



Special points of interest:

- It is the landowner's responsibility to inquire about local building regulations from all local agencies.
- Always call the Ohio Utility Protection Service at least 48 hours before you dig. Their number is 811.
- If you are unsure of regulations, call your local authorities and ask before you begin any development. It is better to follow the regulations from the beginning than to face legal actions later on.

Lawrence County Zoning/ Building Regulations

April 2012

Do I Need A Permit to Build in Lawrence County?

Currently the unincorporated areas of Lawrence County have no zoning regulations for residential structures, unless you are in a designated special flood hazard area. Any type of development, residential or commercial, in a special flood hazard area requires a flood plain permit prior to the beginning of development. Development includes houses, garages, barns, fences, fill, grading, stream maintenance, etc. For a flood plain determination and to obtain a flood plain permit, contact the County Flood Plain Administrator at the Lawrence Soil and Water Conservation District at 740-867-4737. The permit can also be found online at <http://www.lawcoswm.org/FloodplainPermit.pdf>

All commercial building construction in the cities, villages and unincorporated

areas of Lawrence County must comply with the State of Ohio Building Standards. Contact the Lawrence County Building Department at the Lawrence Soil and Water Conservation District at 740-867-4737. Information can also be found at www.lawcoswm.org and at www.asebrook.com.

As of 2003, any construction that disturbs an acre or more of land is required to obtain an NPDES permit from the Ohio EPA. If this land disturbance is located within the designated urbanized area of Lawrence County, a local earth moving permit is also required. For details about the storm water management program and permits required, contact the Lawrence Soil and Water Conservation District at 740-867-4737 or visit www.lawcoswm.org.

If you are subdividing your property into smaller parcels (5 acres or less), Lawrence County has Subdivision Regulations that must be followed. The Ohio Revised Code also governs the splitting of parcels. Also, if you are creating a subdivision, you must follow the Subdivision Regulations. This applies to the unincorporated areas, city and villages. The Lawrence County Regional Planning Commission, which is administered through the Lawrence Soil and Water Conservation District, can answer any questions you might have. They can be contacted at 740-867-4737.

For development within the incorporated city or villages, you must contact that village or city directly to determine their zoning, building, flood plain, sewer or any other requirements.

Additional Regulations

All construction within the right of way of County highways requires a permit from the Lawrence County Engineer's Office. They can be reached at 740-533-4317 or at www.lawrencecountyengineer.org.

For all construction within the right of way of State highways, contact the Ohio Department

of Transportation at 740-532-1636 or at www.dot.state.oh.us.

For construction within the right of way of Township highways contact your local Township Trustees. A list of Township trustees is available from the Board of Elections or the Lawrence County Engineer's Office.

Installation of sewage disposal systems requires a permit. Contact the Lawrence County Health Department at 740-532-3962 or the Union-Rome Sewer District at 740-867-8700 if you are in Union and Rome Townships.

LAWRENCE SOIL AND WATER CONSERVATION DISTRICT

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We're on the web!
www.lawcoswm.org



The Lawrence Soil and Water Conservation District is an equal opportunity employer and provider.

Responsibility

The information in the document is provided only as a guide to local rules and regulations. No guarantee is made that all requirements are listed. It is the responsibility of the individual to obtain all the necessary permits for the development and contact the appropriate agencies.

Ohio Drainage Laws (A Brief Summary)

Ohio laws governing water drainage are complex. They have been determined by case law, which is constantly evolving. Serious disputes between landowners are often settled in court on a case by case basis. The Ohio Supreme Court uses the reasonable use doctrine which permits broad latitude in the interpretation of individuals rights as they pertain to drainage. The reasonable use doctrine states, "A possessor of land is not unqualifiedly privileged to deal with surface water as he pleases, nor is he absolutely prohibited from interfering with the natural flow of surface waters to the detriment of others. Each possessor is legally privileged to make a reasonable use of his/her land, even though the flow of surface waters is altered thereby and causes some harm to others. He incurs liability only when his harmful interference with the flow of surface water is unreasonable."

The laws are not easily summarized. However, most people who work in the area of drainage or water management would agree that the following principles apply to landowners.

- Landowners are entitled to reasonable use of the water as it flows across their land as long as it is returned to its natural water course. This includes ponding water behind a dam for personal use or making drainage

improvements to protect structures.

- Landowners are generally required to accept that water that flows onto their property in a natural water course, so long as no additional water from another watershed has been added to such flow. Subsurface drainage (clay or tile) that has been installed for more than 21 years is considered a natural water course.
- Landowners are generally obligated to outlet a natural water course onto their downstream neighbor at the same point the water left the property prior to any development of the site. Changing the flow of water (i.e. volume, direction, or velocity) in a manner that causes damage to an upstream or downstream neighbor may result in legal liabilities for damages.
- At this time, there is no government agency which has the authority to issue orders or resolve conflicts over water rights or drainage problems between neighbors. These conflicts are often settled in court. The exception may be the few areas (cities, villages, unincorporated areas) which have drainage or storm water ordinances.

The Lawrence Soil and Water Conservation District can provide assistance to landowners who voluntarily wish to improve drainage on their own property. The District will not mediate conflicts between landowners.

The County petition ditch process provides a mechanism for landowners to cooperate with the Lawrence County Engineer and the County Commissioners to solve drainage problems. The landowners in a watershed then pay for the construction and continued maintenance based on their acres of benefits derived from the drainage improvement. Contact the Lawrence County Engineer's Office at 740-533-4317 for more information.

The information provided here regarding the Ohio Drainage Laws is meant for informational purposes only and is not intended to provide legal interpretation. The help of a qualified attorney may be necessary for one to fully understand how these laws may apply to individual situations.

To view the OSU Extension Bulletin 822, *Ohio Drainage Laws—An Overview*, visit <http://ohioline.osu.edu/b822>.