter:

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(A) "New community" means a community or an addition to an
existing community planned pursuant to this chapter so that it
includes facilities for the conduct of industrial, commercial,
residential, cultural, educational, and recreational activities,
and designed in accordance with planning concepts for the
placement of utility, open space, and other supportive facilities.

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~~In the case of a new community authority established on or
after the effective date of this amendment and before January 1,
2012, "new community" may mean a community or development of~~
property planned under this chapter in relation to an existing
community so that the community includes facilities for the
conduct of community activities, and is designed in accordance
with planning concepts for the placement of utility, open space,
and other supportive facilities for the community.

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(B) "New community development program" means a program for
the development of a new community characterized by well-balanced
and diversified land use patterns and which includes land
acquisition and land development, the acquisition, construction,
operation, and maintenance of community facilities, and the
provision of services authorized in this chapter.

~~In the case of a new community authority established on or~~
~~after the effective date of this amendment and before January 1,~~
~~2012, a~~ A new community development program may take into account
any existing community in relation to which a new community is
developed for purposes of being characterized by well-balanced and
diversified land use patterns.

(C) "New community district" means the area of land described
by the developer in the petition as set forth in division (A) of
section 349.03 of the Revised Code for development as a new
community and any lands added to the district by amendment of the
resolution establishing the community authority.

(D) "New community authority" means a body corporate and
politic in this state, established pursuant to section 349.03 of
the Revised Code and governed by a board of trustees as provided
in section 349.04 of the Revised Code.

(E) "Developer" means any person, organized for carrying out
a new community development program who owns or controls, through
leases of at least seventy-five years' duration, options, or
contracts to purchase, the land within a new community district,
or any municipal corporation, county, or port authority that owns
the land within a new community district, or has the ability to
acquire such land, either by voluntary acquisition or condemnation
in order to eliminate slum, blighted, and deteriorated or
deteriorating areas and to prevent the recurrence thereof. In the
case of a new community authority established on or after ~~the~~
~~effective date of this amendment~~ July 7, 2010, and before January

1, 2012, "developer" may mean a person, municipal corporation,
county, or port authority that controls land within a new
community district through leases of at least forty years'
duration.

(F) "Organizational board of commissioners" means, if the new
community district is located in only one county, the board of
county commissioners of such county; if located in more than one
county, a board consisting of the members of the board of county
commissioners of each of the counties in which the district is
located, provided that action of such board shall require a
majority vote of the members of each separate board of county
commissioners; or, if more than half of the new community district
is located within the boundaries of the most populous municipal
corporation of a county, the legislative authority of the
municipal corporation.

(G) "Land acquisition" means the acquisition of real property
and interests in real property as part of a new community
development program.

(H) "Land development" means the process of clearing and
grading land, making, installing, or constructing water
distribution systems, sewers, sewage collection systems, steam,
gas, and electric lines, roads, streets, curbs, gutters,
sidewalks, storm drainage facilities, and other installations or
work, whether within or without the new community district, and
the construction of community facilities.

(I)~~(1)~~ "Community facilities" means all real property,
buildings, structures, or other facilities, including related
fixtures, equipment, and furnishings, to be owned, operated,
financed, constructed, and maintained under this chapter,
including public, community, village, neighborhood, or town
buildings, centers and plazas, auditoriums, day care centers,
recreation halls, educational facilities, hospital facilities as

defined in section 140.01 of the Revised Code, recreational 85
facilities, natural resource facilities, including parks and other 86
open space land, lakes and streams, cultural facilities, community 87
streets, including off-street parking facilities, pathway and 88
bikeway systems, pedestrian underpasses and overpasses, lighting 89
facilities, design amenities, or other community facilities, and 90
buildings needed in connection with water supply or sewage 91
disposal installations or steam, gas, or electric lines or 92
installation- 93

~~(2) In the case of a new community authority established on 94
or after the effective date of this amendment and before January 95
1, 2012, "community facilities" may mean, in addition to the 96
facilities authorized in division (I)(1) of this section, any 97
other community facilities that are owned, operated, financed, 98
constructed, or maintained for, relating to, or in furtherance of 99
community activities, including, but not limited to, town 100
buildings or other facilities, and health care facilities 101
including, but limited to, hospital facilities, ~~and off-street 102
parking facilities.~~ 103~~

(J) "Cost" as applied to a new community development program 104
means all costs related to land acquisition and land development, 105
the acquisition, construction, maintenance, and operation of 106
community facilities and offices of the community authority, and 107
of providing furnishings and equipment therefor, financing charges 108
including interest prior to and during construction and for the 109
duration of the new community development program, planning 110
expenses, engineering expenses, administrative expenses including 111
working capital, and all other expenses necessary and incident to 112
the carrying forward of the new community development program. 113

(K) "Income source" means any and all sources of income to 114
the community authority, including community development charges 115
of which the new community authority is the beneficiary as 116

provided in section 349.07 of the Revised Code, rentals, user fees 117
and other charges received by the new community authority, any 118
gift or grant received, any moneys received from any funds 119
invested by or on behalf of the new community authority, and 120
proceeds from the sale or lease of land and community facilities. 121

(L) "Community development charge" means: 122

(1) A dollar amount ~~which~~ that shall be determined on the 123
basis of the assessed valuation of real property or interests in 124
real property in a new community district sold, leased, or 125
otherwise conveyed by the developer or the new community 126
authority, the income of the residents of such property subject to 127
such charge under section 349.07 of the Revised Code, if such 128
property is devoted to residential uses or to the profits of any 129
business, a uniform fee on each parcel of such real property 130
originally sold, leased, or otherwise conveyed by the developer or 131
new community authority, or any combination of the foregoing 132
bases. 133

(2) ~~For a new community authority that is established on or~~ 134
~~after the effective date of this amendment and before January 1,~~ 135
~~2012, "community development charge" includes, in addition to the~~ 136
~~charges authorized in division (L)(1) of this section, a~~ A charge 137
determined on the basis of all or a part of the income of the 138
residents of real property within the new community district if 139
such property is devoted to residential uses, or all or a part of 140
the profits, gross receipts, or other revenues of any business 141
operating in the new community district. 142

(M) "Proximate city" means, as of the date of filing of the 143
petition under section 349.03 of the Revised Code, any municipal 144
corporation in which any portion of the proposed new community 145
district is located, or if more than one-half of the proposed new 146
community district is contained within a joint economic 147
development district under sections 715.70 to 715.83 of the 148

Revised Code, "proximate city" means the township containing the 149
greatest portion of such district. Otherwise, "proximate city" 150
means any city that, as of the date of filing of the petition 151
under section 349.03 of the Revised Code, is the city with the 152
greatest population located in the county in which the proposed 153
new community district is located, is the city with the greatest 154
population located in an adjoining county if any portion of such 155
city is within five miles of any part of the boundaries of such 156
district, or exercises extraterritorial subdivision authority 157
under section 711.09 of the Revised Code with respect to any part 158
of such district. 159

(N) "Community activities" means cultural, educational, 160
governmental, recreational, residential, industrial, commercial, 161
distribution and research activities, or any combination thereof 162
that includes residential activities. 163

Sec. 349.03. (A) Proceedings for the organization of a new 164
community authority shall be initiated by a petition filed by the 165
developer in the office of the clerk of the board of county 166
commissioners of one of the counties in which all or part of the 167
proposed new community district is located. Such petition shall be 168
signed by the developer and may be signed by each proximate city. 169
The legislative authorities of each such proximate city shall act 170
in behalf of such city. Such petition shall contain: 171

(1) The name of the proposed new community authority; 172

(2) The address where the principal office of the authority 173
will be located or the manner in which the location will be 174
selected; 175

(3) A map and a full and accurate description of the 176
boundaries of the new community district together with a 177
description of the properties within such boundaries, if any, 178
which will not be included in the new community district. Unless 179

more than one-half of the proposed new community district is or 180
was contained within a joint economic development district under 181
sections 715.70 to 715.83 of the Revised Code or the district is 182
wholly contained within municipalities, the total acreage included 183
in such district shall not be less than one thousand acres, all of 184
which acreage shall be owned by, or under the control through 185
leases of at least seventy-five years' duration, options, or 186
contracts to purchase, of the developer, if the developer is a 187
private entity. Such acreage shall be developable as one 188
functionally interrelated community. In the case of a new 189
community authority established on or after ~~the effective date of~~ 190
~~this amendment~~ July 7, 2010, and before January 1, 2012, such 191
leases may be of not less than forty years' duration, and the 192
acreage may be developable so that the community is one 193
functionally interrelated community. 194

(4) A statement setting forth the zoning regulations proposed 195
for zoning the area within the boundaries of the new community 196
district for comprehensive development as a new community, and if 197
the area has been zoned for such development, a certified copy of 198
the applicable zoning regulations therefor; 199

(5) A current plan indicating the proposed development 200
program for the new community district, the land acquisition and 201
land development activities, community facilities, services 202
proposed to be undertaken by the new community authority under 203
such program, the proposed method of financing such activities and 204
services, including a description of the bases, timing, and manner 205
of collecting any proposed community development charges, and the 206
projected total residential population of, and employment within, 207
the new community; 208

(6) A suggested number of members, consistent with section 209
349.04 of the Revised Code, for the board of trustees; 210

(7) A preliminary economic feasibility analysis, including 211

the area development pattern and demand, location and proposed new 212
community district size, present and future socio-economic 213
conditions, public services provision, financial plan, and the 214
developer's management capability; 215

(8) A statement that the development will comply with all 216
applicable environmental laws and regulations. 217

Upon the filing of such petition, the organizational board of 218
commissioners shall determine whether such petition complies with 219
the requirements of this section as to form and substance. The 220
board in subsequent proceedings may at any time permit the 221
petition to be amended in form and substance to conform to the 222
facts by correcting any errors in the description of the proposed 223
new community district or in any other particular. 224

Upon the determination of the organizational board of 225
commissioners that a sufficient petition has been filed in 226
accordance with this section, the board shall fix the time and 227
place of a hearing on the petition for the establishment of the 228
proposed new community authority. Such hearing shall be held not 229
less than ninety-five nor more than one hundred fifteen days after 230
the petition filing date, except that if the petition has been 231
signed by all proximate cities, such hearing shall be held not 232
less than thirty nor more than forty-five days after the petition 233
filing date. The clerk of the board of county commissioners with 234
which the petition was filed shall give notice thereof by 235
publication once each week for three consecutive weeks, or as 236
provided in section 7.16 of the Revised Code, in a newspaper of 237
general circulation in any county of which a portion is within the 238
proposed new community district. Such clerk shall also give 239
written notice of the date, time, and place of the hearing and 240
furnish a certified copy of the petition to the clerk of the 241
legislative authority of each proximate city which has not signed 242
such petition. In the event that the legislative authority of a 243

proximate city which did not sign the petition does not approve by 244
ordinance, resolution, or motion the establishment of the proposed 245
new community authority and does not deliver such ordinance, 246
resolution, or motion to the clerk of the board of county 247
commissioners with which the petition was filed within ninety days 248
following the date of the first publication of the notice of the 249
public hearing, the organizational board of commissioners shall 250
cancel such public hearing and terminate the proceedings for the 251
establishment of the new community authority. 252

Upon the hearing, if the organizational board of 253
commissioners determines by resolution that the proposed new 254
community district will be conducive to the public health, safety, 255
convenience, and welfare, and is intended to result in the 256
development of a new community, the board shall by its resolution, 257
entered of record in its journal and the journal of the board of 258
county commissioners with which the petition was filed, declare 259
the new community authority to be organized and a body politic and 260
corporate with the corporate name designated in the resolution, 261
and define the boundary of the new community district. In 262
addition, the resolution shall provide the method of selecting the 263
board of trustees of the new community authority and fix the 264
surety for their bonds in accordance with section 349.04 of the 265
Revised Code. 266

If the organizational board of commissioners finds that the 267
establishment of the district will not be conducive to the public 268
health, safety, convenience, or welfare, or is not intended to 269
result in the development of a new community, it shall reject the 270
petition thereby terminating the proceedings for the establishment 271
of the new community authority. 272

(B) At any time after the creation of a new community 273
authority, the developer may file an application with the clerk of 274
the board of county commissioners of the county in which the 275

original petition was filed, setting forth a general description 276
of territory it desires to add or to delete from such district, 277
that such change will be conducive to the public health, safety, 278
convenience, and welfare, and will be consistent with the 279
development of a new community and will not jeopardize the plan of 280
the new community. If the developer is not a municipal 281
corporation, port authority, or county, all of such an addition to 282
such a district shall be owned by, or under the control through 283
leases of at least seventy-five years' duration, options, or 284
contracts to purchase, of the developer. In the case of a new 285
community authority established on or after ~~the effective date of~~ 286
~~this amendment~~ July 7, 2010, and before January 1, 2012, such 287
leases may be of not less than forty years' duration. Upon the 288
filing of the application, the organizational board of 289
commissioners shall follow the same procedure as required by this 290
section in relation to the petition for the establishment of the 291
proposed new community. 292

(C) If all or any part of the new community district is 293
annexed to one or more existing municipal corporations, their 294
legislative authorities may appoint persons to replace any 295
appointed citizen member of the board of trustees. The number of 296
such trustees to be replaced by the municipal corporation shall be 297
the number, rounded to the lowest integer, bearing the 298
proportionate relationship to the number of existing appointed 299
citizen members as the acreage of the new community district 300
within such municipal corporation bears to the total acreage of 301
the new community district. If any such municipal corporation 302
chooses to replace an appointed citizen member, it shall do so by 303
ordinance, the term of the trustee being replaced shall terminate 304
thirty days from the date of passage of such ordinance, and the 305
trustee to be replaced shall be determined by lot. Each newly 306
appointed member shall assume the term of the member's 307
predecessor. 308

Sec. 349.04. The following method of selecting a board of trustees is deemed to be a compelling state interest. Within ten days after the new community authority has been established, as provided in section 349.03 of the Revised Code, an initial board of trustees shall be appointed as follows: the organizational board of commissioners shall appoint by resolution at least three, but not more than six, citizen members of the board of trustees to represent the interests of present and future residents and employers of the new community district and one member to serve as a representative of local government, and the developer shall appoint a number of members equal to the number of citizen members to serve as representatives of the developer. ~~In the case of a new community authority established on or after the effective date of this amendment and before January 1, 2012, the citizen members may represent present and future employers within the new community district and any present or future residents of the district.~~

Members shall serve two-year overlapping terms, with two of each of the initial citizen and developer members appointed to serve initial one year terms. The organizational board of commissioners shall adopt, by further resolution adopted within one year of such resolution establishing such initial board of trustees ~~adopt~~, a method for selection of successor members thereof which determines the projected total population of the projected new community and meets the following criteria:

(A) The appointed citizen members shall be replaced by elected citizen members according to a schedule established by the organizational board of commissioners calculated to achieve one such replacement each time the new community district gains a proportion, having a numerator of one and a denominator of twice the number of citizen members, of its projected total population until such time as all of the appointed citizen members are replaced.

(B) Representatives of the developer shall be replaced by 341
elected citizen members according to a schedule established by the 342
organizational board of commissioners calculated to achieve one 343
such replacement each time the new community district gains a 344
proportion, having a numerator of one and a denominator equal to 345
the number of developer members, of its projected total population 346
until such time as all of the developer's representatives are 347
replaced. 348

(C) The representative of local government shall be replaced 349
by an elected citizen member at the time the new community 350
district gains three-quarters of its projected total population. 351

Elected citizen members of the board of trustees shall be 352
elected by a majority of the residents of the new community 353
district voting at elections held on the first Tuesday after the 354
first Monday in December of each year. Each citizen member except 355
an appointed citizen member shall be a qualified elector who 356
resides within the new community district. ~~In the case of a new~~ 357
~~community authority established on or after the effective date of~~ 358
~~this amendment and before January 1, 2012, The petition or the~~ 359
organizational board of ~~directors~~ commissioners, by resolution, 360
may adopt an alternative method of selection or election of 361
successor members of the board of trustees. If the alternative 362
method provides for the election of citizen members, the elections 363
may be held at the times and in the manner provided in a the 364
petition or resolution of the organizational board of 365
commissioners, and ~~the~~ any elected citizen members shall be 366
qualified electors who ~~resides~~ reside in the new community 367
district. 368

Citizen members shall not be employees of or have financial 369
interest in the developer. If a vacancy occurs in the office of a 370
member other than a member appointed by the developer, the 371
organizational board of commissioners may appoint a successor 372

member for the remainder of the unexpired term. Any appointed 373
member of the board of trustees may at any time be removed by the 374
organizational board of commissioners for misfeasance, 375
nonfeasance, or malfeasance in office. Members appointed by the 376
developer may also at any time be removed by the developer without 377
a showing of cause. 378

Each member of the board of trustees, before entering upon 379
official duties, shall take and subscribe to an oath before an 380
officer authorized to administer oaths in Ohio that the member 381
will honestly and faithfully perform the duties of the member's 382
office. Such oath shall be filed in the office of the clerk of the 383
board of county commissioners in which the petition was filed. 384
Upon taking the oath, the board of trustees shall elect one of its 385
number as chairperson and another as vice-chairperson, and shall 386
appoint suitable persons as secretary and treasurer who need not 387
be members of the board. The treasurer shall be the fiscal officer 388
of the authority. The board shall adopt by-laws governing the 389
administration of the affairs of the new community authority. Each 390
member of the board shall post a bond for the faithful performance 391
of official duties and give surety therefor in such amount, but 392
not less than ten thousand dollars, as the resolution creating 393
such board shall prescribe. 394

All of the powers of the new community authority shall be 395
exercised by its board of trustees, but without relief of such 396
responsibility, such powers may be delegated to committees of the 397
board or its officers and employees in accordance with its 398
by-laws. A majority of the board shall constitute a quorum, and a 399
concurrence of a majority of a quorum in any matter within the 400
board's duties is sufficient for its determination, provided a 401
quorum is present when such concurrence is had and a majority of 402
those members constituting such quorum are trustees not appointed 403
by the developer. All trustees shall be empowered to vote on all 404

matters within the authority of the board of trustees, and no vote 405
by a member appointed by the developer shall be construed to give 406
rise to civil or criminal liability for conflict of interest on 407
the part of public officials. 408

Sec. 349.06. In furtherance of the purposes of this chapter, 409
a new community authority may: 410

(A) Acquire by purchase, lease, gift, or otherwise, on such 411
terms and in such manner as it considers proper, real and personal 412
property or any estate, interest, or right therein, within or 413
without the new community district; 414

(B) Improve, maintain, sell, lease or otherwise dispose of 415
real and personal property and community facilities, on such terms 416
and in such manner as it considers proper; 417

(C) Landscape and otherwise aesthetically improve areas 418
within the new community district, including but not limited to 419
maintenance, landscaping and other community improvement services; 420

(D) Provide, engage in, or otherwise sponsor recreational, 421
educational, health, social, vocational, cultural, beautification, 422
and amusement activities and related services primarily for 423
~~residents of the district. In the case of a new community~~ 424
~~authority established on or after the effective date of this~~ 425
~~amendment and before January 1, 2012, such activities and services~~ 426
~~may be for~~ residents of, visitors to, employees working within, or 427
employers operating businesses in the district, or any combination 428
thereof. 429

(E) Fix, alter, impose, collect and receive service and user 430
fees, rentals, and other charges to cover all costs in carrying 431
out the new community development program; 432

(F) Adopt, modify, and enforce reasonable rules and 433
regulations governing the use of community facilities; 434

(G) Employ such managers, administrative officers, agents, 435
engineers, architects, attorneys, contractors, sub-contractors, 436
and employees as may be appropriate in the exercise of the rights, 437
powers and duties conferred upon it, prescribe the duties and 438
compensation for such persons, require bonds to be given by any 439
such persons and by officers of the authority for the faithful 440
performance of their duties, and fix the amount and surety 441
therefor; and pay the same; 442

(H) Sue and be sued in its corporate name; 443

(I) Make and enter into all contracts and agreements and 444
execute all instruments relating to a new community development 445
program, including contracts with the developer and other persons 446
or entities related thereto for land acquisition and land 447
development; acquisition, construction, and maintenance of 448
community facilities; the provision of community services and 449
management and coordinating services; with federal, state, 450
interstate, regional, and local agencies and political 451
subdivisions or combinations thereof in connection with the 452
financing of such program, and with any municipal corporation or 453
other public body, or combination thereof, providing for the 454
acquisition, construction, improvement, extension, maintenance or 455
operation of joint lands or facilities or for the provision of any 456
services or activities relating to and in furtherance of a new 457
community development program, including the creation of or 458
participation in a regional transit authority created pursuant to 459
the Revised Code; 460

(J) Apply for and accept grants, loans or commitments of 461
guarantee or insurance including any guarantees of community 462
authority bonds and notes, from the United States, the state, or 463
other public body or other sources, and provide any consideration 464
which may be required in order to obtain such grants, loans or 465
contracts of guarantee or insurance. Such loans or contracts of 466

guarantee or insurance may be evidenced by the issuance of bonds 467
as provided in section 349.08 of the Revised Code; 468

(K) Procure insurance against loss to it by reason of damage 469
to its properties resulting from fire, theft, accident, or other 470
casualties, or by reason of its liability for any damages to 471
persons or property occurring in the construction or operation of 472
facilities or areas under its jurisdiction or the conduct of its 473
activities; 474

(L) Maintain such funds or reserves as it considers necessary 475
for the efficient performance of its duties; 476

(M) Enter agreements with the boards of education of any 477
school districts in which all or part of the new community 478
district lies, whereby the community authority may acquire 479
property for, may construct and equip, and may sell, lease, 480
dedicate, with or without consideration, or otherwise transfer 481
lands, schools, classrooms, or other facilities, whether or not 482
within the new community district, from the authority to the 483
school district for school and related purposes; 484

(N) Prepare plans for acquisition and development of lands 485
and facilities, and enter into agreements with city, county, or 486
regional planning commissions to perform or obtain all or any part 487
of planning services for the new community district; 488

(O) Engage in planning for the new community district, which 489
may be predominantly residential and open space, and prepare or 490
approve a development plan or plans therefor, and engage in land 491
acquisitions and land development in accordance with such plan or 492
plans; 493

(P) Issue new community authority bonds and notes and 494
community authority refunding bonds, payable solely from the 495
income source provided in section 349.08 of the Revised Code, 496
unless the bonds are refunded by refunding bonds, for the purpose 497

of paying any part of the cost as applied to the new community 498
development program or parts thereof; 499

(Q) Enforce any covenants running with the land of which the 500
new community authority is the beneficiary, including but not 501
limited to the collection by any and all appropriate means of any 502
community development charge deemed to be a covenant running with 503
the land and enforceable by the new community authority pursuant 504
to section 349.07 of the Revised Code; and to waive, reduce, or 505
terminate any community development charge of which it is the 506
beneficiary to the extent not needed for any of the purposes 507
provided in section 349.07 of the Revised Code, the procedure for 508
which shall be provided in such covenants, and if new community 509
authority bonds have been issued pledging any such community 510
development charge, to the extent not prohibited in the resolution 511
authorizing the issuance of such new community authority bonds or 512
the trust agreement or indenture of mortgage securing the bonds; 513

(R) Appropriate for its use, under sections 163.01 to 163.22 514
of the Revised Code, any land, easement, rights, rights-of-way, 515
franchises, or other property in the new community district 516
required by the authority for community facilities. The authority 517
may not so appropriate any land, easement, rights, rights-of-way, 518
franchises, or other property that is not included in the new 519
community district. 520

~~(S) In the case of a new community authority established on~~ 521
~~or after the effective date of this amendment and before January~~ 522
~~1, 2012, enter~~ Enter into any agreements as may be necessary, 523
appropriate, or useful to support a new community development 524
program, including, but not limited to, cooperative agreements or 525
other agreements with political subdivisions for services, 526
materials, or products; for the administration, calculation, or 527
collection of community development charges; or for sharing of 528
revenue derived from community development charges, community 529

facilities, or other sources. The agreements may be made with or 530
without consideration as the parties determine. 531

Sec. 349.14. Except as provided in section 349.03 of the 532
Revised Code, or as otherwise provided in a resolution adopted by 533
the organizational board of commissioners, ~~of a new community~~ 534
~~authority established on or after the effective date of this~~ 535
~~amendment and before January 1, 2012,~~ a new community authority 536
organized under this chapter may be dissolved only on the vote of 537
a majority of the voters of the new community district at a 538
special election called by the board of trustees on the question 539
of dissolution. Such an election may be called only after the 540
board has determined that the new community development program 541
has been completed, when no community authority bonds or notes are 542
outstanding, and other legal indebtedness of the authority has 543
been discharged or provided for, and only after there has been 544
filed with the board of trustees a petition requesting such 545
election, signed by a number of qualified electors residing in the 546
new community district equal to not less than eight per cent of 547
the total vote cast for all candidates for governor in the new 548
community district at the most recent general election at which a 549
governor was elected. If a majority of the votes cast favor 550
dissolution, the board of trustees shall, by resolution, declare 551
the authority dissolved and thereupon the community authority 552
shall be dissolved. A certified copy of the resolution shall, 553
within fifteen days after its adoption, be filed with the clerk of 554
the board of county commissioners of the county in which the 555
petition for the organization of the new community authority was 556
filed. 557

Upon dissolution of a new community authority, the powers 558
thereof shall cease to exist. Any property of the new community 559
authority ~~which~~ that is located within the corporate limits of a 560
municipality shall vest in that municipal corporation and all 561

other property of the community authority shall vest in the county 562
or township in which said property is located, as provided in the 563
resolution or petition providing for dissolution. Any vesting of 564
property in a township shall be subject to acceptance of the 565
property by resolution of the board of township trustees. Any 566
funds of the community authority at the time of dissolution shall 567
be transferred to the municipal corporation and county or 568
township, as provided in the resolution or petition providing for 569
dissolution, in which the new community district is located in the 570
proportion to the assessed valuation of taxable real property of 571
the new community authority within such municipal corporation and 572
county or township as said valuation appears on the current 573
assessment rolls. 574

Section 2. That existing sections 349.01, 349.03, 349.04, 575
349.06, and 349.14 of the Revised Code are hereby repealed. 576

Section 3. The amendments to Chapter 349. of the Revised Code 577
enacted by this act apply to any proceedings commenced after the 578
amendments' effective date, and, so far as their provisions 579
support the actions taken, also apply to proceedings that on their 580
effective date are pending, in progress, or completed, 581
notwithstanding the applicable law previously in effect or any 582
provision to the contrary in a prior resolution, ordinance, order, 583
advertisement, notice, or other proceeding. Any proceedings 584
pending or in progress on the effective date of those amendments 585
shall be deemed to have been taken in conformity with the 586
amendment. 587

The authority provided in the amendments to Chapter 349. of 588
the Revised Code of this act provide additional and supplemental 589
provisions for the subject matter that may also be the subject of 590
other laws, and is supplemental to and not in derogation of any 591
similar authority provided by, derived from, or implied by, the 592

Ohio Constitution, or any other law, including laws amended by	593
this act, or any charter, order, resolution, or ordinance, and no	594
inference shall be drawn to negate the authority thereunder by	595
reason of express provisions contained in the amendments to	596
Chapter 349. of the Revised Code enacted by this act.	597