

IC 14-29-3

Chapter 3. Sand and Gravel Permits

IC 14-29-3-1

Permit issuance

Sec. 1. The department may issue a permit to a person to take sand, gravel, stone, or other mineral or substance from or under the bed of the navigable water of Indiana.

As added by P.L.1-1995, SEC.22.

IC 14-29-3-2

Area, substance, and fees for permit

Sec. 2. In issuing a permit under this chapter, the department shall do the following:

- (1) Fix by the permit the area within which it is lawful and in the best interests of the state to permit the taking by the permittee of the mineral or substance.
- (2) Fix by the permit and collect from the permittee when due the amount of the reasonable value of the mineral or substance to be taken, measured by weight, cubic dimensions, or other common and usual measurement.
- (3) Collect a fee of fifty dollars (\$50) for each permit issued.

As added by P.L.1-1995, SEC.22.

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Conditions of permit

Sec. 3. (a) A permit issued under this chapter must include the following conditions:

- (1) The permittee shall give bond in the amount and with surety approved by the department for full and prompt compliance with the terms and conditions of the permit.
- (2) The permittee shall, monthly or quarterly as the department stipulates, make to the department a verified report and full account and payment for all mineral or substance taken during the preceding month or quarter.
- (3) The department may, at any time in reasonable hours, inspect the following:
 - (A) All books, papers, and records of the permittee relating to the account.
 - (B) The works and workings of the permittee.
- (4) The department may revoke or suspend the permit for the failure of the permittee to comply with this chapter or with the terms and conditions of the permit.
- (5) Subject to suspension or revocation, the permit will remain in force for the period that the department determines, not to exceed five (5) years from the date of issuance. However, the permit may be renewed by the permittee by written application filed with the department six (6) months before expiration of the permit.
- (6) The works, workings, and operations under the permit must

not do any of the following:

(A) Impede the navigation of the water.

(B) Damage or endanger a bridge, highway, railroad, public work, utility, or the property of a riparian owner or adjoining proprietor or adjacent permittee.

(C) Endanger the lives of individuals.

(7) The permittee shall take the measures, to be determined by the department and stipulated in the permit, that are reasonable to avoid the damage and danger.

(b) The department may also prescribe other reasonable conditions in the permit that are in the best interests of the state.

As added by P.L.1-1995, SEC.22.

IC 14-29-3-4

Taking without permit

Sec. 4. (a) A person who knowingly takes sand, gravel, stone, or other mineral or substance from or under the bed of the navigable water of Indiana without a permit commits a Class B infraction.

(b) Each day a violation continues constitutes a separate infraction.

As added by P.L.1-1995, SEC.22. Amended by P.L.71-2004, SEC.24.