

Mando Ditch Informational Meeting

ORC 6131





Agenda

- ▶ Overview of Petition Process
- ▶ Mando Ditch Specifics

ORC 6131: Single County Ditches

- ▶ Commonly known as County Ditch Petition Law
- ▶ Provides a means for the County to facilitate planning, construction and financing of drainage improvements when the needed improvement traverses multiple properties
- ▶ Intended for multi-property, watershed scale drainage improvements
- ▶ Any property owner may file a petition

ORC 6131: Single County Ditches

- ✓ Petition is filed
- ▶ View
- ▶ First Hearing
- ▶ Final Hearing

Section 6131.01 | Single county drainage improvement definitions.
Ohio Revised Code / Title 61 Water Supply-Sanitation-Ditches /
Chapter 6131 Single County Drainage Improvements

Effective: March 24, 2021 Latest Legislation: House Bill 340 - 133rd General Assembly

As used in sections [6131.01](#) to [6131.64](#) of the Revised Code:

(A) "Owner" means any owner of any right, title, estate, or interest in or to any real property and includes persons, partnerships, associations, private corporations, public corporations, boards of township trustees, boards of education of school districts, the mayor or legislative authority of a municipal corporation, the director of any department, office, or institution of the state, and the trustees of any state, county, or municipal public institution. "Owner" also includes any public corporation and the director of any department, office, or institution of the state affected by an improvement but not owning any right, title, estate, or interest in or to any real property.

ORC 6131: View & 1st Hearing

- ▶ View allows Commissioners, Engineers, and interested land owners to gather field information on the project
- ▶ County Engineers file a preliminary report at 1st Hearing
 - includes cost estimate, statement of feasibility, and cost/benefit analysis
- ▶ Owners may testify at 1st Hearing
- ▶ Board of Commissioners votes to approve or dismiss the petition
- ▶ No changes may be made to the petition or the scope of a project after the 1st Hearing
- ▶ Engineer begins final report

ORC 6131: 2nd Hearing

- ▶ Board hears all information, plans, and reports submitted by the County Engineer
- ▶ Land owners may once again offer testimony
- ▶ Commissioners vote to either approve the proposed improvement, including the project plans and schedule of assessments, or to dismiss the petition
- ▶ Commissioners' decision is based on 3 factors specified in the code:
 - Is the project necessary?
 - Is the project conducive to the public welfare?
 - Do the benefits of the project outweigh the costs?

ORC 6131: Next Steps


- ▶ Appeals
- ▶ Construction
- ▶ Assessments
- ▶ Maintenance Fund

Assessments

- ▶ **Assessment Factors:**
 - Property size, percent of system used, location, benefit, etc.
- ▶ **Assessment Rate:**
 - 2 semiannual installments for up to 30 payments i.e. 15 years
- ▶ **Construction Assessment**
- ▶ **Maintenance Assessment: ORC 6137**

ORC 6131: Single County Ditches

- ✓ Petition is filed
 - February 24, 2021
- ▶ Informational Meeting
 - April 28, 2021
- ▶ View
 - May 5, 2021
- ▶ Informational Meeting
 - June 2, 2021
- ▶ First Hearing
 - June 8, 2021
- ▶ Informational Meeting
 - TBD
- ▶ Final Hearing
 - TBD

 **LAWriter**® Ohio Laws and Rules

Route: [Ohio Revised Code](#) » [Title 61](#) [LXI WATER SUPPLY - SANITATION - DITCHES](#)

Chapter 6131: SINGLE COUNTY DITCHES

[6131.01 Single county ditch definitions.](#)

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(B) "Land" includes any estate or interest, of any nature or kind, in or to real property, or any easement in or to real property, or any right to the use of real property, and all structures or fixtures attached to real property, including but not restricted to all railroads, roads, electric railroads, street railroads, streets and street improvements, telephone, telegraph, and transmission lines, underground cables, gas, sewage, and water systems, pipe lines and rights of way of public service corporations, and all other real property whether public or private.

(C) "Improvement" includes:

- (1) The location, construction, reconstruction, reconditioning, widening, deepening, straightening, altering, boxing, tiling, filling, walling, arching, or any change in the course, location, or terminus of any ditch, drain, watercourse, or floodway;
- (2) The deepening, widening, or straightening or any other change in the course, location, or terminus of a river, creek, or run;
- (3) A levee or any wall, embankment, jetty, dike, dam, sluice, revetment, reservoir, holding basin, control gate, breakwater, or other structure for the protection of lands from the overflow from any stream, lake, or pond, or for the protection of any outlet, or for the storage or control of water;
- (4) The removal of obstructions such as silt bars, log jams, debris, and drift from any ditch, drain, watercourse, floodway, river, creek, or run;
- (5) The vacating of a ditch or drain.

(D) "Person" means natural person, firm, partnership, association, or corporation, other than public corporations.

(E) "Public corporation" or "political subdivision" means counties, townships, municipal corporations, school districts, park districts, turnpikes, toll bridges, conservancy districts, and all other governmental agencies clothed with the power of levying general or special taxes.

(F) "Benefit" or "benefits," except as ordered in section [6131.31](#) of the Revised Code, means advantages to land and owners, to public corporations as entities, and to the state resulting from drainage, conservation, control and management of water, and environmental, wildlife, and recreational improvements. Factors relevant to whether such advantages result include:

- (1) The watershed or entire land area drained or affected by the improvement;
- (2) The total volume of water draining into or through the improvement and the amount of water contributed by each land owner;
- (3) The use to be made of the improvement by any owner, public corporation, or the state.

"Benefit" or "benefits" includes any or all of the following factors:

Elimination or reduction of damage from flood;

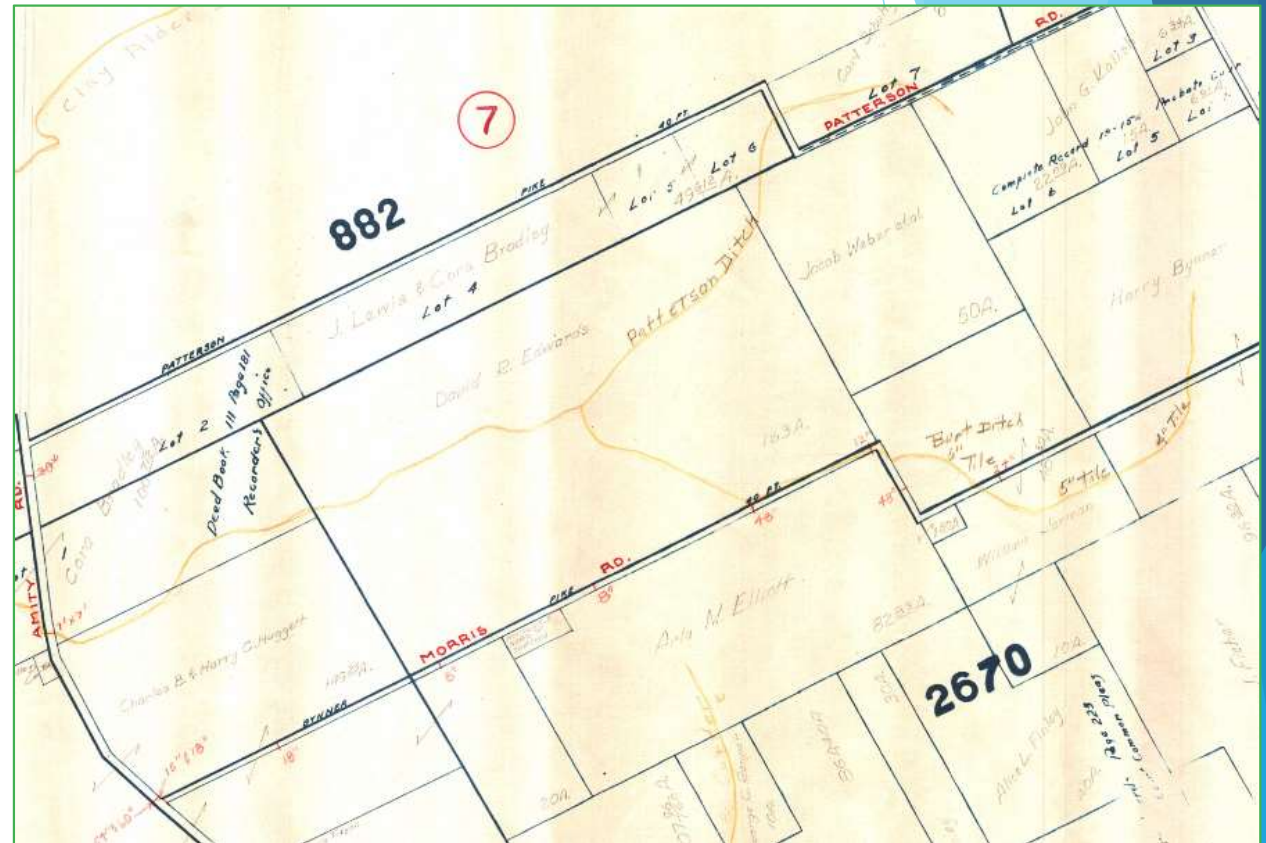
Mando Ditch

This map has been produced to provide a general view of the possible project area. The area that is delineated on this map has been produced without the use of actual ground survey or field verification, and is only presented to provide a location reference for discussion.



History

- ▶ New petition consists of two existing petition ditches
 - Patterson Ditch
 - ▶ 1870: Established by A. Patterson Petition
 - Originally 1,837 feet
 - Burt Ditch
 - ▶ 1870: Established by E. Burt Petition
- ▶ Total Watershed: 640 acres



Existing Conditions

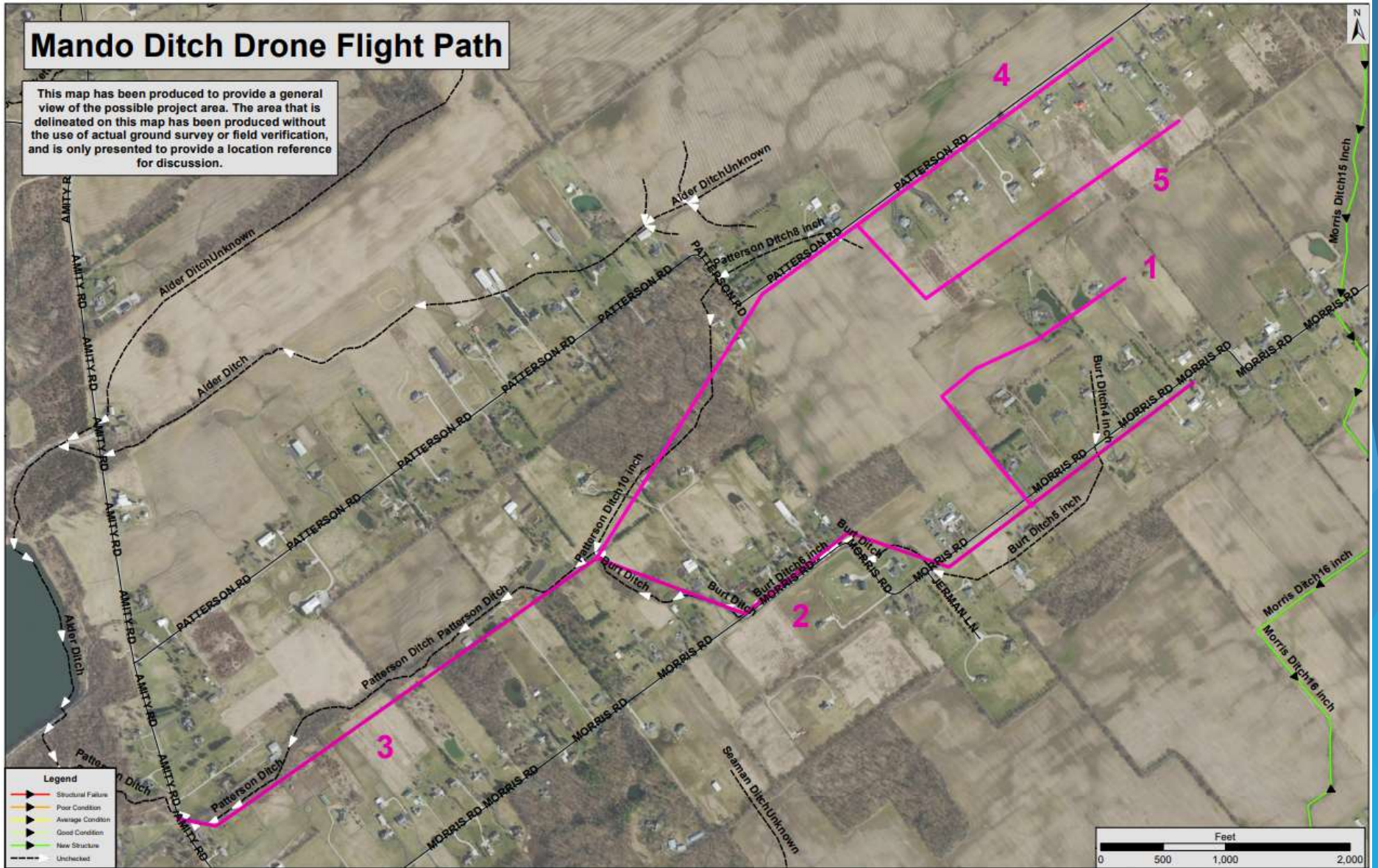


Existing Conditions



Mando Ditch Drone Flight Path

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Questions?



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