

**OHIO ENTERPRISE ZONE PROGRAM  
MODEL: TOWNSHIP RESOLUTION No. \_\_**

WHEREAS, the Ohio Enterprise Zone Act ("the Act"), under Ohio Revised Code Section 5709.61 through 5709.69 has authorized counties, with the consent and agreement of affected municipalities and townships therein, to designate areas as Enterprise Zones and to execute agreements with certain enterprises for the purpose of establishing, expanding, renovating or occupying facilities and hiring new employees and preserving jobs within said zones in exchange for specified local tax incentives granted by the county; and

WHEREAS, the Township Trustees of \_\_\_\_\_ Township ("The Trustees") upon due consideration desire to implement said Act and to designate an Enterprise Zone within the boundaries of \_\_\_\_\_ Township (The Township") to promote the economic welfare of said township; and

WHEREAS, it is necessary for the Trustees to formally request from the County Commissioners of \_\_\_\_\_ County, Ohio, ("The Board") the inclusion of the Township in an Enterprise Zone proposal and to include such a resolution in a petition to the Director of the Department of Development of the State of Ohio to certify the area described as such a zone; and

WHEREAS, the Trustees find and determine that designation of the zone pursuant to the Ohio Revised Code Section (5709.63 or 5709.632 - local jurisdiction must select) will promote the economic welfare of the residents of the Township by creating new jobs and retaining and preserving existing jobs and employment opportunities within such areas and is in the best interest of said township; and

WHEREAS, the Trustees understand that the Board of County Commissioners is required by law to administer all Enterprise Zones and agreements within the County and will therefore appoint a designee to be responsible for 1) the establishment and operation of the Tax Incentive Review Council as specified in Ohio Revised Code Section 5709.85, 2) to ensure that the Enterprise Zone Agreements contain the information required in Ohio Revised Code Section 5709.631, including but not limited to a description of the project, the amount to be invested, the number of jobs created and/or retained, the annual new payroll associated with these jobs, and the specific percentage and term of the tax exemptions being granted toward real and/or personal property, 3) to forward copies of all Enterprise Zone Agreements to both the Ohio Department of Development and the Ohio Department of Taxation within fifteen days after the agreement is entered into, as specified in the Ohio Revised Code, 4) to notify affected school boards of proposed projects a minimum of fourteen days prior to formal local legislative consideration and to include comments by the school boards as part of the review process as required under Ohio Revised Code Section 5709.83, 5) to maintain a centralized record of all aspects of the Zone, including copies of the agreements, a list of the members of the Tax Incentive Review Council, and a summary of the Tax Incentive Review Council's annual review of each agreement, and 6) to submit a comprehensive annual report of the status of all Enterprise Zone activities on or before March 31 of each year pursuant to Section 5709.68.

NOTE: The Township must select one of the following options to specify the type of authority being requested. The request must correspond to the petition information.

**OPTION 1**

WHEREAS, the Trustees are requesting designation of an Enterprise Zone which includes all or part of the Township area and meets the population, boundary and distress requirements to be certified as an Enterprise Zone under Section 5709.63.

### **OPTION 2**

WHEREAS, the Trustees are requesting designation of an Enterprise Zone which includes all of a part of the Township area and meets the population and boundary requirements to be certified as a limited authority Enterprise Zone under Section 5209.632.

NOTE: The County and Township must be in agreement as to the negotiation option. If there is conflict between the participating entities, no enterprise Zone will be certified.

### **OPTION 1 (Township negotiates)**

WHEREAS, the Trustees request from the Board of County Commissioners the power and duty to negotiate Enterprise Zone Agreements as permitted in Ohio Revised Code Section (5709.63 or 5709.632 - local community must select) and that the Trustees agree to negotiate agreements and to assist the Board of County Commissioners in the administration of the Enterprise Zone and will approve all agreements before submitting agreements to the Board of County Commissioners for approval; and

### **OPTION 2 (County negotiates)**

WHEREAS, the Board of County Commissioners will have primary responsibility for negotiating and administering Enterprise Zone Agreements. It is the intention of the Board to involve affected Townships in the negotiation process and to receive the consent and approval of the affected Township prior to formal approval by the Board; and

WHEREAS, the Trustees hereby agree to the establishment of a Tax Incentive Review Council or Councils pursuant to Ohio Revised Code Section 5709.85 and will appoint two representatives to said Council within sixty days after the state development director certifies the Zone.

WHEREAS, the zone as proposed will be the only Enterprise Zone in the township; and

NOW, THEREFORE BE IT RESOLVED, that the board of Trustees hereby authorize the county to include the portion of the Township described in Exhibit A in the Enterprise Zone; and

BE IT FURTHER RESOLVED that the Clerk of the Board of County Commissioners, of \_\_\_\_\_ County, Ohio is hereby authorized to include this resolution in the petition to the

Director of the Department of the State of Ohio.

(Emergency Clause Optional)

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk

I HEREBY CERTIFY THAT THE FOREGOING IS  
A TRUE AND CORRECT COPY OF  
RESOLUTION No. \_\_\_\_\_ AS TAKEN FROM THE  
RECORDS ON FILE IN THE OFFICE OF THE  
CLERK OF THIS TOWNSHIP TRUSTEES.

\_\_\_\_\_  
Name, Title

NOTE: The Township's Resolution included in the County's Enterprise Zone Application must be certified.