

## CHAPTER 6

**CANALS AND WATERCOURSES**

## SECTION:

- 7-6-1: Owner's Name Filed
- 7-6-2: Cleaning and Repair
- 7-6-3: Overflow Prevention
- 7-6-4: Prohibited Acts
- 7-6-5: Water Master
- 7-6-6: Penalty

7-6-1: **OWNER'S NAME FILED:** It shall be the duty of every person operating any watercourses within the City to file with the Public Works Director the name of the owner of any canal. (1977 Code §13-364; 1998 Code)

7-6-2: **CLEANING AND REPAIR:**

## A. Owners; Operators:

1. Required: It shall be the duty of all persons owning or operating any watercourse within the City to clean out and maintain the same in proper repair and to construct and maintain proper dams, headgates and boxes for the distribution of the water flowing in such watercourse. (1977 Code § 13-361)

2. Time Limitation: Any owner or occupant who fails or neglects to properly clean any ditch as heretofore provided on or before May 1 of each year, or to properly clean ditches within five (5) days after notice thereof shall have been given by the Public Works Director, shall be liable to the penalty hereinafter prescribed in this Chapter and shall, in addition to such penalty, be liable for all costs and expenses incurred by the Public Works Director in properly cleaning, repairing and caring for said ditch according to the provisions of this Chapter. (1977 Code § 13-366; 1998 Code)

B. City Ditches: All owners or occupants of property in the City having ditches running in front of their lots between the street and the sidewalks are hereby required to maintain and keep the ditches clean so that the water therein shall not flow to injure streets or sidewalks, or waste water during any period of its allotment for irrigation purposes. (1977 Code § 13-367)

7-6-3:       **OVERFLOW PREVENTION:** Wherever by reason of the maintenance of any dam or obstruction in the natural channel of any stream, any person causes the water flowing in such natural channel to be raised or backed up so that there is danger that the same will overflow the banks of such stream and cause damage to private property within the City where the same will not be occasioned, except for the maintenance of such dam or obstruction, it shall be the duty of such person to raise and strengthen properly the banks of such stream and to take such other measures as shall protect private property from injury by reason of the said obstruction kept and maintained in such natural channel. (1977 Code § 13-362)

7-6-4:       **PROHIBITED ACTS:** It shall be unlawful for any person to:

- C.     Damage To Property: Negligently permit or allow a large volume of water to be turned into any canal or watercourse situated or passing through the City without first carefully cleaning the canal and without carefully attending the water so as to prevent the same from becoming clogged and overflowing the banks of such canal to the injury or damage of private property within the corporate limits of the City.
- D.     Flowing On Streets, Sidewalks: Allow irrigation water to flow from any irrigation ditch which he is required to keep clean or from any premises under his charge or control upon the streets or sidewalks of the City.
- E.     Obstructions: Place or maintain in or about any water ditch an obstruction of any kind, which hinders or prevents the free passage of water through such ditches. (1977 Code § 13-365)