

As Introduced

133rd General Assembly

Regular Session

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H. B. No. 522

Representatives Sobecki, Swearingen

**Cosponsors: Representatives Galonski, Weinstein, Lightbody, Smith, K., Miller, J.,
Lepore-Hagan, Cera, Rogers, Manning, D.**

A BILL

To amend sections 6101.04 and 6101.15 of the 1
Revised Code to authorize conservancy districts 2
to provide for the collection and disposal of 3
solid waste. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 6101.04 and 6101.15 of the 5
Revised Code be amended to read as follows: 6

Sec. 6101.04. Any area or areas situated in one or more 7
counties may be organized as a conservancy district in the 8
manner and subject to the conditions provided by this chapter 9
for any of the following purposes: 10

(A) Preventing floods; 11

(B) Regulating stream channels by changing, widening, and 12
deepening the stream channels; 13

(C) Reclaiming or filling wet and overflowed lands; 14

(D) Providing for irrigation where it may be needed; 15

(E) Regulating the flow of streams and conserving their 16

waters;	17
(F) Diverting or in whole or in part eliminating	18
watercourses;	19
(G) Providing a water supply for domestic, industrial, and	20
public use;	21
(H) Providing for the collection and disposal of sewage	22
and other liquid wastes produced within the district;	23
(I) Arresting erosion along the Ohio shore line of Lake	24
Erie;	25
<u>(J) Providing for the collection and disposal of solid</u>	26
<u>wastes.</u>	27
This section does not terminate the existence of any	28
district organized prior to July 19, 1937, entirely within a	29
single county.	30
The purposes of a district may be altered by the same	31
procedure as provided for the establishment of the district.	32
Sec. 6101.15. In order to accomplish the purposes of the	33
conservancy district, the board of directors of a conservancy	34
district may do the following:	35
(A) Clean out, straighten, widen, alter, deepen, or change	36
the course or terminus of any ditch, drain, sewer, river,	37
watercourse, pond, lake, creek, or natural or artificial stream	38
located in or out of the district;	39
(B) Fill up any abandoned or altered ditch, drain, sewer,	40
river, watercourse, pond, lake, creek, or natural or artificial	41
stream, and concentrate, divert, or divide the flow of water in	42
or out of the district;	43

(C) Construct, acquire, operate, and maintain main and lateral ditches, sewers, canals, levees, dikes, dams, sluices, revetments, reservoirs, holding basins, floodways, wells, intakes, pipe lines, purification works, treatment and disposal works, pumping stations and siphons, and any other works and improvements considered necessary to accomplish the purposes of the district or to construct, preserve, operate, or maintain the works in or out of the district. This chapter does not limit the authority of public corporations to install, maintain, and operate sewerage systems and water-works systems as otherwise permitted by law, but the board shall have full power to require the use of the improvements constructed or acquired by the district for the purpose of water supply or the collection and disposal of sewage and other liquid wastes by the public corporations and persons within the district for which the improvements were installed.

(D) Afforest lands owned by the district;

(E) Install improvements on lands owned or controlled by the district for the proper maintenance of the lands, or for the purpose of preventing or minimizing damage to the works and improvements of the district;

(F) Construct connections to the works of the district for the delivery of a water supply from the works or for the delivery of sewage and other liquid wastes to the works;

(G) Construct or enlarge any bridges that may be needed in or out of the district;

(H) Construct or elevate roadways and streets;

(I) Construct any of the works and improvements across, through, or over any public highway, canal, railroad right of

way, track, grade, fill, cut, or other public or private	73
property located in or out of the district;	74
(J) Remove or change the location of any fence, building,	75
railroad, canal, or other structure or improvement located in or	76
out of the district, but if it is not feasible or economical to	77
move any building, structure, or improvement situated in or upon	78
lands required by the district and if the cost to the district	79
is determined by the board to be less than that of purchase or	80
condemnation, the board may acquire land and construct, acquire,	81
or install buildings, structures, or improvements, similar in	82
purpose, to be exchanged for the aforementioned buildings,	83
structures, or improvements under contracts entered into between	84
the owner of them and the district;	85
(K) Hold, encumber, control, acquire by donation,	86
purchase, or condemnation, construct, own, lease, use, and sell	87
real and personal property, and any easement, riparian right,	88
railroad right of way, canal, cemetery, sluice, reservoir,	89
holding basin, milldam, water power, wharf, or franchise in or	90
out of the district for right of way, holding basin, location,	91
or protection of works and improvements, relocation of	92
communities and of buildings, structures, and improvements	93
situated on lands required by the district, or any other	94
necessary purpose, or for obtaining or storing material to be	95
used in constructing and maintaining the works and improvements;	96
(L) Replat or subdivide land, open new roads, streets, and	97
alleys, or change the course of an existing one, and install	98
improvements to replace those in the former roads, streets, or	99
alleys;	100
(M) Procure insurance against loss to the district by	101
reason of damage to its properties, works, or improvements	102

resulting from fire, theft, accident, or other casualty or by 103
reason of the liability of the district for any damages to 104
persons or property occurring in the operation of the works and 105
improvements of the district or the conduct of its activities; 106

(N) Conduct on its own or in combination with other 107
entities, water quantity and quality studies and other water 108
monitoring activities that do not conflict with similar studies 109
or activities by other agencies. A written report of the 110
findings of any study or activity, or a copy of it, shall be 111
submitted to the director of environmental protection. 112

(O) Provide for the collection and disposal of solid 113
wastes and establish rates necessary for such collection and 114
disposal; 115

(P) Do all things necessary or incident to the fulfillment 116
of the purposes for which the district is established. 117

Section 2. That existing sections 6101.04 and 6101.15 of 118
the Revised Code are hereby repealed. 119