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May 25, 2022

Katie Morgan, Fiscal Officer
Blanchard Township
PO Box 34
Dunkirk, OH 45836

RE: Blanchard Township Monetary Donation to Joint Ambulance District

Dear Mrs. Morgan:

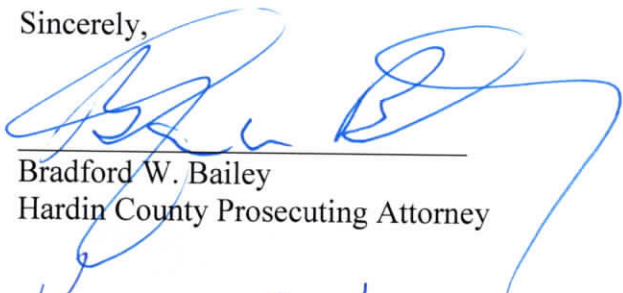
My office has received your request for a legal opinion concerning the authority of the Blanchard Township Board of Trustees (hereafter referred to as "Township") to make a monetary donation to the Blanchard Dunkirk Ambulance District (hereafter referred to as "District"). You've explained the donation would be in the amount of \$5,000 and would be for parking lot repairs at the District's office. A township is a creature of statute, possessing only the powers it is granted by statute, either expressly or by necessary implication. *See e.g., Hopple v. Trustees of Brown Township, 13 Ohio St. 311, 324 (1862)* No statutory authority can be found which allows for a board of township trustees to make such an expenditure. Therefore, absent statutory authority, I am of the opinion the Township shall not make the \$5,000 monetary donation to the District for parking lot repairs.

§505.71 of the Ohio Revised Code provides for the establishment of joint ambulance districts. A joint ambulance district consists of townships and municipal corporations that are situated in the same geographical territory. A joint ambulance district is considered a *political subdivision* as it performs a government function when providing emergency services; provides services in a geographical area smaller than a state; and is a body corporate and politic as it was organized and established pursuant to the Ohio Revised Code and is government control. *See Brannan v. Scioto County, 2014-Ohio-4453, 20*

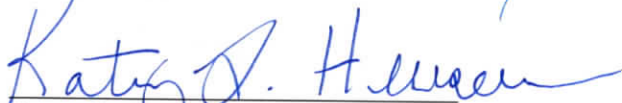
N.E.3d 1098, 2014 Ohio App. LEXIS 4365. While townships do have express statutory authority to make monetary donations in various circumstances, they are absent statutory authority to donate to another **political subdivision**. See 2007 Op. Att'y Gen No. 07-035. A township may make a donation of public funds only pursuant to clear statutory authority as required for any expenditure of public funds. See 1988 Op. Att'y Gen No. 88-018 (syllabus).

The Township lacks statutory authority to donate money to District. Therefore, absent the statutory authority allowing them to make such an expenditure, I am of the opinion the Township shall not make a monetary donation to District for parking lot repairs.

Sincerely,



Bradford W. Bailey
Hardin County Prosecuting Attorney



Katey L. Henson
Civil Paralegal
Hardin County Prosecutor's Office