

FREQUENTLY ASKED QUESTIONS

QUESTION: What is the County's Right-of-Way for a tile/open drain?

ANSWER: *There is a 75' Right-of-Way, measured at right angles to the center of ANY tiled drain; and the top edge of each bank of an open drain as determined by the Surveyor. (IC 36-9-27-33)*

QUESTION: Can I plant trees or place a permanent structure on a tile?

ANSWER: *Not without permission. Permanent structures (fences & buildings) may not be placed on any Right-of-Way without documented approval from the Drainage Board. Any unapproved structure(s) placed in the Right-of-Way must be removed by the landowner immediately when requested by the Surveyor. Trees, shrubs or woody species may not be planted in the Right-of-Way without written Board approval. Wooded species may be removed if necessary to maintain proper operation of a drain. (IC 36-9-27-33-d)*

QUESTION: Does my ditch assessment fees pay for work in other ditches?

ANSWER: *Absolutely not! The money stays with the ditch.*

QUESTION: Can I dam up water, pasture livestock or throw debris in the Open?

ANSWER: *No! The person responsible for debris/pasturing animals in the Open shall immediately be required to remove debris/animals and/or repair any damage to said Open. If the landowner does not comply, the Surveyor's Office will contract services for the work and the landowner can be responsible for the payment of said expenses. (IC 36-9-27-46 Sec. 46 a-c)*

QUESTION: I have a beaver dam in my county maintained Open, what do I do?

ANSWER: *Give us a call! We will contact a licensed trapper to remove the beaver. After the beaver have been removed, we will send a contractor to remove the dam. The expense will be paid from the Maintenance fund of said Open.*

QUESTION: Can I tile my private tile into my neighbor's property?

ANSWER: *Only with the landowner's permission. If the neighbor does not allow you to tile onto their property, we can't force them to allow it.*