



Ohio Revised Code

Section 6131.04 Petition for construction of single county drainage improvement.

Effective: March 24, 2021

Legislation: House Bill 340 - 133rd General Assembly

(A) Any owner may file a petition for the construction of a drainage improvement with the clerk of the board of county commissioners of the county in which is located a part of the land proposed to benefit from the improvement. Prior to filing a petition, the petitioner shall consult with the county engineer of the county in which the petition will be filed to discuss the proposed drainage improvement and to determine the proper forms and procedures for filing the petition.

(B) The petition shall state all of the following:

(1) The nature of the work petitioned for, which may include locating, cleaning, removing obstructions from, constructing, reconstructing, straightening, deepening, widening, altering, boxing, tiling, filling, walling, or arching any ditch, drain, watercourse, floodway, creek, run, or river; changing the course, location, or terminus thereof; or constructing a levee, wall, embankment, jetty, dike, dam, sluice, revetment, reservoir, holding basin, control gate, breakwater, or other structure for control of water;

(2) The course and termini of the proposed improvement and the branches, spurs, or laterals, if any are petitioned for;

(3) That the construction of the improvement is necessary and will benefit the petitioner;

(4) That all costs of engineering, construction, and future maintenance will be assessed to the benefiting parcels of land, except as ordered under an appeal filed in accordance with section 6131.31 of the Revised Code;

(5) A list of the names and addresses, where known, of all the owners of the land that the petitioner or the county engineer claims will be benefited or damaged by the construction of the proposed improvement, as determined by the county engineer.



(C) One or more owners must sign the petition as the petitioners. If the petitioner is a public corporation or the state, its authorized representative must sign the petition.

(D) If the petitioner is the county, the petition must be filed with the clerk of the court of common pleas without the bond required under section 6131.06 of the Revised Code, and the clerk and the court shall do all things that sections 6131.01 to 6131.64 of the Revised Code provide that the county commissioners shall do. The court of common pleas may appoint a board of three disinterested owners in the county and shall designate one of the persons to be chairperson. The appointed board shall hear and act on the petition in accordance with this chapter. Either party may appeal the board's decision to the court of common pleas.