

## FORMATION OF REGIONAL WATER AND SEWER DISTRICTS

1. What is a Regional Water and Sewer District?

A regional water and sewer district is an independent political subdivision of the State of Ohio established under Ohio Revised Code Chapter 6119 to provide water and/or sewer services to users of the District.

2. Who Can Establish a District?

The following political subdivisions or combination of political subdivisions of the State of Ohio, including one or more Townships, Counties, Villages, and Cities, can petition the Court to establish a District.

3. Why Are Regional Water and Sewer Districts Established?

- A. To provide needed central sanitary sewer and/or water services to residents of the District.
- B. To provide for administration of water and waste water facilities by a single public entity instead of by several public entities or privately owned companies or associations.
- C. To prevent and abate pollution and protect the environment and natural resources located within the District
- D. To promote and encourage economic growth, population growth and the overall quality of life in the District.
- E. To promote fire protection and decreased insurance rates.
- F. Additional benefits: increased property values where central services are provided; lower cost of services to individual users; promote and encourage local government.

4. How is a Regional Water and Sewer District Established?

- A. A legal analysis and preliminary feasibility study is prepared to determine the feasibility of establishing the District. (Optional).
- B. The petitioning political subdivision(s) adopt a resolution authorizing the filing of a Petition in the County Court of Common Pleas.
- C. The political subdivision(s) approve a Petition to be filed in the Court of Common Pleas. The Petition must state the following:
  - (1) The proposed name of the district;
  - (2) The place in which its principal office is to be located;

- (3) The necessity for the proposed district and that it will be conducive to the public health, safety, convenience, or welfare;
  - (4) A general description of the purpose of the proposed district (central water services, waste water services, storm sewer services, or any combination of the three);
  - (5) A general description of the territory to be included in the district. This does not have to be given by metes and bounds or by legal subdivisions, but it is sufficient if an accurate description is given of the territory to be organized as a district. The territory of the district does not have to be contiguous, provided it is so situated that the public health, safety, convenience, or welfare will be promoted by the organization as a single district of the territory described;
  - (6) The manner of selection, the number, the term, and the compensation of the members of the governing body of the district, which body shall be called a board of trustees. Such petition may set forth procedures for subsequent changes in the composition of and other provisions relating to such board of trustees;
  - (7) The plan for financing the cost of the operations of the district until it is in receipt of revenue from its operations or proceeds from the sale of bonds;
  - (8) A prayer for the organization of the district by the name proposed, either before or after a preliminary hearing as provided in section 6119.04 of the Revised Code.
- D. Written notice is provided to electors of the proposed district of a meeting on whether to establish the District. Thereafter a meeting is held for the purpose of receiving comments on the proposed establishment of the District. At the meeting, a representative of the petitioners shall present a preliminary study of the reasons for the proposed establishment of the District.
- E. The Petition and other documents are filed in Court of Common Pleas.
- F. The Plan for Provision of Services is prepared by the engineering firm.
- G. Legal counsel prepares evidence to show that the establishment of the District is necessary and conducive to the public health, safety, convenience and welfare and the Plan for Provision of Services is economical, feasible, fair and reasonable.
- H. Objections can be filed to the establishment of the District.

- I. Legal counsel prepares briefs and supplemental briefs as necessary; legal counsel prepares witnesses for the hearing on the establishment of the District.
- J. A hearing is held on the establishment of the District. The hearing is typically approximately fifty-five (55) days from the date of the filing of the Petition. The Court is asked to establish the District at that time.