

COOPERATIVE ECONOMIC DEVELOPMENT AGREEMENT OUTLINE

1. WHO MAY ENTER INTO CEDA AGREEMENTS?
 - .1. The legislative authority of one or more municipal corporations and the Board of Trustees of one or more Townships.
 - .2. A Board of County Commissioners of one or more counties may become party to a CEDA upon the written consent of the legislative authority of the municipality and the Board of Township Trustees of the Township.
2. PREREQUISITES TO A CEDA AGREEMENT:
 - 2.1. Parties must jointly hold a public hearing regarding the agreement before it can be approved by any party.
 - 2.1.1. Thirty days public notice of the time and place of the hearing must be published in a newspaper of general circulation in that territory.
 - 2.1.2. The agreement must be available for public inspection during said thirty day period.
3. WHAT CAN A CEDA AGREEMENT CONTAIN?
 - 3.1. It must contain a description of the territory which the agreement covers.
 - 3.2. It may provide the following:
 - 3.2.1. For the provision of joint services and permanent improvements within the incorporated or unincorporated areas;
 - 3.2.2. The provision of services and improvements by a municipality in unincorporated areas;
 - 3.2.3. The provision of services and improvements by a county or township within the territory of the municipality;
 - 3.2.4. The payment of service fees to a municipal corporation by a township or county;
 - 3.2.5. The payment of service fees to a township or county by a municipal corporation;
 - 3.2.6. The issuance of notes and bonds or other debt by the municipality, county or township for the public purposes authorized in the CEDA and provision for the allocation of the payment of principal and interest and other costs related thereto;

- 3.2.7. The issuance of industrial development notes, bonds and debt obligations by a municipality to finance the project in the unincorporated territory but within the CEDA area;
- 3.2.8. The territory to be annexed to a municipal corporation and agreed to by the municipality and the township in which the area is located;
- 3.2.9. A prohibition on annexation during any given period of time;
- 3.2.10. Agreement by a municipality and a township or a municipality and a county with landowners or developers concerning the provision of public services, facilities and permanent improvements. Any such person or private entity thereby become parties to the CEDA agreement.
- 3.2.11. The application of tax abatement statutes within the CEDA area.
- 3.2.12. Changing township boundaries under Chapter 503 of the Revised Code to exclude newly annexed territory from the original township and providing services to that territory.
- 3.2.13. The earmarking by a municipality for its general revenue fund of a portion of the utility charges it collects from territories located outside the municipality but in the CEDA area, but only if the CEDA agreement does not cover any matters relating to annexation.
- 3.2.14. Payments in lieu of taxes, if any, to be paid to a township by a municipal corporation. These payments may be in addition to or in lieu of other payments required by law to be made to the township by that municipal corporation.
- 3.2.15. Any other matter pertaining to the annexation or development of territory whether a territory is owned by a government, a person or private entity.

4. **CAN MUNICIPALITIES SHARE TAX REVENUES WITH TOWNSHIPS OR COUNTIES THAT ARE A PARTY TO THE CEDA AGREEMENT?**

- 4.1. No, municipalities are not permitted to share the proceeds of any tax levies. However, such proceeds may be used to make payments authorized in a cooperative economic development agreement.

5. **WHAT HAPPENS IF A PARTY BREACHES THE AGREEMENT?**

- 5.1. The complaining party shall give notice to the other party stating what breach has occurred, and the other party has ninety days to cure. If the other party fails to cure, the complaining party may sue for monies due, specific enforcement or termination of the agreement.

6. **THE STATE MAY BE A PARTY TO THE AGREEMENT.**

- 6.1. The State of Ohio or any agency thereof may become a party to a CEDA agreement upon approval of the governor and the written consent of the municipalities, counties and townships involved.
7. DOES A CEDA PRECLUDE A JEDD AGREEMENT, OR OTHER TYPES OF AGREEMENTS PERMITTED BY LAW?
 - 7.1. No, other such agreements are also permitted in addition to CEDA agreements.
8. LIBERAL CONSTRUCTION.
 - 8.1. CEDA agreements will be liberally construed to allow parties to enter into CEDA agreements.