103E.341

103E.341 DRAINAGE AUTHORITY FINAL ORDER.

1

Subdivision 1. **Dismissal of proceedings.** The drainage authority must dismiss the proceedings and petition, by order, if it determines that:

- (1) the benefits of the proposed drainage project are less than the total cost, including damages awarded;
- (2) the proposed drainage project will not be of public benefit and utility; or
- (3) the proposed drainage project is not practicable after considering the environmental, land use, and multipurpose water management criteria in section 103E.015, subdivision 1.
- Subd. 2. **Establishing proposed drainage project.** (a) The drainage authority shall establish, by order, a proposed drainage project if it determines that:
- (1) the detailed survey report and viewers' report have been made and other proceedings have been completed under this chapter;
 - (2) the reports made or amended are complete and correct;
 - (3) the damages and benefits have been properly determined;
 - (4) the estimated benefits are greater than the total estimated cost, including damages;
- (5) the proposed drainage project will be of public utility and benefit, and will promote the public health; and
 - (6) the proposed drainage project is practicable.
- (b) The order must contain the drainage authority's findings, adopt and confirm the viewers' report as made or amended, and establish the proposed drainage project as reported and amended.

History: 1990 c 391 art 5 s 57; 2014 c 164 s 13