

1933, ch. 526, sec. 7.

7. As soon as convenient after the filing with the Commission of any application for a permit to appropriate or use any waters of the State, or to construct or reconstruct or repair any reservoir, dam or water-way obstruction, in any waters of the State under the provisions of this Article, the Commission shall set a day for a public hearing upon said application. The applicant shall give notice to the public of such application and hearing, either in the manner prescribed by the Commission, or by publication once in each week for two successive weeks prior to said hearing in a daily newspaper published in the city or cities, county or counties, which the Commission shall determine may be directly affected by the proposed appropriation or use, or construction, reconstruction or repair. The County Commissioners of each such county, the Mayor or Chief Executive officials of each such city and the proper officials of any interested agency of the State, or political subdivision thereof, shall also be notified by the applicant by registered mail. In the public notice of such application, the date, place and time fixed by the Commission for the public hearing on said application shall be stated. At such public hearing, the applicant and any other interested person or corporation, municipal or private, shall be given an opportunity to present facts, evidence and arguments for or against the granting of said application. In case of emergency, or the making of minor repairs, the Commission may, upon written or oral application, grant applications to repair any reservoir, dam or water-way obstruction without notice or hearing; provided, however, that repairs necessary to save life or property may be made without such application, but notice thereof shall be given promptly to the Commission.

1933, ch. 526, sec. 8.

8. Before acting on any application the Commission shall weigh all of the respective advantages and disadvantages to the public and shall make all appropriate investigations. If the Commission shall be of the opinion from all of the evidence before it that, in pursuance of the policy of the State regarding its water resources herein declared, the plans of the applicant provide for the greatest practicable utilization of the waters of the State and will adequately preserve public safety and will promote the general public welfare it shall grant the permit to appropriate or to use the waters, or to construct, reconstruct or repair the proposed reservoir, dam, or water-way obstruction, or to accomplish any combination of these objects. But if the Commission be of the opinion, from the evidence before it, that the proposed appropriation or use of State waters or that the proposed construction is inadequate, wasteful, dangerous, impracticable, or will be detrimental to the best public interest, the Commission may reject such application or it may suggest such modifications of the proposed plans as it deems sufficient to protect the public welfare and safety. In granting any permit authorizing any use or appropriation of water, or the construction or alternation of any reservoir, dam or water-way obstruction, the Commission may include in the grant thereof such conditions, terms and reservations with respect to the character, amount, means and manner of such use or method of such construction as it may deem reasonably necessary to preserve the proper control in the State and to insure the safety and welfare of the people of Maryland. It shall be unlawful to appropriate or use any waters of the State, or to construct or