

(2) A minimum water level of at least two feet shall be maintained in the pond at all times, including start-up.

(3) A minimum free board of two feet shall be provided between the lowest embankment berm and the maximum water level. The maximum water level shall not be less than five feet.

e. Construction requirements.

(1) The slopes of the inside dikes shall not be steeper than three horizontal to one vertical nor flatter than four horizontal to one vertical. The slopes of the outside dikes shall not be steeper than three horizontal to one vertical and shall not allow surface runoff to enter the pond.

(2) All organic material and debris shall be removed from the pond site prior to construction.

(3) All fill material shall consist of impervious material that is well compacted and free of rocks, frozen soil, or other large material.

(4) The minimum top width of the dike shall be eight feet.

(5) The pond area shall be enclosed with a six foot high fence which has a maximum opening of six inches. The fence shall be topped with two strands of barb-wire. An access gate shall be provided for maintenance equipment. The gate shall provide the security equivalent to the fence.

(6) A minimum of one sign shall be placed on each side of the pond and shall be attached to the fence. The sign shall describe the facility and advise against trespassing.

Section 32. Validity Clause. If any section, subsection, sentence, clause, or phrase of these rules and regulations is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of these rules and regulations.

Section 33. Enforcement. Any person, firm or corporations violating the provisions of this regulation shall be deemed guilty of a misdemeanor. Each and every day or portion thereof during which any violation of any of the provisions of the regulation is committed, continued or permitted shall be considered a separate offense. Upon conviction of any such violation, such a person may be punished as provided by law with a fine of up to _____ and _____ days in jail per day of violation.