

Question. May the trustees of a township legally install and maintain traffic lights on township, county or state roads?"

It is clear that Section 6906, General Code, to which you refer, in nowise authorizes the township trustees to install traffic lights.

It is a well known principle of Ohio jurisprudence that township trustees have only such powers as are expressly granted by statute and such implied powers as are necessary to carry into effect the express powers.

In my opinion No. 1247, issued under date of December 3, 1929, to Hon. Alfred Donithen, Prosecuting Attorney, Marion, Ohio, it was held:

"Under the provisions of Section 3440-1, General Code, as amended by the 88th General Assembly, township trustees of any township have power to provide artificial lights for any part of a county highway within such township and outside the boundaries of any municipal corporation, when such township trustees determine that the public safety and welfare require that such highway be lighted."

While Section 3440-1 expressly authorizes the township trustees to provide artificial light under the circumstances therein mentioned, this section, in my opinion, does not authorize the installation of traffic lights by them. In the case of county commissioners, the Legislature deemed it necessary to expressly grant the power. It further provided that the commissioners should not maintain traffic lights at intersections on a state highway without the consent of the Director of Highways. There is no other section of the General Code that undertakes to expressly grant such power to township trustees.

Without further discussion, it is my opinion that there is no legal authority for the township trustees to install traffic signal lights on either state, county or township roads.

Respectfully,
GILBERT BETTMAN,
Attorney General.

1397.

APPROVAL, BONDS OF CAREY VILLAGE SCHOOL DISTRICT, WY-ANDOT COUNTY—\$120,000.00.

COLUMBUS, OHIO, January 13, 1930.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

1398.

APPROVAL, BONDS OF FOWLER TOWNSHIP RURAL SCHOOL DISTRICT, TRUMBULL COUNTY—\$40,000.00.

COLUMBUS, OHIO, January 13, 1930.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.