



THE ILLINOIS DRAINAGE CODE – ACCESSING AND USING THE STATUTE

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Synopsis: This article provides an overview of the Illinois Drainage Code (part of the Illinois Compiled Statutes) and provides a link for accessing the online version of the Illinois Drainage Code from the Illinois General Assembly Website. The article also references a more comprehensive discussion of Illinois drainage law and provides guidance in locating this more comprehensive publication.

I. What is the Illinois Drainage Code?

The Illinois Drainage Code is the principal Illinois statute addressing drainage rights and responsibilities in Illinois. It is available from the Website of the Illinois General Assembly. The citation to the Illinois Drainage Code is 70 ILCS 605.

The Illinois Drainage Code is one important component of the law of drainage applicable in Illinois. ***For a broader discussion of drainage law, including discussion of important court decisions involving drainage law,*** see Circular 1355, ILLINOIS DRAINAGE LAW by D. L. Uchtmann and Bernard Gehris (1997). This circular is available on the Internet. To access this circular, search the *farmdoc* website (<http://www.farmdoc.uiuc.edu/>) using the words “Illinois Drainage Law.”

The Illinois Drainage Code is divided into the following Articles:

Article I - General Provisions

Article II - Rights Of Drainage--Private And Mutual Drains

Article III - Organization Of Drainage Districts

Article IV - Commissioners And Other Officers--Selection, Qualifications, Powers And Duties

Article V - Levy And Collection Of Assessments

Article VI - Letting Contracts, Indebtedness, Borrowing And Handling Funds

Article VII - Subdistricts And Minor Subdistricts

Article VIII - Annexation And Detachment Of Lands

Article IX - Consolidation Of Districts, Subdistricts And Minor Subdistricts

Article X - Abandonment Of Work, Dissolution Of Districts, Subdistricts And Minor Subdistricts

Article XI - Claims Against And Contracts With Other Districts And Municipal Corporations Exercising Drainage Powers

Article XII - Miscellaneous Provisions--Penalties

Most of the Illinois Drainage Code deals with Drainage Districts, although the “law of natural drainage” is codified in Article II of the Drainage Code. For a more helpful discussion of the meaning of the “law of natural drainage,” see Circular 1355 described above.



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II. How can one access the Illinois Drainage Code?

Drainage District Commissioners and others who want to review the Code can do so using the Website of the Illinois General Assembly. Remember the citation (70 ILCS 605) and then click here (http://www.farmdoc.uiuc.edu/legal/articles/HTML/ilgov_links.html).

For guidance in accessing other Illinois statutes and Public Acts, see Uchtmann and Garwood, A FARMDOC USERS' GUIDE FOR ACCESSING LEGISLATIVE INFORMATION FROM THE ILLINOIS GENERAL ASSEMBLY WEBSITE (http://www.farmdoc.uiuc.edu/legal/articles/ALTBS/ALTB_05-03/ALTB_05-03.pdf).

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