



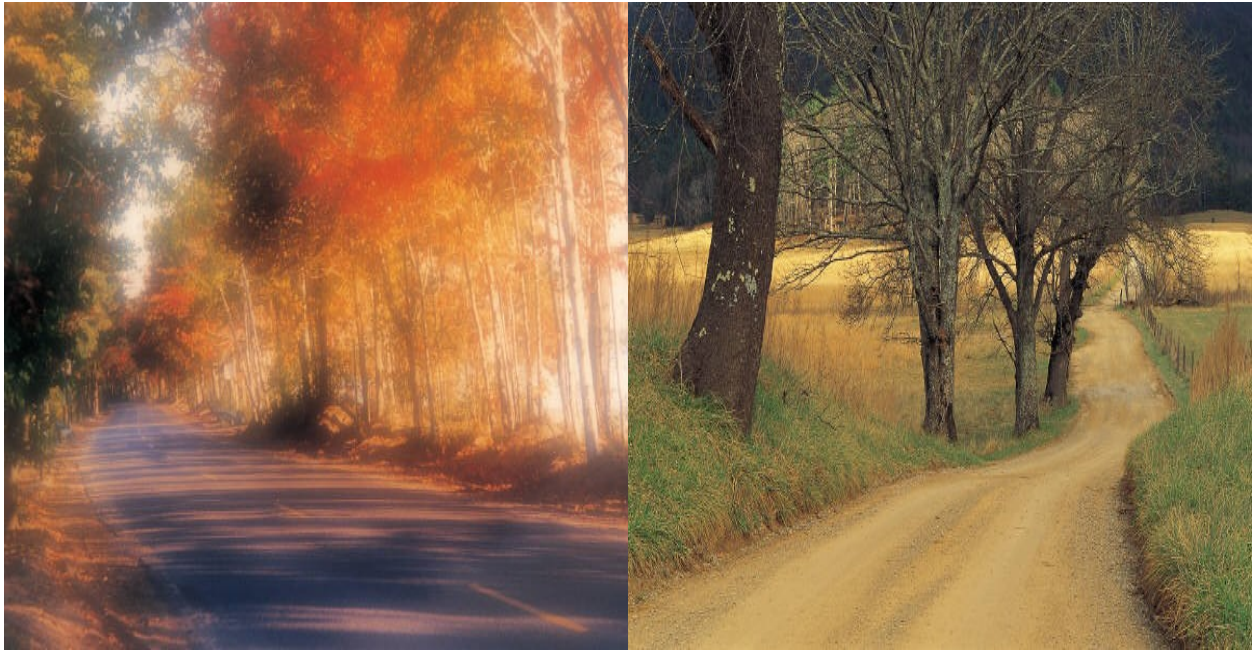
# *Lawrence County Engineer*

## *Patrick D. Leighty, PE, PS*

*Highway Maintenance Garage  
3001 South 6th, Ironton, Ohio 45638*

*Highway Maintenance Garage 740-532-3436  
Engineer's Office 740-533-4317  
[www.lawrencecountyengineer.org](http://www.lawrencecountyengineer.org)*

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# **PROCEDURES AND METHODS FOR ESTABLISHING, ALTERING OR VACATING A PUBLIC ROAD**

**INFORMATION COMPILED FROM OHIO REVISED CODE  
CHAPTER 5553**

### **§ 5553.01 Definition.**

As used in sections 5553.02 to 5553.16, inclusive, of the Revised Code, "improvement" means any location, establishment, alteration, widening, straightening, vacation, or change in the direction of a public road, or part thereof, as determined upon by a board of county commissioners or joint board of county commissioners by resolution.

**HISTORY: Bureau of Code Revision, 10-1-53; 131 v 1289. Eff 1-1-66.**

### **§ 5553.02 Authority to locate, alter, or vacate roads.**

The board of county commissioners may locate, establish, alter, widen, straighten, vacate, or change the direction of roads as provided in sections 5553.03 to 5553.16 of the Revised Code. This power extends to all roads within the county, except that as to roads on the state highway system the approval of the director of transportation shall be had. However, no public road shall be located or established, by the board of county commissioners, unless the location or establishment begins on a public road and terminates on a public road, or begins on a public road and services a public park, a state supported educational institution, public school, public aviation area, or a public recreation rear, or begins on a public road and services at least three private residences or business in the first five hundred feet and one private residence or business in each two hundred feet thereafter.

**HISTORY: GC § 6860; 106 v 574; 112 v 207; 112 v 430; Bureau of Code Revision, 10-1-53; 130 v 1285 (Eff 9-27-63); 131 v 1290 (Eff 7-13-65); 131 v 1290 (Eff 1-1-66); 133 v H 485 (Eff 10-2-69); 135 v H 200. Eff 9-28-73.**

GC §§ 6860, 6862, 6864 and 6869 were amended in 112 v 207, which was passed April 21, 1927, was approved May 3, and was filed with secretary of state May 4; and also in 112 v 430, which was passed April 21, 1927, was approved May 10, and filed with secretary of state May 24. See 1931 OAG No. 2909 holding that HB No. 67 (112 v 430) is "now in force and effect." Analogous to P&A §§ 6915 and 6924.

### **§ 5553.03 Width of county roads.**

(A) Except as provided in division (B) of this section, all public roads located and established by the board of county commissioners subsequent to September 6, 1915, shall be of such width, not less than thirty feet, as is determined by the board. If a public road is established upon a county or state line, the board may determine the width of the strip of land in the county to be used for such purposes, but such width shall not be less than fifteen feet.

(B) The board of county commissioners may locate and establish public roads that are less than thirty but not less than twenty feet in width, when all of the following conditions are met:

(1) The roads have been in continuous existence and use as private roads since at least 1952, and are located in land platted as a subdivision outside of the limits of a municipal corporation;

(2) It is proved to the satisfaction of the board that the acquisition of additional land necessary to meet the width otherwise applying under division (A) of this section will involve or result in damage to structures or dwellings adjacent to the roads;

(3) The county engineer submits to the board a detailed report on the kinds and amount of traffic using the roads, and showing that the lesser width is adequate to serve anticipated traffic volumes without endangering persons using the roads.

**HISTORY: GC § 6861; 106 v 574, § 2; 112 v 430 (484), § 89; Bureau of Code Revision, 10-1-53; 141 v H 221. Eff 2-24-86.**

**Analogous to P&A §§ 6829, 6860.**



#### **§ 5553.04 Procedure for establishing, altering, or vacating road; petition.**

When the board of county commissioners is of the opinion that it will be for the public convenience or welfare to locate, establish, alter, widen, straighten, vacate, or change the direction of a public road, it shall so declare by resolution, which resolution shall set forth the general route and termini of the road, or part thereof, to be located, established, or vacated, or the general manner in which such road is to be altered, widened, straightened, or the direction thereof changed.

When a petition, signed by at least twelve freeholders of the county residing in the vicinity of the proposed improvement, or signed by the owner of the right to mine coal lying under or adjacent to the proposed improvement, is presented to the board requesting the board to locate, establish, alter, widen, straighten, vacate, or change the direction of a public road, such board shall view the location of the proposed improvement, and, if it is of the opinion that it will be for the public convenience or welfare to make such improvement, it may proceed to make such improvement as provided in sections 5553.04 to 5553.16, inclusive, of the Revised Code. Such petition shall set forth the general route and termini of the road, or part thereof, to be located, established or vacated, or the general manner in which such road is to be altered, widened, straightened, or the direction thereof changed. When the board declares by resolution its intention to proceed with the improvement, it may also provide in such resolution for the establishment of an appropriate detour route or for the temporary closing of the road to be improved. When the petition presented to the board for a proposed improvement as provided in this section, is a petition signed by the owner of the right to mine coal lying under or adjacent to the proposed improvement, such petitioner shall pay the costs and expenses incurred by such board in connection with the proceedings initiated by such petition, and the costs and expenses of making such improvement including compensation and damages, and including the cost of relocation of any conduits, cables, wires, towers, poles, or other equipment or appliances of any public utility, located on, over, or under the portion of the road affected by such improvement, and, on demand by the board, shall give bond to the satisfaction of the board in such amount as the board determines, to secure the payment of all such costs and expenses.

**HISTORY: GC § 6862; 106 v 574, § 3; 107 v 69; 112 v 207; 112 v 430 (484); Bureau of Code Revision, 10-1-53; 128 v 402 (Eff 11-4-59); 129 v 582 (947) (Eff 1-10-61); 131 v 1290. Eff 1-1-66.**

**Analogous to P&A § 6915. For former analogous statutes in P&A on the subject of the petition of property owners for the improvement of a road, see P&A §§ 6830, 6831, 6864, 6899, 6903 et seq, 6915 et seq, 6926 et seq, 6956-2 et seq, 6958 et seq, 6976 et seq, 7038 et seq, 7188 et seq, 7232 et seq, 7311, 7325 et seq, 7388 et seq, 7412 and 7470. P&A § 6862 was repealed in 106 v 574 (664), § 305. See history to RC § 5553.02.**

#### **[§ 5553.04.1] § 5553.041 Petition by director of transportation for vacation of public road.**

When in the construction or improvement of a state highway, in the opinion of the director of transportation, it is in the public interest to vacate or close a public highway or any portion thereof under the jurisdiction of the county commissioners, said director may petition the county commissioners to vacate or close such highway in the same manner the freeholders may petition under sections 5553.04 to 5553.11 of the Revised Code.

The county commissioners shall act upon said petition within thirty days and in the event they refuse to vacate or close said highways as requested shall show such action by a proper resolution. The director or an owner of property abutting on the portion of the highway to be vacated or closed may within thirty days appeal to the court of common pleas of the county in which such highway is located upon the reasonableness of the action of the commissioners and the court may affirm or revoke the action of the commissioners and may direct the commissioners to proceed with said vacation or closing as petitioned for. At said hearing before said common pleas court evidence may be introduced for or against the reasonableness and necessity for said requested vacation or closing. The decision of the common pleas court may be appealed to the court of appeals and the supreme court as in other cases.

When the vacation or closing is approved in accordance with the above procedure, the compensation and damages, if any, due any property owners abutting the portion of the highway to be vacated or closed shall be paid by the director as part of the costs of acquiring the right-of-way for the state highway improvement and pursuant to procedures provided by law relating to the director. Such payment by the director shall be in lieu of any payment required to be paid by the county under sections 5553.10 and 5553.11 of the Revised Code.

**HISTORY: 128 v 446 (Eff 10-1-59); 131 v 1291 (Eff 1-1-66); 132 v S 72 (Eff 8-16-67); 133 v H 1 (Eff 3-18-69); 135 v H 200. Eff 9-28-73.**



**[§ 5553.04.2] § 5553.042 Abandoned township roads.**

A township shall lose all rights in and to any public road, highway, street, or alley which has been abandoned and not used for a period of twenty-one years, after formal proceedings for vacation as provided in sections 5553.04 to 5553.11 of the Revised Code have been taken; and upon petition for vacation of such road, highway, street, or alley filed with the board of county commissioners by any abutting landowner, if the board finds that said public road, highway, street, or alley has been abandoned and not used for a period of twenty-one years as alleged in such petition, the board of county commissioners may, by resolution, order the road, highway, street, or alley vacated and such road, highway, street, or alley shall pass, in fee, to the abutting landowners thereof, as provided by law, subject to the preservation of any existing right of way in, over, or under such roadway by any public utility or rural electric co-operative service facilities, including any conduit, cable, wires, towers, poles, or other equipment or appliances of any public utility or rural electric co-operative located on, over, or under such roadway and for such period of time as such public utility or rural electric co-operative service facilities continue to be used to render service to the public and also subject to the right of ingress and egress for the purpose of servicing and maintaining the same, and subject to the preservation of a right of way for public nonmotorized vehicular recreational use as provided under section 5553.044 [5553.04.4] of the Revised Code.

**HISTORY: 129 v 289 (Eff 8-24-61); 130 v 1285 (Eff 8-19-63); 134 v H 714 (Eff 12-3-71); 134 v S 247. Eff 10-20-72.**

**[§ 5553.04.3] § 5553.043 Permanent easement to public utility in vacated road.**

When any street, highway, or road, or a portion thereof, is vacated pursuant to the provisions of any section of Chapters 5553. or 5571. of the Revised Code, and the relocation of any conduits, cables, wires, towers, poles, sewer lines, steam lines, pipelines, gas and water lines, tracks, or other equipment or appliances of any railroad or public utility, whether owned privately or by any governmental authority, located on, over, or under the portion of the street, highway, or road affected by any such vacation, is not required for purposes of the vacating authority, any affected railroad or public utility company shall be deemed to have a permanent easement in such vacated portion of such street, highway, or road for the purpose of maintaining, operating, renewing, reconstructing, and removing said utility facilities and for purpose of access to said facilities. Nothing in this section shall be construed to relieve an owner of the right to mine coal who petitions for a proposed improvement from the obligation to pay the relocation costs and expenses of public utility facilities as provided in Chapter 5553. or 5571. of the Revised Code.

**HISTORY: 129 v 452. Eff 10-16-61.**

**[§ 5553.04.4] § 5553.044 Trail rights-of-way.**

In any proceeding on a petition or resolution to vacate a road which begins on a public road and ends on a public road, the board of county commissioners may determine the suitability of the road for public nonmotorized vehicular recreational use. Such uses include, but are not limited to, hiking, bicycling, horseback riding, and ski touring. They do not include use by motorcycles, snowmobiles, all purpose vehicles, or any other form of motorized vehicle. If the board finds that such uses will not unreasonably interfere with current land uses along the road, it may vacate the road subject to the preservation of a public right of way at least thirty feet wide within such roadway for such uses.

**HISTORY: 134 v S 247. Eff 10-20-72.**



**§ 5553.05 Improvements, notice of view and final hearing; vacation, notice of hearing.**

(A) In the resolution required by section 5553.04 of the Revised Code, the board of county commissioners shall fix a date when it will view the proposed improvement, and also a date for a final hearing thereon.

The board shall give notice of the time and place for both such review and hearing by publication once a week for two consecutive weeks in a newspaper published and having general circulation in the county where such improvement is located, but if there is no such newspaper published in said county, then in a newspaper having general circulation in said county. Such notice, in addition to the date and place of such view and place and time of the final hearing, shall state briefly the character of such improvement.

(B) If the board adopts a resolution to vacate a public road as provided in section 5553.04 of the Revised Code, or if a petition to vacate a public road is filed, the board shall, in addition to the notice of the time and place for hearing prescribed in division (A) of this section, send written notice of the hearing by first class mail at least twenty days before the date of the public hearing to owners of property abutting upon that portion of the road to be vacated, and to the director of natural resources. Such notice shall be mailed to the addresses of such owners appearing on the county auditor's current tax list or the treasurer's mailing list, and such other list or lists that may be specified by the board. The failure of the delivery of such notice does not invalidate any such vacating of the road authorized in the resolution.

**HISTORY:** GC §§ 6863, 6864; 106 v 574, §§ 4, 5; 112 v 207; 112 v 430 (484); Bureau of Code Revision, 10-1-53; 133 v H 28 (Eff 7-25-69); 134 v S 247. Eff 10-20-72.

**Analogous to P&A §§ 6861, 6865, 6866. P&A §§ 6863, 6864 repealed 106 v 574 (664), § 305. See history to RC § 5553.02.**

**§ 5553.06 Plat and survey; report of county engineer.**

If the board of county commissioners, after viewing the proposed improvement, considers such improvement of sufficient public importance, it shall instruct the county engineer to make an accurate survey and plat of such improvement and furnish an accurate and detailed description describing therein the center line and right of way lines. The engineer shall also furnish an accurate and detailed description of each tract of land which he believes it is necessary to take in the event such improvement is made, together with the name of each owner. The engineer shall, at the time of making such survey, set stakes at the termini of each right of way line, at all angles between such termini, and at sufficient other points on the right of way lines so that the bounds of such improvement are discernible to property owners and other interested persons. The engineer shall make a report in writing to the board on or before the date fixed for the final hearing. Such report shall set forth the opinion of the engineer for or against such improvement. In case it is proposed to locate or establish a road, such report shall state the width to which the improvement shall be opened, shall be accompanied by said plat and detailed and accurate descriptions, and shall be filed with the board.

**HISTORY:** GC § 6865; 106 v 574, § 6; 107 v 69; 112 v 430 (485), § 89; Bureau of Code Revision. Eff 10-1-53.

**Analogous to P&A §§ 6867-6871, 6874, 6878, 6879. P&A § 6865 repealed 106 v 574 (664), § 305.**

**§ 5553.07 Report of engineer read at final hearing; testimony; resolution to proceed.**

The board of county commissioners shall at the date of the final hearing on the proposed improvement read the report of the county engineer, and it shall hear any testimony bearing upon the necessity of the improvement for the public convenience or welfare and offered either for or against proceeding with the improvement by any interested persons.

If the board finds such improvement will serve the public convenience and welfare, it shall by resolution enter such finding on its journal and determine to proceed with the improvement. If it finds such improvement will not serve the public convenience and welfare, it shall refuse to proceed with the improvement.

**HISTORY:** GC § 6866; 106 v 574, § 7; 107 v 69; 112 v 430 (485), § 89; Bureau of Code Revision. Eff 10-1-53.

**Analogous to P&A § 6880. P&A § 6866 repealed 106 v 574 (664), § 305.**



### **§ 5553.08 Determination to proceed with improvement after modification of plan.**

The board of county commissioners, acting in accordance with sections 5553.04 to 5553.07, inclusive, of the Revised Code, may determine to proceed with the proposed improvement with such modifications and changes in the route and termini as in its judgment the public convenience and welfare require. In making such modifications or changes, the board shall cause an accurate and detailed description thereof to be entered on its journal.

**HISTORY: GC § 6867; 106 v 574, § 8; 112 v 430 (485), § 89; Bureau of Code Revision, 10-1-53; 129 v 582 (948). Eff 1-10-61.**

**P&A § 6867 repealed 106 v 574 (664), § 305.**

### **§ 5553.09 Payment of compensation and damages.**

If the board of county commissioners is of the opinion that the proposed improvement is of sufficient importance to the public to cause the compensation and damages on account thereof to be paid to the persons entitled thereto out of the county treasury, it may so order. If the board is of the opinion that such improvement is not of sufficient importance to cause the compensation and damages to be paid from the treasury, it may determine to proceed with the improvement only upon the condition that the compensation and damages, or such part thereof as it deems reasonable and just, be paid by the landowners of lands within the vicinity who will be benefited by the improvement, and the balance shall be paid out of the treasury. In such event the board shall include in its order a schedule setting forth the names of such landowners, a pertinent description of such lands, and a statement of the amount of compensation and damages to be paid by the owner of each parcel of such lands. When a portion of the compensation and damages is ordered to be paid by the landowners who will be benefited by the improvement, the board may abandon the improvement on the failure of such benefited landowners to pay the compensation and damages adjudged against them by the time fixed therefor.

**HISTORY: GC § 6868; 106 v 574, § 9; 112 v 430 (486), § 89; Bureau of Code Revision. Eff 10-1-53.**

**Analogous to P&A §§ 6862, 6863, 6883 and 6885. P&A § 6868 repealed 106 v 574 (664), § 305.**

### **§ 5553.10 Record of proceedings; board shall make improvements and furnish map of trail rights-of-way; unopened road shall be vacated.**

When, on the final hearing on the proposed improvement, the board of county commissioners finds in favor of such improvement, and determines to proceed therewith, it shall cause a record of the proceedings, including the survey, plat, and accurate and detailed description of such improvement, to be entered forthwith in the proper road records of the county by the county engineer.

If the proceeding is for the location or establishment of a road, the board shall open up the road as established and such road shall be a public road, and shall be kept open, maintained, and improved as provided by law. If the proceeding is for the vacation of a road, the board shall order the road vacated and it shall cease to be a public road. The board shall furnish the director of natural resources with a full and accurate description or map of any right of way retained for public nonmotorized vehicular recreational use. If the proceeding is for the alteration, widening, straightening, or change in the direction of a road, the board shall make the necessary order to accomplish such purpose. Any part of the road made unnecessary by any change or alteration shall be ordered vacated.

No road shall be opened or property taken until all compensation and damages allowed are paid, or the amount thereof, as allowed in accordance with sections 163.01 to 163.22, inclusive, of the Revised Code.

A road, or part thereof, which remains unopened for seven years after the order establishing it was made or authority granted for opening it shall be vacated, and the right to build it pursuant to the establishment in the original proceedings therefor shall be barred.

**HISTORY: GC § 6869; 106 v 574, § 10; 107 v 69; 112 v 207; 112 v 430 (486); Bureau of Code Revision, 10-1-53; 131 v 1292 (Eff 1-1-66); 134 v S 247. Eff 10-20-72.**

**Analogous to P&A § 6881. P&A § 6869 repealed 106 v 574 (664), § 305. See history to RC § 5553.02.**



#### **§ 5553.14 View and hearing by joint board; resolution.**

If the joint board of county commissioners is of the opinion that it is for the public convenience or welfare to make the proposed improvement, it shall declare the necessity therefor by resolution at the meeting provided for in section 5553.13 of the Revised Code. Such resolution shall set forth generally the route and termini of the road, or part thereof, to be located, established, or vacated, or the general manner in which such road is to be altered, widened, straightened, or the direction thereof changed. Such resolution shall fix a date when the joint board will view the proposed improvement and the date of the final hearing thereon. The joint board shall give notice of the time and place for both such view and hearing by publication in each county interested in like manner as though such project were a single county improvement. The joint board shall appoint the county engineer of one of the interested counties to act in the matter. Such proceedings shall be conducted thereafter by the joint board as though the proceedings were before a single board as provided in sections 5553.04 to 5553.11, inclusive, of the Revised Code. A portion of a road upon a county line may be located wholly within one county when it is necessary to avoid some place on the county line where the construction thereof would be unusually expensive or difficult.

**HISTORY:** GC § 6875; 106 v 574, § 16; 112 v 430 (587), § 89; Bureau of Code Revision, 10-1-53; 131 v 1293. Eff 1-1-66.

**Analogous to P&A §§ 6899, 6900. P&A § 6875 repealed 106 v 574 (664), § 305.**

#### **§ 5553.23 Petition by landowner to relocate road; unimproved public roads; change in trail location.**

If a person through whose land a public road has been established, which is under the jurisdiction of the board of county commissioners, desires to turn or change or relocate such road or any part thereof through any part of his land, he may file a petition with the board of county commissioners setting forth briefly the particular change he desires. Upon the receipt of such petition, the board shall give notice by publication once not later than two weeks prior to the date for the hearing on such petition in some newspaper published and of general circulation in said county, but if there is no such newspaper published in said county, then in a newspaper having general circulation in said county, stating that such petition has been filed and setting forth the change desired in such road and the date and place for the hearing on said petition. If a public road was once established for public convenience through private lands, but has not been improved by public funds and for more than twenty-one years has not been used, the owner of such land may petition the board to vacate the road in accordance with proceedings under sections 5553.04 to 5553.11 of the Revised Code.

A person through whose land a trail right of way has been preserved under section 5553.044 [5553.04.4] of the Revised Code may file a petition to turn or change the route of the trail right of way in the manner provided in this section, and such petition shall be acted upon in the manner set forth in sections 5553.23 to 5553.31 of the Revised Code. Notice of the hearing in such case shall also be made by first class mail to the director of natural resources. If the board turns or changes the route of the trail right of way, it shall furnish the director with a full and accurate description or map of the change.

**HISTORY:** GC § 6880; 106 v 574, § 25; Bureau of Code Revision, 10-1-53; 126 v 598 (Eff 8-1-55); 134 v S 247. Eff 10-20-72.

**Analogous to P&A § 6895. P&A § 6880 repealed 106 v 574 (664), § 305.**

#### **§ 5553.24 Survey and report of county engineer on desired change in road.**

Upon the receipt of the petition provided for in section 5553.23 of the Revised Code, the board of county commissioners shall order the county engineer to make a survey of the ground over which the road is proposed to be changed and to make a report in writing, together with a plat and survey of the proposed change and his opinion as to its advantage or disadvantage. The report of such engineer shall be filed with the board prior to the hearing on such petition.

**HISTORY:** GC § 6881; 106 v 574, § 26; Bureau of Code Revision. Eff 10-1-53.

**Analogous to P&A § 6896. P&A § 6881 repealed 106 v 574 (664), § 305.**



**§ 5553.25 Hearing upon petition to change road; finding of board.**

At the hearing had upon the petition provided for in section 5553.23 of the Revised Code, the board of county commissioners may hear evidence for or against changing the road, and if it is satisfied that the proposed change will not cause serious injury or disadvantage to the public, it may make a finding of such fact in its journal and authorize the petitioner to change such road in conformity with the prayer of the petition. The board may grant the change as prayed for in the petition, or it may order such change of the route of such road as will, in its judgment, be for the best interest of the public.

**HISTORY: GC § 6882; 106 v 574, § 27; Bureau of Code Revision. Eff 10-1-53.**

**Analogous to P&A § 6897. P&A § 6882 repealed 106 v 574 (664), § 305.**

**§ 5553.26 Petitioner shall pay cost of changing road and conduits; bond.**

Upon receiving satisfactory evidence that the road has been changed as authorized by it under section 5553.25 of the Revised Code, and opened to the legal width and improved as required by it, the board of county commissioners shall declare such new road a public highway and cause a record thereof to be made and at the same time vacate so much of the old road as is rendered unnecessary by the new road. The person petitioning for such change shall in all cases pay all costs and expenses in connection with the proceedings, as found and determined by the board, and the expense of making such change including the cost of relocation of any conduits, cables, wires, towers, poles or other equipment or appliances of any public utility, located on, over or under such road. The petitioner shall, on the filing of the petition for such change, give bond to the satisfaction of the board in such amount as it determines to secure payment of the costs of the proceeding and to cover the expense of making the change called for by the proposed improvement.

**HISTORY: GC § 6883; 106 v 574, § 28; Bureau of Code Revision, 10-1-53; 126 v 598. Eff 8-1-55.**

**Analogous to P&A § 6897. P&A § 6883 repealed 106 v 574 (664), § 305.**

**§ 5553.28 Majority vote of joint board required.**

In all hearings before a joint board of county commissioners under sections 5553.01 to 5553.27, inclusive, of the Revised Code, a majority vote of the board of each county shall be necessary to establish any improvement.

**HISTORY: GC § 6884; 106 v 574, § 30; Bureau of Code Revision. Eff 10-1-53.**

**P&A § 6884 repealed 106 v 574 (664), § 305.**

**§ 5553.31 Dedication of land for road purposes; proceedings.**

Any person may, with the approval of the board of county commissioners, dedicate lands for road purposes. A definite description of the lands to be dedicated with a plat of such lands thereto attached and signed by the party dedicating such lands, with the approval and acceptance of the board indorsed thereon, shall be placed upon the proper road records of the county in which such road is situated. The board shall not approve and accept the dedication of any land for road purposes until any lien attached to such land under division (A) of section 505.82 of the Revised Code is satisfied. If the lands so dedicated contemplate a change in an existing road, the same proceedings shall be had thereon, after the board by proper resolution approves and accepts the lands for such purpose, as are provided in cases where the board by unanimous vote declares its intention to locate, establish, widen, straighten, vacate, or change the direction of a road without a petition therefor, but otherwise the proposal to dedicate lands for road purposes, together with the acceptance of the grant by the board, constitutes the lands so dedicated a public road without any further proceedings thereon.

**HISTORY: GC § 6886; 106 v 574, § 33; Bureau of Code Revision, 10-1-53; 137 v H 1099. Eff 9-26-78.**

**Analogous to P&A § 7466. P&A § 6886 repealed 106 v 574 (664), § 305.**



# Procedure for Establishing, Vacating or Altering a Public Road in Lawrence County Checklist

	Date	Task
<input type="checkbox"/>		Petition Filed with County Commissioners
<input type="checkbox"/>		Petition Received from County Commissioners
<input type="checkbox"/>		Ohio Revised Code: 5553.02 - Road must begin and end on a public road or have three (3) residents in the first 500 feet and one (1) in each 200 feet thereafter.
<input type="checkbox"/>		Ohio Revised Code: 5553.04 - Petition signed by 12 property owners
<input type="checkbox"/>		Letter to Commissioners that Roadway complies with ORC 5553.02 and 5553.04
<input type="checkbox"/>		Letter to Trustee that Roadway complies with ORC 5553.02 and 5553.04
<input type="checkbox"/>		Copy Petitioner on Correspondence to Commissioners and Township
<input type="checkbox"/>		Ohio Revised Code: 5553.04 / 5553.05 / 5553.05 - Preliminary Resolution of Intent from County Commissioners stating / Termini of Road/ Date of Viewing / Date of Final Hearing / Cost of Right of Way to be born by property owners
<input type="checkbox"/>		Correspondence from Township of their approval to take road into Township System and any minimum specifications that they may have adopted.
<input type="checkbox"/>		Ohio Revised Code: 5553.05 - Commissioners Advertise Twice and Mail Notices to Adjacent Property Owners regarding viewing
<input type="checkbox"/>		Ohio Revised Code: 5553.06 - Commissioners / Engineer/ Trustees / Viewing of Roadway
<input type="checkbox"/>		Ohio Revised Code: 5553.06 - Commissioners Direct Engineer to Survey and Draw Plat, write easements and prepare report.
<input type="checkbox"/>		Engineer Research Property Records for Field Reconnaissance
<input type="checkbox"/>		Engineer perform field reconnaissance
<input type="checkbox"/>		Engineer perform centerline and boundary survey
<input type="checkbox"/>		Engineer write easements - Ohio Revised Code 5553.0 - Right of Way must be a minimum of 30 feet in width or greater as necessary
<input type="checkbox"/>		Engineer prepare report of survey, roadway condition and recommendation for or against petition.
<input type="checkbox"/>		Ohio Revised Code: 5553.07 / 5553.09 - Commissioners hold Final Hearing / Read Engineer's Report / Pass Final Resolution / Direct owners to bear costs of right of way.
<input type="checkbox"/>		Ohio Revised Code: 5553.10 - Sign Easements / Record Easements / Enter Survey Plat into Road Record
<input type="checkbox"/>		Engineer mails easements to affect property owners or Petitioner Representative to obtain signatures
<input type="checkbox"/>		All Easements returned signed by property owner
<input type="checkbox"/>		All Easements Recorded and entered into Road Record
<input type="checkbox"/>		Submit survey to County GIS
<input type="checkbox"/>		Submit survey to County 911
<input type="checkbox"/>		Submit survey to County Addressing
<input type="checkbox"/>		Submit Letter to affected Post Office
<input type="checkbox"/>		Submit Letter to affect School District
<input type="checkbox"/>		Submit Letter to ODOT of additional highway mileage for County / Township Mileage
<input type="checkbox"/>		Letter to Township that Roadway is ready for Public maintenance
<input type="checkbox"/>		Ohio Revised Code: 5553.10 - Proceed to Open and Maintain or Vacate Road. (Must be opened within 7 years after original Order)



# Petition

We the undersigned petitioners, free holders of said County of Lawrence, residing in the vicinity of the road described below, recognizing that public convenience and welfare would be greatly enhanced, hereby petition the Board of Lawrence County Commissioners and the Lawrence County Engineer to: **(What you would like to accomplish to your road):** \_\_\_\_\_

(Name of Your Road) \_\_\_\_\_  
(What Township the road is in) \_\_\_\_\_

We the undersigned petitioners understand that the minimum right of way width of the road is 30 feet wide (15 feet each side of the centerline) in accordance with O.R.C.– 5553.03

<u>NAME</u>	<u>ADDRESS</u>	<u>DATE</u>

**NOTE: PLEASE** fill out the information before submitting the petition to the Board of County Commissioners.  
**Name and address of contact person circulating this petition:**  
\_\_\_\_\_  
\_\_\_\_\_