

# Village of Prairie Du Sac

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## Erosion Control and Stormwater Management Requirements



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**SECTION 1**  
**TECHNICAL STANDARDS**

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## 1.01 TECHNICAL STANDARDS AND REFERENCES

### A. Erosion Control and Stormwater Management Technical Standards

All drainage facilities and practices, located within the corporate limits and extraterritorial zoning area of the Village of Prairie du Sac, required to comply with the Erosion Control and Stormwater Management Ordinances shall incorporate technical standards and design methods specified in this document, maintained and periodically updated by the Village. Where not superceded by stricter requirements in this document, the following standards are also incorporated by reference:

1. Applicable design criteria, standards, and specifications identified in the Wisconsin Department of Natural Resources's (DNR) Erosion and Sediment Control Standards and Stormwater Post-Construction Technical Standards.
2. Other design guidance and technical standards identified or developed by the DNR under subchapter V of chapter NR 151, Wisconsin. Administrative Code.
4. BMP location and design and erosion control measures shall be consistent with the recommendations described in the Sauk Prairie Comprehensive Plan adopted November 16, 2005, and as amended, including its detailed components for affected areas such as the Highway 12/PF/Airport Area Plan.
5. Bioretention basins and/or infiltration measures shall be used in lieu of wet detention basins for sediment and peak flow control unless otherwise approved by the Village.

## 1.02 PRECIPITATION DEPTH, DISTRIBUTION AND AVERAGES

### A. Precipitation Depths

The following references may be used as a source for design rainfall depths:

1. *Rainfall Frequency Atlas of the United States*, US Department of Commerce, Weather Bureau Technical Paper No. 40, May 1961.
2. Huff, Floyd A., and Angel, James R., *Rainfall Frequency Atlas of the Midwest*, Midwestern Climate Center, Bulletin 71, 1992.

B. Precipitation Distribution

1. Where Technical Paper No. 40 rainfall depths are used, they shall be used in conjunction with the SCS Type II rainfall distribution for a 24-hour storm duration. Technical Paper No. 40 rainfall depths shall not be allowed with Huff rainfall distributions.
2. Where Bulletin 71 rainfall depths are used, they shall be used in conjunction with the appropriate quartile Huff rainfall distribution for the storm duration producing the highest peak discharge.

C. Average Annual Rainfall

1. For applications requiring use of average annual rainfall, recorded City of Madison depths for March 12 through December 2, 1981, shall be used.

**1.03 DESIGN METHODS**

A. Stormwater Runoff Calculations

1. For design of volume-dependent practices (detention basins, retention basins, infiltration systems, etc.), a hydrograph-producing method hydrologic model shall be developed. The following computer programs shall be allowed:
  - a. TR-55
  - b. TR-20
  - c. HydroCAD
  - d. HEC-HMS
  - e. Other computer programs as allowed by the Village Engineer
2. The Rational Method may be used to calculate peak discharges for tributary areas less than 20 acres for purposes of conveyance system design.
3. Estimation of Required Storage Volume
  - a. Final detention basin sizing shall be based on hydrograph routing through the basin with the proposed outlet structure.
  - b. The Soil Conservation Service TR-55 Approximate Method may be utilized to calculate the required storage volume. This may be used for developments with watershed areas of less than 25 acres which do

not involve significant off-site drainage that must be passed through the detention basin or routing of stormwater runoff through a series of detention basins. Soil Conservation Service Type II rainfall shall be utilized to estimate storage volume and peak inflow requirements.

4. Stormwater Conveyance System Design
  - a. Storm Sewers shall be designed in accordance with procedures described in Procedures 13-25-35 through 13-25-45 of the Wisconsin Department of Transportation (WisDOT) Facilities Design Manual (FDM).
  - b. Ditches shall be designed in accordance with procedures described in Procedures 13-30-5 through 13-30-10 of the WisDOT FDM.
  - c. Cross Culverts shall be designed in accordance with procedures described in Procedure 13-15-10 of the WisDOT FDM.

#### 1.04 DESIGN CRITERIA

##### A. Bioretention Infiltration Basins

Bioretention basins shall be used in lieu of wet detention to achieve TSS reduction requirements unless otherwise approved by the Village. Design in accordance with the Bioretention for Infiltration Conservation Practice Standard (DNR).

##### B. Wet Detention Basins

Design in accordance with the Wet Detention Basin Conservation Practice Standard (DNR).

##### C. Dry Detention Basins

1. Minimum grades for the bottom of the basin shall be 1 percent unless underdrain is installed.
2. Basin side slopes shall not be steeper than 4:1 or flatter than 10:1.
3. Dry detention basins shall be designed to drain completely within 24 hours after the storm event.

4. Forebays shall be used to the maximum extent practical to prevent concentrated flow from entering the basin and allow sediment to settle prior to entering the basin.
  - a. Forebay area should be 10 to 25 percent of the basin's surface area.
  - b. Length to width ratio shall be at least 2:1.
  - c. The forebay shall be located opposite of the basin's outlet to increase detention time.
5. The basin shall be designed with an emergency spillway designed to convey the 100-year peak discharge entering the basin. The emergency spillway shall be placed in a location and manner that minimizes the potential for damage to nearby property.
6. The basin shall have a ponding depth of less than 5 feet, with at least 1 foot of freeboard above the 100-year flood elevation or emergency spillway elevation, whichever is higher.
7. The basin shape should be designed with a length to width ratio of 3:1 in either a long narrow shape or a teardrop shape, to the maximum extent practical.
8. The basin shall be seeded with vegetation that is tolerant of inundation.
9. The basin outlet structure shall discharge to a stable outlet.

D. Storm Sewers

1. Unless otherwise approved by the Village Engineer, all storm sewer in the public right-of-way (R/W) shall be constructed of reinforced concrete pipe of appropriate class for the expected loading. Storm sewer materials outside of the R/W shall be subject to approval of the Village.
2. The minimum allowable pipe diameter shall be 12 inches.
3. Sewer grades shall be designed so that, in general, a minimum 2-foot of ground cover is maintained over the top of the pipe. Pipe cover less than the minimum may be used upon site-specific approval by the Village Engineer. Uniform slopes shall be maintained between inlets, manholes and inlet to manhole. Minimum and maximum allowable slopes shall be those capable of producing velocities between 2 and 12 feet per second, respectively, when the sewer is flowing full. Velocities lower than the minimum or higher than

the maximum may be used upon site-specific approval by the Village Engineer.

4. The maximum distance for overland flow of stormwater runoff to an underground storm sewer system shall be 600 feet unless a longer distance is approved by the Village Engineer.
5. All inlets and catch basins shall be constructed with a 12-inch sump.

E. Ditches

1. Ditch side slopes shall be no steeper than 4:1.
2. Underdrains may be required for ditch grades of 0.3 percent or less.
3. Ditches and open channels shall be protected with erosion mat as necessary to prevent erosion. The erosion mat shall be of an approved type and application specified in the “Erosion Control Product Acceptability List”, most current revision, by the Wisconsin Department of Transportation.

F. Culverts

1. Culverts and similar structures shall have a capacity that meets or exceeds the capacity of the surface drainageway and shall be a minimum of 12 inches in diameter. The flowline of a culvert shall match the flowline of the surface drainage way.
2. Culvert pipe materials and cover requirements shall be the same as pipe materials for storm sewers.
3. Culverts shall not create backwater that adversely impacts upstream properties. Design of new culverts shall consider impacts of future upstream development.
4. End sections shall be provided for all culverts. Grates shall be required on end sections for all culverts greater than 18 inches in diameter.

**SECTION 2**  
**PERFORMANCE STANDARDS**

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## 2.01 EROSION AND SEDIMENT CONTROL PERFORMANCE STANDARDS

### A. Total Suspended Solids Removal Goals

1. The Erosion and Sediment Control Plan shall include best management practices (BMPs) that, by design, achieve to the maximum extent practicable, a reduction of 80 percent of the sediment load carried in runoff based on an average annual rainfall, as compared with no sediment or erosion controls until the construction site has undergone final stabilization. An 80 percent sediment reduction shall meet the requirement of this paragraph. Erosion and sediment control BMPs may be used alone or in combination to meet the requirements of this paragraph. Credit toward meeting the sediment reduction may be given for limiting the duration or area, or both, of land-disturbing construction activity.
2. If BMPs cannot be designed and implemented to reduce the sediment load by 80 percent, based on an average annual rainfall, the plan shall include a written and site-specific explanation as to why the 80 percent reduction goal is not attainable, and the sediment load shall be reduced to the maximum extent practicable.
3. DNR is required to develop technical standards to provide guidance for measurement and evaluation of this performance standard. Measurement and evaluation of this performance standard shall be based on guidance published by the Department of Natural Resources. Until such guidance is published, total suspended solids removal shall be achieved to the maximum extent practical through implementation of approved BMP's.

### B. Required Best Management Practices

Where appropriate, the plan shall include sediment controls to do all of the following to the maximum extent practicable:

1. Each site shall provide an access drive and parking area of sufficient dimensions and design, surfaced with a material that will prevent erosion and minimize tracking or washing of soil onto public or private roadways. All nonpaved access drives shall be designed so that stormwater runoff from adjacent areas does not flow down the drive surface.

2. Any significant amount of runoff from upslope land area, rooftops, or other surfaces that drain across the proposed land disturbance shall be diverted around the disturbed area, if practical. Any diversion of upslope runoff shall be done in a manner that prevents erosion of the flow path and the outlet.
3. Any cuts and fills shall be planned and constructed to minimize the length and steepness of slope and stabilized in accordance with the approved erosion control plan timelines and standards of this document.
4. Open channels shall be stabilized as required to prevent erosion.
5. Inlets to storm drains, culverts, and other stormwater conveyance systems shall be protected from siltation until final site stabilization.
6. Water pumped from the site shall be treated by temporary sedimentation basins or other appropriate controls designed for the highest dewatering pumping rate. Water may not be discharged in a manner that causes erosion of the site or receiving channels.
7. All waste and unused building materials shall be properly disposed of and not allowed to be carried by runoff into a receiving channel or storm sewer system.
8. All off-site sediment deposits occurring as a result of a storm event shall be cleaned up by the end of the next workday. All other off-site sediment deposits occurring as a result of land-disturbing activities shall be cleaned up by the end of the workday. Flushing may not be used unless the sediment will be controlled by a filter fabric barrier, sediment trap, sediment basin, or equivalent.
9. All activities on the site shall be conducted in a logical sequence to minimize the area of bare soil exposed at one time. Existing vegetation shall be maintained as long as possible.
10. Soil stockpiles shall be located no closer than 25 feet from lakes, streams, wetlands, ditches, drainageways, or roadway drainage systems. Stockpiles shall be stabilized by mulching, vegetative cover, tarps, or other means if remaining 20 days or more.

11. For any disturbed area that remains inactive for greater than 7 working days, or where grading work extends beyond annual permanent seeding deadlines, the Village of Prairie du Sac may require the site to be treated with temporary stabilization measures.
12. When the disturbed area has been stabilized by permanent vegetation or other means, temporary BMPs such as silt fences, straw bales, and sediment traps shall be removed and these areas stabilized.

## 2.02 STORMWATER MANAGEMENT PERFORMANCE STANDARDS

### A. Total Suspended Solids

1. BMPs shall be designed, installed, and maintained to control total suspended solids carried in runoff from the postconstruction site as follows:
  - a. For new development, by design, reduce to the maximum extent practicable, the total suspended solids load by 80 percent, based on the average annual rainfall, as compared to no runoff management controls. An 80 percent total suspended solids reduction shall meet the requirements of this subsection.
  - b. For redevelopment sites, by design, reduce to the maximum extent practicable, the total suspended solids load by 40 percent from parking areas and roads, based on the average annual rainfall, as compared to no runoff management controls. A 40 percent total suspended solids reduction shall meet the requirements of this subsection.
  - c. Notwithstanding items a. and b. if the design cannot achieve the applicable total suspended solids reduction specified, the stormwater management plan shall include a written and site-specific explanation why that level of reduction is not attained, and the total suspended solids load shall be reduced to the maximum extent practicable as determined by the Village Engineer.
  - d. Measurement and evaluation of this standard shall be based on guidance published by the DNR. In the absence of such guidance, total suspended solids removal shall be achieved to the maximum extent practical through implementation of approved BMPs.

B. Peak Discharge

1. For BMPs located outside stormwater subbasins NW1-3, NW5, SW6, SW12-15 (see map in APPENDIX C).

A. By design, BMPs shall be employed to maintain or reduce the peak runoff discharge rates, to the maximum extent practicable, as compared to pre-development conditions for the 2- through 100-year design storm applicable to the development site.

Hydrologic Soil Group	A	B	C	D
Runoff Curve Number	30	58	71	78

**Table 2.02-1 Maximum predevelopment Runoff Curve Numbers for Cropland Areas**

B. Predevelopment conditions shall assume “good hydrologic conditions” for appropriate land covers as identified in TR-55 or an equivalent methodology. The meaning of “hydrologic soil group” and “runoff curve number” are as determined in TR-55. However, when predevelopment land cover is cropland, rather than using TR-55 values for cropland, the runoff curve numbers in Table 2.02-1 shall be used.

2. For BMPs located within stormwater subbasins NW1-3, NW5, SW6, SW12-15 (see map in APPENDIX C).

BMP’s located within the subbasins listed above shall be designed to achieve, at a minimum, the release rates shown in Table 2.02-2 in accordance with the Village of Prairie du Sac Westside Stormwater Management Plan, dated November 2009, and as amended.

Subbasin(s)	Release Rates (cfs/ac)	
	2-year	100-year
NW1/NW5	0.16	0.99
NW2 (Internally Drained)	0.00	0.00
NW3	0.03	0.35
SW6/SW12/SW13B	0.07	0.38
SW13	0.01	0.30
SW13A	0.04	0.48
SW14/SW15	0.04	0.64

**Table 2.02-2 Northwest and Southwest Basin Release Rates**

C. Runoff Volume

At locations where site conditions permit and where technically feasible, infiltration of stormwater to reduce the volume of runoff likely will be required. In general, surficial soils in the Village and its extraterritorial zoning area are sandy and therefore, conducive for stormwater infiltration measures. If stormwater infiltration can be demonstrated, the reduced volume may be taken into account when designing practices to meet the peak flow control and pollution control requirements of this ordinance.

Where applicable, evaluation of the need for, appropriateness of, and required volume of infiltration shall be based on the most current DNR rules and technical standards. Infiltration shall not be permitted at locations specifically excluded in the DNR rules.

D. Oil and Grease

Fueling and vehicle maintenance areas shall have BMPs designed, installed, and maintained to reduce petroleum within runoff so that the runoff that leaves the site contains no visible petroleum sheen.

E. Protective Areas

1. A vegetated protective area with the width measured horizontally, specified in Table 2.02-3, shall be provided from the top of the channel (per definition in Section 5) of lakes, streams, and rivers or the delineated boundary of wetlands.

2. Impervious surfaces shall be kept out of the protective area unless impractical, with consideration of the planned use. The stormwater management plan shall contain a written site-specific explanation for any parts of the protective area that are disturbed during construction.
  
3. Where land-disturbing construction activity occurs within a protective area, and where no impervious surface is present, adequate sod or self-sustaining vegetative cover of 70 percent or greater shall be established and maintained. The adequate sod or self-sustaining vegetative cover shall be sufficient to provide for bank stability, maintenance of fish habitat, and filtering of pollutants from upslope overland flow areas under sheet flow conditions. Nonvegetative materials, such as rock riprap, may be employed on the bank as necessary to prevent erosion, such as on steep slopes or where high velocity flows occur.

In selecting the vegetative cover for the protective area, existing natural vegetative cover shall be left undisturbed, to the maximum extent practical. Where existing vegetative cover must be disturbed, consider revegetating the protective area with native plantings, where feasible.

4. Best management practices such as filter strips, bioretention basins, swales, or wet detention basins that are designed to control pollutants from nonpoint sources may be located in the protective area.

Type of Resource	Protective Area
Outstanding and Exceptional Resource Waters	75 feet
Perennial/Intermittent Streams per USGS Map	50 feet
Lakes and Wetlands	50 feet
Other Waterways with Drainage Areas > 130 ac	10 feet

**Table 2.02-3 Types of Resources and Protective areas**

5. The protective area requirement does not apply to:
  - a. Redevelopment sites.
  - b. In-fill development areas less than 5 acres.
  - c. Structures that cross or access surface waters such as boat landings, bridges, and culverts.

- d. Structures constructed in accordance with s. 59.692(1v), Wis. Stats.
  - e. Postconstruction sites from which runoff does not enter the surface water, except to the extent that vegetative ground cover is necessary to maintain bank stability.
6. Stormwater Conveyance Systems
- a. Storm Sewers shall be designed to convey the peak discharge for a 10-year frequency storm event. However, situations where no positive overland flow route is present, storm sewers shall be designed for a 100-year frequency storm event.
  - b. Cross culverts shall be designed to convey the peak discharge for a 25-year frequency storm event. In certain cases, at the discretion on the Village of Prairie du Sac, cross culverts that serve larger watersheds and/or cross collector roads/streets shall be designed for a 100-year frequency storm event.
  - c. Ditches shall be designed to convey the peak discharge for a 25-year frequency storm event. In certain cases, at the discretion on the Village of Prairie du Sac, ditches that serve larger watersheds and/or cross collector roads/streets shall be designed for a 100-year frequency storm event.
  - d. All conveyance systems shall be designed to safely pass the 100-year storm flow without damage to adjacent structures. Unless waived by the Village of Prairie du Sac, all new structures shall be constructed at least 2 feet higher than the estimated 100-year overflow elevation.

**SECTION 3**  
**GENERAL CONSIDERATIONS**

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### **3.01 GENERAL CONSIDERATIONS**

- A. All concentrated stormwater discharges leaving a site must be conveyed into an existing channel, storm sewer, or overland flow route with adequate downstream stormwater capacity and shall not result in increased flood hazard, erosion, or other adverse impacts.
  
- B. Natural topography and land cover features such as natural swales, natural depressions, native soil infiltrating capacity, and natural groundwater recharge areas shall be preserved and used, to the extent possible, to meet the requirements of this section.
  
- C. Emergency overland flow for all stormwater facilities shall be provided to prevent exceeding the safe capacity of downstream drainage facilities and prevent endangerment of downstream property or public safety.

**SECTION 4**  
**SUBMITTAL REQUIREMENTS**

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#### 4.01 EROSION AND SEDIMENT CONTROL PLAN

Submittal requirements for Erosion and Sediment Control Plans are summarized below. The Village may waive a portion of these submittal requirements where such information is not necessary to demonstrate compliance with Ordinance Title 10, Chapter 9. Two hard copies and one digital copy, on a CD or jump drive, shall be provided to the Village.

A. Responsible Party and Legal Description

1. Name, address, and telephone number for the following or their designees: landowner; developer; project engineer for practice design and certification; person(s) responsible for installation of stormwater management practices; and person(s) responsible for maintenance of stormwater management practices prior to the transfer, if any, of maintenance responsibility to another party.
2. A site location map at a recognizable scale and proper legal description of the property proposed to be developed, referenced to the US Public Land Survey system or to block and lot numbers within a recorded land subdivision plat.

B. Predevelopment Site Conditions Mapping

1. A USGS Quadrangle or other appropriate map approved by the Village Engineer showing the project location and nearby regional water resources potentially impacted by the project.
2. A copy of the applicable Soils Survey Map showing predominant soil types and hydrologic soil groups.
3. Mapping or description of existing cover type and condition.
4. A predeveloped conditions site map including the following information described below. Mapping shall include enough of the contiguous properties to show runoff patterns onto, through, and from the site.
  - a. Existing topographic contours of the site at a contour interval not to exceed 1 foot.
  - b. Property lines.
  - c. Existing flow paths and direction across the site.

- d. Outlet locations identifying where stormwater drainage leaves the property.
- e. Drainage basin divides and subdivides to all outlet locations where stormwater drainage leaves the property.
- f. Existing drainage structures on and adjacent to the site.
- g. Watercourses that may affect or be affected by runoff from the site.
- h. Lakes, streams, wetlands, channels, ditches, and other watercourses on and immediately adjacent to the site.
- i. Limits of the 100-year floodplain.

C. Proposed Site Grading and Erosion Control Plan

A Site Grading and Erosion Control Plan shall be provided that includes the following items. The plan shall be at an appropriate scale for the size of the development.

- 1. Boundaries of the construction site.
- 2. Drainage patterns and approximate slopes anticipated after major grading activities.
- 3. Areas of soil disturbance.
- 4. Location of major structural and nonstructural controls identified in the plan.
  - a. Location of areas where stabilization practices will be employed.
  - b. Areas which will be vegetated following construction.
- 5. Extent of wetland acreage on the site and locations where stormwater is discharged to a surface water or wetland.

D. Calculations

Calculations shall be provided including computer modeling input and output files, as needed, to demonstrate compliance with ordinance performance standards. All major assumptions used in developing input parameters shall be clearly stated. The drainage basin areas used in making the calculations shall be clearly cross-referenced to the required map(s).

E. Narrative

A narrative description of the proposed Erosion and Sediment Control Plan shall be provided, including the following:

1. Name of the immediate named receiving water from the United States Geological Service 7.5 minute series topographic maps, as well as locations of all surface waters and wetlands within one mile of the construction site.
2. A description of the site and the nature of the construction activity.
3. A sequence of construction of the development site, including stripping and clearing; rough grading; construction of utilities, infrastructure, and buildings; and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary erosion and sediment control measures, and establishment of permanent vegetation.
4. Estimates of the total area of the site and the total area of the site that is expected to be disturbed by construction activities.
5. Estimates, including calculations, if any, of the runoff coefficient of the site before and after construction activities are completed.
6. A description of appropriate controls and measures that will be performed at the site to prevent pollutants from reaching waters of the state. The plan shall clearly describe the appropriate control measures for each major activity and the timing during the construction process that the measures will be implemented. The description of erosion controls shall include, when appropriate, the following minimum requirements:
  - a. Description of interim and permanent stabilization practices, including a practice implementation schedule. Site plans shall ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized.

- b. Description of structural practices to divert flow away from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from the site. Unless otherwise specifically approved in writing by the Village of Prairie du Sac, structural measures shall be installed on upland soils.
- c. Descriptions of any other practices proposed to meet requirements of Ordinance Title 10, Chapter 9 and prevent erosion from the site.

#### **4.02 STORMWATER MANAGEMENT PLAN SUBMITTAL REQUIREMENTS**

Submittal requirements for Stormwater Management Plans are summarized below. The Village may waive a portion of these submittal requirements where such information is not necessary to demonstrate compliance with Ordinance Title 10, Chapter 9.

##### **A. Responsible Party and Legal Description**

The required stormwater management plan should contain, at a minimum, the following information:

- 1. Name, address, and telephone number for the following or their designees: landowner; developer; project engineer for practice design and certification; person(s) responsible for installation of stormwater management practices; and person(s) responsible for maintenance of stormwater management practices prior to the transfer, if any, of maintenance responsibility to another party.
- 2. A proper legal description of the property proposed to be developed, referenced to the U.S. Public Land Survey system or to block and lot numbers within a recorded land subdivision plat.

##### **B. Predevelopment Site Conditions Mapping**

- 1. A USGS Quadrangle or other appropriate map showing the project location and nearby regional water resources potentially impacted by the project.
- 2. A copy of the applicable Soils Survey Map showing predominant soil types and hydrologic soil groups.
- 3. Mapping or description of existing cover type and condition.

4. A predeveloped conditions site map at a recognizable scale including the following information described below. Mapping shall include enough of the contiguous properties to show runoff patterns onto, through, and from the site:
  - a. Existing topographic contours of the site at a contour interval not to exceed 2 feet.
  - b. Property lines.
  - c. Existing flow paths and direction across the site.
  - d. Outlet locations identifying where stormwater drainage leaves the property.
  - e. Drainage basin divides and subdivides to all outlet locations where stormwater drainage leaves the property.
  - f. Existing drainage structures on and adjacent to the site.
  - g. Watercourses that may affect or be affected by runoff from the site.
  - h. Lakes, streams, wetlands, channels, ditches, and other watercourses on and immediately adjacent to the site.
  - i. Limits of the 100-year floodplain.
  - j. Location of wells and wellhead protection areas covering the project area and delineated pursuant to s. NR 811.16, Wis. Adm. Code.

C. Postdevelopment Site Conditions Mapping

1. Proposed pervious areas including vegetative cover type and condition.
2. Proposed impervious surfaces including all buildings, structures, and pavement.
3. Proposed topographic contours of the site at a scale not to exceed one foot.
4. Proposed drainage network including enough of the contiguous properties to show runoff patterns onto, through, and from the site; locations and dimensions of drainage easements.

5. Locations of maintenance easements specified in the maintenance agreement.
6. Flow path and direction for all stormwater conveyance sections.
7. Location and type of all stormwater management conveyance and treatment practices, including the on-site and off-site tributary drainage area.
8. Location and type of conveyance system that will carry runoff from the drainage and treatment practices to the nearest adequate outlet such as a curbed street, storm drain, or natural drainageway.
9. Proposed drainage divides and subdivides identified to each outlet location where stormwater will discharge from the proposed development site.

D. Detailed Drawings

Detailed drawings including cross sections and profiles of all permanent stormwater conveyance and treatment practices.

E. Calculations

Calculations, including computer modeling input and output files, as needed to demonstrate compliance with ordinance performance standards. All major assumptions used in developing input parameters shall be clearly stated. The drainage basin areas used in making the calculations shall be clearly cross-referenced to the required map(s).

F. Narrative

A narrative including, at a minimum, the following:

1. A description of methodologies and major assumptions used in developing hydrologic and hydraulic analyses.
2. A summary of analysis results and conclusions that shall include the following:
  - a. Tables summarizing predeveloped and postdeveloped hydrologic parameters for each drainage basin. Tables shall include subbasin areas, runoff curve numbers, impervious areas, and times of concentration for predeveloped and postdeveloped conditions.

- b. Tables summarizing peak discharge rates for the 2-year, 5-year, 10-year, 25-year, and 100-year storm events for predeveloped, post-developed without stormwater control practices, and postdeveloped with stormwater control practices conditions.
3. Explanation of the provisions to preserve and use natural topography and land cover features to minimize changes in peak flow runoff rates and volumes to surface waters and wetlands.
4. Explanation of any restrictions on stormwater management measures in the development area imposed by wellhead protection plans, any applicable Wellhead Protection district indicated on the zoning map of the Village and its extraterritorial zoning area, and associated regulations in Section 10-1-0506 of the zoning ordinance.
5. Results of investigations of soils and groundwater required for the placement and design of stormwater management measures.
6. A description and installation schedule for the stormwater management practices needed to meet the performance standards.
7. A maintenance plan developed for the life of each stormwater management practice including the required maintenance activities and maintenance activity schedule. Permanent post-construction stormwater management facilities to be located on private lands and/or to be privately maintained shall submit a long-term stormwater maintenance agreement in accordance with Village ordinance 10-9-25. The Village will record the stormwater maintenance agreement after the stormwater management permit has been issued.
8. Cost estimates for the construction, operation, and maintenance of each stormwater management practice.
9. Other information requested in writing by the Village of Prairie du Sac to determine compliance of the proposed stormwater management measures with the provisions of this ordinance.

G. Certification of Site Investigations, Plans, Designs, Computations, and Drawings

All site investigations, plans, designs, computations, and drawings shall be certified by a Wisconsin-licensed professional engineer to be prepared in accordance with accepted engineering practice and requirements of the ordinance.

**SECTION 5**  
**DEFINITIONS**

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## 5.01 DEFINITIONS

- 1) **“Agricultural facilities and practices”** has the meaning given in s. 281.16, Wis. Stats.
- 2) **“Average annual rainfall”** means a calendar year of precipitation, excluding snow, which is considered typical. For applications requiring use of average annual rainfall, recorded City of Madison depths for March 12 through December 2, 1981, shall be used.
- 3) **“Best management practice” or “BMP”** means structural or non-structural measures, practices, techniques or devices employed to avoid or minimize sediment or pollutants carried in runoff to waters of the state.
- 4) **“Business day”** means a day the office of the Village is routinely and customarily open for business.
- 5) **“Cease and desist order”** means a court-issued order to halt land disturbing construction activity that is being conducted without the required permit.
- 6) **“Connected imperviousness”** means an impervious surface that is directly connected to a separate storm sewer or water of the state via an impervious flow path.
- 7) **“Construction Site”** means an area upon which one or more land disturbing construction activities occur, including areas that are part of a larger common plan of development or sale where multiple separate and distinct land disturbing construction activities may be taking place at different times on different schedules but under one plan.
- 8) **“Design storm”** means a hypothetical discrete rainstorm characterized by a specific duration, temporal distribution, rainfall intensity, return frequency, and total depth of rainfall.
- 9) **“Development”** means residential, commercial, industrial or institutional land uses and associated roads.
- 10) **“Director of Public Works”** means the Village of Prairie du Sac Director of Public Works or designee.
- 11) **“Division of land”** means either a division of a Lot, Parcel, or tract of land, or Replat of land by the Owner or the Owner’s agent for any purpose including sale or development, as defined by Chapter 3, Land Division Regulations.
- 12) **“Effective infiltration area”** means the area of the infiltration system that is used to infiltrate runoff and does not include the area used for site access, berms or pretreatment.
- 13) **“Erosion”** means the process by which the land’s surface is worn away by the action of wind, water, ice or gravity.
- 14) **“Exceptional resource waters”** means waters listed in s. NR 102.11, Wis. Adm. Code.
- 15) **“Extraterritorial Zoning Jurisdiction”** means the area outside of the Village of Prairie du Sac municipal limits in which the Village exercises joint zoning authority with the Town of Prairie du Sac, under extraterritorial zoning authority granted by Wisconsin Statutes as defined by Section 10-1-0104 of the Village of Prairie du Sac Zoning Ordinance.
- 16) **“Final stabilization”** means that all land disturbing construction activities at the construction site have been completed and that a uniform, perennial, vegetative cover has been established, with a density of at least 70% of the cover, for the unpaved areas and areas not covered by permanent structures, or employment of equivalent permanent stabilization measures.
- 17) **“Financial guarantee”** means a performance bond, maintenance bond, surety bond, irrevocable letter of credit, or similar guarantees submitted to the Village by the

responsible party to assure that requirements of Ordinance Title 10, Chapter 9 are carried out in compliance with the stormwater management plan.

- 18) **“Governing body”** means village board of trustees.
- 19) **“Impervious surface”** means an area that releases as runoff all or a large portion of the precipitation that falls on it, except for frozen soil. Rooftops, sidewalks, driveways, parking lots and streets are examples of areas that typically are impervious.
- 20) **“In-fill area”** means an undeveloped area of land located within existing development or which adjacent properties on at least three sides are developed or in public rights-of-way, as determined by the Village Engineer.
- 21) **“Infiltration”** means the entry of precipitation or runoff into or through the soil.
- 22) **“Infiltration system”** means a device or practice such as a basin, trench, rain garden or swale designed specifically to encourage infiltration, but does not include natural infiltration in pervious surfaces such as lawns, redirecting of rooftop downspouts onto lawns or minimal infiltration from practices, such as swales or road side channels designed for conveyance and pollutant removal only.
- 23) **“Karst feature”** means an area or geologic feature subject to bedrock dissolution so that it is likely to provide a conduit to groundwater, and may include caves, enlarged fractures, mine features, exposed bedrock surfaces, sinkholes, springs, seeps or swallets.
- 24) **“Land Development Activity”** means any construction related activity that results in the addition or replacement of impervious surfaces such as rooftops, roads, parking lots, and other structures. Measurement of areas impacted by land development activity includes areas that are part of a larger common plan of development or sale where multiple separate and distinct land disturbing construction activities may be taking place at different times on different schedules but under one plan.
- 25) **“Land disturbing construction activity”** means any man-made alteration of the land surface resulting in a change in the topography or existing vegetative or non-vegetative soil cover, that may result in runoff and lead to an increase in soil erosion and movement of sediment into waters of the state. Land disturbing construction activity includes clearing and grubbing, demolition, excavating, pit trench dewatering, filling and grading activities.
- 26) **“Maintenance agreement”** means a legal document that provides for long-term maintenance of stormwater management practices.
- 27) **“MEP” or “maximum extent practicable”** means a level of implementing best management practices in order to achieve a performance standard specified in this ordinance which takes into account the best available technology, cost effectiveness and other competing issues such as human safety and welfare, endangered and threatened resources, historic properties and geographic features. MEP allows flexibility in the way to meet the performance standards and may vary based on the performance standard and site conditions.
- 28) **“New development”** means development resulting from the conversion of previously undeveloped land or agricultural land uses, except for development of In-Fill areas as described above.
- 29) **“Off-site”** means located outside the property boundary described in the permit application.
- 30) **“On-site”** means located within the property boundary described in the permit application.

- 31) "**Ordinary high-water mark**" has the meaning given in s. NR 115.03(6), Wis. Adm. Code.
- 32) "**Outstanding resource waters**" means waters listed in s. NR 102.10, Wis. Adm. Code.
- 33) "**Percent fines**" means the percentage of a given sample of soil, which passes through a # 200 sieve.
- 34) "**Performance standard**" means a narrative or measurable number specifying the minimum acceptable outcome for a facility or practice.
- 35) "**Permit**" means a written authorization made by the Village to the applicant to conduct land disturbing construction activity or to discharge post-construction runoff to waters of the state.
- 36) "**Permit administration fee**" means a sum of money paid to the Village of Prairie du Sac by the permit applicant for the purpose of recouping the expenses incurred by the authority in administering the permit. Refer to the fee schedule adopted by the Village Board.
- 37) "**Pervious surface**" means an area that releases as runoff a small portion of the precipitation that falls on it. Lawns, gardens, parks, forests or other similar vegetated areas are examples of surfaces that typically are pervious.
- 38) "**Pollutant**" has the meaning given in s. 283.01(13), Wis. Stats.
- 39) "**Pollution**" has the meaning given in s. 281.01(10), Wis. Stats.
- 40) "**Post-construction site**" means a construction site following the completion of land disturbing construction activity and final site stabilization.
- 41) "**Pre-development condition**" means the extent and distribution of land cover types present before the initiation of land disturbing construction activity, assuming that all land uses prior to development activity are managed in an environmentally sound manner.
- 42) "**Preventive action limit**" has the meaning given in s. NR 140.05(17), Wis. Adm. Code.
- 43) "**Redevelopment**" means areas where development is replacing older development
- 44) "**Responsible party**" means any entity holding fee title to the property.
- 45) "**Runoff**" means stormwater or precipitation including rain, snow or ice melt or similar water that moves on the land surface via sheet or channelized flow.
- 46) "**Sediment**" means settleable solid material that is transported by runoff, suspended within runoff or deposited by runoff away from its original location.
- 47) "**Separate storm sewer**" means a conveyance or system of conveyances including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains, which meets all of the following criteria:
  - a. Is designed or used for collecting water or conveying runoff.
  - b. Is not part of a combined sewer system.
  - c. Is not draining to a stormwater treatment device or system.
  - d. Discharges directly or indirectly to waters of the state.
- 48) "**Site**" means the entire area included in the legal description of the land on which the land disturbing construction activity is proposed.
- 49) "**Stop work order**" means an order issued by the Village which requires that all construction activity on the site be stopped.
- 50) "**Stormwater management plan**" means a comprehensive plan designed to reduce the discharge of pollutants from stormwater after the site has undergone final stabilization following completion of the construction activity.
- 51) "**Stormwater management system plan**" is a comprehensive plan designed to reduce the discharge of runoff and pollutants from hydrologic units on a regional or municipal scale.

- 52) "**Technical standard**" means a document that specifies design, predicted performance and operation and maintenance specifications for a material, device or method.
- 53) "**Top of the channel**" means an edge, or point on the landscape, landward from the ordinary high water mark of a surface water of the state, where the slope of the land begins to be less than 12% continually for at least 50 feet. If the slope of the land is 12% or less continually for the initial 50 feet, landward from the ordinary high water mark, the top of the channel is the ordinary high water mark.
- 54) "**TR-55**" means the United States Department of Agriculture, Natural Resources Conservation Service (previously Soil Conservation Service), Urban Hydrology for Small Watersheds, Second Edition, Technical Release 55, June 1986.
- 55) "**Waters of the state**" has the meaning given in s. 281.01 (18), Wis. Stats.

**SECTION 6  
FORMS**

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**Village of Prairie Du Sac  
Stormwater Management Plan**

**Financial Guarantee**

To: [permit holders name]  
Date:  
Subject: **Financial Guarantee** in the Amount of \$ \_\_\_\_\_  
Check # \_\_\_\_\_ Received by (staff initials): \_\_\_\_\_

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

Location: Section [no.], Town of [public land survey township name]

This memo shall serve as a receipt for the above noted Financial Guarantee and as an agreement of the purpose and conditions for release by the Village of Prairie Du Sac (herein referred to as the "Village").

**Authority.**

The authority of the Village to collect and hold this Financial Guarantee is stated in Title 10, Chapter 9, Section 26 of the Village of Prairie Du Sac Code of Ordinances – Stormwater Management Ordinance (herein referred to as the "Ordinance").

**Purpose.**

The purpose of this Financial Guarantee is to ensure compliance with Ordinance Title 10, Chapter 9 and the terms and conditions of a Stormwater Management Permit issued for the above noted project and location.

**Conditions For Release.**

Terms for release of the Financial Guarantee shall include all of the following:

1. Construction Certification. A professional engineer licensed in Wisconsin shall certify that construction of all stormwater management practices comply with the approved plans and the technical standards of the Village. "As-built" plans shall be submitted for stormwater management practices showing actual location, elevations, GPS locations, materials, construction methods and other items as deemed necessary by the Village to determine compliance.
2. Maintenance Agreement. A copy of an approved maintenance agreement for all stormwater management practices associated with this project must be provided to the Village. The agreement shall be stamped by the Register of Deeds, showing that it has been recorded for all applicable properties.
3. Final Inspection. The Village shall complete a final inspection of the property and certify compliance with the permit and Ordinance Title 10, Chapter 9.

If the Village should use any portion of the Financial Guarantee to complete permit activities, due to default or improper action by the permit holder, the Village shall withhold any amounts owed for this work, in accordance with Ordinance Title 10, Chapter 9.



conducted pursuant to its maintenance and source control programs. Said assistance shall be provided upon request, and as Village time and resources permit.

- (2) Maintain public records of the results of the site inspections, inform the party responsible for maintenance of the inspection results, and specifically indicate any corrective actions required to bring the storm water management practice into proper working condition.
- (3) Notify the Owner of maintenance problems that require correction.

REMEDIES:

- (1) If corrective actions required by the Village are not completed within the time set by the Village, written notice will be sent to the persons who were given notice stating the Village intention to perform such maintenance and bill the owner for all incurred expenses.
- (2) If at any time the Village determines that the existing system creates any imminent threat to public health or welfare, the Village may take immediate measures to remedy said threat. No notice to the persons listed in (1), above, shall be required under such circumstances.
- (3) The owner grants unrestricted authority to the Village for access to any and all stormwater system features for the purpose of performing maintenance or repair as may become necessary under Remedies (1) and/or (2).
- (4) The persons listed in (1), above, shall assume all responsibility for the cost of any maintenance and for repairs to the stormwater facility. Such responsibility shall include reimbursement to the Village within 30 days of the receipt of the invoice for any such work performed. Overdue payments will require payment of interest at the current legal rate for liquidated judgments. If legal action ensues, any costs or fees incurred by the Village will be borne by the parties responsible for said reimbursements.
- (5) The owner hereby grants to the Village a lien against the above-described property in an amount equal to the cost incurred by the Village to perform the maintenance or repair work described herein.

This Agreement is intended to protect the value and desirability of the real property described above and to benefit all the citizens of the Village. It shall run with the land and be binding on all parties having or acquiring from Owner or their successors any right, title, or interest in the property or any part thereof, as well as their title, or interest in the property or any part thereof, as well as their heirs, successors, and assigns. They shall inure to the benefit of each present or future successor in interest of said property or any part thereof, or interest therein, and to the benefit of all citizens of the Village.

\_\_\_\_\_  
\_\_\_\_\_



**VILLAGE OF PRAIRIE DU SAC**  
**CONSTRUCTION SITE EROSION CONTROL PERMIT NO. \_\_\_\_\_**

Date of Application \_\_\_\_\_  
 Site Address \_\_\_\_\_  
 Plat Name \_\_\_\_\_  
 Certified Survey Map \_\_\_\_\_  
 Lots No. (s) \_\_\_\_\_

**Permit Conditions:**

- (a) Permittee shall notify the Village 48 hours prior to commencing any land disturbing construction activity.
- (b) Permittee shall notify the Village of practice installation within 5 days of installation.
- (c) Permittee shall obtain permission in writing from the Village prior to any modification pursuant to Section 10-9-8 of the erosion and sediment control ordinance.
- (d) Permittee shall install all practices as identified in the approved erosion and sediment control plan.
- (e) Permittee shall maintain all road drainage systems, stormwater drainage systems, BMPs and other facilities identified in the erosion and sediment control plan.
- (f) Permittee shall repair any siltation or erosion damage to adjoining surfaces and drainage ways resulting from land disturbing construction activities and document repairs in a site erosion control log. Remove accumulated sediment from downstream culverts, storm sewers, and other drainage facilities.
- (g) Permittee shall inspect the practices within 24 hours after each rain of 0.5 inches or more which results in runoff during active construction periods, and at least once each week, make needed repairs and document the findings of the inspections in a site erosion control log with the date of inspection, the name of the person conducting the inspection, and a description of the present phase of the construction at the site.
- (h) Permittee shall allow the Village to enter the site for the purpose of inspecting compliance with the erosion and sediment control plan or for performing any work necessary to bring the site into compliance with the control plan. Permittee shall keep a copy of the erosion and sediment control plan at the construction site.

**APPLICANT  
 MUST FILL  
 IN BOXED  
 AREA**

Owner \_\_\_\_\_  
 (please print or type full name)  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Signature or Owner or Authorized Representative

Area of Land Disturbance (Square Feet) \_\_\_\_\_

SPECIAL CONDITIONS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

CONDITIONAL APPROVAL: \_\_\_\_\_  
Administrative Authority Title Date

This permit applies to construction sites that have 4,000 square feet of land disturbing construction activity. Permits issued under this section shall be valid for a period of 180 days, or the length of the building permit or other construction authorizations, whichever is longer, from the date of issuance. The Village may extend the period one or more times for up to an additional 180 days. The Village may require additional BMPs as a condition of the extension if they are necessary to meet the requirements of this ordinance.

# Village of Prairie du Sac Construction Site Erosion Control Plan Application Checklist

(Sites >= 4,000 sq. ft of land disturbing activity)

Permit #: \_\_\_\_\_

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

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

*Please check the appropriate box: I = Included; NA = Non-Applicable*

*(If "NA" is checked, an explanation must be entered.)*

Plan Requirement	I	NA	Explanation/Location in Plan
<b>A. Submittal Requirements</b>			
1. Permit Application Form			
2. Application Fee			
<b>B. Predevelopment Site Conditions Mapping</b>			
1. Location Map			
2. Soils Survey Map			
3. Existing Land Use Mapping			
4. Predeveloped Site Conditions			
a. Existing Contours			
b. Property lines			
c. Existing flow paths and direction			
d. Outlet locations			
e. Drainage basin divides and subdivides			
f. Existing drainage structures on and adjacent to the site.			
g. Nearby Watercourses			
h. Lakes, streams, wetlands, channels, ditches, etc.			
i. Limits of the 100-year floodplain;			
<b>C. Proposed Site Grading and Erosion Control Plan</b>			
1. Boundaries of the construction site.			
2. Drainage Patterns/slopes after grading activities			
3. Areas of land disturbance			
4. Locations of structural and nonstructural controls			
5. Drainage basin delineations and outfall locations			
<b>D. Drawings/Details</b>			
1. Practice Location/Layout/Cross Sections			
2. Construction Details			
<b>E. Calculations, as required to demonstrate ordinance compliance</b>			
<b>F. Narrative</b>			
1. Name of receiving waters			
2. Site Description/Nature of construction activity			
3. Sequence of Construction			
4. Estimate of site area and disturbance area			
5. Pre- and postdeveloped runoff coefficients			
6. Description of proposed controls, including			
a. Interim and permanent stabilization practices			
b. Practices to divert flow from exposed soils			
c. Practices to store flows or trap sediment			
d. Any other practices proposed to meet ordinance			

\_\_\_\_\_  
Applicant Name

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Email

**GENERAL INFORMATION  
CONSTRUCTION SITE EROSION CONTROL PERMIT APPLICATION**

**Send Application to:**

Village of Prairie Du Sac  
335 Galena Street  
Prairie Du Sac, Wisconsin 53578

This application applies to construction sites that have 4,000 square feet of land disturbing construction activity. See 10-9-3 of the Village's Construction Site and Erosion Control Ordinance for exemptions.

**Official Use Only**

Date Received	_____
Number	_____
Fee Received	_____
Reviewer	_____

**Instructions:** Please type or print. Read all instructions before completing application. Refer to the Fee Schedule adopted by the Village Board for applicable fees.

Name of Project: \_\_\_\_\_

Applicant/Entity Receiving Permit

Name of Applicant: \_\_\_\_\_

First Name of Contact: \_\_\_\_\_ Last

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

Street (1): \_\_\_\_\_

Street (2): \_\_\_\_\_

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

Telephone Number: (\_\_\_\_) \_\_\_\_\_

Fax Number: (\_\_\_\_) \_\_\_\_\_

Property Owner

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Street (1): \_\_\_\_\_

Street (2): \_\_\_\_\_

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

Telephone Number: (\_\_\_\_) \_\_\_\_\_

Parcel Identification Number(s): \_\_\_\_\_

Engineer (Where Applicable)

Name of Firm: \_\_\_\_\_

First Name of Contact: \_\_\_\_\_ Last

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

Street (1): \_\_\_\_\_

Street (2): \_\_\_\_\_

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

Telephone Number: (\_\_\_\_) \_\_\_\_\_

Fax Number: (\_\_\_\_) \_\_\_\_\_

**VILLAGE OF PRAIRIE DU SAC**  
STORMWATER MANAGEMENT PERMIT NO. \_\_\_\_\_

Date of Application \_\_\_\_\_  
Site Address \_\_\_\_\_  
Plat Name \_\_\_\_\_  
Certified Survey Map \_\_\_\_\_  
Lots No. (s) \_\_\_\_\_

I have reviewed and understand Chapter 10-9 of the Village of Prairie Du Sac general ordinances regarding stormwater management and I shall implement the stormwater management plan for this project as approved by the Village.

**General Conditions:**

- (a) All storm water management measures shall be installed in accordance with the approved storm water management plan and this permit.
- (b) The Village shall be notified at least 3 business days before commencing any work in conjunction with the storm water management plan, and within 3 business days upon completion of the storm water management practices.
- (c) Practice installations shall be certified "as built" by a licensed professional engineer. Completed storm water management practices must pass a final inspection by the Village or its designee to determine if they are in accordance with the approved storm water management plan and ordinance.
- (d) The Village shall be notified of any significant proposed modifications to an approved storm water management plan.
- (e) All storm water management practices shall be maintained in accordance with the storm water management plan until the practices either become the responsibility of the Village of Prairie Du Sac, or are transferred to subsequent private owners or the Town of Prairie Du Sac as specified in the approved maintenance agreement.
- (f) The Village of Prairie Du Sac is authorized to perform any work or operations necessary to bring storm water management measures into conformance with the approved storm water management plan, and consent to a special assessment or charge against the property as authorized under subch. VII of ch. 66, Wis. Stats., or to charging such costs against the financial guarantee posted under S.10.
- (g) If so directed by the Village, all damage to adjoining facilities and drainage ways caused by runoff, where such damage is caused by activities that are not in compliance with the approved storm water management plan shall be repaired at the permittee's expense.
- (h) Access is permitted to the Village or its designee for the purpose of inspecting the property for compliance with the approved storm water management plan and this permit.

**APPLICANT  
MUST FILL  
IN BOXED  
AREA**

Owner \_\_\_\_\_  
(please print or type full name)

Address \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature or Owner or Authorized Representative

Gross Aggregate Area (Square Feet) \_\_\_\_\_

SPECIAL CONDITIONS: \_\_\_\_\_

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CONDITIONAL APPROVAL: \_\_\_\_\_

Administrative Authority

Title

Date

Permit VALID for a period of twelve (12) months from date of issuance by Village and all work must be completed prior to the expiration unless authorized in writing from the Village.

This permit applies to the any of the following:

1. Any development that results in 20,000 square feet or more of land disturbing activity.
2. Any development that results in the addition of 10,000 square feet or more of impervious area.
3. A subdivision plat.
4. A certified survey map intended for commercial or industrial use.



## Village of Prairie Du Sac Application Checklist Summary Tables

### Peak Discharge Summary

Outfall No. \_\_\_\_\_

Storm Frequency	Peak Discharge (cfs)		
	Predev.	Postdev.	Postdev. w/Detention
2-Year			
5-Year			
10-Year			
25-Year			
50-Year			
100-Year			

Note: Provide 1 table for each outfall location.

### Detention Basin Summary

Detention Basin \_\_\_\_\_

Storm Frequency	Storage Volume (ac-ft)	Peak Discharge (cfs)		
		Inflow	Discharge	Pond Elevation
2-Year				
5-Year				
10-Year				
25-Year				
50-Year				
100-Year				

Note: Provide 1 table for each detention basin.

# Village of Prairie du Sac Stormwater Management Plan Application Checklist

**Project Name:** \_\_\_\_\_

**Permit #:** \_\_\_\_\_

**Date:** \_\_\_\_\_

*Please check the appropriate box: I = Included; NA = Non-Applicable*

*(If "NA" is checked, an explanation must be entered.)*

Plan Requirement	I	NA	Explanation/Location in Plan
<b>A. Submittal Requirements</b>			
1. Permit Application Form			
2. Maintenance Agreement			
3. Application Fee			
4. Financial Guarantee			
5. Certification/Stamp by Wisconsin Prof. Engineer			
<b>B. Predevelopment Site Conditions Mapping</b>			
1. Location Map			
2. Soils Survey Map			
3. Existing Land Use Mapping			
4. Predeveloped Site Conditions			
a. Existing Contours			
b. Property lines			
c. Existing flow paths and direction			
d. Outlet locations			
e. Drainage basin divides and subdivides			
f. Existing drainage structures on and adjacent to the site.			
g. Nearby Watercourses			
h. Lakes, streams, wetlands, channels, ditches, etc.			
i. Limits of the 100-year floodplain;			
j. Wells/Wellhead Protection Areas			
<b>C. Post-Development Site Conditions Mapping</b>			
1. Pervious Surfaces			
2. Impervious Surfaces			
3. One Foot Topographic Contours			
4. Proposed Drainage System (including applicable off-site)			
5. Proposed Easement Locations			
6. Proposed Flow Paths, Overland Flow Routes			
7. Proposed Outlets/Drainage Divides			
<b>D. Drawings/Details</b>			
1. Practice Location/Layout/Cross Sections			
2. Outlet Structure Details			
3. Ditch/Storm Sewer Plan/Profile			
4. Other			
<b>E. Calculations, including computer modeling input and output files.</b>			
1. Hydrograph Parameter Calculations			
2. Computer Modeling Input/Output (Pre- and Postdeveloped)			
3. Detention Pond Routing			
4. Conveyance System Design			

# Village of Prairie du Sac Stormwater Management Plan Application Checklist

**Project Name:** \_\_\_\_\_

**Permit #:** \_\_\_\_\_

**Date:** \_\_\_\_\_

*Please check the appropriate box: I = Included; NA = Non-Applicable*

*(If "NA" is checked, an explanation must be entered.)*

Plan Requirement	I	NA	Explanation/Location in Plan
5. Other			
<b>F. Narrative</b>			
1. Methodologies and Assumptions			
2. Results/Conclusions			
a. Pre-, and Post-developed parameter summary			
b. Pre-, and Post-developed peak discharge Summary			
3. Provisions to preserve natural topography/cover features			
4. Limitations from wellhead protection plans and ordinances.			
5. Results of investigations of soils and groundwater			
6. Practice Installation Schedule			
7. Maintenance Plan			
8. Cost Estimates			
9. Other Information			

\_\_\_\_\_  
Applicant Name

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Email

**GENERAL INFORMATION  
STORMWATER MANAGEMENT PERMIT APPLICATION**

***Send Application to:***

Village of Prairie Du Sac  
335 Galena Street  
Prairie Du Sac, Wisconsin 53578

**Official Use Only**

Date Received	_____
Number	_____
Fee Received	_____
Reviewer	_____

This application applies to the any of the following:

1. Any development that results in 20,000 square feet or more of land disturbing activity.
2. Any development that results in the addition of 10,000 square feet or more of impervious area.
3. A subdivision plat.
4. A certified survey map intended for commercial or industrial use.

**Instructions:** Please type or print. Read all instructions before completing application. Refer to the Fee Schedule adopted by the Village Board for applicable fees. See Section 10-1-0302 for development activity exemptions. Submit 2 hard copies and 1 digital copy on CD or jump drive.

Name of Project: \_\_\_\_\_

**Applicant/Entity Receiving Permit**

Name of Applicant: \_\_\_\_\_

First Name of Contact: \_\_\_\_\_ Last

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

Street (1): \_\_\_\_\_

Street (2): \_\_\_\_\_

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

Telephone Number: (\_\_\_\_\_) \_\_\_\_\_

Fax Number: (\_\_\_\_\_) \_\_\_\_\_

**Property Owner**

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Street (1): \_\_\_\_\_

Street (2): \_\_\_\_\_

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

Telephone Number: (\_\_\_\_\_) \_\_\_\_\_

Parcel Identification Number(s): \_\_\_\_\_

**Engineer**

Name of Firm: \_\_\_\_\_

First Name of Contact: \_\_\_\_\_ Last

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

Street (1): \_\_\_\_\_

Street (2): \_\_\_\_\_

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

Telephone Number: (\_\_\_\_\_) \_\_\_\_\_

Fax Number: (\_\_\_\_\_) \_\_\_\_\_

**APPENDIX A**  
**CONSTRUCTION SITE EROSION CONTROL ORDINANCE**

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## CHAPTER 9

### ARTICLE 1: Construction Site Erosion Control Ordinance

§ 10-9-1	Authority
§ 10-9-2	Findings and Purpose
§ 10-9-3	Applicability and Jurisdiction
	(1) Applicability
	(2) Jurisdiction
	(3) Exclusions
§ 10-9-4	Definitions
§ 10-9-5	Technical Standards
	(1) Design Criteria, Standards and Specifications
	(2) Other Standards
§ 10-9-6	Performance Standards
	(1) Responsible Party
	(2) Plan
	(3) Erosion and Other Pollutant Control Requirements
	(4) Location
	(5) Alternate Requirements
§ 10-9-7	Permitting Requirements, Procedures and Fees
	(1) Permit Required
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SEC. 10-9-1     AUTHORITY

- (1) Ordinance Title 10, Chapter 9, Article 1 is adopted by the Village of Prairie du Sac under the authority granted by s. 61.354, Wis. Stats. This ordinance supersedes all provisions of any ordinance previously enacted under 61.35, Wis. Stats., that relate to construction site erosion control. Except as otherwise specified in s. 61.354 Wis. Stats., s. 61.35 Wis. Stats., applies to this ordinance and to any amendments to this ordinance.
- (2) The provisions of this ordinance are deemed not to limit any other lawful regulatory powers of the same governing body.
- (3) The Village of Prairie du Sac hereby will administer and enforce the provisions of this ordinance.
- (4) The requirements of this ordinance do not pre-empt more stringent erosion and sediment control requirements that may be imposed by any of the following:
  - (a) Wisconsin Department of Natural Resources administrative rules, permits or approvals including those authorized under ss. 281.16 and 283.33, Wis. Stats.
  - (b) Targeted non-agricultural performance standards promulgated in rules by the Wisconsin Department of Natural Resources under s. NR 151.004, Wis. Adm. Code.

SEC. 10-9-2     FINDINGS AND PURPOSE

- (1) FINDINGS. The Village of Prairie du Sac finds that runoff from land disturbing construction activity carries a significant amount of sediment and other pollutants to the waters of the state in the Village of Prairie du Sac and its extraterritorial zoning jurisdiction.
- (2) PURPOSE. It is the purpose of this ordinance to further the maintenance of safe and healthful conditions; prevent and control water pollution; prevent and control soil erosion; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses; preserve ground cover and scenic beauty; and promote sound economic growth, by minimizing the amount of sediment and other pollutants carried by runoff or discharged from land disturbing construction activity to waters of the state in the Village of Prairie du Sac and its extraterritorial zoning jurisdiction.

SEC. 10-9-3     APPLICABILITY AND JURISDICTION

- (1) APPLICABILITY.
  - (a) This ordinance applies to construction sites that have 4,000 square feet of land disturbing construction activity except as provided under sub. (b):
  - (b) This ordinance does not apply to the following:
    1. Land disturbing construction activity that includes the construction of a building and is otherwise regulated by the Wisconsin Department of Safety and Professional Services in chs. SPS 320 to 325 or 361 to 366, Wis. Adm. Code.
    2. A construction project that is exempted by federal statutes or regulations from the requirement to have a national pollutant discharge elimination system permit issued under Chapter 40, Code of Federal Regulations, part 122, for land disturbing construction activity.

3. Nonpoint discharges from agricultural facilities and practices.
  4. Nonpoint discharges from silviculture activities.
  5. Routine maintenance for project sites under 5 acres of land disturbance if performed to maintain the original line and grade, hydraulic capacity or original purpose of the facility.
- (c) Notwithstanding the applicability requirements in paragraph (a), this ordinance applies to construction sites of any size that, in the opinion of the Village, are likely to result in runoff that exceeds the safe capacity of the existing drainage facilities or receiving body of water, that causes undue channel erosion, that increases water pollution by scouring or the transportation of particulate matter or that endangers property or public safety.
- (2) JURISDICTION. This ordinance applies to land disturbing construction activities on lands within the boundaries and jurisdiction of the Village of Prairie du Sac and its Extraterritorial Zoning Jurisdiction.
  - (3) EXCLUSIONS. This ordinance is not applicable to activities conducted by a state agency, as defined under s. 227.01 (1), Wis. Stats., but also including the office of district attorney, which is subject to the state plan promulgated or a memorandum of understanding entered into under s. 281.33 (2), Wis. Stats.

SEC. 10-9-4    DEFINITIONS

- (1) ADMINISTERING AUTHORITY means a governmental employee, or a regional planning commission empowered under s. 61.354 Wis. Stats., that is designated by the Prairie du Sac to administer this ordinance.
- (2) AGRICULTURAL FACILITIES AND PRACTICES has the meaning in s. 281.16(1), Wis. Stats.
- (3) AVERAGE ANNUAL RAINFALL means a calendar year of precipitation, excluding snow, which is considered typical. For applications requiring use of average annual rainfall, recorded City of Madison depths for March 12 through December 2, 1981, shall be used.
- (4) BEST MANAGEMENT PRACTICE or BMP means structural or non-structural measures, practices, techniques or devices employed to avoid or minimize soil, sediment or pollutants carried in runoff to waters of the state.
- (5) BUSINESS DAY means a day the office of the Village is routinely and customarily open for business.
- (6) CEASE AND DESIST ORDER means a court-issued order to halt land disturbing construction activity that is being conducted without the required permit.
- (7) CONSTRUCTION SITE means an area upon which one or more land disturbing construction activities occur, including areas that are part of a larger common plan of development or sale where multiple separate and distinct land disturbing construction activities may be taking place at different times on different schedules but under one plan.
- (8) DIRECTOR OF PUBLIC WORKS means the Village of Prairie du Sac Public Works Director or designee.
- (9) DIVISION OF LAND means either a division of a Lot, Parcel, or tract of land, or Replat of land by the Owner or the Owner's agent for any purpose including sale or development, as defined by Chapter 3, Subdivision Regulations.
- (10) EROSION means the process by which the land's surface is worn away by the action of wind, water, ice or gravity.
- (11) EROSION AND SEDIMENT CONTROL PLAN means a comprehensive plan developed to address pollution caused by erosion and sedimentation of soil particles or rock fragments during construction.

- (12) EXTRATERRITORIAL JURISDICTION means the area outside of the Village of Prairie du Sac municipal limits in which the Village exercises joint zoning authority with the Town of Prairie du Sac, under extraterritorial zoning authority granted by Wisconsin Statutes as defined by Section 10-1-0104 of the Village of Prairie du Sac Zoning Ordinance.
- (13) FINAL STABILIZATION means that all land disturbing construction activities at the construction site have been completed and that a uniform perennial vegetative cover has been established, with a density of at least 70 percent of the cover, for the unpaved areas and areas not covered by permanent structures, or that employ equivalent permanent stabilization measures.
- (14) GOVERNING BODY means Village Board.
- (15) LAND DISTURBING CONSTRUCTION ACTIVITY means any man-made alteration of the land surface resulting in a change in the topography or existing vegetative or non-vegetative soil cover, that may result in runoff and lead to an increase in soil erosion and movement of sediment into waters of the state. Land disturbing construction activity includes clearing and grubbing, demolition, excavating, pit trench dewatering, filling and grading activities.
- (16) MEP or MAXIMUM EXTENT PRACTICABLE means a level of implementing best management practices in order to achieve a performance standard specified in this chapter which takes into account the best available technology, cost effectiveness and other competing issues such as human safety and welfare, endangered and threatened resources, historic properties and geographic features. MEP allows flexibility in the way to meet the performance standards and may vary based on the performance standard and site conditions.
- (17) PERFORMANCE STANDARD means a narrative or measurable number specifying the minimum acceptable outcome for a facility or practice.
- (17) PERMIT means a written authorization made by the Village to the applicant to conduct land disturbing construction activity or to discharge post-construction runoff to waters of the state.
- (18) POLLUTANT has the meaning given in s. 283.01 (13), Wis. Stats.
- (19) POLLUTION has the meaning given in s. 281.01 (10), Wis. Stats.
- (20) RESPONSIBLE PARTY means the entity holding fee title to the property or performing services to meet the performance standards of this ordinance through a contract or other agreement.
- (21) RUNOFF means stormwater or precipitation including rain, snow or ice melt or similar water that moves on the land surface via sheet or channelized flow.
- (22) SEDIMENT means settleable solid material that is transported by runoff, suspended within runoff or deposited by runoff away from its original location.
- (23) SEPARATE STORM SEWER means a conveyance or system of conveyances including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains, which is designed or used for collecting and conveying stormwater runoff and is not part of a combined sewer system.
- (24) SITE means the entire area included in the legal description of the land on which the land disturbing construction activity is proposed in the permit application.
- (25) STOP WORK ORDER means an order issued by the Village which requires that all construction activity on the site be stopped.
- (26) TECHNICAL STANDARD means a document that specifies design, predicted performance and operation and maintenance specifications for a material, device or method.
- (27) WATERS OF THE STATE has the meaning given in s. 281.01 (18), Wis. Stats.

**SEC. 10-9-5 TECHNICAL STANDARDS**

- (1) DESIGN CRITERIA, STANDARDS AND SPECIFICATIONS. All drainage facilities and practices required to comply with this ordinance shall incorporate technical standards and design methods specified in the document Village of Prairie du Sac Erosion Control and Stormwater Management Requirements, maintained and periodically updated by the Village Engineer. Where not superseded by stricter requirements in Village of Prairie du

Sac Erosion Control and Stormwater Management Requirements, the following standards are also incorporated by reference:

- (a) Applicable design criteria, standards and specifications identified in the *Wisconsin Construction Site Best Management Practice Handbook*, WDNR Pub. WR-222, latest revision.
  - (b) Other design guidance and technical standards identified or developed by the Wisconsin Department of Natural Resources under subchapter V of chapter NR 151, Wis. Adm. Code.
- (2) OTHER STANDARDS. Other technical standards not identified or developed in sub. (1), may be used provided that the methods have been approved by the Village Engineer.

#### SEC. 10-9-6 PERFORMANCE STANDARDS

- (1) RESPONSIBLE PARTY. The entity holding fee title to the property shall be responsible for either developing and implementing an erosion and sediment control plan, or causing such plan to be developed and implemented through contract or other agreement. This plan shall be developed in accordance with Section 10-9-8, that incorporates the requirements of this section.
- (2) PLAN. A written plan shall be developed in accordance with Section 10-9-8 and implemented for applicable land development activities.
- (3) EROSION AND SEDIMENT CONTROL PERFORMANCE STANDARDS. All drainage facilities and practices required to comply with this ordinance shall meet performance standards specified in the document Village of Prairie du Sac Erosion Control and Stormwater Management Requirements, maintained and periodically updated by the Village.
- (4) LOCATION. The BMPs used to comply with this section shall be located prior to runoff entering waters of the state.
- (5) ALTERNATE REQUIREMENTS. The Village may establish alternative erosion and sediment control requirements to those set forth in Village of Prairie du Sac Erosion Control and Stormwater Management Requirements, if the Village determines that an added level of protection is needed or that extraordinary hardships or practical difficulties may result from strict compliance with these regulations. Exceptions or waivers to requirements set forth in this ordinance and Village of Prairie du Sac Erosion Control and Stormwater Management Requirements shall be considered in accordance with Section 10-9-11.

#### SEC. 10-9-7 PERMITTING REQUIREMENTS, PROCEDURES AND FEES

- (1) PERMIT REQUIRED. No responsible party may commence a land disturbing construction activity subject to this ordinance without receiving prior approval of an erosion and sediment control plan for the site and a permit from the Village.
- (2) PERMIT APPLICATION AND FEES. The responsible party desiring to undertake a land disturbing construction activity subject to this ordinance shall submit an application for a permit and an erosion and sediment control plan that meets the requirements of Section 10-9-8. The applicant shall pay an application fee consistent with the fee schedule maintained by the Village. By submitting an application, the applicant is authorizing the Village to enter the site to obtain information required for the review of the erosion and sediment control plan.

- (3) REVIEW AND APPROVAL OF PERMIT APPLICATION. The Village shall review any permit application that is submitted with an erosion and sediment control plan, and the required fee. The following approval procedure shall be used:
- (a) The Village may request additional information if required for a complete application within 15 business days of receipt of any permit application. Within 30 business days of the receipt of a complete permit application, including all items as required by sub. (2), the Village shall inform the applicant whether the application, plan and maintenance agreement are approved or disapproved based on the requirements of this ordinance.
  - (b) If the permit application and plan are approved, the Village shall issue the permit.
  - (c) If the permit application or plan is disapproved, the Village shall state in writing the reasons for disapproval.
  - (d) The Village may request additional information from the applicant. If additional information is submitted, the Village shall have 10 business days from the date the additional information is received to inform the applicant that the plan is either approved or disapproved.
- (4) FINANCIAL GUARANTEE. As a condition of approval and issuance of the permit, the Village may require the applicant to deposit a surety bond or irrevocable letter of credit to guarantee a good faith execution of the approved erosion control plan and any permit conditions.
- (5) PERMIT REQUIREMENTS. All permits shall require the responsible party to:
- (a) Notify the Village 2 full business days prior to commencing any land disturbing construction activity.
  - (b) Notify the Village of completion of any BMPs within 3 full business days after their installation.
  - (c) Obtain permission in writing from the Village prior to any modification pursuant to Section 10-9-8(2) of the erosion and sediment control plan.
  - (d) Install all BMPs as identified in the approved erosion and sediment control plan.
  - (e) Maintain all road drainage systems, stormwater drainage systems, BMPs and other facilities identified in the erosion and sediment control plan.
  - (f) Repair any siltation or erosion damage to adjoining surfaces and drainage ways resulting from land disturbing construction activities and document repairs in a site erosion control log. Remove accumulated sediment from downstream culverts, storm sewers, and other drainage facilities.
  - (g) Inspect the BMPs within 24 hours after each rain of 0.5 inches or more which results in runoff during active construction periods, and at least once each week, make needed repairs and document the findings of the inspections in a site erosion control log with the date of inspection, the name of the person conducting the inspection, and a description of the present phase of the construction at the site.
  - (h) Allow the Village to enter the site for the purpose of inspecting compliance with the erosion and sediment control plan or for performing any work necessary to bring the site into compliance with the control plan. Keep a copy of the erosion and sediment control plan at the construction site.
- (6) PERMIT CONDITIONS. Permits issued under this section may include conditions established by Village in addition to the requirements set forth in sub. (5), where needed to assure compliance with the performance standards in Section 10-9-6.
- (7) PERMIT DURATION. Permits issued under this section shall be valid for a period of 180 days, or the length of the building permit or other construction authorizations, whichever is longer, from the date of issuance. The Village may extend the period one or more times for up to an additional 180 days. The Village may require additional BMPs as a

condition of the extension if they are necessary to meet the requirements of this ordinance.

- (8) MAINTENANCE. The responsible party throughout the duration of the construction activities shall maintain all BMPs necessary to meet the requirements of this ordinance until the site has undergone final stabilization.

#### SEC. 10-9-8 EROSION AND SEDIMENT CONTROL PLAN AND AMENDMENTS

- (1) PLAN REQUIREMENTS. An Erosion and Sediment Control Plan shall be prepared and submitted to the Village. The Erosion and Sediment Control Plan shall include, at a minimum, information required in the Village of Prairie du Sac Erosion Control and Stormwater Management Requirements, maintained and periodically updated by the Village.
- (2) AMENDMENTS. The applicant shall amend the plan if any of the following occur:
  - (a) There is a change in design, construction, operation or maintenance at the site which has the reasonable potential for the discharge of pollutants to waters of the state and which has not otherwise been addressed in the plan.
  - (b) The actions required by the plan fail to reduce the impacts of pollutants carried by construction site runoff.
  - (c) The Village notifies the applicant of changes needed in the plan to comply with this ordinance or the Village of Prairie du Sac Erosion Control and Stormwater Management Requirements.

#### SEC. 10-9-9 FEE SCHEDULE

The fees referred to in other sections of this ordinance shall be established by the Village and may from time to time be modified by resolution. A schedule of the fees established by the Village Board shall be available at the Village Hall.

#### SEC. 10-9-10 INSPECTION

If land disturbing construction activities are being carried out without a permit required by this ordinance, the Village may enter the land pursuant to the provisions of ss. 66.0119(1), (2), and (3), Wis. Stats.

#### SEC. 10-9-11 EXCEPTIONS AND WAIVERS

- (1) GENERAL. Where the Village finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve exceptions and waivers to these regulations so that substantial justice may be done and the public interest secured, provided the exception or waiver shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the Village shall not approve exceptions and waivers unless it shall make findings based upon the evidence presented to it that all of the following conditions are met by the petitioner.
  - (a) The granting of the exception or waiver will not be detrimental to the public safety, health, or welfare or injurious to other property;
  - (b) The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property;

- (c) Because of the location or conditions affecting the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;
  - (d) The relief sought will not materially alter the provisions of any existing regional stormwater management plan except that this document may be amended in the manner prescribed by law.
  - (e) The granting of the exception or waiver will not result in a violation of State or Federal laws or permits.
- (2) CONDITIONS. In approving exceptions or waivers, the Village may require such conditions as will in his judgement secure substantially the purposes described in this ordinance and accompanying written stormwater management and erosion control requirements.
  - (3) PROCEDURES. A petition for an exception or waiver shall be submitted in writing by the responsible party at the time when the development is filed for the consideration of the Village. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

SEC. 10-9-12 ENFORCEMENT

- (1) The Village may post a stop-work order if any of the following occurs:
  - (a) Any land disturbing construction activity regulated under this ordinance is being undertaken without a permit.
  - (b) The erosion and sediment control plan is not being implemented in a good faith manner.
  - (c) The conditions of the permit are not being met.
- (2) If the responsible party does not cease activity as required in a stop-work order posted under this section or fails to comply with the erosion and sediment control plan or permit conditions, the Village may revoke the permit.
- (3) If the responsible party, where no permit has been issued, does not cease the activity after being notified by the Village, or if a responsible party violates a stop-work order posted under sub. (1), the Village may request the Village attorney to obtain a cease and desist order in any court with jurisdiction.
- (4) The Village may retract the stop-work order issued under sub. (1) or the permit revocation under sub. (2).
- (5) After posting a stop-work order under sub. (1), the Village may issue a notice of intent to the responsible party of its intent to perform work necessary to comply with this ordinance. The Village may go on the land and commence the work after issuing the notice of intent. The costs of the work performed under this subsection by the Village, plus interest at the rate authorized by the Village shall be billed to the responsible party. In the event a responsible party fails to pay the amount due, the clerk shall enter the amount due on the tax rolls and collect as a special assessment against the property pursuant to subch. VII of ch. 66, Wis. Stats.
- (6) Any person violating any of the provisions of this ordinance shall be subject to a forfeiture of not less than \$100 nor more than \$500 and the costs of prosecution for each violation. Each day a violation exists shall constitute a separate offense.

- (7) Compliance with the provisions of this Chapter may also be enforced by injunction in any court with jurisdiction. It shall not be necessary to prosecute for forfeiture or a cease and desist order before resorting to injunctive proceedings.

SEC. 10-9-13 APPEALS

- (1) **BOARD OF ZONING APPEALS.** The board of zoning appeals and extraterritorial board of appeals, created pursuant to Section 2-4-3 and 10-1-1317 respectively, of the Village of Prairie du Sac ordinances pursuant to s. 61.354(4)(b) Wis. Stats.:
- (a) Shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made by the Village in administering this Chapter except for cease and desist orders obtained under Section 10-9-12(3).
  - (b) Upon appeal, may authorize variances from the provisions of this Chapter which are not contrary to the public interest and where owing to special conditions a literal enforcement of the provisions of this ordinance will result in unnecessary hardship; and
  - (c) Shall use the rules, procedures, duties and powers authorized by statute in hearing and deciding appeals and authorizing variances.
- (2) **WHO MAY APPEAL.** Appeals to the board of appeals or extraterritorial board of appeals may be taken by any aggrieved person or by any office, department, board, or bureau of the Village of Prairie du Sac affected by any decision of the Village.

SEC. 10-9-14 SEVERABILITY

If a court of competent jurisdiction judges any section, clause, provision or portion of this ordinance unconstitutional or invalid, the remainder of the ordinance shall remain in force and not be affected by such judgment.

SEC. 10-9-15 EFFECTIVE DATE

This ordinance shall be in force and effect from and after its adoption and publication. The above and foregoing ordinance was duly adopted by the Village of Prairie du Sac of the Village of Prairie du Sac on the 24th day of June, 2014.

Approved: \_\_\_\_\_  
Attested \_\_\_\_\_  
Published on [day, month, and year].

**APPENDIX B**  
**STORMWATER MANAGEMENT ORDINANCE**

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## CHAPTER 9

### ARTICLE 2: Stormwater Management Ordinance

- § 10-9-16 Authority
- § 10-9-17 Findings of Fact
- § 10-9-18 Purpose and Intent
  - (1) Purpose
  - (2) Intent
- § 10-9-19 Applicability and Jurisdiction
  - (1) Applicability
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- § 10-9-20 Definitions
- § 10-9-21 Technical Standards and Design Methods
- § 10-9-22 Performance Standards
  - (1) Responsible Party
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  - (4) Location and Regional Treatment Option
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- § 10-9-23 Permitting Requirements, Procedures and Fees
  - (1) Permit Required
  - (2) Permit Application and Fees
  - (3) Review and Approval of Permit Application
  - (4) Permit Requirements
  - (5) Permit Conditions
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- § 10-9-24 Stormwater Management Plan
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- § 10-9-25 Maintenance Agreement
  - (1) Maintenance Agreement Required
  - (2) Agreement Provisions
- § 10-9-26 Financial Guarantee
  - (1) Establishment of the Guarantee
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- § 10-9-27 Fee Schedule
- § 10-9-28 Impact Fees
- § 10-9-29 Exemptions and Waivers
  - (1) General
  - (2) Conditions
  - (3) Procedures
- § 10-9-30 Enforcement
- § 10-9-31 Appeals
  - (1) Board of Appeals or Adjustment
  - (2) Who May Appeal
- § 10-9-32 Severability
- § 10-9-33 Effective Date

SEC. 10-9-16 AUTHORITY

- (1) Ordinance Title 10, Chapter 9, Article 2 is adopted by the Village of Prairie du Sac under the authority granted by s. 61.354, Wis. Stats. This ordinance supersedes all provisions of any ordinance previously enacted under 61.35, Wis. Stats., that relate to storm water management regulations. Except as otherwise specified in s. 61.354 Wis. Stats., s. 61.35 Wis. Stats., applies to this ordinance and to any amendments to this ordinance.
- (2) The provisions of this ordinance are deemed not to limit any other lawful regulatory powers of the same governing body.
- (3) The Village of Prairie du Sac hereby will administer and enforce the provisions of this ordinance.
- (4) The requirements of this ordinance do not pre-empt more stringent erosion and sediment control requirements that may be imposed by any of the following:
  - (a) Wisconsin Department of Natural Resources administrative rules, permits or approvals including those authorized under ss. 281.16 and 283.33, Wis. Stats.
  - (b) Targeted non-agricultural performance standards promulgated in rules by the Wisconsin Department of Natural Resources under s. NR 151.004, Wis. Adm. Code.

SEC. 10-9-17 FINDINGS OF FACT

The Village of Prairie du Sac finds that uncontrolled, post-construction runoff has a significant impact upon water resources and the health, safety and general welfare of the community and diminishes the public enjoyment and use of natural resources. Specifically, uncontrolled post-construction runoff can:

- (1) Degrade physical stream habitat by increasing stream bank erosion, increasing streambed scour, diminishing groundwater recharge, diminishing stream base flows and increasing stream temperature.
- (2) Diminish the capacity of lakes and streams to support fish, aquatic life, recreational and water supply uses by increasing pollutant loading of sediment, suspended solids, nutrients, heavy metals, bacteria, pathogens and other urban pollutants.
- (3) Alter wetland communities by changing wetland hydrology and by increasing pollutant loads.
- (4) Reduce the quality of groundwater by increasing pollutant loading.
- (5) Threaten public health, safety, property and general welfare by overtaxing storm sewers, drainage ways, and other minor drainage facilities.
- (6) Threaten public health, safety, property and general welfare by increasing major flood peaks and volumes.
- (7) Undermine floodplain management efforts by increasing the incidence and levels of flooding.

SEC. 10-9-18 PURPOSE AND INTENT

- (1) PURPOSE. The general purpose of this ordinance is to establish long-term, post-construction runoff management requirements that will diminish the threats to public health, safety, welfare and the aquatic environment. Specific purposes are to:
  - (a) Further the maintenance of safe and healthful conditions.
  - (b) Prevent and control the adverse effects of stormwater; prevent and control soil erosion; prevent and control water pollution; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses; preserve ground cover and scenic beauty; and promote sound economic growth.

- (c) Control exceedance of the safe capacity of existing drainage facilities and receiving water bodies; prevent undue channel erosion; control increases in the scouring and transportation of particulate matter; and prevent conditions that endanger downstream property.
- (2) INTENT. It is the intent of the Village of Prairie du Sac that this ordinance regulates post-construction stormwater discharges to waters of the state. This ordinance may be applied on a site-by-site basis. The Village of Prairie du Sac recognizes, however, that the preferred method of achieving the stormwater performance standards set forth in this ordinance is through the preparation and implementation of comprehensive, systems-level stormwater management plans that cover hydrologic units, such as watersheds, on a municipal and regional scale. Such plans may prescribe regional stormwater devices, practices or systems, any of which may be designed to treat runoff from more than one site prior to discharge to waters of the state. Where such plans are in conformance with the performance standards developed under s. 281.16, Wis. Stats., for regional stormwater management measures and have been approved by the Village of Prairie du Sac, it is the intent of this ordinance that the approved plan be used to identify post-construction management measures acceptable for the community.

SEC. 10-9-19 APPLICABILITY AND JURISDICTION

(1) APPLICABILITY.

- (a) Where not otherwise limited by law, this ordinance applies to land development activity that meets any of the following criteria:
  - 1. Any development, including redevelopment and in-fill development, that results in 20,000 square feet or more of land disturbing activity.
  - 2. Any development, including redevelopment and in-fill development, that results in the addition of 10,000 square feet or more of impervious area.
  - 3. A subdivision plat.
  - 4. A certified survey map intended for commercial or industrial use.
- (b) A site that meets any of the criteria in this paragraph is exempt from the requirements of this ordinance.
  - A site with less than 10% connected imperviousness based on complete development of the post-construction site, provided the cumulative area of all parking lots and rooftops is less than one acre.
  - Nonpoint discharges from agricultural facilities and practices.
  - Nonpoint discharges from silviculture activities.
  - Routine maintenance for project sites under 5 acres of land disturbance if performed to maintain the original line and grade, hydraulic capacity or original purpose of the facility.
  - Underground utility construction such as water, sewer and fiberoptic lines. This exemption does not apply to the construction of any above ground structures associated with utility construction.
- (c) Notwithstanding the applicability requirements in paragraph (a), this ordinance applies to land development activity of any size that, in the opinion of the Village, is likely to result in runoff that exceeds the safe capacity of the existing drainage facilities or receiving body of water, that causes undue channel erosion, that increases water pollution by scouring or the transportation of particulate matter or that endangers property or public safety.

(2) JURISDICTION

This ordinance applies to land disturbing construction activities on lands within the boundaries and jurisdiction of the Village of Prairie du Sac and its Extraterritorial Zoning Jurisdiction.

(3) EXCLUSIONS.

This ordinance is not applicable to activities conducted by a state agency, as defined under s. 227.01 (1), Wis. Stats., but also including the office of district attorney, which is subject to the state plan promulgated or a memorandum of understanding entered into under s. 281.33 (2), Wis. Stats.

SEC. 10-9-20 DEFINITIONS

- (1) AGRICULTURAL FACILITIES AND PRACTICES has the meaning given in s. 281.16, Wis. Stats.
- (2) AVERAGE ANNUAL RAINFALL means a calendar year of precipitation, excluding snow, which is considered typical.
- (3) BEST MANAGEMENT PRACTICE or “BMP means structural or non-structural measures, practices, techniques or devices employed to avoid or minimize sediment or pollutants carried in runoff to waters of the state.
- (4) BUSINESS DAY means a day the office of the Village is routinely and customarily open for business.
- (5) CEASE AND DESIST ORDER means a court-issued order to halt land disturbing construction activity that is being conducted without the required permit.
- (6) COMBINED SEWER SYSTEM means a system for conveying both sanitary sewage and stormwater runoff.
- (7) CONNECTED IMPERVIOUSNESS means an impervious surface that is directly connected to a separate storm sewer or water of the state via an impervious flow path.
- (8) DESIGN STORM means a hypothetical discrete rainstorm characterized by a specific duration, temporal distribution, rainfall intensity, return frequency, and total depth of rainfall.
- (9) DEVELOPMENT means residential, commercial, industrial or institutional land uses and associated roads.
- (10) DIRECTOR OF PUBLIC WORKS means the Village of Prairie du Sac Director of Public Works or designee.
- (11) DIVISION OF LAND means either a division of a Lot, Parcel, or tract of land, or Replat of land by the Owner or the Owner’s agent for any purpose including sale or development, as defined by Chapter 3, Subdivision Regulations.
- (12) EFFECTIVE INFILTRATION AREA means the area of the infiltration system that is used to infiltrate runoff and does not include the area used for site access, berms or pretreatment.
- (13) EROSION means the process by which the land’s surface is worn away by the action of wind, water, ice or gravity.
- (14) EXCEPTIONAL RESOURCE WATERS means waters listed in s. NR 102.11, Wis. Adm. Code.
- (15) EXTRATERRITORIAL JURISDICTION means the area outside of the Village of Prairie du Sac municipal limits in which the Village exercises joint zoning authority with the Town of Prairie du Sac, under extraterritorial zoning authority granted by Wisconsin Statutes as defined by Section 10-1-0104 of the Village of Prairie du Sac Zoning Ordinance.
- (16) FINAL STABILIZATION means that all land disturbing construction activities at the construction site have been completed and that a uniform, perennial, vegetative cover has been established, with a density of at least 70% of the cover, for the unpaved areas and areas not covered by permanent structures, or employment of equivalent permanent stabilization measures.

- (17) FINANCIAL GUARANTEE means a performance bond, maintenance bond, surety bond, irrevocable letter of credit, or similar guarantees submitted to the Village by the responsible party to assure that requirements of the ordinance are carried out in compliance with the stormwater management plan.
- (18) GOVERNING BODY means Village Board.
- (19) IMPERVIOUS SURFACE means an area that releases as runoff all or a large portion of the precipitation that falls on it, except for frozen soil. Rooftops, sidewalks, driveways, parking lots and streets are examples of areas that typically are impervious.
- (20) IN-FILL AREA means an undeveloped area of land located within existing development or which adjacent properties on at least three sides are developed or in public rights-of-way, as determined by the Village Engineer.
- (21) INFILTRATION means the entry of precipitation or runoff into or through the soil.
- (22) INFILTRATION SYSTEM means a device or practice such as a basin, trench, rain garden or swale designed specifically to encourage infiltration, but does not include natural infiltration in pervious surfaces such as lawns, redirecting of rooftop downspouts onto lawns or minimal infiltration from practices, such as swales or road side channels designed for conveyance and pollutant removal only.
- (23) KARST FEATURE means an area or geologic feature subject to bedrock dissolution so that it is likely to provide a conduit to groundwater, and may include caves, enlarged fractures, mine features, exposed bedrock surfaces, sinkholes, springs, seeps or swallets.
- (24) LAND DEVELOPMENT ACTIVITY means any construction related activity that results in the addition or replacement of impervious surfaces such as rooftops, roads, parking lots, and other structures. Measurement of areas impacted by land development activity includes areas that are part of a larger common plan of development or sale where multiple separate and distinct land disturbing construction activities may be taking place at different times on different schedules but under one plan.
- (25) LAND DISTURBING CONSTRUCTION ACTIVITY means any man-made alteration of the land surface resulting in a change in the topography or existing vegetative or non-vegetative soil cover, that may result in runoff and lead to an increase in soil erosion and movement of sediment into waters of the state. Land disturbing construction activity includes clearing and grubbing, demolition, excavating, pit trench dewatering, filling and grading activities.
- (26) MAINTENANCE AGREEMENT means a legal document that provides for long-term maintenance of stormwater management practices.
- (27) MEP or MAXIMUM EXTENT PRACTICABLE means a level of implementing best management practices in order to achieve a performance standard specified in this ordinance which takes into account the best available technology, cost effectiveness and other competing issues such as human safety and welfare, endangered and threatened resources, historic properties and geographic features. MEP allows flexibility in the way to meet the performance standards and may vary based on the performance standard and site conditions.
- (28) NEW DEVELOPMENT means development resulting from the conversion of previously undeveloped land or agricultural land uses.
- (29) OFF-SITE means located outside the property boundary described in the permit application.
- (30) ON-SITE means located within the property boundary described in the permit application.
- (31) ORDINARY HIGH-WATER MARK has the meaning given in s. NR 115.03(6), Wis. Adm. Code.
- (32) OUTSTANDING RESOURCE WATERS means waters listed in s. NR 102.10, Wis. Adm. Code.
- (33) PERCENT FINES means the percentage of a given sample of soil, which passes through a # 200 sieve.
- (34) PERFORMANCE STANDARD means a narrative or measurable number specifying the minimum acceptable outcome for a facility or practice.

- (35) PERMIT means a written authorization made by the Village to the applicant to conduct land disturbing construction activity or to discharge post-construction runoff to waters of the state.
- (36) PERMIT ADMINISTRATION FEE means a sum of money paid to the Village by the permit applicant for the purpose of recouping the expenses incurred by the authority in administering the permit.
- (37) PERVIOUS SURFACE means an area that releases as runoff a small portion of the precipitation that falls on it. Lawns, gardens, parks, forests or other similar vegetated areas are examples of surfaces that typically are pervious.
- (38) POLLUTANT has the meaning given in s. 283.01(13), Wis. Stats.
- (39) POLLUTION has the meaning given in s. 281.01(10), Wis. Stats.
- (40) POST-CONSTRUCTION SITE means a construction site following the completion of land disturbing construction activity and final site stabilization.
- (41) PRE-DEVELOPMENT CONDITION means the extent and distribution of land cover types present before the initiation of land disturbing construction activity, assuming that all land uses prior to development activity are managed in an environmentally sound manner.
- (42) PREVENTIVE ACTION LIMIT” has the meaning given in s. NR 140.05(17), Wis. Adm. Code.
- (43) REDEVELOPMENT means areas where development is replacing older development in the determination of the Village.
- (44) RESPONSIBLE PARTY means any entity holding fee title to the property.
- (45) RUNOFF means stormwater or precipitation including rain, snow or ice melt or similar water that moves on the land surface via sheet or channelized flow.
- (46) SEPARATE STORM SEWER means a conveyance or system of conveyances including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains, which meets all of the following criteria:
- (a) Is designed or used for collecting water or conveying runoff.
  - (b) Is not part of a combined sewer system.
  - (c) Is not draining to a stormwater treatment device or system.
  - (d) Discharges directly or indirectly to waters of the state.
- (47) SITE means the entire area included in the legal description of the land on which the land disturbing construction activity occurred.
- (48) STOP WORK ORDER means an order issued by the Village which requires that all construction activity on the site be stopped.
- (49) STORMWATER MANAGEMENT PLAN means a comprehensive plan designed to reduce the discharge of pollutants from stormwater after the site has under gone final stabilization following completion of the construction activity.
- (50) STORMWATER MANAGEMENT SYSTEM PLAN is a comprehensive plan designed to reduce the discharge of runoff and pollutants from hydrologic units on a regional or municipal scale.
- (51) TECHNICAL STANDARD means a document that specifies design, predicted performance and operation and maintenance specifications for a material, device or method.
- (52) TOP OF THE CHANNEL means an edge, or point on the landscape, landward from the ordinary high water mark of a surface water of the state, where the slope of the land begins to be less than 12% continually for at least 50 feet. If the slope of the land is 12% or less continually for the initial 50 feet, landward from the ordinary high water mark, the top of the channel is the ordinary high water mark.
- (53) TR-55 means the United States Department of Agriculture, Natural Resources Conservation Service (previously Soil Conservation Service), Urban Hydrology for Small Watersheds, Second Edition, Technical Release 55, June 1986.
- (54) TYPE II DISTRIBUTION means a rainfall type curve as established in the “United States Department of Agriculture, Soil Conservation Service, Technical Paper 149, published 1973”. The Type II curve is applicable to all of Wisconsin and represents the most intense storm pattern.
- (55) WATERS OF THE STATE has the meaning given in s. 281.01 (18), Wis. Stats.

## SEC. 10-9-21 TECHNICAL STANDARDS AND DESIGN METHODS

DESIGN CRITERIA, STANDARDS AND SPECIFICATIONS. All drainage facilities and practices required to comply with this ordinance shall incorporate technical standards and design methods specified in the document Village of Prairie du Sac Erosion Control and Stormwater Management Requirements, maintained and periodically updated by the Village Engineer. Where not superceded by stricter requirements in Village of Prairie du Sac Erosion Control and Stormwater Management Requirements, the following standards are also incorporated by reference:

- (a) Applicable design criteria, standards and specifications identified in the *Wisconsin Construction Site Best Management Practice Handbook*, WDNR Pub. WR-222, latest revision.
- (b) Other design guidance and technical standards identified or developed by the Wisconsin Department of Natural Resources under subchapter V of chapter NR 151, Wis. Adm. Code.
- (c) Other technical standards not identified or developed in sub. (1), may be used provided that the methods have been approved by the Village Engineer.

## SEC. 10-9-22 PERFORMANCE STANDARDS

- (1) RESPONSIBLE PARTY. The entity holding fee title to the property shall be responsible for either developing and implementing a stormwater management plan, or causing such plan to be developed and implemented through contract or other agreement. This plan shall be developed in accordance with Section 10-9-24, which incorporates the requirements of this section.
- (2) PLAN. A written plan shall be developed in accordance with Section 10-9-24 and implemented for applicable land development activities.
- (3) STORMWATER MANAGEMENT PERFORMANCE STANDARDS. All drainage facilities and practices required to comply with this ordinance shall meet performance standards specified in the document Village of Prairie du Sac Erosion Control and Stormwater Management Requirements, maintained and periodically updated by the Village.
- (4) LOCATION AND REGIONAL TREATMENT OPTION.
  - (a) Stormwater Management Facilities required to meet this ordinance may be located on-site or off-site as part of a regional stormwater device, practice or system.
  - (b) The Village may approve off-site management measures provided that all of the following conditions are met:
    1. The Village determines that the post-construction runoff is covered by a stormwater management system plan that is approved by the Village of Prairie du Sac and that contains management requirements consistent with the purpose and intent of this ordinance.
    2. The off-site facility meets all of the following conditions:
      - a. The facility will be in place before the need for the facility arises as a result of on-site construction activities.
      - b. The facility is designed and adequately sized to provide a level of stormwater control equal to or greater than that which would be afforded by on-site practices meeting the performance standards of this ordinance.
      - c. The facility has a legally obligated entity responsible for its long-term operation and maintenance.

- d. Where a regional treatment option exists such that the Village may exempt the applicant from all or part of the minimum on-site stormwater management requirements, the applicant shall be required to pay a fee in an amount determined in negotiation with the Village. In determining the fee for post-construction runoff, the Village shall consider an equitable distribution of the cost for land, engineering design, construction, and maintenance of the regional treatment option.
- (5) **ALTERNATE REQUIREMENTS.** The Village may establish alternative stormwater management requirements to those set forth in Village of Prairie du Sac Erosion Control and Stormwater Management Requirements, if the Village determines that an added level of protection is needed for to address downstream stormwater management issues; or that extraordinary hardships or practical difficulties may result from strict compliance with these regulations. Exceptions or waivers to stormwater management requirements set forth in this ordinance and Village of Prairie du Sac Erosion Control and Stormwater Management Requirements shall be considered in accordance with Section 10-9-28.

#### SEC. 10-9-23 PERMITTING REQUIREMENTS, PROCEDURES, AND FEES

- (1) **PERMIT REQUIRED.** No responsible party may undertake a land disturbing construction activity without receiving a post-construction runoff permit from the Village prior to commencing the proposed activity.
- (2) **PERMIT APPLICATION AND FEES.** Unless specifically excluded by this ordinance, any responsible party desiring a permit shall submit to the Village a permit application made on a form provided by the Village for that purpose.
  - (a) Unless otherwise excepted by this ordinance, a permit application must be accompanied by a stormwater management plan, a maintenance agreement (where required) and, where not otherwise covered by a developer's agreement, a non-refundable permit administration fee. The permit administration fee, where applicable, shall be consistent with a fee schedule maintained by the Village.
  - (b) The stormwater management plan shall be prepared to meet the requirements of Section 10-9-22 and Section 10-9-24, the maintenance agreement shall be prepared to meet the requirements of 10-9-25, the financial guarantee shall meet the requirements of Section 10-9-26, and fees shall be those established by the Village of Prairie du Sac as set forth in Section 10-9-27.
- (3) **REVIEW AND APPROVAL OF PERMIT APPLICATION.** The Village shall review any permit application that is submitted with a stormwater management plan, maintenance agreement, and the required fee. The following approval procedure shall be used:
  - (a) The Village may request additional information if required for a complete application within 15 business days of receipt of any permit application. Within 30 business days of the receipt of a complete permit application, including all items as required by sub. (2), the Village shall inform the applicant whether the application, plan and maintenance agreement are approved or disapproved based on the requirements of this ordinance. The 30 day review period begins once the Village has received all information necessary for the review and deems the application is complete or within 15 business days of receipt of the permit application if additional information has not been requested.
  - (b) If the stormwater permit application, plan and maintenance agreement are approved, or if an agreed upon payment of fees in lieu of stormwater management practices is made, the Village shall issue the permit.
  - (c) If the stormwater permit application, plan or maintenance agreement is disapproved, the Village shall detail in writing the reasons for disapproval.

- (d) The Village may request additional information from the applicant. If additional information is submitted, the Village shall have 10 business days from the date the additional information is received to inform the applicant that the plan and maintenance agreement are either approved or disapproved.
- (4) PERMIT REQUIREMENTS. All permits issued under this ordinance shall be subject to the following conditions, and holders of permits issued under this ordinance shall be deemed to have accepted these conditions. The Village may suspend or revoke a permit for violation of a permit condition, following written notification of the responsible party. An action by the Village to suspend or revoke this permit may be appealed in accordance with Section 10-9-30.
- (a) Compliance with this permit does not relieve the responsible party of the responsibility to comply with other applicable federal, state, and local laws and regulations.
  - (b) The responsible party shall design and install all structural and non-structural stormwater management measures in accordance with the approved stormwater management plan and this permit.
  - (c) The responsible party shall notify the Village at least 2 business days before commencing any work in conjunction with the stormwater management plan, and within 3 business days upon completion of the stormwater management practices. If required as a special condition under sub. (5), the responsible party shall make additional notification according to a schedule set forth by the Village so that practice installations can be inspected during construction.
  - (d) Practice installations required as part of this ordinance shall be certified "as built" by a licensed professional engineer. Completed stormwater management practices must pass a final inspection by the Village or its designee to determine if they are in accordance with the approved stormwater management plan and ordinance. The Village or its designee shall notify the responsible party in writing of any changes required in such practices to bring them into compliance with the conditions of this permit.
  - (e) The responsible party shall notify the Village of any significant proposed modifications to an approved stormwater management plan. The Village may require that the proposed modifications be submitted to it for approval prior to incorporation into the stormwater management plan and execution by the responsible party.
  - (f) The responsible party shall maintain all stormwater management practices in accordance with the stormwater management plan until the practices either become the responsibility of the Village of Prairie du Sac, or are transferred to subsequent private owners as specified in the approved maintenance agreement.
  - (g) The responsible party authorizes the Village to perform any work or operations necessary to bring stormwater management measures into conformance with the approved stormwater management plan, and consents to a special assessment or charge against the property as authorized under subch. VII of ch. 66, Wis. Stats., or to charging such costs against the financial guarantee posted under Section 10-9-26.
  - (h) If so directed by the Village, the responsible party shall repair at the responsible party's own expense all damage to adjoining facilities and drainage ways caused by runoff, where such damage is caused by activities that are not in compliance with the approved stormwater management plan.
  - (i) The responsible party shall permit property access to the Village or its designee for the purpose of inspecting the property for compliance with the approved stormwater management plan and this permit.
  - (j) Where site development or redevelopment involves changes in direction, increases in peak rate and/or total volume of runoff from a site, the Village may

require the responsible party to make appropriate legal arrangements with affected property owners.

- (k) The responsible party is subject to the enforcement actions and penalties detailed in 10-9-14, if the responsible party fails to comply with the terms of this permit.
- (5) PERMIT CONDITIONS. Permits issued under this subsection may include conditions established by Village related to the requirements needed to meet the performance standards in Section 10-9-22 or a financial guarantee as provided for in Section 10-9-26.
- (6) PERMIT DURATION. Permits issued under this section shall be valid from the date of issuance through the date the Village notifies the responsible party that all stormwater management practices have passed the final inspection required under sub. (4)(d). The permit shall be invalid if work is not commenced within 1 year of permit issuance.

#### SEC. 10-9-24 STORMWATER MANAGEMENT PLAN

- (1) PLAN REQUIREMENTS. A Stormwater Management Plan shall be prepared and submitted to the Village. The Stormwater Management Plan shall include, at a minimum, information required in the Village of Prairie du Sac Erosion Control and Stormwater Management Requirements, maintained and periodically updated by the Village. The Village may waive certain submittal requirements if determined by the Village to be unnecessary to demonstrate compliance with ordinance standards.
- (2) ALTERNATE REQUIREMENTS. The Village may prescribe alternative submittal requirements for applicants seeking an exemption to on-site stormwater management performance standards under Section 10-9-22 (5) or Section 10-9-28.

#### SEC. 10-9-25 MAINTENANCE AGREEMENT

- (1) MAINTENANCE AGREEMENT REQUIRED. The maintenance agreement required under Section 10-9-23 (2) for stormwater management practices shall be an agreement between the Village and the responsible party to provide for maintenance of stormwater practices beyond the duration period of this permit. The maintenance agreement shall be filed by the applicant with the County Register of Deeds as a property deed restriction so that it is binding upon all subsequent owners of the land served by the stormwater management practices.
- (2) AGREEMENT PROVISIONS. The maintenance agreement shall contain the following information and provisions and be consistent with the maintenance plan required by 10-9-23 (2).
  - (a) Identification of the stormwater facilities and designation of the drainage area served by the facilities.
  - (b) A schedule for regular maintenance of each aspect of the stormwater management system consistent with the stormwater management plan required under 10-9-22 (2).
  - (c) Identification of the property or easement owner, organization or city, county, town or village responsible for long term maintenance of the stormwater management practices identified in the stormwater management plan required under 10-9-22 (2).
  - (d) Requirement that the responsible party(s), organization, or city, county, town or village shall maintain stormwater management practices in accordance with the schedule included in par. (b).
  - (e) Authorization for the Village to access the property to conduct inspections of stormwater management practices as necessary to ascertain that the practices are being maintained and operated in accordance with the agreement.
  - (f) A requirement on the Village to maintain public records of the results of the site inspections, to inform the responsible party responsible for maintenance of the inspection results, and to specifically indicate any corrective actions required to bring the stormwater management practice into proper working condition.

- (g) Agreement that the party designated under par. (c), as responsible for long term maintenance of the stormwater management practices, shall be notified by the Village of maintenance problems which require correction. The specified corrective actions shall be undertaken within a reasonable time frame as set by the Village.
- (h) Authorization of the Village to perform the corrected actions identified in the inspection report if the responsible party designated under par. (c) does not make the required corrections in the specified time period. The Village shall enter the amount due on the tax rolls and collect the money as a special charge against the property pursuant to subch. VII of ch. 66, Wis. Stats.

#### SEC. 10-9-26 FINANCIAL GUARANTEE

- (1) ESTABLISHMENT OF THE GUARANTEE. The Village may require the submittal of a financial guarantee, the form and type of which shall be acceptable to the Village. The financial guarantee shall be in an amount determined by the Village to be the estimated cost of construction and the estimated cost of maintenance of the stormwater management practices during the period that the designated party in the maintenance agreement has maintenance responsibility. The financial guarantee shall give the Village the authorization to use the funds to complete the stormwater management practices if the responsible party defaults or does not properly implement the approved stormwater management plan, upon written notice to the responsible party by the administering authority that the requirements of this ordinance have not been met.
- (2) CONDITIONS FOR RELEASE. Conditions for the release of the financial guarantee are as follows:
  - (a) The Village shall release the portion of the financial guarantee established under this section, less any costs incurred by the Village to complete installation of practices, upon submission of "as built plans" by a licensed professional engineer. The Village may make provisions for a partial pro-rata release of the financial guarantee based on the completion of various development stages.
  - (b) The Village shall release the portion of the financial guarantee established under this section to assure maintenance of stormwater practices and facilities, less any costs incurred by the Village, at such time that the responsibility for practice or facility maintenance is passed on to another entity via an approved maintenance agreement.

#### SEC. 10-9-27 FEE SCHEDULE

The fees referred to in other sections of this ordinance shall be established by the Village of Prairie du Sac and may from time to time be modified by resolution. A schedule of the fees established by the Village shall be available for review in Village Hall.

#### SEC. 10-9-28 IMPACT FEES

Impact fees shall be enforced per the Village of Prairie du Sac Schedule of Fees.

#### SEC. 10-9-29 EXCEPTIONS AND WAIVERS

- (1) GENERAL. Where the Village finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve exceptions and waivers to these regulations so that substantial justice may be done and the public interest secured, provided the exception or waiver shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the Village shall not approve exceptions and waivers unless it shall make findings based upon the evidence presented to it that all of the following conditions are met by the petitioner.

- (a) The granting of the exception or waiver will not be detrimental to the public safety, health, or welfare or injurious to other property;
  - (b) The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property;
  - (c) Because of the location or conditions affecting the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;
  - (d) The relief sought will not materially alter the provisions of any existing regional stormwater management plan except that this document may be amended in the manner prescribed by law.
  - (e) The granting of the exception or waiver will not result in a violation of State or Federal laws or permits.
- (2) **CONDITIONS.** In approving exceptions or waivers, the Village may require such conditions as will in his judgement secure substantially the purposes described in this ordinance and accompanying written stormwater management and erosion control requirements.
  - (3) **PROCEDURES.** A petition for an exception or waiver shall be submitted in writing by the responsible party at the time when the development is filed for the consideration of the Village. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

SEC. 10-9-30 ENFORCEMENT

- (1) Any land disturbing construction activity or post-construction runoff initiated after the effective date of this ordinance by any person, firm, association, or corporation subject to the ordinance provisions shall be deemed a violation unless conducted in accordance with the requirements of this ordinance.
- (2) The Village shall notify the responsible party by certified mail of any non-complying land disturbing construction activity or post-construction runoff. The notice shall describe the nature of the violation, remedial actions needed, a schedule for remedial action, and additional enforcement action which may be taken.
- (3) Upon receipt of written notification from the Village under sub. (2), the responsible party shall correct work that does not comply with the stormwater management plan or other provisions of this permit. The responsible party shall make corrections as necessary to meet the specifications and schedule set forth by the Village in the notice.
- (4) If the violations to a permit issued pursuant to this ordinance are likely to result in damage to properties, public facilities, or waters of the state, the Village may enter the land and take emergency actions necessary to prevent such damage. The costs incurred by the Village plus interest and legal costs shall be billed to the responsible party.
- (5) The Village is authorized to post a stop work order on all land disturbing construction activity that is in violation of this ordinance, or to request the Village Attorney to obtain a cease and desist order in any court with jurisdiction.
- (6) The Village may revoke a permit issued under this ordinance for non-compliance with ordinance provisions.

- (7) Any permit revocation, stop work order, or cease and desist order shall remain in effect unless retracted by the Village, Village Attorney, or by a court with jurisdiction.
- (8) The Village is authorized to refer any violation of this ordinance, or of a stop work order, or of a cease and desist order issued pursuant to this ordinance, to the village attorney for the commencement of further legal proceedings in any court with jurisdiction.
- (9) Any person, firm, association, or corporation who does not comply with the provisions of this ordinance shall be subject to a forfeiture of not less than 100 dollars or more than 500 dollars per offense, together with the costs of prosecution. Each day that the violation exists shall constitute a separate offense.
- (10) Compliance with the provisions of this ordinance may also be enforced by injunction in any court with jurisdiction. It shall not be necessary to prosecute for forfeiture or a cease and desist order before resorting to injunctive proceedings.
- (11) When the Village determines that the holder of a permit issued pursuant to this ordinance has failed to follow practices set forth in the stormwater management plan, or has failed to comply with schedules set forth in said stormwater management plan, the Village or a party designated by the Village may enter upon the land and perform the work or other operations necessary to bring the condition of said lands into conformance with requirements of the approved plan. The Village shall keep a detailed accounting of the costs and expenses of performing this work. These costs and expenses shall be deducted from any financial security posted pursuant to Section 10-9-26 of this ordinance. Where such a security has not been established, or where such a security is insufficient to cover these costs, the costs and expenses shall be entered on the tax roll as a special charge against the property and collected with any other taxes levied thereon for the year in which the work is completed.

#### SEC. 10-9-31 APPEALS

- (1) **BOARD OF ZONING APPEALS.** The board of zoning appeals and extraterritorial board of appeals, created pursuant to Section 2-4-3 and 10-1-1317 respectively, of the Village of Prairie du Sac ordinances pursuant to s. 61.354(4)(b) Wis. Stats.:
  - (a) Shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made by the Village in administering this Chapter except for cease and desist orders obtained under Section 10-9-30(5).
  - (b) Upon appeal, may authorize variances from the provisions of this Chapter which are not contrary to the public interest and where owing to special conditions a literal enforcement of the provisions of this ordinance will result in unnecessary hardship; and
  - (c) Shall use the rules, procedures, duties and powers authorized by statute in hearing and deciding appeals and authorizing variances.
- (2) **WHO MAY APPEAL.** Appeals to the board of appeals or extraterritorial board of appeals may be taken by any aggrieved person or by an officer, department, board, or bureau of the Village of Prairie du Sac affected by any decision of the Village.

SEC. 10-9-32 SEVERABILITY

If any section, clause, provision or portion of this ordinance is judged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall remain in force and not be affected by such judgment.

SEC. 10-9-33 EFFECTIVE DATE

This ordinance shall be in force and effect from and after its adoption and publication. The above and foregoing ordinance was duly adopted by the Village of Prairie du Sac on the 24th day of June, 2014

Approved: \_\_\_\_\_

Attested \_\_\_\_\_

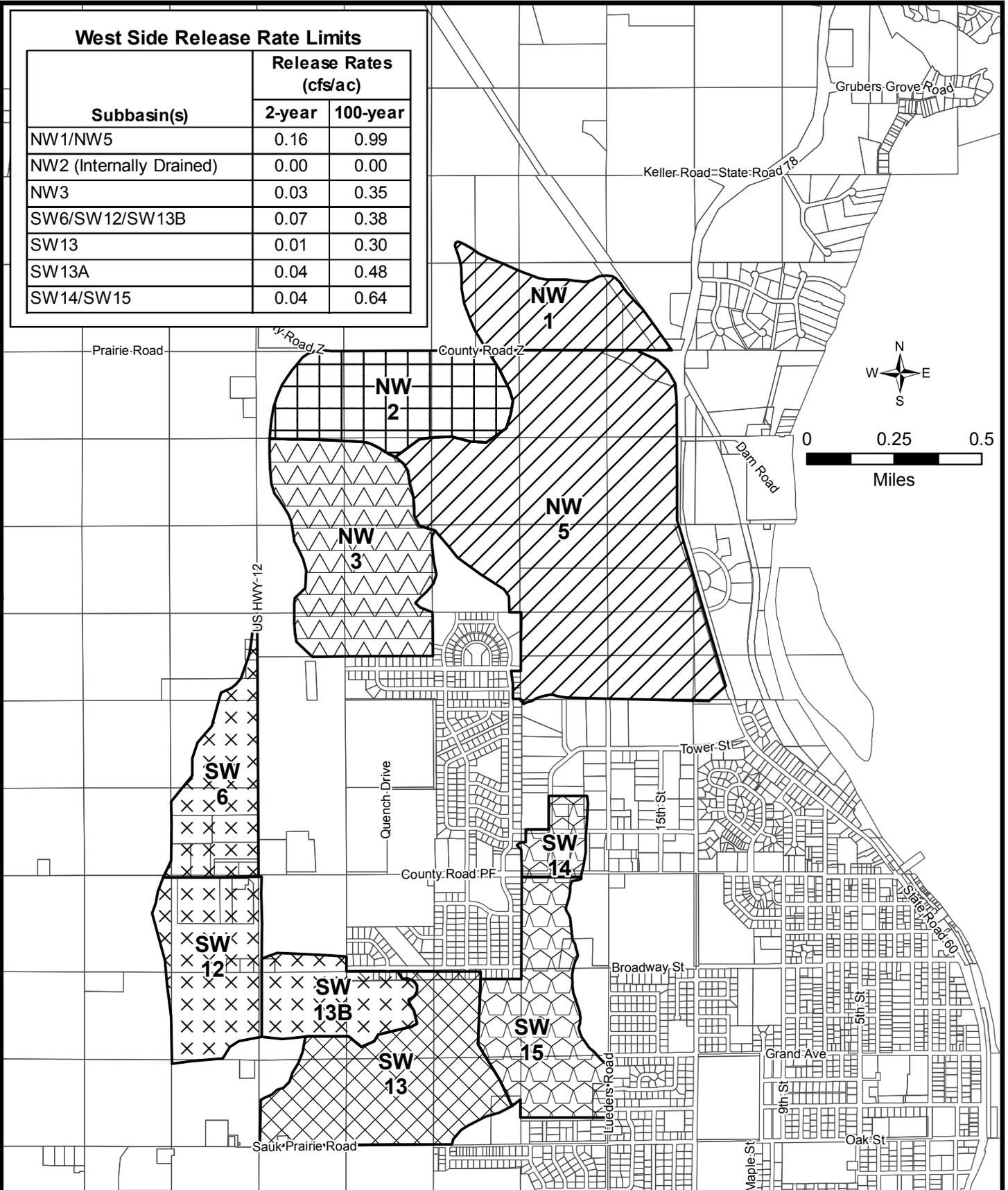
Published on [day, month, and year].

**APPENDIX C**  
**RELEASE RATES BOUNDARY MAP**

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### West Side Release Rate Limits

Subbasin(s)	Release Rates (cfs/ac)	
	2-year	100-year
NW1/NW5	0.16	0.99
NW2 (Internally Drained)	0.00	0.00
NW3	0.03	0.35
SW6/SW12/SW13B	0.07	0.38
SW13	0.01	0.30
SW13A	0.04	0.48
SW14/SW15	0.04	0.64



## RELEASE RATE BOUNDARY MAP

VILLAGE OF PRAIRIE DU SAC  
 STORMWATER MANAGEMENT AND EROSION CONTROL ORDINANCE  
 SAUK COUNTY, WISCONSIN



APPENDIX C