

**AN ORDINANCE OF THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS
ESTABLISHING POLICIES REGARDING LANDOWNERS PERFORMING WORK
ON DRAINS AND DITCHES**

WHEREAS, the Montgomery County Drainage Board has studied the possibility of landowners performing work on drains and ditches on their property;

AND WHEREAS, the Drainage Board believes that landowners should be afforded the same rights as private contractors to perform work on behalf of the County as long as the landowners meet the same requirements as the private contractors regarding insurance, qualifications and other preconditions;

AND WHEREAS, the Board of Commissioners believes that the policy of allowing landowners to perform work will allow the drainage system to be repaired in a more timely manner, thereby improving the overall drainage in the County.

AND WHEREAS, it is in the best interests of the citizens of Montgomery County to amend Section 33.01 of Chapter 33 of the Montgomery County Code in order to provide for the process by which landowners may perform this work.

IT IS THEREFORE, ORDAINED that Chapter 33 of Title II of the Montgomery County Code is hereby amended to add the following new section:

“Section 33.01(K) Landowners Performing Work.

(1) It shall be the policy of Montgomery County that landowners shall be eligible to perform drainage work on their properties as long as such landowners meet the requirements for such work as established by the Drainage

Board.

(2) The Drainage Board shall by June 30 of each year establish minimum requirements for performing work on behalf of the County. These minimum requirements shall include requirements concerning experience, liability insurance, workers compensation insurance, equipment, and other factors.

(3) The Drainage Board shall by July 15 of each year provide public notice of the requirements and shall accept qualifications until October 1 for work to be performed the following year.

IT IS FURTHER ORDAINED that the effective date of this ordinance shall be _____

March 14 2006.

Adopted this 14 day of March, 2006.

BOARD OF COMMISSIONERS OF
MONTGOMERY COUNTY

Phil Bane
Phil Bane, President

Edward A. Stephens
Edward Stephens, Vice President



William McCormick, Member

Attest:



Jeff Dossett, Auditor