

2571.

APPROVAL, BONDS OF VILLAGE OF GERMANTOWN, MONTGOMERY COUNTY, OHIO—\$20,000.00.

COLUMBUS, OHIO, November 22, 1930.

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

2572.

TRAFFIC LIGHTS—ERECTED BY COUNTY COMMISSIONERS AT ROAD INTERSECTIONS—TOWNSHIP TRUSTEES WITHOUT AUTHORITY TO MAINTAIN.

SYLLABUS:

Township trustees are without authority to maintain traffic lights erected by the county commissioners at road intersections.

COLUMBUS, OHIO, November 22, 1930.

HON. HOWARD M. NAZOR, *Prosecuting Attorney, Jefferson, Ohio.*

DEAR SIR:—Acknowledgment is made of your recent communication which reads:

“The county commissioners are going to install a traffic light at the intersection of two main market roads.

Would it be possible under the law for the township trustees to take care of the maintenance of said light, or would this also fall upon the commissioners?”

In my Opinion No. 2386, issued under date of September 29, 1930, it was held as disclosed by the syllabus, that:

“Township trustees have no legal authority to erect signs indicating the names of roads or streets.”

In the body of said opinion it was pointed out that a board of township trustees has only such powers as are expressly provided by statute and such implied powers as are necessary to carry into effect the express powers granted. It was further stated that no statutes had been found which would authorize such trustees to erect signs indicating the names of streets or roads.

Applying the same fundamental principles set forth in said opinion to the question presented, it becomes necessary to search the statutes to determine whether or not the legislature has expressly authorized township trustees to expend money for the purpose which you mention. No statutes have been found which either require or authorize township trustees to erect or maintain traffic lights at road intersections. It is true that Section 3428 of the General Code authorize the lighting of streets and public ways of an unincorporated district in the township in the manner provided