

WATER CODE - WAT
DIVISION 5. FLOOD CONTROL [8000 - 9651]

(Division 5 added by Stats. 1943, Ch. 369.)

PART 1. LOCAL FLOOD CONTROL [8000 - 8201]

(Part 1 added by Stats. 1943, Ch. 369.)

CHAPTER 2. Flood Control in Counties [8100 - 8129]

(Chapter 2 added by Stats. 1943, Ch. 369.)

ARTICLE 1. General Powers Relating to Flood Control [8100- 8100.]

(Article 1 added by Stats. 1943, Ch. 369.)

8100.

Under such limitations and restrictions as are prescribed by law, and in addition to jurisdiction and powers otherwise conferred, the boards of supervisors, in their respective counties, may appropriate and expend money from the general fund of the county for any of the following purposes in connection with streams or rivers in the county:

- (a) The construction of works, improvements, levees or check dams to prevent overflow and flooding.
- (b) The protection and reforestation of watersheds.
- (c) The conservation of the flood waters.
- (d) The making of all surveys, maps and plats necessary to carry out any work, construction or improvement authorized by this article.
- (e) The carrying out of any work, construction or improvement authorized by this article outside the county if the rivers or streams affected flow in or through more than one county.

(Added by Stats. 1943, Ch. 369.)

ARTICLE 2. Flood Control Work Outside of County [8101 - 8106]

(Article 2 added by Stats. 1943, Ch. 369.)

8101.

A board of supervisors may appropriate and expend money from the general or other appropriate funds of the county for the construction of works, improvements, levees or check dams to prevent the overflow and flooding of streams and rivers in the county, and for that purpose may construct works, improvements, levees or check dams outside the county.

(Added by Stats. 1943, Ch. 369.)

8102.

Work under this article may be done upon channels, streams or rivers which flow through or lie in more than one county, or where the work is reasonably necessary for the control of flood waters in the county upon a channel, river or stream which does not lie or flow in or through two or more counties.

(Added by Stats. 1943, Ch. 369.)

8103.

In connection with flood control work under this article, whether done by the county or by any district therein or agency thereof, highways, bridges and other public works affected thereby or which will be of public benefit, whether located in the county, or wholly or partially in incorporated or unincorporated territory outside the county may be constructed, reconstructed, remodeled, maintained, repaired or demolished.

(Added by Stats. 1943, Ch. 369.)

8104.

The work described in the next preceding section may be done at the expense of the county doing the flood control work, or of any district or agency therein which is doing the work. The legislative bodies of the counties and cities affected may provide by agreement that the work be done at the joint expense of the county or counties and city or cities in which the work is done.

(Added by Stats. 1943, Ch. 369.)

8105.

Nothing in this article shall be construed to authorize the imposition of any tax or special assessment either by the county or any district in, or agency of, the county on any property outside the county doing the work whether the work is done directly by the county or by any district in, or agency of the county.

(Added by Stats. 1943, Ch. 369.)

8106.

Nothing in this article shall be construed to authorize the doing of any work outside the county without the consent of the legislative body of the county in which the work is to be done if in unincorporated territory or of the legislative body of any city in which any of the works are situated in whole or in part.

(Added by Stats. 1943, Ch. 369.)

ARTICLE 3. County Flood Control Districts [8110- 8110.]

(Article 3 added by Stats. 1943, Ch. 369.)

8110.

The board of supervisors may provide by ordinance for the organization and government of districts for the following purposes:

- (a) To protect and preserve the banks of rivers and streams and lands lying contiguous thereto from injury by overflow or washing.
- (b) To provide for the improvement of rivers and streams.
- (c) To prevent the obstruction of rivers and streams.
- (d) To assess, levy and collect within each district a tax for the district.

(Added by Stats. 1943, Ch. 369.)

ARTICLE 4. Improvement of Non-Navigable Streams [8125 - 8129]

(Article 4 added by Stats. 1943, Ch. 369.)

8125.

“Non-navigable streams,” as used in this article, means streams and washes in a county which are not declared by law to be navigable and which are not in fact navigable for commercial purposes.

(Added by Stats. 1943, Ch. 369.)

8126.

The board of supervisors may provide for widening, deepening, straightening, removing obstructions from, and otherwise improving non-navigable streams the overflow of which interferes with highways, and for protecting the banks and adjacent lands from overflow of non-navigable streams.

(Added by Stats. 1943, Ch. 369.)

8127.

The board may make regulations for the use of the streams and the repair and control of the works.

(Added by Stats. 1943, Ch. 369.)

8128.

No regulations of the board nor improvements directed by it to be made shall in any manner interfere with the private rights or privileges of riparian owners, miners, or others.

(Added by Stats. 1943, Ch. 369.)

8129.

Whenever, in the opinion of the board of supervisors, the general fund is insufficient to defray the cost of the improvements provided for under this article, the board may levy a tax or contract a bonded indebtedness therefor in the manner provided by Title 3 of the Government Code.

(Amended by Stats. 1953, Ch. 320.)