



Subsurface Drainage

Money collected is dedicated for use only within the project area or subdivision for which it was collected, with each fund capped at 20% of the value of the infrastructure unencumbered. If maintenance costs are low for the existing infrastructure, and the maintenance funds approach the 20% unencumbered figure, the percentage collected can be reduced.

Why Maintenance?

Maintenance serves to keep the drainage system functioning at the designed level and affords repairs to the system if needed.

Annual inspections, minor repairs, tile/culvert replacements (if necessary), erosion control, spraying of brush and cattails, and logjam/obstruction removal comprise typical maintenance actions.

No human-made objects, fencing, buildings, sheds, trees, or landscaping should be placed in the drainage easement. Exceptions will be evaluated on a case-by-case basis.

Your Role in Maintenance

Once your project is on maintenance, and if you observe a problem with the system, call our office. The faster we can respond to a problem, the faster we can initiate repairs.

Alternatives?

The petition ditch process is only one of the tools for landowners to use. Landowners are always encouraged to work together to solve issues.



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Drainage Petition Process

Delaware (Ohio) Soil and Water Conservation District,
in partnership with the Delaware County Commissioners and
Delaware County Engineer



Delaware
Soil and Water
Conservation District





Ohio Revised Code Chapter 6131 refers to the drainage petition process, commonly known as the **county ditch petition law**. This law grants the Delaware County Commissioners and County Engineer the authority to design and construct drainage improvement projects and assess local landowners who benefit from the improvements for the cost.

The Delaware Soil and Water Conservation District (SWCD) is also involved in the process. These projects typically involve networks of tile (subsurface drainage) and open drainageways such as ditches (surface drainage) that receive water from a specified area, or what we call a watershed.

The Process

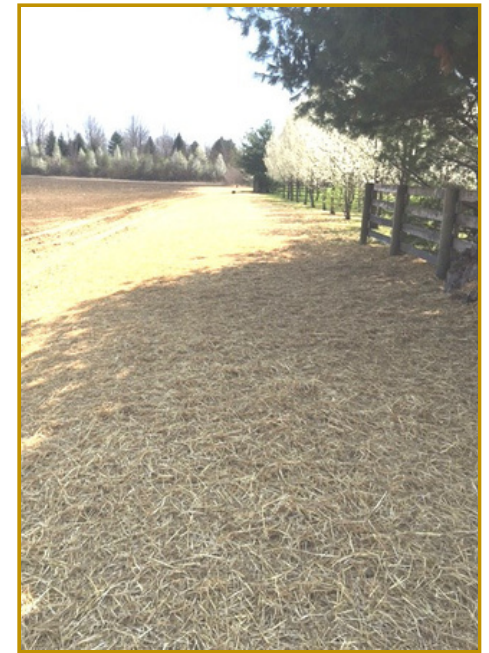
The petition process is entirely landowner driven and landowner funded. For those rural landowners who wish to file a petition for drainage improvement, here is a very simplified outline of the steps involved. Please contact our office for more in-depth information.

- A petition (together with a bond in the amount of \$1500 plus \$5.00 for each parcel of land that exceeds 200 parcels) is filed by a landowner or public body for improvements to be made in a specific area/watershed. The petition is filed with the Delaware County Commissioners.
- The proposed improvement area is viewed, either in person or by drone video, by the Delaware County Commissioners, Delaware County Engineer and SWCD, as well as landowners.

- The first hearing is held and a preliminary report is filed by the County Engineer and SWCD. Watershed landowners are encouraged to provide testimony either in support of, or in opposition to, the proposed petition. Commissioner disapproval at this stage) results in the process ending, with no improvements made (or assessed).

- Commissioner approval results in the County Engineer and SWCD creating surveys, plans, and specifications for the improvements and a schedule of assessments (with benefits and damages noted).

- A final hearing is held. If a project is deemed to possess benefits that outweigh the costs and is approved by the commissioners, then the project is bid. If the bid is accepted, construction takes place (with the project placed in the Drainage Maintenance Program).



Culvert Outlet

Who Pays?

Costs are paid by landowners through a special assessment, which is collected in conjunction with property taxes, by the County. Money collected is dedicated for use only within the watershed/project area for which it was collected.

Under state law, all the land that uses (and benefits) a project is required to share in the construction and maintenance costs. The Ohio Revised Code requires petition projects to be maintained in perpetuity.