



Ohio Revised Code

Section 6115.79 Substantial requirements for forms.

Effective: May 9, 2000

Legislation: House Bill 495

The following forms illustrate the character of the procedure contemplated by this chapter, and if substantially complied with, those things being changed which should be changed to meet the requirements of the particular case, such procedure shall be held to meet the requirements of this chapter.

(A) Form of Notice of Hearing on the Petition:

"To All Persons Interested:

Public Notice is Hereby Given:

(1) That on the _____ day of _____, _____, pursuant to The Sanitary District Law of Ohio, there was filed in the office of the Clerk of the Court of Common Pleas of _____ County, Ohio, the petition of _____ and others for the establishment of a Sanitary District to be known as _____ Sanitary District. (Here insert the purposes.)

(2) That the lands sought to be included in the District comprise lands in _____ and _____ Counties, Ohio, described substantially as follows:

Beginning on the north line of _____ County at its point of intersection with the west bank of the _____ River; thence west along the north line of _____ County to the high bluffs facing the _____ River on the west; thence following the base of the line of said bluffs to the north line of the right-of-way of the _____ Railroad; thence west along the north right-of-way line of the Railroad to the center line of _____ Avenue in the Village of _____; thence south along the center line of _____ Avenue to the _____ Pike; thence southeasterly along the _____ Pike to the southeasterly line of the right-of-way of the _____



Railroad; thence southeasterly along the right-of-way line to the corporate limits of the City of _____; thence with the corporation line southerly, easterly, and northerly to the southerly right-of-way line of the main track of the _____ Railroad; thence easterly along the last named right-of-way line to the boundary line between _____ Counties; thence north along the County line to the southerly line of _____ County; thence easterly along the dividing line between _____ Counties to the easterly line of the right-of-way of the _____ Railroad; thence northerly along the right-of-way line to its intersection with the _____ Pike; thence westerly along the Pike to the center line of the bridge over _____ Creek; thence up the Creek and along the center line thereof to the north line of _____ County; thence west to the place of beginning.

Or, if found more convenient, the lands sought to be included in the District may be described as follows:

All of Township _____ in Range _____ between the _____ Railroad and the _____ River; the following lands in _____ Township and _____ Range; Section _____ and the _____ half of Section _____; also all lands within the corporate limits of the City of _____ etc.

(3) That a public hearing on the petition will be had in said Court on _____ the _____ day of _____, _____, at the hour of _____ o'clock _____ M. by the Court of Common Pleas of _____ County, at the Courthouse in the City of _____, _____ County, Ohio.

All persons and public corporations owning or interested in real estate within the territory hereinbefore described will be given the opportunity to be heard at the time and place above specified

Clerk of the Court of Common Pleas



of _____ County, Ohio.

Dated _____, Ohio, _____, _____"

(B) Form of Finding on Hearing:

"State of Ohio,)

) ss.

_____ County)

In the Court of Common Pleas _____ County.

In the Matter of

_____ Sanitary District:

FINDINGS AND DECREE ON HEARING.

On this _____ day of _____, 19____, this cause coming on for hearing on the petition of _____ and others, for the organization of a Sanitary District under the Sanitary District Law of Ohio, the Court, after a full hearing now here finds:

(1) That it has jurisdiction of the parties to and the subject matter of this proceeding.

(2) That the purposes for which said District is established are:

(Insert the purposes.)

And that it is a public necessity.

(3) That the public safety, health, convenience, and welfare will be promoted by the organization of a



Sanitary District substantially as prayed in the petition (if additional lands are added by petition), except that the following additional lands at the petition of the owners thereof should be and hereby are included in the District:

(Here insert additional lands.)

(4) That the boundaries of the District as modified by the last finding herein are as follows:

(Here insert corrected boundaries of district.)

(5) That the territory last above described should be erected into and created a Sanitary District under the Sanitary District Law of Ohio under the corporate name of _____ Sanitary District.

Wherefore, it is by the Court ordered, adjudged, and decreed:

That the territory as above described be, and the same hereby is erected into and created a Sanitary District under the Sanitary District Law of Ohio under the corporate name of _____ Sanitary District, with its office or principal place of business at _____, in _____ County, Ohio. (If directors are appointed at the same time.) And the following persons are hereby appointed directors of the Sanitary District:

_____ for the term of three years,

_____ for the term of five years,

_____ for the term of seven years,

who are hereby directed to qualify and proceed according to law.

(6) For consideration of other matters herein, this cause is retained on the docket.

_____ Judge"



(C) Form of Notice to Property Owners to Pay Assessment:

" _____ Sanitary District.

To All Persons Interested:

Public Notice is Hereby Given:

(1) That on the _____ day of _____, _____, the Board of Directors of _____ Sanitary District duly levied for the account of the Bond Fund of said District an assessment upon all the property in the District in the aggregate sum of \$ _____, has caused the same to be extended upon the assessment duplicate of said District, and that the assessment duplicate is now in process of collection by the County Treasurer of the County in which the lands are situated.

(2) That the entire assessment against any parcel of land may be paid at any time on or prior to _____, _____, without costs and without interest.

(3) That as soon after the _____ day of _____, _____, as conveniently may be, the Board of Directors of the District will divide the uncollected portion of the assessment into convenient installments and will issue bonds bearing interest not exceeding the rate provided in section 9.95 of the Revised Code in anticipation of the collection of the several installments of said assessment, pursuant to the Sanitary District Law of Ohio.

President

Secretary"

(D) Form of Notice of Enlargement of District:



"State of Ohio)

) ss.

County of _____)

In the Court of Common Pleas

_____ County, Ohio

In the Matter of

_____ Sanitary District:

NOTICE OF ENLARGEMENT OF DISTRICT.

To All Persons (and Public Corporations, if any) Interested:

Public Notice is Hereby Given:

(1) That heretofore on the _____ day of _____, ____, the Court of Common Pleas of _____ County, Ohio, duly entered a final decree erecting and creating _____ Sanitary District and appointing a Board of Directors therefor.

(2) That thereafter this Court duly appointed



to be the Board of Appraisers for said District. That the Board of Appraisers on the ____ day of _____, _____, filed its report recommending that the following described lands, not originally included in the District, be added thereto: (Here describe generally the lands which the Report of the Board of Appraisers recommends should be added to the District.)

(3) That on _____, the ____ day of _____, _____, (or as soon thereafter as the convenience of the Court will permit), at the Courthouse in _____ of _____, Ohio, the Court of Common Pleas of _____ County, Ohio, will hear all persons and public corporations, who are owners of or interested in the property described in this notice upon the question whether the lands should be added to and included in the _____ Sanitary District.

Clerk of the Court of Common Pleas of

_____ County, Ohio"

(E) Form of Notice of Hearing on Appraisals:

"State of Ohio)

) ss.

County of _____)

In the Court of Common Pleas

_____ County, Ohio"

In the matter of

"_____ " Sanitary District:



NOTICE OF HEARING ON APPRAISALS.

To All Persons and Public Corporations Interested:

Public Notice is Hereby Given:

(1) That heretofore on the _____ day of _____, ____, the Court of Common Pleas of _____ County, Ohio, duly entered a decree, erecting and creating _____ Sanitary District and appointing a Board of Directors therefor.

(2) That thereafter this Court duly appointed

the Board of Appraisers for said District. That the Board of Appraisers on the _____ day of _____, ____, filed its Appraisal of Benefits and Damages and of land to be taken as follows:
(Here insert general description of land appraised.)

The appraisal of benefits and damages and of land to be taken is now on file in the office of the clerk of this court.

(3) All public corporations and all persons, owners of or interested in the property described in the Report, whether as benefited property or as property taken and damaged (whether the taken or damaged property lies within or without the District), desiring to contest the appraisals as made and returned by the Board of Appraisers, must file their objections in the court on or before the _____ day of _____, ____, (here insert a date ten (10) days after the last publication of the notice) and a hearing on the appraisal will be had on the _____ day of _____, ____, (here insert a date not less than twenty (20), nor more than thirty (30), days after the date of the last publication of this



notice, as fixed by the court) in the City of _____, Ohio, at which time an opportunity will be afforded all objectors to be heard upon their several objections.

Clerk of the Court of Common Pleas

of _____ County, Ohio.

Dated at the City of _____, Ohio, this _____ day of _____, _____"

(F) Form of Certificate of Levy of Assessments:

"State of Ohio)

)

County of _____)

To the Auditor of _____ County, Ohio:

This is to certify that by virtue and under the authority of the Sanitary District Law of Ohio, the Board of Directors of _____ Sanitary District have and do hereby levy the sum of _____ Dollars for the account of the Bond Fund of said District, which assessment bears interest as provided by law and is payable in installments as follows: (Here insert.)

You are further notified that for the account of the Maintenance Fund for the year _____, this Board has levied the sum of _____ Dollars.

The amounts of the levies upon the several parcels of land upon which the same are imposed are set forth upon the schedule hereunto attached, marked _____ Sanitary District Assessment Book. The assessments shall be collectible and payable the present year in the sums therein specified at the same time that the state and county taxes are due and collectible, and you are directed and



ordered to require the Treasurer of _____ County, Ohio, to demand and collect such assessments at the time that the treasurer demands and collects the state and county taxes due on the same lands, and this Sanitary District Assessment Book shall be your authority and the authority of the Treasurer to make such collection.

Witness the signature of the President of the Board of Directors, attested by the seal of said corporation, and the signature of its Secretary, this ____ day of _____, ____

President.

Secretary"