

# OFFICIAL GENERAL ELECTION BALLOT NOVEMBER 8, 2022 ERIE COUNTY, OHIO

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## Issue 15 Proposed Resolution Perkins Township

### **A majority affirmative vote is necessary for passage.**

Shall the Township of Perkins adopt a limited home rule government, under which government the board of township trustees, by resolution, may exercise limited powers of local self-government and limited police powers?

- For adoption of a limited home rule government
- Against adoption of a limited home rule government

### **Section 504.04 | Exercise of powers under limited home rule government.**

(A) A township that adopts a limited home rule government may do all of the following by resolution, provided that any of these resolutions, other than a resolution to supply water or sewer services in accordance with sections [504.18](#) to [504.20](#) of the Revised Code, may be enforced only by the imposition of civil fines as authorized in this chapter:

(1) Exercise all powers of local self-government within the unincorporated area of the township, other than powers that are in conflict with general laws, except that the township shall comply with the requirements and prohibitions of this chapter, and **shall enact no taxes other than those authorized by general law**, and except that no resolution adopted pursuant to this chapter shall encroach upon the powers, duties, and privileges of elected township officers or change, alter, combine, eliminate, or otherwise modify the form or structure of the township government unless the change is required or permitted by this chapter;

(2) Adopt and enforce within the unincorporated area of the township local police, sanitary, and other similar regulations that are not in conflict with general laws or otherwise prohibited by division (B) of this section;

(3) Supply water and sewer services to users within the unincorporated area of the township in accordance with sections [504.18](#) to [504.20](#) of the Revised Code;

(4) Adopt and enforce within the unincorporated area of the township any resolution of a type described in section [503.52](#) or [503.60](#) of the Revised Code.

**(B) No resolution adopted pursuant to this chapter shall do any of the following:**

- (1) Create a criminal offense or impose criminal penalties, except as authorized by division (A) of this section or by section [503.52](#) of the Revised Code;
- (2) Impose civil fines other than as authorized by this chapter;
- (3) Establish or revise subdivision regulations, road construction standards, urban sediment rules, or storm water and drainage regulations, except as provided in section [504.21](#) of the Revised Code;
- (4) Establish or revise building standards, building codes, and other standard codes except as provided in section [504.13](#) of the Revised Code;
- (5) Increase, decrease, or otherwise alter the powers or duties of a township under any other chapter of the Revised Code pertaining to agriculture or the conservation or development of natural resources;
- (6) Establish regulations affecting hunting, trapping, fishing, or the possession, use, or sale of firearms;
- (7) Establish or revise water or sewer regulations, except in accordance with section [504.18](#), [504.19](#), or [504.21](#) of the Revised Code;
- (8) Impose a fee, assessment, or other charge on auxiliary containers, on the sale, use, or consumption of such containers, or on the basis of receipts received from the sale of such containers. As used in this division, "auxiliary container" has the same meaning as in section [3767.32](#) of the Revised Code.

Nothing in this chapter shall be construed as affecting the powers of counties with regard to the subjects listed in divisions (B)(3) to (5) of this section.

(C) Under a limited home rule government, all officers shall have the qualifications, and be nominated, elected, or appointed, as provided in Chapter 505. of the Revised Code, except that the board of township trustees shall appoint a full-time or part-time law director pursuant to section [504.15](#) of the Revised Code, and except that a five-member board of township trustees approved for the township before September 26, 2003, shall continue to serve as the legislative authority with successive members serving for four-year terms of office until a termination of a limited home rule government under section [504.03](#) of the Revised Code.

(D) In case of conflict between resolutions enacted by a board of township trustees and municipal ordinances or resolutions, the ordinance or resolution enacted by the municipal corporation prevails. In case of conflict between resolutions enacted by a board of township trustees and any county resolution, the resolution enacted by the board of township trustees prevails.