

APPENDIX H
DRAINAGE MAINTENANCE PROCESS &
SAMPLE PETITIONS

Drainage Improvement Petition Process

Subdivision Drainage Maintenance Petition

Commercial Site Drainage Maintenance Petition

Condominium Drainage Maintenance Petition

Subdivision, Condominium & Commercial Drainage

Improvement Petition Procedure

In accordance with Section 904.G.1 of the Delaware County Design, Construction and Surveying Standards, all drainage improvements constructed within subdivisions and condominium and commercial sites (if any off site water flows across the site), shall be placed on County Maintenance through the ditch petition laws of the State of Ohio (ORC 6137).

At the time the plat of any subdivision or drainage easement for a site is brought to the Delaware County Commissioners for approval, a petition requesting that the drainage improvements be placed on County Maintenance shall accompany it. A sample copy of the petition is included in this section. The petition shall include the following attachments:

- Exhibit A A copy of the plat or drainage easement in the size that will be recorded

- Exhibit B A copy of the Owner's Agreement with any Surety, if applicable

- Exhibit C A copy of the drainage plans for the subdivision or site delineating the improvements to be placed on public maintenance. This plan shall be developed in consultation with the County Engineer and the County Engineer shall make the final decision regarding the scope of maintenance.

- Exhibit D A cost estimate for the construction cost of improvements delineated in Exhibit "C" based on prevailing wage rates

The petition and attachments shall be submitted a minimum of 2 weeks prior to placing the plat or drainage easement(s) on the County Commissioner's Agenda. No plat or drainage easement(s) will be placed on the Commissioner's agenda unless accompanied by a complete petition package approved by the County Engineer. The drainage easement(s) shall be recorded once approved by the County Commissioners.

DRAINAGE MAINTENANCE PETITION

Honorable County Commissioners:

We the undersigned owners of _____ acres in _____ Township, Delaware County, Ohio proposed to create a subdivision known as _____ as evidenced by the attached subdivision plats (Exhibit "A"). These plats have been approved and signed by the Delaware County Regional Planning Commission and the Delaware County Engineer. Drainage improvements related to this subdivision have been constructed (or are bonded and will be constructed within a period of one year as evidenced by the attached Subdivider's Agreement Exhibit "B"). In accordance with Section 6137 of the Ohio Revised Code, we (I) hereby request that the improvements delineated on the attached Exhibit "C", be accepted as a part of the County Drainage Maintenance Program and that an annual maintenance assessment be collected with the Real Estate Taxes for each lot in the subject subdivision to cover the cost of current and future maintenance of the improvements.

We (I) represent 100% of the property owners to be assessed for maintenance related to this drainage improvement. We (I) hereby waive our rights to a public viewing and hearing and ask that your board approve this action in conjunction with the approval of the _____ subdivision.

The cost of the drainage improvements is \$_____ and a detailed cost estimate is attached in Exhibit "D". The drainage improvements are being constructed for the benefit of the lots being created in this subdivision. _____ lots are created in these plats and each lot received an equal share of the benefit (cost) of the project. The basis for calculating the assessment for each lot is therefore, \$_____ per lot. An annual maintenance fee equal to 2% of this basis (\$_____) will be collected for each lot. I understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year's assessment for all of the lots in the amount of \$_____ has been paid to Delaware County.

Easements to provide for the maintenance of the improvements have been provided on the plat.

Respectfully Submitted:

Approved:

By:

Delaware County Commissioners

Date

Date _____ Resolution No. _____

DRAINAGE MAINTENANCE PETITION

Honorable County Commissioners:

We the undersigned owners of _____ acres in _____ Township, Delaware County, Ohio proposed to create a subdivision known as _____ as evidenced by the attached subdivision plats (Exhibit "A"). The plats for _____ have been submitted for approval to the Delaware County Regional Planning Commission and the Delaware County Engineer. Drainage improvements related to this subdivision have been constructed (or are bonded and will be constructed within a period of one year as evidenced by the attached Subdivider's Agreement Exhibit "B"). In accordance with Section 6137 of the Ohio Revised Code, we (I) hereby request that the improvements delineated on the attached Exhibit "C", be accepted as a part of the County Drainage Maintenance Program and that an annual maintenance assessment be collected with the Real Estate Taxes for each lot in the subject subdivision to cover the cost of current and future maintenance of the improvements.

We (I) represent 100% of the property owners to be assessed for maintenance related to this drainage improvement. We (I) hereby waive our rights to a public viewing and hearing and ask that your board approve this action.

The cost of the drainage improvements is \$_____ and a detailed cost estimate is attached in Exhibit "D". The drainage improvements are being constructed for the benefit of the lots being created in their development. The developed commercial area of _____ acres will receive benefits (cost) of the project as a per acre basis. The basis for calculating the assessment for each lot is therefore, \$_____ per acre. An annual maintenance fee equal to 2% of this basis (\$_____) will be collected for each developed lot. I understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year's assessment for all of the lots in the amount of \$_____ has been paid to Delaware County.

Easements to provide for the maintenance of the improvements have been provided on the plat.

Respectfully Submitted:

Approved:

(Name) (Title)

Delaware County Commissioners

(Company)

(Address)

(Signature) Date

Date_____ Resolution No._____

DRAINAGE MAINTENANCE PETITION

Honorable County Commissioners:

We the undersigned owners of _____ acres in _____ Township, Delaware County, Ohio proposed to create a condominium site known as _____ as evidenced by the attached (Exhibit "A"). The storm and drainage easement exhibit for _____ have been submitted for approval to the Delaware County Engineer. Drainage improvements related to this condominium will be constructed as evidenced by the attached Owner's Agreement Exhibit "B". In accordance with Section 6137 of the Ohio Revised Code, we (I) hereby request that the improvements delineated on the attached Exhibit "C", be accepted as a part of the County Drainage Maintenance Program and that an annual maintenance assessment be collected with the Real Estate Taxes for each lot in the subject subdivision to cover the cost of current and future maintenance of the improvements.

We (I) represent 100% of the property owners to be assessed for maintenance related to this drainage improvement. We (I) hereby waive our rights to a public viewing and hearing and ask that your board approve this action.

The cost of the drainage improvements is \$_____ and a detailed cost estimate is attached in Exhibit "D". The drainage improvements are being constructed for the benefit of the lots being created in their development. The developed condominium area of _____ units will receive benefits (cost) of the project as a per acre basis. The basis for calculating the assessment for each lot is therefore, \$_____ per unit. An annual maintenance fee equal to 2% of this basis (\$_____) will be collected for each developed lot. I understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year's assessment for all of the lots in the amount of \$_____ has been paid to Delaware County.

Easements to provide for the maintenance of the improvements have been provided on the plat.

Respectfully Submitted:

Approved:

(Name) (Title)

Delaware County Commissioners

(Company)

(Address)

(Signature) Date

Date _____ Resolution No. _____