

## CHAPTER 155

### SILT CONTROL AND SILTATION FENCING

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**155.01 DEFINITIONS.** For use in this chapter, the following terms are defined:

1. “Administrator” means the individual appointed by the Council to administer and enforce the provisions of this chapter.
2. “Land disturbing activity” means any earth movements, including but not limited to grading, topsoil removal, mineral extraction, road or bank cutting, waterway construction or enlargement, excavation, filling, or stripping of vegetation. Excluded therefrom is excavation, filling or a combination of both involving less than three (3) cubic yards, and tilling, vegetation, and/or removal of tree cover from an area of less than one hundred (100) square feet. Also excluded are vegetable and/or flower gardening operations for personal use.
3. “Public lake” means all lakes bordering the City under the ownership and control of the State of Iowa or any subdivision thereof.
4. “Silt screen” means a fencing screen material manufactured for the purpose of capturing and maintaining soil, silt and sediment from water and gravity runoff from a land slope.
5. “Silt screen fence” means a length of silt screen supported by posts to form a continuous soil, silt or sediment barrier.
6. “Siltation” means the transportation by water and/or gravity of soil particles.

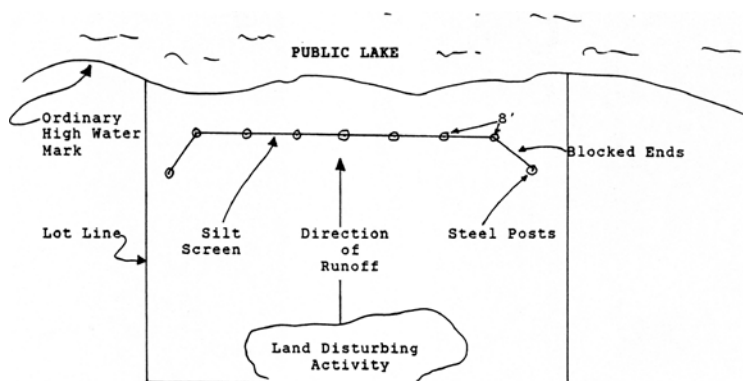
**155.02 PERMIT.** No person shall engage in any land disturbing activity on any lot within the corporate limits of the City without first obtaining a permit from the Administrator. No permit shall be issued until it has been determined by the Administrator, after on-site inspection, that the requirements of this chapter have been met. An applicant shall pay a permit fee of ten dollars (\$10.00) before receiving a permit, except that any excavation or land disturbing activity relating to a construction compliance permit to erect or remodel a structure for which a permit fee has already been paid or application applied for shall be exempt from the provisions of this section.

The Administrator may waive the permit requirements if it is demonstrated that the construction or excavation would pose no potential siltation threat, or was the result of necessary emergency repairs.

**155.03 PERMIT APPLICATION.** A person seeking a permit shall file an application for same with the Administrator, on forms provided by the Administrator, which shall be accompanied by the permit fee and which shall also be accompanied by or contain a silt control plan showing anticipated compliance with this chapter.

**155.04 PERMIT REQUIREMENTS.** No permit shall be issued until a silt screen fence has been installed on the lot where land disturbing activity is anticipated in accordance with the following directives. The silt screen fence shall:

1. Be installed below the direction of runoff from any lake between the land disturbing activity and the ordinary high water mark of the public lake in a manner suitable so as to be most effective in preventing siltation of soil into the public lake.
2. Be installed to run the entire length of the land disturbing activity and be blocked on each end to prevent runoff around the ends of the fence.
3. Have a minimum height of thirty-six (36) inches and be installed in such a manner so that the bottom of the screen is dug into the surface of the lot a minimum of twelve (12) inches with the backfill soil compacted.
4. Be constructed with support posts made of steel with said posts being spaced along the entire length of the fence with a maximum distance of eight (8) feet between posts. Said posts shall extend above the silt screen and be placed into the ground at a depth consistent with their design to adequately support the silt screen.



**155.05 DURATION.** The silt screen fence shall remain in place on the lot and be maintained until all land disturbing activity is completed and sufficient landscaping or vegetation exists to prevent any runoff.

**155.06 VIOLATION.** Any person violating any provisions of this chapter shall be in violation of this Code of Ordinances, and each day that a violation is permitted to exist constitutes a separate offense.

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