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PUBLIC CONTRACTS - OHIO

City of Cleveland v. State

Supreme Court of Ohio - September 24, 2019 - N.E.3d - 2019 WL 4618510 - 2019 -Ohio-3820

City brought action against State for declaratory judgment and injunctive relief, challenging constitutionality of statute prohibiting municipalities from requiring contractors to employ local residents on public-improvement projects, as prescribed by city ordinance.

The Court of Common Pleas granted city's motion for permanent injunction. State appealed. The Court of Appeals affirmed. The Supreme Court accepted appeals for review.

The Supreme Court held that legislature was authorized to enact statute, and thus city ordinance was unenforceable.

Legislature was authorized to enact statute prohibiting local-government contracts from imposing hiring preferences that disfavored nonresident employees working in construction trades, under state constitutional provision granting legislature power to enact laws providing for comfort, health, safety, and general welfare of employees, and thus conflicting city ordinance requiring contractors on city's public-improvement projects to set aside minimum amount of work for city residents was unenforceable; statute provided for assistance, support, well-being, and prosperity of construction workers across state, and statute provided for comfort and general welfare of all citizens working in construction trades by providing equal opportunity to compete for work on public-improvement projects.