

468.149 Obstructing or damaging.

1. A person is guilty of a serious misdemeanor if, without legal authority, the person willfully does any of the following:

- a. Diverts, obstructs, impedes, or fills up any ditch, drain, or watercourse.
- b. Breaks down or injures any levee or the bank of any settling basin, established, constructed, and maintained under any provision of law.
- c. Obstructs or engages in travel or agricultural practices upon the improvement or rights-of-way of a levee or drainage district which the governing body thereof has, by resolution, determined to be injurious to such improvement or to interfere with its proper preservation, operation, or maintenance, and has prohibited.

2. Any unlawful act described in [subsection 1](#) is a nuisance and may be abated.

3. A governing body shall have the power to repair any ditch, drain, or watercourse, or any levee or bank of any settling basin, damaged by any person or persons in violation of a resolution of the governing body, after three days' notice to such person or persons to make such repair. In the event that there is a failure to make the repair, the expense of the repair shall be assessed to the person or persons and shall be certified and collected in the same manner as other taxes.

[C24, 27, 31, 35, 39, §7580; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §455.160]

[89 Acts, ch 126, §2](#)

CS89, §468.149

[2016 Acts, ch 1073, §132](#)

Nuisances in general, chapter 657