§ 15-1943. Minor repairs in drainage districts.

1. Application for the repair, enlargement or cleaning out of any ditch originally constructed or repaired by assessment under the provisions of title 19 of this article, or any former general or special drainage laws, if within a drainage improvement district and if the total cost thereof shall not exceed two per cent of the total of the drainage enhancements of all parcels served by such ditch, may be made by any three or more persons liable to be assessed therefor. Such application shall be made by written petition, verified by at least one of the signers thereof, setting forth the work desired, the estimated cost thereof and the need therefor.

2. On receipt of such petition the department shall cause an examination to be made of such ditch or ditches, an estimate of the cost of such repairs and improvements and a special apportionment of the cost thereof to be prepared, and shall file a statement of these matters. Thereafter, after due notice, the department shall hear all interested parties with regard thereto. The filing of written objections shall not be required. If after the hearing the department shall determine that the work can be done under this section, is necessary and is desired by the owners of the lands involved, it may proceed to make such repairs or enlargements. The cost of such repairs and expenses of the hearing and examination generally shall be apportioned upon the properties served by the work in accordance with the general or a previous special apportionment of the cost of such ditch or part of a ditch.

3. If the department shall find that changes should be made in the apportionment, or, for any other reason, that the work should not be done under the provisions of this section, it may so specify in its order, giving its reasons therefor, and return the case to the applicants for further petition. Money to pay for such work shall be raised pursuant to the Local Finance Law and as elsewhere herein provided. The whole cost of such work shall be collected within not to exceed three years from the date of completion of the project as may be determined by the department.