SUPREME COURT OF OHIO

Village of Silver Lake v. Metro Regional Transit Authority

111 Ohio St. 3d 324 · Decided November 22, 2006

SUMMARY

The Ohio Supreme Court held that a regional transit authority had statutory authority to lease an acquired railroad line for operation of a dinner-excursion train while the line was being held for future transit use. The court concluded that Ohio Revised Code 306.35(G) and (J) independently authorized the lease and affirmed the court of appeals.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	O'Donnell, J.; Connor; Donnell; Lanzinger; Moyer; Pfeifer; Resnick; Stratton
JURISDICTION	Ohio
DECIDED	November 22, 2006
DISPOSITION	affirmed
PROCEDURAL POSTURE	The Village of Silver Lake appealed the Summit County Court of Appeals' reversal of a trial-court judgment granting injunctive and declaratory relief against Metro's lease of the Akron Secondary railroad track and right-of-way for operation of a dinner-excursion train. The Supreme Court of Ohio accepted discretionary review on the limited question of Metro's statutory authority to lease the property.
STANDARD OF REVIEW	De novo review of the statutory-authority issue, including interpretation of the governing statutes.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Village of Silver Lake v. Metro Regional Transit Authority

TOPICS

municipal law · public utilities · statutory interpretation · plain meaning rule · legislative intent

PRACTICE AREAS

municipal law · public transportation law · statutory interpretation

QUESTIONS PRESENTED

1. Whether R.C. 306.35(G) authorizes a regional transit authority to lease a rail line and right-of-way held for future transit use for operation of a dinner-excursion train.
2. Whether R.C. 306.35(J) independently authorizes a regional transit authority to lease its railroad real property for the protection, improvement, or access to transit facilities, or for any other necessary purpose.
3. Whether Metro's statutory authority to lease the Akron Secondary depends on the dinner train itself qualifying as a transit facility.

HOLDINGS

1. A regional transit authority may lease a transit facility held for future use when the lease is considered necessary to accomplish the purposes of the authority's organization. The Akron Secondary qualifies as a transit facility because it is a rail line acquired to preserve a potential future commuter rail line, even though it is not currently used for regularly scheduled mass movement of passengers.
2. Even if the Akron Secondary were not considered a transit facility, R.C. 306.35(J) independently authorizes Metro to lease the railroad right-of-way and rail line for the protection or improvement of, and access to, transit facilities, or for any other necessary purpose.
3. Metro's authority to lease the Akron Secondary was not restricted to property being used only as a transit facility for regularly scheduled mass passenger movement. The statutes independently authorized the lease for future-use purposes and for protection, improvement, access, or another necessary purpose.

KEY QUOTATIONS

> *"Where a regional transit authority acquires an existing rail line and right-of-way, R.C. 306.35(G) and (J) independently confer upon it the discretion to lease the rail line and right-of-way while it is being held for future use to accomplish the purposes of its organization, to make charges for the use of transit facilities, for the protection of or improvement and access to transit facilities, or for any other necessary purpose."* (at 328)

> *"When the language of a statute is plain and unambiguous and conveys a clear and definite meaning, there is no need for this court to apply the rules of statutory interpretation."* (at 326)

FACTUAL BACKGROUND

Metro Regional Transit Authority acquired the Akron Secondary railroad track and right-of-way with funding from the Federal Transit Administration and the Ohio Department of Transportation. The line was held for potential future freight, passenger, and commuter service. Metro solicited bids and leased the property for five years to the Cuyahoga Falls & Hudson Railway Company to operate a revenue-producing dinner-excursion train, with the lessee required to maintain and improve the railroad infrastructure.

PROCEDURAL HISTORY

Silver Lake sued Metro in the Summit County Court of Common Pleas, seeking to enjoin the lease and a declaration that Metro lacked statutory authority to lease its facilities for a dinner train. The trial court granted both forms of relief, concluding that the proposed train threatened to violate the village zoning code and was not a transit facility. The Summit County Court of Appeals reversed, and the Supreme Court of Ohio affirmed the appellate judgment.

DISPOSITION

affirmed

CASES CITED

- Silver Lake v. Metro Regional Transit Auth., 106 Ohio St. 3d 1532, 2005-Ohio-5146, 835 N.E.2d 382
- Symmes Twp. Bd. of Trustees v. Smyth, 87 Ohio St. 3d 549, 553, 721 N.E.2d 1057 (2000)
- State v. Kreischer, 109 Ohio St. 3d 391, 2006-Ohio-2706, 848 N.E.2d 496