



QUARTERLY

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BATH TOWNSHIP

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Blue Ribbon Commission Report to Limit Future Annexation

The Blue Ribbon Commission was created by the Bath Township Trustees to study options available to the Township to limit future annexation attempts by surrounding municipalities, thereby preserving the Township's economic base while retaining control over future development. The Commission consisted of Jacqueline Bennett, Jacqueline Jacobus, Edward G. Kemp, James Kraus, Robert Konstand, Marvin Lehr, and Dick Lopez.

Options

The Commission identified five possible options for its consideration: (1) incorporation; (2) merger; (3) home rule; (4) proposed state legislation to limit the availability of annexation; and (5) the formation of a Joint Economic Development District (JEDD). In evaluating these options the Commission considered applicable provisions of the Ohio Revised Code and met and consulted with a great variety of community leaders (from both Bath and surrounding municipalities) and representatives from various groups such as the Bath Merger Study Commission and the Bath Township Comprehensive Planning Commission.

From the perspective of the Commission, the most attractive alternative was the incorporation of Bath into a municipality. The second most desirable alternative was the merger of Bath with either Richfield or Fairlawn. The so-called "township home rule" provisions of the Ohio Revised Code were quickly determined to be of no help in preventing future annexation and the Commission felt that the future passage of effective state legislation to limit the annexation process could not realistically be relied upon as an alternative. The Commission also concluded early on that if the options of incorpora-

tion or merger were not possible, the only remaining deterrent to annexation would be the formation of a JEDD.

**A JEDD IS THE ONLY
REALISTIC AND AVAILABLE
MEANS OF DETERRING
FUTURE ANNEXATION BY
FAIRLAWN AND AKRON . . .
THE JEDD ARRANGEMENT
IS STRONGLY RECOMMENDED
BY THE COMMISSION.**

Incorporation

The Commission looked at the possibility of incorporation long and hard and concluded that, unfortunately, it is not an achievable or available alternative. Ohio law permits a township to incorporate as either a city or a village. To incorporate as a city requires a population of 25,000. Bath Township's present population is approximately 9,000. Clearly, to incorporate as a city is not an option. Before a township can incorporate as a village, it must show among other things, that it consists of not less than two square miles and has a population of not less than 800 people per square mile. In addition, the law requires that if any boundary of the area to be incorporated is within three miles of the boundary of an existing municipal corpora-

tion, the approval of the municipal corporation must be obtained as a condition to incorporation. Although the Commission concluded that there is a two-square-mile area with a population density of 800, the boundaries of that area are within three miles of each of the municipalities surrounding Bath. Through its communications with political leaders from Akron and Fairlawn, the Commission was informed in no uncertain terms that obtaining the approval to incorporate from these two municipalities would be an impossibility. This is not surprising since the incorporation of Bath Township would deprive Akron and Fairlawn of the opportunity to annex valuable township land in the future.

Merger

The Commission also concluded that the alternative of a merger with an adjacent municipality is not presently available. Richfield Village overwhelmingly rejected a merger with Bath at the last general election and the earliest that scenario could be revisited is, by law, three years into the future. Fairlawn officials flatly informed members of the Commission that Fairlawn was not interested in merger. Cuyahoga Falls is in no position to merge with Bath Township given its fairly recent merger with Northampton Township and the many difficult problems associated with the combining of these divergent communities. Even if it were feasible, Akron has no interest in merging with Bath and it is highly unlikely that the citizenry of Bath would approve such a merger with that city.

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