§ 11-0503. Polluting streams prohibited.

1. No dyestuffs, coal tar, refuse from a gas house, cheese factory, creamery, condensary or canning factory, sawdust, shavings, tan bark, lime, acid, oil or other deleterious or poisonous substance shall be thrown or allowed to run into any waters, either private or public, in quantities injurious to fish life, protected wildlife or waterfowl inhabitating those waters or injurious to the propagation of fish, protected wildlife or waterfowl therein.

2. a. No person shall place sewage or other matter injurious to fish where it can find its way into water used by any state fish hatchery or allow others to do so on or through premises owned or occupied by him.

b. No person shall erect or maintain any privy, pigsty, inclosure for poultry, barn or barnyard, or drain from any building, whence drainage or refuse may find its way into water used by any state fish hatchery. Every such privy, pigsty, inclosure, barn, barnyard and drain is hereby declared to be a public nuisance and may be summarily abated by the department.

3. Oil, acid, sludge, cinders or ashes from a vessel of any type shall not be thrown, dumped or allowed by any person to run into the waters of the Hudson or Mohawk rivers.

4. No earth, soil, refuse or other solid substances, except snow or ice, shall be disposed of in any stream or tributary thereto which is inhabited by trout; nor shall any earth, soil, refuse or other solid substance, except snow or ice, be disposed of on the banks of trout streams or tributaries thereto in such a manner that such solid substance can enter the stream at any stage of water level. Dumps and disposal areas for refuse along the banks of trout streams, or tributaries thereto, shall be operated by the owner or lessee of such an area in such manner that the solid substances deposited thereon shall not enter the stream at any stage of water level.

5. This section does not prohibit the control or elimination of

aquatic vegetation, insects and aquatic animals, authorized by the department in order to effectuate the provisions of paragraph a of subdivision 2 of section 11-1911 and subdivision 8 of section 11-1913 of the Fish and Wildlife Law.

6. Nothing contained in this section shall prohibit the enactment by the appropriate governing or legislative body of any county, city, town or village of local laws, not inconsistent with this chapter, prohibiting the disposal of earth, soil, refuse, or other solid substance, in streams, ponds or lakes within its jurisdiction.