

COUNTY ORDINANCE NO. IV, No. 3

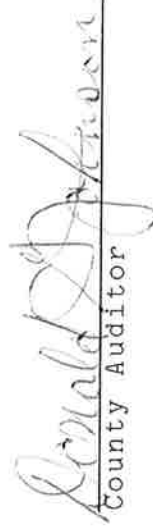
AN ORDINANCE PROHIBITING THE ALTERATION OF ANY NATURAL WATERWAY THAT DRAINS INTO OR FROM ANY DITCH WITHIN THE COUNTY EXCEPT BY PRIOR PERMIT

1. No person shall block, impede, dam, redirect, channel or otherwise alter the natural flow of any natural waterway into or from any ditch owned or maintained by Butler County, or into or from any ditch where Butler County holds an easement for road purposes, unless such person shall first have obtained a permit to do so from the County Engineer. However, this section shall not apply to the installation of or drainage by any drainage tile outlets into any ditches, provided such tile outlets do not exceed seventeen inches in diameter.
2. NOTICE. The County Engineer, or any designated agent, may request any adjacent landowner to remove any obstructions, dams, channels, or otherwise restore the natural waterway to its previous condition within twenty (20) days of such notice. Each day after such twenty-day notice may be considered a separate violation.
3. PERMIT. The County Engineer may issue, upon application, a permit to any landowner to redirect, channel or otherwise alter the normal flow of any water course, if he finds such change will not impede, harm, or otherwise substantially harm any county ditches, roads, or alter the area's drainage to the public's detriment.
4. APPEAL. Any landowner may appeal a denial of such a permit to the County Supervisors by requesting an oral hearing within ten (10) days after the denial of such a permit. The Supervisors' decision shall be final.
5. EFFECTIVE DATE. This ordinance shall become effective on January 4, 1988.

Adopted this 4th day of January, 1988.


Chairman, Board of Supervisors

Attest:


County Auditor