

Frequently Asked Questions

1. What is a drainage petition?

Drainage within Ohio, which is located on private property, is the responsibility of the private landowners. The Ohio Revised Code Chapter 6131 refers to the single-county drainage improvement petition process, also known as the county ditch petition law. It allows any property owner to petition the county for assistance in designing, building, and financing regional, private drainage improvements. These projects typically involve systems of subsurface (storm tile) and open surface (ditch) drainage that receive water from a specific area, known as a watershed.

2. Why did I receive this letter in the mail?

You have been identified as a benefitting landowner in the petition filed for the proposed improvements.

3. I do not live directly on a ditch in the proposed improvement area, so why am I considered a benefitting landowner?

The Ohio Revised Code considers all landowners in the watershed (drainage area) of the drainage improvement as benefiting from the improvement. If you receive the notice in the mail, a property you own is within the petitioned watershed and benefits from the proposed drainage improvement.

4. How do I request that the petition will reach my property and directly improve my drainage?

Any benefitting owner may file an amendment to the petition for the drainage improvement that extends the length of improvement to their property. This must be done not more than twenty-one days following the date of the view. You can reach out to the Franklin County Engineer's Office if you are interested in filing an amendment.

5. Am I being assessed now?

No. This is the start of the petition process. No assessments have been approved or levied to properties for this project at this time.

6. What is the purpose of the view?

The view is an opportunity for the Franklin County Board of Commissioners to become familiar with the location, existing conditions of the project area, and petition scope. No decisions are made at this time. No testimony will be given by the Franklin County Engineer's Office or any affected property owners at the view. After the view, the Franklin County Engineer's Office will prepare a preliminary report, which includes a preliminary scope of work and cost estimate, comments on the feasibility of the project, and an opinion as to whether the benefits of the improvement are likely to exceed the preliminary costs.

7. What is the purpose of the first hearing?

The first hearing is a public hearing where the Board of Commissioners will hear the preliminary report and findings filed by the Franklin County Engineer's Office. At this time, landowners within the watershed are welcome and encouraged to provide testimony regarding the petition. At the conclusion of the first hearing, the Board of Commissioners will vote to determine whether to proceed with the design of the requested project or dismiss the petition.

8. What comes after the first hearing?

If the Board of Commissioners votes to proceed, the Franklin County Engineer's Office will begin detailed design plans to complete the work requested by the petitioners. In addition, a final report and detailed cost estimate will be prepared. Before the final hearing, an estimated schedule of assessments will be calculated for individual parcels. When this work is completed, the Board of Commissioners will hold a final hearing to determine whether to approve the proposed work. Once again, landowners within the watershed are welcome and encouraged to provide testimony regarding the petition.

9. What kind of work do you anticipate being performed if the petition is approved?

This is dependent on the work petitioned for, but work will likely include, but is not limited to the following:

- Vegetation Clearing
- Surface swale grading and shaping
- Subsurface drain tile installation
- Seeding and mulching

10. If approved, what is the source of funding for the improvement?

Should the petition be approved by the Board of Commissioners at the final hearing and constructed, the cost of design, construction, and maintenance will be assessed to the properties within the watershed. Individual parcel assessment values are not calculated until closer to the final hearing. There are two assessments seen for petitioned projects: construction and maintenance assessments. Construction assessments are levied in two semiannual installments. The Board of Commissioners determines the period of time given to pay the assessments, not more than thirty semiannual installments over fifteen years with your property taxes. The maintenance assessment funds any maintenance costs associated with the drainage system in perpetuity.

11. What if the petition is dismissed at the final hearing?

If the Board of Commissioners chooses to dismiss the petition at the final hearing, the project will not advance to the construction phase, and property owners will not be assessed the cost of construction and maintenance. However, Ohio Revised Code Section 6131.21 allows for the costs incurred for the proceedings to be assessed to benefitting landowners, including survey and design costs.