

IC 14-26-7

Chapter 7. Lakes; Restrictions on Ditches and Drains

IC 14-26-7-1

Applicability of chapter

Sec. 1. This chapter applies to the following:

- (1) The construction of new ditches and drains.
- (2) Alterations, changes, or other improvements to existing ditches and drains.

As added by P.L.1-1995, SEC.19.

IC 14-26-7-2

Ditches or drains through line of freshwater lake; dam required

Sec. 2. A:

- (1) person may not locate, make, dig, dredge, or in any manner construct; and
- (2) court, county executive, body of viewers, or drainage commissioners may not order or recommend the location, establishment, or construction of;

a ditch or drain cutting into, through, or upon the line of a freshwater lake unless a dam has been provided for and constructed to adequately protect the water level of each lake likely to be affected.

As added by P.L.1-1995, SEC.19.

IC 14-26-7-3

Ditches or drains within one-half mile of freshwater lake; dam required

Sec. 3. A person may not locate, dig, make, dredge, or in any way construct a ditch or drain having a bottom depth lower than the level of a freshwater lake as established by law within one-half (1/2) mile of any point on the line of the lake unless a dam has been provided for and constructed to adequately protect the water level of each lake likely to be affected.

As added by P.L.1-1995, SEC.19.

IC 14-26-7-4

Construction of dams

Sec. 4. A dam required by this chapter shall be constructed:

- (1) before any work on the proposed drainage; and
- (2) according to plans and specifications furnished or approved by the engineering division.

As added by P.L.1-1995, SEC.19.

IC 14-26-7-5

Interference with dam, bank, or levee prohibited

Sec. 5. A person may not:

- (1) cut into or around;
- (2) attempt to cut into or around;
- (3) interfere with; or
- (4) attempt to interfere with, change, or destroy;

a dam, bank, or levee constructed under Indiana law for the purpose of maintaining the water level of a freshwater lake at the established level.

As added by P.L.1-1995, SEC.19.

IC 14-26-7-6

Interference with banks or shores of freshwater lakes prohibited

Sec. 6. A person may not:

- (1) cut into or through;
- (2) attempt to cut into or through;
- (3) interfere with; or
- (4) attempt to interfere with;

the banks or shores of a freshwater lake or any part of the lake in such a way as to lower or tend to lower the water of the lake.

As added by P.L.1-1995, SEC.19.

IC 14-26-7-7

Alteration of dam, spillway, or outlet to lake

Sec. 7. Subject to IC 14-26-8 and IC 36-9-27, a person, court, county executive, body of viewers, or drainage board may not do any of the following:

- (1) Interfere with, change, alter, or attempt to interfere with, change, or alter a bank, dam, spillway, or outlet of a freshwater lake.
- (2) Dig, dredge, or in any way lower or attempt to lower an outlet or part of an outlet to a freshwater lake at any point in the outlet within three-fourths (3/4) mile of the lake.

As added by P.L.1-1995, SEC.19.

IC 14-26-7-8

Violations

Sec. 8. A person who violates this chapter commits a Class A infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class A infraction imposed under this section may not exceed five thousand dollars (\$5,000).

As added by P.L.1-1995, SEC.19. Amended by P.L.195-2014, SEC.34.