§ 15-1903. General provisions and definitions.

The following words and phrases used in this title 19, when not otherwise specified, are defined or indicate procedure, as follows:

1. Filing. Wherever it is required that copies of maps and documents be filed, certified copies thereof shall be filed in the offices of the clerks of each county, town, city or incorporated village, any part of which is included in the district or proposed district.

2. Recorded. Whenever it is required that any document be recorded, the department shall send a certified copy thereof to the clerk of each county, any part of which is included in the district or proposed district, and it shall be the duty of such clerk thereupon to record such document and to collect the legal fees therefor.

3. Costs. Whenever it is practicable so to do, the department shall include in the cost of any surveys, maps, estimates, determinations of enhancements, apportionments of cost or assessments made, or construction, maintenance or repair work carried out, the cost of all proceedings, hearings, notifications, filings, recordings, engineering, legal and other services and expenses which may lawfully be incurred, including the cost of acquisition of lands and rights of way, suits and prosecutions.

4. Notice. Unless otherwise specified, notice of a hearing, contemplated act or of an act performed shall be given as provided in section 15-0903.

5. Assessment. As used in title 19 of this article the term assessment shall mean the whole or any appropriate part of the procedure by which the cost of any proceeding or construction project is made a legal charge on certain properties. It may include the determination of enhancements and apportionment of construction and other costs. It includes similar proceedings once specified in earlier forms of title 19 of this article, or in former or other general and special laws with regard to drainage.

6. Initiation of proceedings. It is the intent of title 19 of this article that petition may be made to the department to make any survey or investigation or do any work that may fall under the purposes of title 19 of this article notwithstanding the special provisions hereof and that, if it is advisable or advantageous so to do, more than one procedure may be carried on at the same time or may be followed out with respect to a part rather than the whole of the district. Should such petition not fully conform as to subject matter with the following sections, the department is empowered nevertheless to give the relief desired by following the specified procedure as nearly as may be and to assess the cost of such investigations or work on the properties surveyed, investigated, appraised, included in an apportionment or improved in such manner as may be found most equitable and to conform most nearly with the specific provisions of title 19 of this article. Any procedure under this title 19 which may be initiated by petition may also be initiated by the department on its own motion. In such case the department shall adopt an initiating resolution which shall have the same force and effect as a petition.

7. Served by. A parcel of land is served by any ditch or structure useful for the drainage thereof. Thus any ditch which actually drains the parcel or which intercepts and carries away water which otherwise would reach the parcel, or any ditches which carry water collected by such drainage or intercepting ditches serve such parcel.