

IC 14-11-4

Chapter 4. Procedures Governing Certain Licenses

IC 14-11-4-1

Applicability of chapter

Sec. 1. This chapter applies to applications for licenses under the following:

- (1) IC 14-22-26-3(2) (wild animals).
- (2) IC 14-26-2 (lake preservation).
- (3) IC 14-26-5 (dams).
- (4) IC 14-28-1 (flood control).
- (5) IC 14-29-3 (removal of substances from streams).
- (6) IC 14-29-4 (construction of channels).

As added by P.L.1-1995, SEC.4.

IC 14-11-4-2

"Owner" defined

Sec. 2. As used in this chapter, "owner" means the person:

- (1) listed on the tax assessment rolls as being responsible for the payment of real property taxes imposed on the property; and
- (2) in whose name title to real property is shown in the records of the recorder of the county in which the real property is located.

As added by P.L.1-1995, SEC.4.

IC 14-11-4-3

"License" defined

Sec. 3. As used in this chapter, "license" means a permit, a license, a concession, or other authorization that may be issued to a person by:

- (1) the director;
- (2) the department; or
- (3) the commission;

under Indiana law.

As added by P.L.1-1995, SEC.4.

IC 14-11-4-4

Issuance of license 30 days after notice of application given

Sec. 4. The director or the department may not issue a license until thirty (30) days after the notice required by this chapter has been given. Notice may be given at any time after an application for a license is filed with the department. The department may require by rule that notice under section 5 of this chapter be provided by the license applicant.

As added by P.L.1-1995, SEC.4.

IC 14-11-4-5

Notice of application for license

Sec. 5. (a) If a license application affects real property, notice of the application is required as follows:

(1) The applicant must notify at least one (1) of the owners of each parcel of real property reasonably known to be adjacent to the affected real property.

(2) The department shall notify the persons who have requested notification of a license application that:

(A) affects the specific real property to which the application relates; or

(B) is of the same type as the application.

(b) The commission may adopt rules under IC 4-22-2 to require the following:

(1) That additional persons be notified of an application for a license.

(2) That additional forms of notice be given.

As added by P.L.1-1995, SEC.4.

IC 14-11-4-6

Requests for notice

Sec. 6. If notice is not required by section 5 of this chapter, the department shall notify the persons who have requested notice of a license application that is of the same type as the application.

As added by P.L.1-1995, SEC.4.

IC 14-11-4-7

Manner and contents of notice

Sec. 7. Notice under this chapter shall be given in the same manner as under IC 4-21.5-3-1, but is not the notice required under IC 4-21.5. Notice must include the following:

(1) Reference to the license application.

(2) An explanation of options available to the person served.

As added by P.L.1-1995, SEC.4.

IC 14-11-4-8

Public hearings

Sec. 8. (a) A public hearing shall be held on the question of the issuance of an original or a renewal license upon any of the following:

(1) The request of the applicant.

(2) The filing of a petition requesting a public hearing that is signed by twenty-five (25) individuals who are at least eighteen (18) years of age and who:

(A) reside in the county where the licensed activity would take place; or

(B) own real property within one (1) mile of the site of the proposed or existing licensed activity.

(3) The motion of the director.

(b) The public hearing authorized by this section does not constitute an agency action under IC 4-21.5.

(c) If a petition under subsection (a)(2) requests that the public hearing be conducted at a location within a county affected by a proposed license, the department shall conduct the public hearing at

that location.

As added by P.L.1-1995, SEC.4.

IC 14-11-4-9

Adoption of rules

Sec. 9. The commission shall adopt rules under IC 4-22-2 to implement this chapter.

As added by P.L.1-1995, SEC.4.