

Section

- 93.01 Permit required for water impoundment facilities
- 93.02 Proposal to be submitted to the town
- 93.03 Decision of Town Board

- 93.99 Penalty

Cross-reference:

Fishing, bathing regulations, see Chapter 85

§ 93.01 PERMIT REQUIRED FOR WATER IMPOUNDMENT FACILITIES.

All persons, firms, or corporations which now own or operate an impoundment of water which lies in whole or in part within the corporate limits of the town, or any person wishing to construct facilities for the impoundment of water, when such impoundment will lie in whole or in part within the corporate limits of the town, shall obtain a permit from the town prior to taking any of the following actions:

(A) In the event of new construction.

(1) A building permit shall be required prior to construction;

(2) An additional permit shall be required prior to impoundment of any water;

(3) In the event permission is granted for the filing of said impoundment, a permit shall be required prior to the release of the impounded water other than what would normally be discharged over a spillway or other overflow device.

(B) For impoundments now in existence.

(1) If water is now impounded a permit shall be required prior to release of the impounded water, other than water which would normally be discharged over a spillway or other overflow device;

(2) If waters are not now impounded in said facility, a permit shall be required prior to reactivating the facility and impounding water.

(C) Requirements. Granting of a permit to do any of the above stated acts, shall be considered a permit to do that specific act alone, and on a specific occasion, and shall not constitute a permit required under the other subsections of this chapter at a later date. (Ord., passed 10-11-77) Penalty, see § 93.99

§ 93.02 PROPOSAL TO BE SUBMITTED TO THE TOWN.

All persons, firms, or corporations which desire a permit under this chapter shall submit to the town a detailed proposal stating all the pertinent information regarding said impoundment or release of water, including, among other things:

- (A) The location of the impoundment;
- (B) The reasons for the request for the permit;
- (C) The date or dates upon which the occurrence is to take place;
- (D) The person or persons who will be in direct control of the facilities at that time;
- (E) A request that the Town Board issue the permit at its next regular meeting.
(Ord., passed 10-11-77)

§ 93.03 DECISION OF TOWN BOARD.

The Town Board at its next regular meeting, following the request for a permit, may:

- (A) Approve the request and authorize the Clerk to issue a permit;
- (B) Deny the request;
- (C) The Board may, after consideration, grant the request, subject to certain restrictions, and/or, conditions which the Board deems necessary.
(Ord., passed 10-11-77)

§ 93.99 PENALTY.

Any person, firm, or corporation violating any provision of this chapter, shall upon conviction, be guilty of a misdemeanor and shall be punished in accordance with G.S. 14-4. Each and every day or portion thereof that action has been taken in violation of this chapter shall constitute a separate offense.
(Ord., passed 10-11-77)