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Chartered Cities and Municipalities in Ohio

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Introduction

When examining charter municipalities and their importance, it is important to take a step back and first understand the structure of the US government. In the United States, the federal government has laws and regulations that each state must follow. While each state is free to pass its own laws and choose how it wishes to operate, it still must maintain awareness of these federal requirements. On a more local scale, it is seen that states and cities have a similar relationship. Ohio has its own set of rules and laws that all its cities, towns, and villages (known as municipalities) are required to abide by. But, just as each US state has its own policy preferences, many municipalities in Ohio want more autonomy in how they operate. So, the question becomes, how does a city go about acquiring this autonomy? The answer lies in chartered municipalities.

What is a charter municipality, and how does it compare to statutory municipalities?

“Charter municipality” is a blanket term for any given municipality that has adopted a charter, and thus, as stated by the Ohio Constitution, is given the power to decide its own procedures for self-governing. Specifically, Ohio Const. art. XVIII, § 3 states that all municipalities are given “the authority to exercise all powers of local self-governments and to adopt and enforce within their limits such local police, sanitary and other similar regulations, as are not in conflict with general laws.”. This authority for municipalities is known as Home Rule authority. Home Rule authority, according to the Ohio Municipal League, “gives Ohio’s municipalities the right to govern their own local affairs and respond to the unique needs of their communities.”. Thus, municipalities can solve local problems with local solutions. However, municipalities are limited in terms of how their governments are run, due to the restrictions in Ohio Revised Code Title 7. Title 7 sets guidelines on the procedures of government that municipalities must adhere to. However, there is a way

around Title 7. As seen in Ohio Const. art. XVIII, § 7, it is further elaborated that before a municipality can move beyond the guidelines of Title 7 and put its own procedures into place, it must first adopt a constitution-like governing document known as a charter. When a municipality adopts a charter and gains approval from the state government, it then officially becomes a charter municipality. Once a charter is established, only then does the municipality have the authority to operate autonomously, so long as its statutes are not in direct conflict with Ohio’s general laws that apply to the entire state. Rather than following a template of procedural codes set by the state of Ohio, a charter municipality can develop its own unique structure of government and make its own rules. This is contrasted by statutory municipalities (municipalities without a charter), which are forced to abide by Title 7.

How can a municipality become chartered?

Ohio Const. art. XVIII, § 8 and Ohio Rev. Code Ann. § 705.01 (2010) state that a municipality must begin its process of introducing a charter by implementing a vote for the electors of the municipality to decide whether a charter shall be framed. This vote is implemented by either a two-thirds vote of the municipality legislature or by a petition that is signed by ten percent of the municipality’s electors. Ohio Rev. Code Ann. § 705.01 (2010) further clarifies that “ten percent of the electors” refers to ten percent of the people who voted in the last regular municipal election. In that same vote, electors will choose 15 committee members to draft a charter. If the electors of the municipality decide that a charter shall be framed, the committee must draft a charter and present it for approval from the electors within one year of the election. Thirty days before a charter is voted on, a copy of the proposed charter will be shared with the electors of the last regular municipal election for review. If the proposed charter is approved by a majority of the electors, it will become the charter for the municipality.

Benefits and concerns of charter municipalities

As previously mentioned, Ohio Const. Art. XVIII § 3 grants municipalities in the state of Ohio the power to perform all actions of self-government. This includes freedoms like passing laws and regulations, holding elections, managing budget, levying taxes, and managing property. However, municipalities are limited; they cannot pass ordinances that go against specific procedural codes. If the state does not specifically grant the municipality a certain power, it cannot take action on a given issue. Adopting a charter allows the municipality to write its own set of rules, allowing greater choice and flexibility. This benefits municipalities by allowing them to address specific procedural issues within their local government that state statutes do not cover. It also allows municipalities to adapt their local governments to be more efficient at addressing the specific needs of their residents.

However, there are some concerns that come with adopting a charter. Currently, the ability to define what exactly conflicts with state law is still in contention between court rulings. This makes it difficult to understand the limits of what may be written in a charter. Additionally, the cost of staging elections and preparing charters is high. It is imperative that municipalities, if they choose to put a charter in place, have the adequate resources, funding, and time to tailor the charter to their specific needs in order to gain the support of electors.

Conclusion

When deciding whether a charter is right for a municipality, procedure must be considered. Do citizens and lawmakers agree with the procedures outlined in the Ohio Revised Code? Are the procedures that are already in place best for its citizens? Each part of Ohio is different. Chartering allows each municipality the chance to decide whether established norms benefit them, as well as a way to change things if this is not the case. The steps to becoming a charter municipality are clearly outlined for those who believe it is best for their community. Charters may not benefit every city, but for some, they can have significant positive impacts. Knowing what charters are, how they are put in place, and their effects on local policy can help citizens make more informed decisions at the polls when it comes to choosing what is right for their communities.

References

- 1 Ohio Constitution, Article XVIII, Section 3
- 2 Ohio Constitution, Article XVIII, Section 7
- 3 Ohio Constitution, Article XVIII, Section 8
- 4 Ohio Municipal League. (n.d.). *Home Rule Authority*. Ohio Municipal League. Retrieved
- 5 September 24, 2026, from <https://omlohio.org/308/Home-Rule-Authority>
- 6 Ohio Revised Code, Title 7
- 7 Ohio Revised Code, Section 705.01

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