

461A.4 Construction permit rules commercial concessions.

A person, association, or corporation shall not build or erect any pier, wharf, sluice, piling, wall, fence, obstruction, building, or erection of any kind upon or over any state-owned land or water under the jurisdiction of the commission, without first obtaining from the commission a written permit. A permit, in matters relating to or in any manner affecting flood control, shall not be issued without approval of the environmental protection commission of the department. A person shall not maintain or erect any structure beyond the line of private ownership along or upon the shores of state-owned waters in a manner to obstruct the passage of pedestrians along the shore between the ordinary high-water mark and the water's edge, except by permission of the commission.

It shall be the duty of the commission to adopt and enforce rules governing and regulating the building or erection of any such pier, wharf, sluice, piling, wall, fence, obstruction, building or erection of any kind, and said commission may prohibit, restrict or order the removal thereof, when in the judgment of said commission it will be for the best interest of the public.

Any person, firm, association, or corporation violating any of the provisions of this section or any rule adopted by the commission under the authority of this section shall be guilty of a simple misdemeanor.

A person, association, or corporation shall not operate a commercial concession in a park, forest, fish and wildlife area, or recreation area under jurisdiction of the department without first entering into a written contract with the department. The contract shall state the consideration and other terms under which the concession may be operated. The department may cancel or, in an emergency, suspend a concession contract for the protection of the public health, safety, morals, or welfare.

[C27, 31, 35, § 1799-b2; C39, § **1703.19, 1799.1**; C46, 50, 54, 58, § 106.19, 111.4; C62, 66, 71, 73, 75, 77, 79, 81, § 111.4; 82 Acts, ch 1199, § 55, 96]

86 Acts, ch 1245, § 1862, 1877; 88 Acts, ch 1192, §1; 90 Acts, ch 1108, § 1

C93, § 461A.4