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COCHISE COUNTY
HIGHWAY AND FLOODPLAIN DEPARTMENT
1415 MELODY LANE, BISBEE, AZ 85603



**Diverting a Wash or
Drainageway Concern**

NAME: _____

ADDRESS: _____

PHONE NO.: _____

EMAIL ADDRESS: _____

1. **SPECIFIC** location of diversion or blockage problem including the Assessor's Tax Parcel Identification Number (###-##-###):

2. Please use the following space to draw the specific location (site map):



3. What/who do you believe caused this problem? Explain: _____

Date: _____ Received by: _____ Forwarded to: _____

Diverting or Blocking a Watercourse

It is a violation of State law for anyone to divert or block a watercourse or defined wash if it creates a hazard to life or property without first securing the written permission of the County. A watercourse is a defined wash or drainageway that carries storm water. If you think that someone has blocked a watercourse, please fill out the attached form and please include all requested information. We will investigate and write the property owner who is diverting the wash. If the person does not clear the blockage, we may take the following actions:

1. To serve written notice of a violation upon the person charged with such violation.
2. To take “immediate” remedial action as may be necessary and lawful to prevent danger to life or significant damage to structures.
3. To negotiate a schedule for the completion of the construction, repairs or other activity necessary to abate the violation with any person charged with such violation, provided that any schedule which will require more than six months for completion shall require the approval of the Flood Control District (FCD) Board of Directors.
4. To appear before the FCD Board of Directors in its consideration of an appeal or a request for variance and to present evidence and a recommendation.
5. To initiate a criminal complaint against the violator (*pursuant to A.R.S.§48-3615*);
6. To use County work forces or contract to perform the required court-ordered remedial actions, and submit an invoice to the person for payment;
7. To request the County Attorney to seek an injunction or other appropriate legal relief, damages, costs, and attorney’s fees against the violator (*pursuant to A.R.S.§48-3613*).
8. Submit to FEMA a denial of flood insurance, stating that the property is in violation of a cited State or local law, regulation or ordinance, pursuant to Section 1316 of the National Flood Insurance Act of 1968, and as amended.

Drainage Diverted From One Lot to Another Lot

The County does not have any regulations regarding one property owner diverting water onto another property. This is a matter that will need to be handled between property owners or via the courts or the mediation service offered by Superior Court (520/432-8483).

Drainage Being Diverted Because of Grading for Development

The County may have regulations about this type of activity. If someone is grading more than an acre they have to get a permit from the Planning & Zoning Department. If someone is doing activity in a designated floodplain, a permit from the Highway & Floodplain Department is required.

For all other development concerns related to grading or if you are unsure about the County's authority, please fill out a form and we will let you know whether we can do anything or not.