

# **Agricultural Subsurface and Open Drainage DITCH Frequently Asked Questions**

## **What is a ditch?**

As opposed to the common definition, which would be “an open watercourse”, a ditch can be both an open watercourse and/or an enclosed watercourse (water flowing through a pipe.)

## **What is a tile or field tile?**

A tile is a pipe that is underground that is used to convey water. Tiles were installed in order to drain agricultural ground for crop production. Most tiles in Miami County are made of baked clay. In recent years, however, plastic has replaced clay in most applications.

## **What is the difference between a Field Tile and a Storm Sewer?**

Field tiles are designed to drain cropland and facilitate crop production. Field tile sizing typically works to drain 3/8” of water per day from the ground. Storm Sewers are designed to convey storm water (rain water) immediately from the ground surface to a receiving stream. With a field tile, ponding water is expected to dry up in a matter of a few days as water infiltrates into the tile system. Storm sewers are designed to accept immediately the large volume of water that occurs as the result of a rain event. They typically have open inlets to allow water directly into the storm sewer system. Therefore, one of the chief differences is the size of the pipe. To drain the same area, storm sewers are typically many times (10+) larger than field tile.

## **Who installed or built the ditches?**

Many tile systems were installed independently by farmers, or a group of farmers, to drain their adjacent cropland. Some tile systems drain only a few acres while others drain over 1000 acres. At times, especially with large areas involving many farmers, the farmers would file a County Ditch Petition with the County Commissioners. This action effectively appointed the County Commissioners as an independent agent to contract for construction of the ditch and apportion costs to the affected properties. These ditches are commonly referred to as “County Ditches” or “County Tile”

## **Who pays to install a ditch?**

In all cases: directly or indirectly, the property owner or owners who are benefited by the existence of the ditch. In the case of a cooperative agreement between adjacent property owners, the owners pay the contractor directly. In the case of a County Ditch, the county pays the contractor and assesses all costs, including engineering and administrative costs, back to the benefited property owners through a special assessment on their property taxes.

## **What can I do if I have a broken or non-functioning ditch on, or affecting, my property?**

If the ditch **was not** originally installed through the County petition process, you can:

1. Fix the problem, or hire someone to fix the problem yourself
2. Work with the adjacent property owners to fix, or hire someone to fix, the problem
3. File a Ditch Petition with the Clerk of the County Commissioners

If the ditch **was** originally installed through the County petition process and **prior to** August 23, 1957; you can:

1. Fix the problem, or hire someone to fix the problem yourself.
2. Work with the adjacent property owners to fix, or hire someone to fix, the problem.
3. File a Short Form Ditch Petition, provided the repair costs do not exceed \$4,000.00.

If the ditch **was** originally installed through the County petition process **after** August 23, 1957;

1. A maintenance fund is in place for this ditch. A special assessment is on your property taxes for maintenance and repair of the ditch. Many times this assessment will pertain only to the portion of an existing ditch that was reconstructed after August 23, 1957. Call the Miami County Engineer's Office and repairs will be scheduled.

### **What happened on August 23, 1957?**

Prior to August 23, 1957, after a ditch was constructed through the County Petition process, the completed project (*the County Ditch*) was turned over to the property owners for maintenance and upkeep. The County's role with regard to the ditch was complete. In 1957 the state legislature passed a law whereby all County Petitioned Ditches constructed after August 23, 1957 are put under perpetual maintenance. As such, a special assessment is placed on the property tax bill of all benefited property owners and repairs and maintenance to that particular ditch are paid for out of that special fund

### **Other Facts**

1. The County has no authority to order or force someone to repair or maintain **any** ditch.
2. The County has no authority to immediately enter someone's property to repair or maintain **any** ditch, unless that ditch is under perpetual maintenance (installed after August 23, 1957).
3. There are approximately 850 County Ditches in Miami County that have been installed through the County Petition process.
4. The 1st recorded ditch petition was filed on October 13, 1859.
5. The 650<sup>th</sup> recorded ditch petition was filed on October 12, 1926.
6. That means that over 76% of all the ditches that were installed through County Petition process are between 76 and 143 years old.
7. Only 18 County Ditches have been installed since August 23, 1957 and are under perpetual maintenance.
8. Based upon site conditions, the estimated price for replacing a 12" field tile varies from \$10 to \$20 per foot.

For further information about ditches and tile contact:

The Miami County Engineer's Office  
2100 N. County Road 25A  
Troy, Ohio 45373  
Phone (937) 440 - 5656