

567—73.31(109,455B) Criteria for designating a dam as unsafe. Designation of dam as unsafe may be based on one or more of the following findings:

73.31(1) The dam has serious deficiencies in its design, construction, use, maintenance, or physical condition which would contribute to failure or otherwise increase flood damages.

73.31(2) The design, construction, operation, or maintenance of the dam is such that its anticipated performance during flooding conditions is incompatible with an applicable, approved local flood plain regulation or zoning ordinance adopted prior to the time the dam or its deficiencies were in existence.

73.31(3) The dam has inadequate spillway capacity for the size and hazard class of the dam.