



Legislation Details (With Text)

File #: 1433-2021 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/1/2021 **In control:** Economic Development Committee

On agenda: 6/14/2021 **Final action:** 6/18/2021

Title: To authorize the Director of the Development Department to enter into an Annexation Agreement with the Trustees of Blendon Township and upon execution of the agreement, to submit a petition to the Board of County Commissioners of Franklin County requesting a change in the boundary lines of Montgomery Township so as to make the boundary lines identical with the corporate limits of the city of Columbus in certain portions of Blendon Township pursuant to the Annexation Agreement; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1433-2021 Blendon Township Agreement, 2. ORD1433-2021 All Maps - Blendon Township Boundary Conformance, 3. ORD1433-2021 Briefing Sheet

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|----------|--------|
| 6/18/2021 | 1 | CITY CLERK | Attest | |
| 6/17/2021 | 1 | MAYOR | Signed | |
| 6/14/2021 | 1 | COUNCIL PRESIDENT | Signed | |
| 6/14/2021 | 1 | Columbus City Council | Approved | Pass |

Portions of Blendon Township were annexed to Columbus from 2002 to the present using the Expedited Type Two annexation petition process. The Expedited Type Two process, outlined in the Ohio Revised Code, does not generally allow municipalities to conform the boundaries of newly annexed territory. As a consequence, annexed lands remain in the township even though they have been annexed by the City - thereby having a “dual” status with respect to such things as tax obligations and elections. An exception to the boundary conformance prohibition is permitted (ORC 709.023(H)) if an annexation agreement between the municipality and township addresses the matter.

The Blendon Township Trustees support conformance of these areas as well as conformance of all future annexations by Columbus. Both the City and Township have determined that it is in the best interest of their respective residents, citizens and taxpayers to enter into an Annexation Agreement requiring the removal of previously annexed land from Blendon Township and setting in place the same provision for future annexations.

Such an agreement has been drafted by both parties. This legislation authorizes the Director of the Department of Development to enter into an Annexation Agreement with the Trustees of Blendon Township. This legislation further authorizes the Director of the Department of Development to submit a petition to the Board of Franklin County Commissioners to undertake boundary conformance for those areas annexed from 2002 to present under the Expedited Type Two process. Boundary conformance to Columbus involves the extension of Montgomery Township’s boundaries to incorporate the subject areas. This and future petitions will be filed in accordance with Section 503.07 of the Ohio Revised Code.

FISCAL IMPACT: None

To authorize the Director of the Development Department to enter into an Annexation Agreement with the Trustees of

Blendon Township and upon execution of the agreement, to submit a petition to the Board of County Commissioners of Franklin County requesting a change in the boundary lines of Montgomery Township so as to make the boundary lines identical with the corporate limits of the city of Columbus in certain portions of Blendon Township pursuant to the Annexation Agreement; and to declare an emergency.

WHEREAS, portions of Blendon Township were annexed to Columbus from 2002 to the present using the Expedited Type Two annexation petition process; and

WHEREAS, this process does not generally allow municipalities to conform the boundaries of newly annexed territory, resulting in annexed territory having a “dual” status of being within both the City and Township; and

WHEREAS, the Trustees of Blendon Township are desirous of having Columbus conform the boundaries of all remaining past annexations and all future annexations in order to exclude Blendon from such area, and

WHEREAS, both the City of Columbus and the Trustees of Blendon Township have determined that it is in the best interest of their respective residents, citizens and taxpayers to enter into an Annexation Agreement requiring the removal of such annexed land from Blendon Township, and

WHEREAS, an exception to the conformance prohibition is permitted under ORC 709.023(H) if an annexation agreement between the municipality and township addresses the matter; and

WHEREAS, Columbus boundary conformance requires the extension of Montgomery Township boundaries to match those of the City with such action requiring approval by the Board of Franklin County Commissioners; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to authorize the Director to enter into this Annexation agreement, all for the preservation of the public peace, property, health safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development is hereby authorized to enter into an Annexation Agreement with the Trustees of Blendon Township that allows and requires the conforming of boundaries.

Section 2. That upon execution of said Annexation Agreement and pursuant to the provisions of ORC Section 503.07 the Director of Development is hereby authorized and directed on behalf of the city of Columbus to present to the Board of Franklin County Commissioners, a petition requesting such changes to the boundary lines of Montgomery Township so that said township may include that portion of Blendon Township which has, by order of the Board of Franklin County Commissioners, been annexed to the city of Columbus using the Expedited Type Two annexation process, so as to make the boundary lines of Montgomery Township co-extensive with the corporate limits of the said city of Columbus in accordance with the maps attached to said petition. This boundary conformance is permitted by ORC Section 709.023 (H) and is required pursuant to the terms said Annexation Agreement between Columbus and Blendon Township.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.