

§817. Definitions

As used in this Article, unless the context otherwise indicates, the following terms have the following meanings. [PL 1983, c. 417, §6 (NEW).]

1. Board.

[PL 1989, c. 890, Pt. A, §40 (AFF); PL 1989, c. 890, Pt. B, §191 (RP).]

2. Commissioner.

[PL 1989, c. 890, Pt. A, §40 (AFF); PL 1989, c. 890, Pt. B, §191 (RP).]

3. Dam. "Dam" means any human-made artificial barrier, including appurtenant works, the site on which it is located and appurtenant rights of flowage and access, that impounds or diverts a river, stream or great pond and that is 2 feet or more in height and has an impounding capacity at maximum water storage elevation of 15 acre-feet or more. Any such artificial barrier constructed solely for the purpose of impounding water to allow timber to be floated downstream in a logging operation may not be considered a dam for the purposes of this article, unless it has been repaired, modified or maintained by or with the knowledge of the owner, lessee or person in control since the discontinuance of its use in connection with logging operations. Any adjacent property, easements, roads, bridges or works not necessary for the operation or maintenance of a dam or access to the dam are not included under the provisions of this article.

[RR 2021, c. 2, Pt. B, §254 (COR).]

4. Department.

[PL 1989, c. 890, Pt. A, §40 (AFF); PL 1989, c. 890, Pt. B, §191 (RP).]

5. Height. "Height" means, in reference to a dam, the vertical distance in feet from the natural bed of the stream or watercourse measured at the downstream toe of the barrier, or from the lowest elevation of the outside limit of the barrier, if it is not across a stream channel or watercourse, to the maximum capable water storage elevation.

[PL 1983, c. 417, §6 (NEW).]

6. Littoral proprietor. "Littoral proprietor" means an owner or lessee of property on the shore of a lake impounded by a particular dam.

[PL 1983, c. 417, §6 (NEW).]

7. Person. "Person" means any individual, firm, association, partnership, corporation, trust, municipality, quasi-municipal corporation, state agency, federal agency or other legal entity.

[PL 1983, c. 417, §6 (NEW).]

8. Public safety.

[PL 1989, c. 545, §7 (RP).]

9. Riparian proprietor. "Riparian proprietor" means an owner or lessee of property on the bank of a river or stream or shore of a pond or other small body of water impounded by a particular dam.

[PL 1983, c. 417, §6 (NEW).]

SECTION HISTORY

PL 1983, c. 417, §6 (NEW). PL 1987, c. 118, §1 (AMD). PL 1989, c. 545, §7 (AMD). PL 1989, c. 890, §§A40,B191 (AMD). RR 2021, c. 2, Pt. B, §254 (COR).

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