

PROVISIONS TO MAKE, IF ANY, IN EACH PERMIT GRANTED TO CONSTRUCT A DAM OR OTHER WATERWORK FOR PASSAGE OF FISH.

REVISOR'S NOTE: This section presently appears as Article 96A, section 16 of the Code. Use of the word "shall" is intended to have a mandatory connotation. The only other changes made are in style.

8-808. COMPLIANCE WITH PERMIT AND RELATED RULES AND REGULATIONS REQUIRED.

APPROPRIATION OR USE OF ANY WATERS OF THE STATE, CONSTRUCTION OR BEGINNING CONSTRUCTION, MAKING OR BEGINNING ANY CHANGE, ADDITION, RECONSTRUCTION, OR REPAIR OF ANY RESERVOIR, DAM OR WATERWAY OBSTRUCTION, ONLY SHALL BE IN CONFORMITY WITH ANY TERM, CONDITION, REGULATION, OR RESTRICTION OF THE DEPARTMENT'S PERMIT, OR WITH ANY RULE OR REGULATION THE DEPARTMENT PRESCRIBES CONCERNING ANY CONSTRUCTION, CHANGE, ADDITION, OR REPAIR.

REVISOR'S NOTE: This section is new language derived from the next-to-last sentence of Article 96A, section 16 of the Code. As redrafted, the section does not speak in terms of unlawfulness; but rather sets forth a standard of conduct for permit holders. The violation of this section is covered by the penalty provision of this subtitle which provides a penalty for the failure to do any required act.

8-809. NOTICE TO REPAIR OR REMOVE RESERVOIR, DAM, OR OBSTRUCTION.

UPON COMPLAINT OR ITS OWN INITIATIVE, THE DEPARTMENT MAY INVESTIGATE OR EXAMINE ANY RESERVOIR, DAM, OR WATERWAY OBSTRUCTION. IF THE DEPARTMENT DETERMINES THE RESERVOIR, DAM, OR WATERWAY OBSTRUCTION IS UNSAFE, NEEDS REPAIR, OR SHOULD BE REMOVED BECAUSE IT IS UNSAFE AND NOT REPAIRABLE, THE DEPARTMENT SHALL NOTIFY THE OWNER IN WRITING TO REPAIR OR REMOVE THE OBJECT, AS THE SITUATION WARRANTS. THE REPAIR OR REMOVAL WORK SHALL COMMENCE AND PROCEED TO COMPLETION WITHIN A REASONABLE TIME AS PRESCRIBED IN THE DEPARTMENT'S NOTICE.

REVISOR'S NOTE: This section presently appears as Article 96A, section 17 of the Code. The