

# **WAYNOKA PROPERTY OWNERS ASSOCIATION, INC.**

## **RULES & REGULATIONS**

### **Volume 2: Zoning/Building Requirements**

**NOTE: The Restrictive Covenants (Rev. 5-10-1996, and Amended 06/23/2018 and 9/10/2022) and the CODE of Regulations (Blue Book) refer to these rules as “Building Code” and “Building Committee.” In the past few years, the Building Committee’s responsibility has changed to focus on specific zoning and related building requirements. Building code (structural) responsibility has been transferred to the Brown County Building Department.**

**Waynoka Property Owners Association**

**WPOA Administration Office**

**1 Waynoka Drive**

**Lake Waynoka, OHIO 45171**

**(937) 446-3232**

**[WWW.LAKEWAYNOKA.COM](http://WWW.LAKEWAYNOKA.COM)**

***Approved, WPOA Board of Trustees, Motion # 342, 02/12/2022 Amended, Motion 343 3/12/2022, Amended, Motion 348 5/14/2022***

# **Lake Waynoka Zoning and Building Requirements**

## **All Restrictive Covenants Apply**

### **A LAKE WAYNOKA PERMIT MUST BE OBTAINED**

### **BEFORE WORK IS STARTED**

- I. GENERAL REQUIREMENTS (Adapted from ARTICLE II, Section 6 of the WPOA General Rules & Regulations, Vol. 1, 3/11/2017; amended by Motion #305, 5/11/2019; amended by Motion #320, 5/9/2020)**
  1. The responsibility and scope of the Zoning/Building Committee is the approval of correct easements, placements, appropriate use of materials, consistency of appearance, minimum acceptable square footage, and proper erosion and shoreline protection.
  2. This section is an overview concerning zoning/building permits and construction at Lake Waynoka. Detailed information is contained in Sections II through XIII. Please contact the WPOA Administration office (937-446-3232) if you need additional information and permits.
  3. No construction shall be commenced until the project is approved in writing by the building committee and all applicable FEES and DUES have been paid. A citation will be issued if any construction begins before a permit is issued and a \$100.00 fine imposed on the property owner. If construction continues, then an additional fine of \$100.00 per day will be assessed for every day someone works on the project. (Motion # 249, August 8, 2015)
  4. Zoning/building permits are required for new construction of any building. This includes residence, deck, boat dock, boat lift, detached or attached garages, storage buildings, swimming pools, fences, etc.
  5. External changes to an existing structure do not require a new building permit unless the modifications change the structural dimensions, color, or require inspections (e.g., new footers).
  6. Pole buildings, garages and other roofed structures shall match the wall color and roofing material of the dwelling.
  7. A Brown County Building Department receipt shall be submitted for any structure over 200 square feet. In lieu of a receipt, documentation from the Brown County Building Department stating such shall be submitted.
  8. If any construction will disturb the soil, silt mitigation protection shall be installed and inspected by an agent of the WPOA prior to a permit being issued, per EPA silt fencing standard.
  9. Approved shoreline protection shall be in place prior to a permit being issued for construction on any lake-front or Common Access waterfront LOT.
  10. The exterior shell of any building shall be completed within nine (9) months from start of construction (roof, windows, siding) or deposit will be forfeited

11. No building materials shall be placed on the LOT more than 30 days prior to the start of construction. Final grading shall be completed within 12 months following the start of construction, unless an extension is granted by the Zoning Committee due to unusually bad weather or other unavoidable delays. If the permit applicant owns the adjoining LOT, it may be used for material storage or access to the construction site. The construction debris should be kept at a minimum during construction. Clean up of debris shall be done on a regular basis during construction. A dumpster shall be required to assist in maintaining the site. A portable toilet unit shall be required during construction if no other bathroom facilities are available on site.

Neither WPOA, the Zoning/Building Committee, nor any member thereof, nor any member of SUBDIVISION management, their heirs, representatives, successors or assigns shall be liable for damages to anyone submitting plans for approval due to mistakes in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval of any plans. Any person or entity submitting plans to the committee agrees that no suits for damages will be submitted in accordance with this article.

The BOARD of TRUSTEES shall be the final arbiter on permits.

Allow ten (10) working days from date of submission for permit approval by WPOA.

Construction shall not start until permit approval is received.

## **II. NEW RESIDENCE**

1. A Brown County Building Department receipt shall be submitted for any structure over 200 square feet. If this receipt is not submitted, documentation from Brown County Building Department stating such shall be submitted.
2. A properly executed utility easement shall be recorded (including name, deed book, page number must be as on the recorded deed). It is the property owner's responsibility to pay for recording this document with the Brown County Recorder's Office. A copy of this recorded document shall be submitted at the time of application for a WPOA Zoning Permit.
3. Water and sewer taps shall be paid in full before submitting an application for a Lake Waynoka Zoning/Building permit.
4. A certificate of survey, made during the current owner's tenure, by a surveyor, licensed by the State of Ohio shall be submitted with the permit application.
5. No new residence shall have less than 900 sq. ft. of living space on the ground floor, or first floor of a two-story dwelling and no less than 1200 sq. ft. of living space for a one-story dwelling, exclusive of porch and deck areas, breeze ways, garages, walkways and storage buildings.
6. For "A" frame construction the area shall be calculated at a perpendicular point on the roof line on the sloping sides to the floor at a point five (5) feet above the first floor on both sides (width is between perpendicular lines times the length of the structure.) Post and Beam construction is permitted after a plan is submitted, approved and a permit is obtained.
7. A permit application for a new residence shall include an attached garage or detached garage. The minimum size of the garage shall be 308 square feet (approximately 14'x22') The garage floor, as a minimum, must be of concrete structurally capable of supporting a vehicle.

8. A plot map of the lots, showing the size and the location of the building(s) on the lots. All new structure corners shall be staked on lot. All utilities (water, sewer, electric, storm and sanitary) showing distance of separation must be shown on plot map. Driveways shall also be shown on plot map. In addition, plot map shall include planned direction of positive drainage away from the house on all sides.
9. A professional set of plans drawn to scale of the proposed structure (one complete set) shall be submitted. An electronic copy or a hard copy of the plans is acceptable. The maximum size of a hard copy is 11×17.
10. The exterior shell shall be completed within nine (9) months from start of construction.
11. All construction equipment and materials shall enter the WPOA front gate. A 50% weight reduction from November 1 to April 1 is imposed on all vehicles over 2 tons.
12. Exterior configurations, the building foot print or building system changes contemplated after the issuance of the permit shall be submitted to the Building Committee for review and approval.
13. In order for any contractor to enter Lake Waynoka they must have an approved permit in place at the ranger's station at the main gate.
14. If an existing residence/dwelling is required to be removed to make room for the construction of a new residence/dwelling, a permit for the new residence/dwelling shall first be in place before the demolition of the existing dwelling is permitted to take place.
15. A new residence/dwelling shall not be occupied before the WPOA General Manager has signed off on occupancy. Evidence of all required final inspections must be provided to the General Manager before occupancy will be signed off. If occupancy takes place before all required final inspections have been received, the owner is subject to fines of \$100/day.
16. All proposed residences must be placed on a continuous foundation. Any proposed residence to be delivered on a non-removable steel chassis shall not be permitted. Any proposed new residence which is perceived by the Zoning/Building committee and the Board to be a "double wide" or "single wide" type structure shall not be permitted. The Board has the final decision as to whether a proposed plan for a residence falls into this prohibited category.
17. Any new dwelling which falls under the category of a "modular" type home as a minimum must meet the requirements of the Ohio Board of Building Standards, as listed in the Ohio Basic Code under Chapter 4101.2-98 and 4104.2-99 latest revision, or its successor provision. All such units must have the approval of the State Ohio, Department of Industrial Relations Building Department noted on the plans. All units certified for approval by W.P.O.A. shall have the State of Ohio Seal of Approval on the units before entrance to the subdivision will be permitted. All modular units delivered to the community entrance must have proper documentation from the state of Ohio certifying them as such.
18. A slab-on-grade dwelling shall not be permitted, unless the WPOA Board approves a variance. A new dwelling must either have a crawl space or a basement below the residential floor area. Only the non-residential floor area (attached garage, or front porch for example) of the dwelling is permitted to be on a slab-on-grade.

### **III. ADDITIONS TO EXISTING STRUCTURE**

1. A Brown County Building Department receipt shall be submitted for any structure over 200 square feet. If this receipt is not submitted, documentation from Brown County Building Department stating such shall be submitted.
2. The roof and the sidewalls of the addition shall match the composition, material and color of the existing structure.
3. A plot map of the lots, showing the size and the location of the building (s) on the lots. All addition corners shall be staked on lot. All utilities (water, sewer, electric, storm and sanitary) showing distance of separation must be shown on plot map. Driveways shall also be shown on plot map.
4. Plans of the proposed structure (one complete set) shall be submitted. An electronic copy or a hard copy of the plans is acceptable. The maximum size of a hard copy is 11×17.
5. The exterior shell must be completed within nine (9) months from start of construction.
6. In order for any contractor to enter Lake Waynoka they must have an approved permit in place at the ranger's station at the main gate.
7. All construction equipment and materials shall enter the front gate. A 50% weight reduction from November 1 to April 1 is imposed on all vehicles over 2 tons.

### **IV. DETACHED GARAGE**

1. The area of detached garage shall not be more than 1,500 square feet. The minimum size detached garage shall be at least 308 square feet (approximately 14' x 22').
2. The garage side walls shall not be more than 12 feet in height.
3. The roof peak shall not exceed 20 feet in height with a roof pitch of at least 4/12.
4. The roof of the garage shall match the composition, material and color of the residence roof.
5. The sidewalls of the garage shall match the color of the new or existing residence.
6. If there is a detached storage building already in existence the total square footage of the garage and storage building shall not exceed 1700 sf.
7. Site plan shall be provided showing location of building on lot and all setbacks indicated.
8. Plans of the proposed structure (one complete set) shall be submitted. An electronic copy or a hard copy of the plans is acceptable. The maximum size of a hard copy is 11×17.
9. The exterior shell of the building must be completed within nine (9) months from start of construction.
10. The garage floor must be structurally capable of supporting a vehicle.

## V. STORAGE BUILDINGS

1. The storage building shall not be more than 1500 square feet in floor area.
2. The storage building side walls may not be more than 12 feet in height.
3. The roof peak shall not exceed 20 feet in height with a minimum of 4/12 pitch.
4. Storage buildings shall be anchored to the ground to prevent movement in heavy wind. Design wind speed for this area is 90 miles per hour.
5. The roof of the storage building shall match the composition, material and color of the residence roof.
6. The side walls of the storage building shall match the color of the residence.
7. If there is a detached garage already in existence the total square footage of the garage and storage building shall not exceed 1700 sf.
8. Site plan must be provided showing location of building on lot and all setbacks indicated.
9. Plans of the proposed structure (one complete set). Electronic or maximum size of 11×17. If a factory assembled unit is being used, submit the manufacturer literature for the specific unit purchased.

## VI. BOAT COVERS

1. Boat covers shall not exceed twenty (20) feet in length, if perpendicular to the shoreline, unless a variance has been granted for additional digout into lot owner's shoreline. Boat covers may be the length of the boat, if parallel with the shoreline. The width of boat covers may extend up to three feet wider than the boat slip on either side of the slip. Should the homeowner want an additional shaded area on their dock for lounge chairs, etc, they are permitted up to an additional 500 SF (e.g., 25 ft of length by 20 ft of depth of the dock). The permitted square footage, as well as the permitted orientation of boat covers (perpendicular versus parallel), is up to the discretion of the Zoning/Building Committee, taking into account the specific geographical limitations of each requesting location.
2. Boat covers shall not exceed eight (8) feet in height above the dock to the roof rafter/truss bearing point.
3. Driven posts can per permitted on docks and dock covers with limited applications.
  - a. The pneumatic hammer used must be less than 300 lps and only used on 6' x 6' wood posts.
  - b. All posts on each dock or cover within 3 feet of the shoreline must be dug posts set in concrete.
  - c. Submitted plans must indicate which post are to be driven if pneumatic hammer is being used
  - d. Pneumatic hammers can only be used between the hours of 8 am and 5pm.
4. Any electric service being installed at the dock must be inspected per state code. The property owner/contractor is responsible for the electrical permit and inspection.
5. All surfaces of the treated wood may retain their natural color, or the wood may be painted or stained to match the house, trim or deck.
6. The top of the concrete pylons, piles, caissons and/or footings shall not extend above the elevation of the normal lake bottom.
7. There are two (2) types of approved boat covers. \*\*\* See drawing on check list\*\*\*

## VII. DECKS, COVERED DECKS, GAZEBOS

1. Detailed drawings shall be submitted when permit is applied for.
2. Corners of the deck, or other listed structures, shall be staked out prior to applying for permit.
3. Setback distance requirements are the same as those for a dwelling (new residence).
4. Color is to match that of the dwelling.
5. Maximum square footage permitted for a gazebo is 270 sq.ft. (e.g., 15 ft x 18 ft).

## VIII. DOCKS

1. Detailed drawings must be submitted with the permit application.
2. Driven post can be permitted on docks and dock covers for limited applications
  - a. The pneumatic hammer used must be less than 300lbs and only used on 6" x 6" wood posts.
  - b. All posts on each dock or cover within 3 feet of the shoreline must be dug posts set in concrete.
  - c. Submitted plans must indicate which post are to be driven is pneumatic hammer is being used.
  - d. Pneumatic hammers can only be used between the hours of 8 am and 5 pm.
3. Aluminum boat docks, both rigid or floating shall be installed per manufacturer's specifications.
4. Any electric service being installed at the dock must be inspected per state code. The property owner/contractor is responsible for the electrical permit and inspections.
5. No dock may extend more than 20 ft. into the water past the natural shoreline or interfere with the normal boat traffic. With coves there will be a minimum of 14 feet from the outer edge of the dock to the center line of the channel. The permitted size of boat docks, as well as orientation (parallel versus perpendicular), is up to the discretion of the Zoning Committee, taking into account the specific geographical limitations of each requesting location.
6. The dock area at the water line shall be staked for inspection by a WPOA representative. The ten-foot lot line restriction shall be met. Water access lots will draw an imaginary extension of their lot line to the water's edge to determine the ten-foot offset. No electric service shall be installed at common access waterfront docks.
7. No excavation into shoreline (digging out) is allowed. However, a variance can be applied for to the WPOA board. If a shoreline dig-out variance is requested, the following general guidelines are recommended: All dig-outs are to be no deeper than 3' below normal lake level. Dig-outs are to be no wider than the boat slip required (plus a center 4' aisle width if two side-by-side boat slips are requested).

Tier #	Dig-out distance into shoreline (at any point)	Acceptable material type of shoreline protection
1	4' or less	Rip rap, wood, concrete
2	4' - 6'	Wood, concrete
3	Greater than 6'	Concrete

Note: The Restrictive Deed Covenants specify that the [revised] normal water line must be no closer than 50' to any building on the lot. (Motion # 320, 05/09/2020)

8. All surfaces of treated wood may retain their natural color, or the wood may be painted or stained to match the house, trim or deck.

## **IX. BOAT LIFTS**

1. All lifts must be installed per manufacturer's recommendations and instructions.
2. Boat lifts shall not extend more than 20 ft. into the water or interfere with normal boat traffic.
3. A lift shall be installed to maintain a minimum distance of 10 ft. to the adjoining lot line.
4. Any electric service installation to the lift must be inspected per State Code. The property owner/contractor is responsible for securing the electrical permit and all inspections required.
5. No excavation into shoreline (digging out) is allowed. A variance can be applied for to the WPOA board.

## **X. FENCES AND DOG KENNELS**

### **1. Fences**

A. The approved fence materials for Lake Waynoka are:

- 1). Wood (split rail, privacy, horizontal/vertical rail, picket). Wood can be cedar, redwood or pressure treated. Galvanized and Vinyl liner may be used on wood fence to offer animal control.
- 2). White vinyl (rail, privacy, picket, decorative)
- 3). Wrought iron/aluminum decorative.
- 4). Plastic-coated chain link type fence with metal post may be used as a temporary type fence for animal control around gardens and other vegetation areas.

B. The maximum height of fence shall be 6' (six feet).

C. A site plan showing the location of fence, gates and size of gates on lot and distance to adjoining lot shall be submitted with the permit application.

### **2. Dog Kennels**

A. Prefabricated dog kennels constructed with galvanized wire mesh type fence are acceptable.

B. Dog runs in excess of twenty (20) feet in length require a variance from the WPOA Board of Trustees.



## **XI. SWIMMING POOLS**

1. All swimming pools (above/in ground) shall be installed based on manufacturers recommendation.
2. All pools shall maintain a minimum distance of ten feet (10') to adjoining property line and fifty feet (50') from normal water line of lake, enclosed with a WPOA approved fence with a minimum height of four feet (4'). The area surrounding the pool or the entire back yard shall be fenced in with a gate that can be secured/locked.
3. All above ground pools shall have a ladder or steps capable of being secured, locked, or removed to prevent access.
4. All electric installations for pools shall meet the standards of the current edition of the National Electrical Code for wet areas and shall be permitted and have inspections done by the State Electrical Inspector. The securing of the electrical permit is the owner's responsibility.
5. The pool pump and filter shall be blocked from street view with approved fence or landscape.
6. A site plan shall be submitted with the permit application and show location of pool, pool equipment, fence, gates and size of gates with distances to adjoining lots and distance to house.

## **XII. SOIL DRILLING OR EXCAVATION OF SOIL**

1. Soil drilling is by either dry or wet drilling means. Any drilling activity shall indicate what materials are to be used; under no circumstances will organic or toxic materials be introduced that could endanger or enter the Lake, storm water ditches or adjacent property.
2. Excavation is defined as the disturbance of the soil by digging, moving, removing or adding new soil. Excavation does not mean routine use of hand shovels or other tools for activities such as preparing a garden.
3. Drawings shall be submitted with the permit application to provide a clear indication of the nature and extent of the drilling or excavation, the location of the activity and a clear indication of the distance from the Lake, runoff ditches, or adjacent lots. Drawings shall also indicate the means by which runoff from the proposed activity will be prevented.
4. Soil can be removed from Lake to improve navigation but the shoreline cannot be changed without approval of the WPOA Board.
5. Soil shall not be added to the Lake to increase the size of a lot.

### **XIII. SILT MITIGATION & EROSION CONTROL**

Silt mitigation and erosion control are essential at Lake Waynoka to protect the long-term health of our lake, as almost all runoff in the community eventually ends up in the lake. Many types of construction projects can contribute to increased erosion from a site/property, and it is important that all owners and contractors understand what the minimum expectation is for a permitted project which requires silt mitigation and erosion control (see checklists).

See page 12, entitled “Specifications for Silt Fence,” which states the minimum expectation for erosion control on projects requiring such at Lake Waynoka. This page is taken from Chapter 6, Sediment Controls, page 34 from the Ohio EPA website (epa.ohio.gov). **The WPOA General Manager has discretion in determining the minimum allowable amount of erosion control required on each site** because both the topographical conditions and the amount of work to be performed varies for each site.

Should minimum erosion control measures not be met, the General Manager will verbally notify (warn) the contractor, with a written notification (warning) being sent to the owner on file. Construction must stop until the violation is corrected. If construction does not stop, a \$50.00 fine will be imposed on the property owner and contractors and suppliers will not be permitted to enter the subdivision. If construction continues, then an additional fine of \$50.00 per day will be assessed for every day someone works on the project. (Amended, Motion # 294, 12/08/2018)

### **XIV. PATIO, WALKWAY SURFACES**

To minimize rapid stormwater runoff into the lake any type of flat surfaces placed within 50 feet of the shoreline in all instances, except item 1 or 2 below, shall be a permeable surface (e.g., pavers, loose stone, wood or composite decking with gaps between decking, etc.)

Concrete surfaces within 50 feet of the shoreline will only be permitted for the following:

1. Walk paths shall be no more than 3 feet wide and no more than 50 feet in total length.
2. Fire pit related rings/bands shall be no more than 12 inches wide and no more than 50 feet in total length (essentially making a 16-foot diameter circle). The bands are to be no higher than 6 inches above the ground level surface.

All other flat ground level surfaces within 50 feet of the shoreline must be made up of a reasonably permeable system (like indicated above).

Anything to be constructed within 50 feet of the shoreline requires a permit. (Amended, Motion #332, 05/08/2021.)

# WAYNOKA PROPERTY OWNERS ASSOCIATION

## Zoning/Building Fees\*

TYPE OF FEE	FEE	DEPOSIT
New Residence Permit	\$1000	\$1000
New Residence Road Fee	\$500	
Garage, Addition, or Storage Building with Foundation (Includes Post and Frame)	\$250	\$250
Deck or Pool	\$50	\$50
Dock, Boat Lift, or Boat Cover	\$50	\$50
Soil Drilling and/or Excavation	\$50	\$50
Fence, Skid type Storage Buildings and other miscellaneous	\$25	\$25
Water Tap	\$2200	
Sewer Tap	\$2200	
Grinder Pump Installation	\$7100	
Sewer Line Extension	\$1050	

\* Subject to Change

## NEW RESIDENCE CHECKLIST

	Y	N
Copy of receipt for Brown County Building Permit		
Copy of recorded easement		
Payment received in full for water and sewer taps		
Payment for WPOA permit received		
Copy of Certificate of Survey made during current owner's tenure from a licensed state surveyor		
One (1) complete set of plans		
Plot map of lot showing the size and location of structure, setbacks from adjoining lots, road right of way, and normal water line (if waterfront), driveway location, water, sewer, and electric with separations shown.		
Is approved shoreline protection in place (lake front and common access lots)??		
Is silt mitigation in place?		
Are stakes in place showing all four corners of structure for inspection?		
What is the square footage of the living space for the first floor (ground level only)? _____		
If liquid propane gas is being used all tanks shall be concealed from street view with approved fence and/or landscaping material. Large tanks may be buried by the propane tank provider as long as they are done in accordance with industry standards.		

## ALL BROWN COUNTY PERMITS REQUIRE COUNTY INSPECTIONS

1. Brown County Inspections 937-378-4716
2. Lake Waynoka Inspections 937-446-3232
  - a. Stake Out
  - b. Footer Inspection
  - c. Framing
  - d. Final with occupancy from Brown County

## ROOM ADDITION CHECKLIST

	Y	N
Copy of receipt for Brown County Building Permit		
Drawing or rendering of what addition is to look like attached		
Does roof material and color match house?		
Does outside walls match color of house?		
Plot map of lot showing the size and location of structure, setbacks from adjoining lots, road right of way, and normal water line (if waterfront)		
Is approved shoreline protection in place (lake front and common access lots)?		
Is silt mitigation in place?		
Are stakes in place showing all four corners of structure for inspection?		

## DETACHED GARAGE/STORAGE BUILDING CHECKLIST

	Y	N
Brown County Building Department receipt attached		
Detailed drawings submitted when permit is applied for. Drawing must show side wall height and height of roof at peak.		
Site plan must be provided showing location of building on lot and all setbacks indicated.		
Does roof material and color match house?		
Does outside walls match color of house?		
Site plan furnished with all distances shown (distance from house, streets, adjoining property lines, and normal water line (if waterfront))		
Square footage of structure _____		
Is there an existing storage building or attached garage? If yes, provide size of structure _____		
Is electric service being run to building? If yes, the electric must be inspected per state code.		
Is approved shoreline protection in place (lake front and common access lots)?		
Is silt mitigation in place?		

## DECK CHECKLIST

	Y	N
Detailed drawings must be submitted with application		
Site plan		
Are stakes in place to verify location?		
Is electric service being run to deck? If yes, the electric must be inspected per state code.		

## DECK ROOF CHECKLIST

	Y	N
Detailed drawing must be submitted with application		
What type of roof material is being used? _____		
Does roof color and material match existing house?		
Is electric service being run to cover? If yes, the electric must be inspected per state code.		

## DOCK CHECKLIST

	Y	N
Detailed drawings		
Site plan: Are stakes in place to verify location?		
How far does the dock extend out into the water? _____		
What is the distance from adjoining property lines? _____		
Is electric service being installed? If yes, the electric must be inspected per state code.		
Is approved shoreline protection in place?		

## BOAT LIFT CHECKLIST

	Y	N
How far does the dock extend out into the water? _____		
What is the distance from adjoining property lines? _____		
Is electric being installed? If yes, the electric must be inspected per state code.		

## BOAT COVER CHECKLIST

	Y	N
Detailed drawings must be submitted		
Does roof color and material match existing house?		
Is electric being run to cover? If yes, the electric must be inspected per state code.		
What style is being built?      MODEL 1      MODEL 2		
Is approved shoreline protection in place?		

Boat Cover Model One (1)



Boat Cover Model Two (2)



# Specifications for Silt Fence

1. Silt fence shall be constructed before upslope land disturbance begins.
2. All silt fence shall be placed as close to the contour as possible so that water will not concentrate at low points in the fence and so that small swales or depressions that may carry small concentrated flows to the silt fence are dissipated along its length.
3. Ends of the silt fences shall be brought upslope slightly so that water ponded by the silt fence will be prevented from flowing around the ends.
4. Silt fence shall be placed on the flattest area available.
5. Where possible, vegetation shall be preserved for 5 feet (or as much as possible) upslope from the silt fence. If vegetation is removed, it shall be reestablished within 7 days from the installation of the silt fence.
6. The height of the silt fence shall be a minimum of 16 inches above the original ground surface.
7. The silt fence shall be placed in an excavated or sliced trench cut a minimum of 6 inches deep. The trench shall be made with a trencher, cable laying machine, slicing machine, or other suitable device that will ensure an adequately uniform trench depth.
8. The silt fence shall be placed with the stakes on the downslope side of the geotextile. A minimum of 8 inches of geotextile must be below the ground surface. Excess material shall lay on the bottom of the 6-inch deep trench. The trench shall be backfilled and compacted on both sides of the fabric.
9. Seams between sections of silt fence shall be spliced together only at a support post with a minimum 6-inch overlap prior to driving into the ground (see details).
10. Maintenance – Silt fence shall allow runoff to pass only as diffuse flow through the geotextile. If runoff overtops the silt fence, flows under the fabric or around the fence ends, or in any other way allows a concentrated flow discharge, one of the following shall be performed, as appropriate:
  - 1) the layout of the silt fence shall be changed
  - 2) accumulated sediment shall be removed, or
  - 3) other practices shall be installed

Sediment deposits shall be routinely removed when the deposit reaches approximately one-half of the height of the silt fence.

Silt fences shall be inspected after each rainfall and at least daily during a prolonged rainfall. The location of existing silt fence shall be reviewed daily to ensure its proper location and effectiveness. If damaged, the silt fence shall be repaired immediately.

Criteria for silt fence materials:

1. Fence post – The length shall be a minimum of 32 inches. Wood posts will be 2-by-2-inch nominal dimensioned hardwood of sound quality. They shall be free of knots, splits and other visible imperfections, that will weaken the posts. The maximum spacing between posts shall be 10 ft. Posts shall be driven a minimum 16 inches into the ground, where possible. If not possible, the posts shall be adequately secured to prevent overturning of the fence due to sediment/water loading.
2. Silt fence fabric – See chart below.

FABRIC PROPERTIES	VALUES	TEST METHOD
Minimum Tensile Strength	120 lbs (535 N)	ASTM D 4632
Maximum Elongation at 60 lbs	50%	ASTM D 4632
Minimum Puncture Strength	50 lbs (220 N)	ASTM D 4833
Minimum Tear Strength	40 lbs (180 N)	ASTM D 4533
Apparent Opening Size	≤ 0.84 mm	ASTM D 4751
Minimum Permittivity	1X10 <sup>-2</sup> sec. <sup>-1</sup>	ASTM D 4491
UV Exposure Strength Retention	70%	ASTM D 4355

**Table 6.3.2 Minimum criteria for Silt Fence Fabric (ODOT,2002)**