

# Pond Permit Application

Submit completed form & fee to:

DeKalb County Surveyor ♦ 220 E. Seventh St., Suite 130, Auburn, IN 46706 ♦ Phone 260-925-2222  
Fax 260-925-4746 ♦ Email [surveyoroffice@co.dekalb.in.us](mailto:surveyoroffice@co.dekalb.in.us)

- 1) The applicant must pay a fee of \$200, a plan review fee (\$100), and an inspection fee (\$100), for a total of \$200, with a check or cash payment to the DeKalb County Surveyors Office, which must be submitted with the application to the DeKalb County Surveyor's Office

**Pond Permit Submission Requirements:** Attach a Site Plan to this form that shows the following information

- 2) The boundary of the property where the pond is to be constructed.  
3) The proposed location and size (width, length, and depth) of the pond, with distances from the property lines  
4) Location and size of proposed outlet **and** emergency spillway (separate items)  
5) Drainage patterns/slope of the area adjacent to the proposed pond  
6) Location(s) of buildings, septic system, and well. Each of these items shall be drawn to scale on a separate sheet or an aerial photograph with contours obtained from the DeKalb County GIS map, available from the DeKalb County Surveyor's Office or DeKalb County GIS Department.  
7) The DeKalb County Surveyor's Office may decide, upon preliminary review, that a certified Drainage and Erosion Control Plan (certified by a professional Engineer, Professional Land Surveyor, or a Registered Architect) may be required of the petitioner.

**\*Contact the Surveyor's Office upon completion of the pond for Final Inspection. \***

## Part A: Project Site Information

Application Date: \_\_\_\_\_

Landowner's Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Parcel #: \_\_\_\_\_ Township: \_\_\_\_\_ Section: \_\_\_\_\_

Phone #: \_\_\_\_\_ Applicant's Signature: \_\_\_\_\_

Email: \_\_\_\_\_

## Part B: Contractor Information: Leave blank if the landowner is the contractor

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Email: \_\_\_\_\_

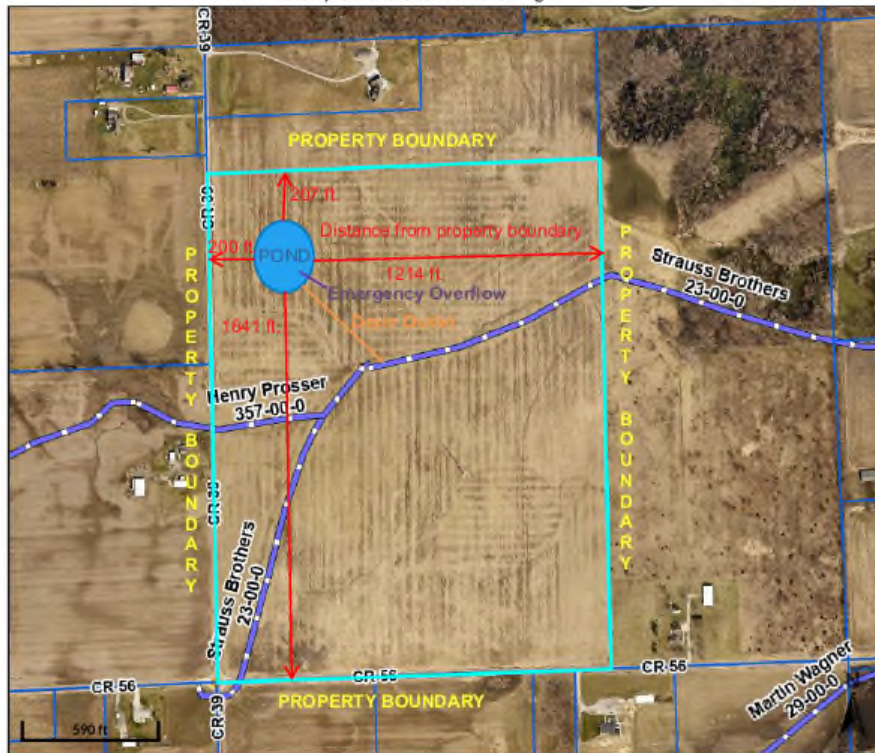
## Part C: FOR OFFICE USE ONLY

Pd: \_\_\_ Cash \_\_\_ Check \_\_\_ Initials

Permit Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

Inspected By: \_\_\_\_\_ Date: \_\_\_\_\_

Example Pond Site Plan Drawing



DEKALB COUNTY COMMISSIONERS  
ORDINANCE NUMBER 2025-O-4 : DCC 4-8-2

ORDINANCE OF THE  
DEKALB COUNTY BOARD OF COMMISSIONERS  
For DeKalb County Surveyors Office  
On Private Pond Construction Requirements and Fees

WHEREAS, an Ordinance is desirable to provide for the DeKalb County Surveyors Office procedure for Private Pond Construction Requirements and Fees.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING RECITALS AND THE PROVISIONS HEREFTER MADE, BE IT ORDAINED BY THE DEKALB COUNTY COMMISSIONERS AS FOLLOWS:

The DeKalb County Surveyor's Office requires the submittal and approval of a pond permit for the construction of any private pond that will be greater than 400 square feet in surface area and is not regulated as a retention or detention pond. Additionally, a permit will be required for any existing pond that shall have its surface area increased by more than 400 square feet. To construct a private pond, the landowner must comply with the following requirements:

- A.) **Applicability:** Any man-made pond or water body owned and maintained by the landowner and located entirely on their property and greater than 400 square feet in surface area shall conform to the standards in this section. This ordinance does not regulate a retention or detention pond, as defined and regulated by the DeKalb County Unified Development Ordinance, as may be amended.

Contact the Department of Development Services (260.925.1923) and consult the DeKalb County Unified Development Ordinance, Article 5, Section RP-01: Recreational Pond Standards, for zoning approval and compliance with construction standards [https://www.co.dekalb.in.us/egov/documents/1736433913\\_04647.pdf](https://www.co.dekalb.in.us/egov/documents/1736433913_04647.pdf)

- B.) **Permit Requirements:** Apply for a pond by filling out the Pond Permit Form. The pond permit shall be valid for two (2) years after the date of issuance. If no work has occurred in connection with the permit within two (2) years of permit issuance, the permit shall be null and void, and the petitioner shall be required to apply for and obtain a new permit. If work has started but is not completed, an extension may be requested.

Submit a site plan and drainage plan with items drawn to scale showing the following:

- The general vicinity of where the project site is located
- The boundary of the property where the pond will be constructed and the location of buildings on or near the property. (Re: IAC 865, a boundary survey



in the form of a Retracement Survey, Original Survey, or a Surveyor Location Report may be provided)

- The proposed location of the pond and distances from property lines, ditches, streams, roadways, drain tiles, septic systems, wells, and utility/drainage easements. In so doing, also identify any county-regulated drain tile that will be impacted along with any other known drain tile or open drain systems that will be impacted.
- The applicant and property owner must observe the 75' drain right-of-way of any regulated drain unless authorized and approved by the DeKalb County Drainage Board.
- The design dimensions of the pond and pond banks, grade within the pond, the depth of the pond and normal pond level, and the location and size of the proposed outlet and emergency overflow and where water will be discharged. Water outflow shall be discharged at the point of natural outflow by topography unless a drainage easement or agreement is established between affected property owners, approved by the DeKalb County Drainage Board, and recorded in the DeKalb County Recorder's Office. (Re: I.C. 36-9-27)
- Concerning neighboring properties:
  - The water will be rerouted to prevent adverse harm to neighboring properties. (Re: I.C. 36-9-27.4)
  - The tile intersections and how they will be dealt with and addressed to prevent adverse harm to other property owners. The petitioner/owner shall be responsible for the repair, replacement, or relocation of any tile, open ditches, or other drainage facilities to the extent necessary to maintain the amount of drainage through the parcel or tract that existed before the construction of the pond
  - The pond does not obstruct or raise any natural overland flow path where potential damages from flooding could occur on non-petitioner real estate. The fill area shall not obstruct the flow of surface water from adjacent properties without their consent.
- The DeKalb County Surveyor's Office will review the drainage patterns and contours of the area in and around the proposed pond as depicted by the DeKalb County GIS.

C.) **Fees:** Pay a plan review fee (\$100) and inspection fee (\$100) for a total of \$200, with a check or cash payable to DeKalb County Surveyors Office & must be submitted with the application.

D.) **Recorded Agreement:** Sign and submit the DeKalb County Surveyor's Office Pond Construction Waiver of Liability, Assumption of Risk, and Indemnity Agreement certifying that the county is not responsible for future accidents, incidents, or damages because of the construction of the pond. This agreement must be recorded in the DeKalb County Recorder's Office, with a copy of the recorded agreement provided to the DeKalb County Surveyor's Office. The DeKalb County Recorder's Office may assess a fee for recording the waiver. This agreement and the approved pond permit application must be recorded in the DeKalb County Recorder's Office.

- E.) **Other Agencies, as applicable:** Contact all other interested state and federal agencies to ensure that the construction of the pond does not violate any state or federal statutes set forth by IDEM, IDNR, Army Corp of Engineers, etc.
- F.) **All ponds may:**
- Have adequately designed guardrails, berms, or other structural measures are encouraged and may be considered in place of the above-noted setbacks to minimize the chances of vehicles sliding into the pond.
  - Have an outfall pipe or overflow weir that discharges to an adequate capacity drainage conveyance such as a waterway, county-regulated tile, drainage easement or drainage agreement, or other approved drainage facility. If an acceptable drainage conveyance is not present and the outlet or weir opens onto the owner's property where flow will discharge to an adjoining property, the outlet opening must be located at a distance from the property line equal to or greater than the largest length of the pond. This distance would be measured from the property line where the outfall water will flow to the outlet. Compliance with this provision shall not relieve the owner from any additional duties under Indiana law concerning the discharge of such water onto an adjoining property.
- G.) **If the pond:**
- Has added artificial water being drained from an outside source such as a geothermal, the pond outfall must flow to an approved drainage conveyance such as a waterway, county-regulated tile, drainage easement or drainage agreement, or other approved drainage facility.
  - Has an outlet that opens into or connects to a county drain or tile, the owner must obtain prior approval of the DeKalb County Drainage Board.
  - Is constructed within a floodway, floodplain, or wetland it will need Indiana Department of Natural Resources (IDNR) and/or Indiana Department of Environmental Management (IDEM) approval.
- H.) **It is required that:**
- A side slope from the preexisting average natural elevation of the property to the water's edge shall not exceed a 4:1 ratio (4 feet of run with 1 foot of fall). This maximum slope shall also apply to the side slope two feet below the average watermark.
  - The constructed pond has a detention volume of no less than 6 inches (the distance between the primary outfall and emergency overflow should be a minimum of 6 inches). Greater detention depth may be required for approval based on the adequacy of the conveyance system.
- I.) **Ordinance Violation:** Any contractor or person who violates this ordinance shall be subject to the following enforcement procedures:
- a. The County Surveyor or County Surveyor Office Staff is authorized to take such action as is needed to enforce this Ordinance, including, without limitation, the right to obtain a court order authorizing entry on any property where the County

Surveyor Staff has reason to believe a contractor or person has violated the ordinance.

- b. The County Surveyor or County Surveyor Office Staff shall have the authority to issue a stop work order on any project not being completed in strict conformance with any provision of this Ordinance
- c. The Failure of any responsible party to immediately abide by such order of the County Surveyor or County Surveyor Office Staff when posted at the site shall authorize the County Surveyor Staff to sue in the name of the County and Department in any court of general jurisdiction for injunctive relief and to obtain such court orders as may be proper for the strict enforcement of this ordinance. Also, the County Commissioners may sue to enforce this Ordinance.
- d. Upon proof of intentional continual violation of any provision of this Ordinance or order of the County Surveyor or County Surveyor Office Staff, and upon a Court finding that violation to be in fact a violation of this Ordinance, the court shall be empowered in the court's discretion to impose a fine of \$50.00 per day for each and every day that the violation has occurred or continues to occur.
- e. After such finding, the fine may be imposed jointly and or severally upon the contractor or person who has violated this Ordinance and found to be guilty of such unlawful activity. In addition, the violator shall owe the cost of attorney fees for the County Surveyor, County Commissioners, or other County Agency in pursuing enforcing this ordinance and collecting these fines.
- f. Each day of violation shall be considered a separate offense.

This DeKalb County Ordinance Number 2025-O-4 is passed and adopted on all three readings and shall be codified in the DeKalb County Code as Section 4-8-2, and appropriately indexed in the Code.

READ AND PASSED ON FIRST READING: Monday, July 7, 2025.

READ AND PASSED ON SECOND READING: Friday, July 25, 2025.

READ AND PASSED ON THIRD READING: Friday, July 25, 2025.

DEKALB COUNTY COMMISSIONERS:

  
William L. Hartman, President

James A. Miller, Vice President

  
Kellen R. Dooley, Vice President

ATTEST:

By:   
Susan Sleeper, Auditor