

459.605 Habitual violators — permit restrictions.

For five years after the date of the last violation of [this chapter](#) committed by a person or by a confinement feeding operation in which the person holds a controlling interest during which the person or confinement feeding operation was classified as a habitual violator under [section 459.604](#), all of the following shall apply:

1. The department may not issue a new permit under [this chapter](#) to the person or confinement feeding operation.
2. The department may revoke or refuse to renew an existing permit issued under [this chapter](#) to the person or confinement feeding operation, if the permit relates to a confinement feeding operation and the department determines that the continued operation of the confinement feeding operation under the existing permit constitutes a clear, present, and impending danger to the public health or environment.

[2002 Acts, ch 1137, §26, 67, 68, 71; 2002 Acts, 2nd Ex, ch 1003, §260, 262](#)

For restrictions imposed on the right of person classified as a “chronic violator” to raise a defense against a nuisance suit brought against a confinement feeding operation, see §657.11.