

CITY OF MADISON, WISCONSIN

AN ORDINANCE _____

PRESENTED
REFERRED

February 3, 2009

Board of Public Works;
Commission on the
Environment

Amending Secs. 37.03(4), 37.04, 37.05(2), 37.05(6)(b), 37.05(7)(a), 37.05(7)(b)6., 37.05(8), 37.06(1), 37.06(3), 37.08(1), 37.08(2), 37.08(5), 37.09 and 37.11, 37.12(7), 1.08(3)(a), and 1.08(3)(b) and Creating Sec. 37.08(6) of the Madison General Ordinances to make changes to the City's Erosion and Stormwater Runoff Control Ordinance that will implement recommendations of the Construction Erosion Control Subcommittee of the Commission of the Environment, eliminate web based reporting of erosion control inspections, and strengthen City standards and enforcement tools regarding erosion and stormwater control.

Exhibit E

Drafted by: Doran Viste

Date: January 28, 2009

SPONSORS: Ald. Palm

DRAFTER'S ANALYSIS: This ordinance makes numerous changes to the City of Madison's Erosion and Stormwater Runoff Control Ordinance, as well as related changes to the citation authority and bond schedule contained in Section 1.08(3) of the Madison General Ordinances. By requiring preconstruction meetings regarding erosion control, imposing continued responsibility on the designer of erosion control plans for larger projects, and raising the forfeitures and bond amounts associated with violations of Chapter 37, this Ordinance implements recommendations of the Construction Erosion Control Subcommittee of the Commission of the Environment intended to strengthen the City's erosion control measures. In addition, this ordinance eliminates the web based self-reporting of erosion control inspections, which the City Engineer found was not entirely effective in practice. In its place is continued self-reporting, but also with the addition of time frames and clear instructions that will eliminate the time Inspectors spent overseeing the website and web compliance, thereby freeing them up to ensure compliance in the field and enable greater enforcement by City staff, leading to greater compliance with the Ordinance. Indeed, by increasing the forfeiture range and setting forth two new bond schedules (one for violations that actually lead to erosion and stormwater control problems, and the other for more administrative violations of the Ordinance), it is expected that non-compliance with the Ordinance will no longer be viewed as less expensive than implementing erosion and stormwater management control measures. Finally, this Ordinance makes numerous changes to the language and organization of Chapter 37. These changes are meant to strengthen City standards, clarify the requirements of the Ordinance, and bring the language of the Ordinance more fully in line with the Madison General Ordinances.

The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (4) of Section 37.03 entitled "General Provisions" of the Madison General Ordinances is amended to read as follows:

Approved as to form:

“(4) Effective Date. This ordinance ID #31790 and #31804 shall become effective as of 12:01 AM on August 22, 2002. The amendments to ordinance ID #31790 and #31804 contained in ordinance ID #36569 shall become effective January 1, 2005. The amendments to ordinance ID#13421 shall become effective on April 1, 2009.”

2. Section 37.04 entitled "Definitions" of the Madison General Ordinances is amended by adding or amending therein the following:

“Infiltration, means the entry and movement of precipitation or runoff into or through soil for the purposes of this ordinance, refers to any precipitation that does not leave the site as runoff.

Infiltration System means a device or practices 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 or minimal infiltration from practices such as swales or road side channels designed for conveyance and pollutant removal only.

PDF means portable document format, a digital file format that allows for ease of document exchange.

Sensitive aArea means lakes, perennially flowing streams, or wetlands subject to regulation by the City.

Sheet and Rill Erosion means a loss of soil caused by sheet flow or shallow concentrated flow, and characterized by an absence of channeling or a relatively uniform loss across the exposed upper layer of the soil or shallow irregular scouring of the soil surface.”

3. Subsection (2) entitled “Creation and Supervision” of Section 37.05 entitled “The Public Stormwater System” is amended to read as follows:

“(2) Creation and Supervision. The purpose of this section is to state the intention of the City to provide and maintain a public stormwater system capable of conveying stormwater from public lands and right-of-ways and to dispose of such water in a manner that the health, safety and welfare of the public shall be protected. There is here established a stormwater utility within the purview of sec. ~~66.06~~ 66.0821 of the Wis. Stats.

The Administrative Authority shall be responsible for the maintenance and management of the public stormwater system under the direction of the Board of Public Works.”

4. Subdivision (b) of Subsection (6) entitled “Additions to the Public Stormwater System” of Section 37.05 entitled “The Public Stormwater System” is amended to read as follows:

“(b) A determination of the type of storm drainage system to be used shall be made by the Administrative Authority on the basis of required capacity, economics, and use of abutting lands. Additions to the Public Stormwater System shall, in general, be designed and constructed to convey stormwater, which would drain from the upstream lands as a result of a storm that could be expected to occur once in ten (10) years, except that culvert crossings in greenway drainage systems shall be designed for the 25-year event peak flow.

Where, in the opinion of the Administrative Authority, a situation exists which will result in development or creation of an enclosed depression (no safe overflow path during times when the storm sewer is at capacity), and where the only outlet is the storm sewer system, then the storm sewer system shall be designed to handle the runoff that can be expected to result from a twenty-five (25) year storm event or larger depending on the risk of property damage and public safety, as determined by the Administrative Authority. For design purposes, the acceptable flooding associated with this design event shall not leave the public right of way or public easements.

The duration of these design storms shall approximate the time that the water takes to flow through the storm drainage system, but in any event, not be less than thirty (30) minutes. In the event that the area under consideration is in a flood plain, then the drainage facilities shall be designed to convey the one hundred (100) year regional flood without raising the flood plain water surface more than 0.01 feet.”

5. Subdivision (a) entitled "Permit Required for Connection" of Subsection (7) entitled "Connection to the Public Stormwater System" of Section 37.05 entitled "The Public Stormwater System" is amended to read as follows:

"(a) Permit Required for Connection. No person shall do any work whatsoever for the purpose of connecting to the public stormwater system or existing building sewers or existing private sewers, or for the purpose of laying building sewers or private sewers, without first obtaining from the Administrative Authority a written permit to connect to the public stormwater system. As the curb and gutter are considered to be part of the stormwater conveyance system, permits to connect shall be required for curb connections via pipes, tubes, flumes or "curb scupper" devices.

A stormwater connection permit shall also be required for any disturbance or addition on property adjacent to either a public or private non-exclusive drainage easement. Disturbances or additions shall include but shall not be limited to all grading, building additions, structures, sheds, garages, utility boxes, gardens and other landscaped features that may alter the drainage pattern on the site. A permit to connect to the public stormwater system shall be required for any of the above mentioned activities either within a public or private non-exclusive drainage easement or adjacent to said easement or on lands which drain to the public stormwater system.

All private sewers and all building sewers between the property line and terminating at the public stormwater system shall be installed by City forces, City contract, contract under the supervision of the Board of Public Works, a Contractor approved by the Board of Public Works for sewer construction, or a plumber qualified by the Board of Public Works (terrace only). All work shall comply with the City of Madison Standard Street and Sewer Specifications and General Conditions. For each original permit, the applicant shall pay to the City Treasurer, an application fee of one hundred dollars (\$100) and conform to procedures and regulations herein. The required permit to connect with the public sewer system shall be on the premises and in the hands of the person making the connection. Prior to allowing connections to the storm sewer system, for the purpose of a non-stormwater discharge (not including residential sump pump discharges from building foundation drains), the applicant shall first obtain a permit from the City Health Department in accordance with Sec. 7.47 of the Madison General Ordinances."

6. Paragraph 6. of Subdivision (b) entitled "Charges, Specifications and Maintenance of the Connection" of Subsection (7) entitled "Connection to the Public Stormwater System" of Section 37.05 entitled "The Public Stormwater System" is amended to read as follows:

"6. The maintenance of the private storm sewer, ~~or~~ building storm sewer, and/or best management practices shall be the responsibility of the property owner. Every private storm sewer, building storm sewer, and best management practice shall be properly installed and maintained in good working condition, free from defects, leaks and obstructions, and in accord with the maintenance agreement recorded against the property, if applicable.

a. Where existing private storm sewer, building storm sewer, and/or best management practices are in a state of disrepair or present an obstruction to the drainage system, and the resulting drainage overflows cause damage to the roadway or adjacent public or private lands, the Administrative Authority is authorized to resolve the drainage obstruction. Authorized actions include but are not limited to: removal of any drainage obstructions, at existing inlets, at existing ditch lines and the like; regrading of existing ditch lines; and repairing best management practices to allow for positive drainage. The Administrative Authority may proceed as follows to complete the work:

i. Where, in the opinion of the Administrative Authority, a situation exists that could adversely affect the health and safety of the public or cause significant damage to public or private property, the Administrative Authority is authorized to resolve the situation and the City will special charge the completed work in accord with Sec. 4.09(13) of the Madison General Ordinances.

ii. Where, in the opinion of the Administrative Authority, the situation affects only the property on which the problem exists, and the needed repair is not to a best management practice that is part of the approved stormwater management plan, the Administrative Authority may proceed to complete the work provided the owner of the affected property signs a completed waiver of Notice and Hearing for imposition of a special charge to pay for the cost of the work.

iii. Where, in the opinion of the Administrative Authority, the situation on one (1) property affects the drainage on other properties but does not threaten the health and safety of the public or threaten to cause significant damage to public or

private property, or where the required maintenance is on a best management practice that is part of the approved stormwater management plan, the Administrative Authority may proceed in accord with Sec. 27.05 of the Madison General Ordinances, and order the owner of the property causing the problem to correct the situation.

- b. Any property owner required to have a Best Management Practice or a maintenance agreement on the property shall submit to the City Engineer an annual report reviewing the condition of that practice and the maintenance performed during the past calendar year. This report shall be submitted and sealed by a Professional Engineer currently licensed in the State of Wisconsin.

Where a recorded maintenance agreement exists, which specifies the annual inspection requirements, that agreement shall be the minimum information required. Where a maintenance agreement does not exist, the City Engineer shall make available forms for the most common types of BMP's that may be used to provide the required information. These forms will be accepted for those properties with maintenance agreements as well."

7. Subsection (8) entitled "Vehicular and Pedestrian Crossings of the Public Stormwater System" of Section 37.05 entitled "The Public Stormwater System" is amended to read as follows:

"(8) Vehicular and Pedestrian Crossings of the Public Stormwater System.

- (a) New Private Driveway Approaches. As stated in Sec. 10.08(5)(f) of the Madison General Ordinances and sec. 88.87(3) of the Wis. Stats. all new private driveway approaches (entrances) from unimproved public roadways into private property, shall have drainage facilities such as culverts and roadside ditch grading done in accordance with requirements of the Board of Public Works, ~~and Ditching and culverts required by the Board of Public Works,~~ shall be done at the property owner's expense.

The Administrative Authority shall determine said requirements which shall include, but are not limited to; size, length and type of culvert, alignment and grade of culvert, type of embankment needed at culvert end, roadside ditching and grading required to provide roadside drainage. The construction shall be done by and at the expense of the property owner and the Administrative Authority will provide engineering and inspection.

- (b) Existing Private Driveway Approaches. Maintenance, repair and replacement of culverts, for private driveways, and roadside ditches along unimproved public roadways are the responsibility of the adjacent private property owner. Where existing driveway culverts, driveway approaches or roadside ditches on unimproved streets or roads, present an obstruction to the roadside drainage system, and the resulting drainage overflows cause damage to the roadway or adjacent public or private lands, the Administrative Authority is authorized to correct any drainage obstruction. Authorized actions include but are not limited to removal of any drainage obstructions in existing ditch lines and regrading of existing ditch lines to allow for positive drainage. The Administrative Authority may proceed as follows to complete the following work:
1. Where, in the opinion of the Administrative Authority, a situation exists that could adversely affect the health and safety of the public or cause significant damage to public or private property, the Administrative Authority is authorized to resolve the situation and the City will special charge the completed work in accord with Sec. 4.09(13) of the Madison General Ordinances.
 2. Where, in the opinion of the Administrative Authority, the situation affects only the property on which the problem exists, the Administrative Authority may proceed to complete the work provided the owner of the affected property signs a completed waiver of Notice and Hearing for imposition of a special charge to pay for the cost of the work.
 3. Where, in the opinion of the Administrative Authority, the situation on one (1) property affects the drainage on other properties but does not threaten the health and safety of the public or threaten to cause significant damage to public or private property, the Administrative Authority may proceed in accord with Sec. 27.05 of the Madison General Ordinances, and order the owner of the property causing the problem to correct the situation. It is noted here that for this scenario

to be utilized the drainage problem must be clearly limited to one property affecting other properties. In the more common case, of drainage problems on multiple properties affecting the drainage for the area, part 4. below will apply.

4. Where, in the opinion of the Administrative Authority, the situation is such that drainage problems are caused by a poorly maintained drainage system throughout the area, and it is only possible to correct the situation through regional improvements made on multiple properties, the Administrative Authority may propose an assessment improvement district to correct the situation.”

8. Subsection (1) entitled “General Requirement” of Section 37.06 entitled “Land-Disturbing Activities Subject To Erosion Control And Stormwater Management” of the Madison General Ordinances is amended to read as follows:

“(1) General Requirement. Any person who undertakes, commences or performs land-disturbing activities, or who permits or directs another person to do the same, on land subject to this section, shall be subject to this ordinance.”

9. Subsection (3) entitled “Land-Disturbing Activities Subject to Stormwater Management” of Section 37.06 entitled “Land-Disturbing Activities Subject To Erosion Control And Stormwater Management” of the Madison General Ordinances is amended to read as follows:

“(3) Land-Disturbing Activities Subject to Stormwater Management. Unless otherwise exempted by Sec. 37.06(4), a stormwater management permit under Sec. 37.11 shall be required, and ~~all the~~ noted stormwater management provisions of Sec. 37.09 shall apply, ~~to any of for~~ for the following activities within the City:

- (a) New Development. Any development(s) commenced after the adoption date of this ordinance that either
 1. ~~result(s)Results~~ in the ~~cumulative~~ addition of twenty thousand (20,000) square feet of impervious surface to the site; or,
 2. Arises from the development of a previously developed or partially developed site(s) and results in a new site(s) condition with a total cumulative addition of twenty thousand (20,000) square feet of impervious surface shall meet all the provisions of Sec. 37.09.
- (b) Land Subdivision. Any subdivision of land, as defined by Sec. 16.23(2) of the Madison General Ordinances ~~entitled “Land Subdivision Regulations”~~, which requires plat approval or any certified survey for property intended for commercial or industrial use;
- (c) Redevelopment. Any development that meets the standards for ~~R~~ redevelopment, as defined in Sec. 37.04, shall meet the stormwater management performance standards of Sec. 37.09(1), (2), (3)(a) and (b).
- (d) ~~Other land development activities~~ Other Land Development Activities. Any development activity, including but not limited to the redevelopment or alteration of existing buildings and other structures, ~~that~~ which the Administrative Authority determines may exceed the safe conveyance capacity of the existing drainage facilities and/or receiving body, significantly increase downstream runoff volumes, flooding, soil erosion, water pollution or property damage, or significantly impact a lake, stream, wetland, or other sensitive area, shall meet all the provisions of Sec. 37.09.
- (e) Site Disturbance/Grading. Any land disturbance equal to or greater than one (1) acre, regardless of the amount of impervious area ~~which~~ that is part of the project after construction, shall be subject to Sec. 37.08 and all the provisions of Sec. 37.09.
- (f) Street Construction. ~~New~~ Any street construction, or reconstruction exceeding twenty thousand (20,000) square feet of new impervious area, that is not directly associated with a new plat or CSM development is subject to Secs. 37.09 (1), (2) & (4).”

10. Subsection (1) entitled “Control Plan Required” of Section 37.08 entitled “Erosion Control Plan Requirements” of the Madison General Ordinances is amended to read as follows:

“(1) Control Plan Required.

- (a) Every applicant for an erosion control permit shall submit ~~five (5) copies~~ both a paper copy, 11” x 17”, and a PDF copy of a plan to control erosion, sedimentation and runoff, to

the Administrative Authority. These plans shall be at a 40:1 or larger scale and include the information described in Sec. 37.08(2). Plans shall be submitted when the proposed activity is:

1. Disturbs an area four thousand (4,000) square feet or larger with any slopes six percent (6%) or larger, steeper;
2. Disturbs an area, regardless of size, with any slope greater than twelve percent (12%);
3. ~~or~~ Disturbs an area adjacent to or draining directly into any sensitive area;
4. Regardless of size, proposes to have an onsite pumping system to control groundwater or to dewater the site after rain events;
5. Is considered redevelopment and disturbs an area four thousand (4,000) square feet or larger; or
6. Is considered new development and disturbs an area twenty thousand (20,000) square feet or larger.

~~Permit applicants shall submit erosion control plans including the information described in Sec. 37.08(2).~~

- ~~(b) Every applicant for an erosion control permit, for a site exceeding 20,000 square feet of disturbed area, shall submit five (5) copies of a plan to control erosion, sedimentation and runoff. Additionally, these applicants shall be required to conduct a weekly erosion control inspection of the site and complete weekly erosion control inspection updates using the City of Madison Erosion Control Website~~

~~Permit applicants shall submit erosion control plans including the information described in Sec. 37.08(2).~~

- ~~(e)~~ Sites not requiring a control plan as identified above shall submit erosion control proposals using the simplified plan checklist provided with the permit application as described in Sec. 37.08(3).
- ~~(d)~~ The Administrative Authority may require separate erosion control plans and measures for Planned Development Districts where there is more than one building.”

11. Subsection (2) entitled “Plan Materials” of Section 37.08 entitled “Erosion Control Plan Requirements” of the Madison General Ordinances is amended by amending therein the following:

- “(2) Plan Materials. Erosion control plans required under Sec. ~~37.06(2)~~ 37.08(1)(a) may include consideration of adjoining landowners’ cooperative efforts to control transport of sediment and except as specifically exempted below, shall be completed and sealed by a Professional Engineer currently licensed in the State of Wisconsin and shall include the following information:”

12. Subsection (5) entitled “City of Madison Erosion Control Website” of Section 37.08 entitled “Erosion Control Plan Requirements” of the Madison General Ordinances is repealed and recreated to read as follows:

“(5) Erosion Control Inspections.

- (a) Applicability. Applicants who must submit a control plan because the proposed activity meets the criteria of Secs. 37.08(1)(a)5 or 37.08(1)(a)6 shall also be required to conduct erosion control inspections of the site and the erosion control devices/practices at the site as set forth in this Subsection.
- (b) Required Inspections. The applicant shall inspect the erosion control measures on a weekly basis and by the end of the business day after each ½” rain event.
- (c) Documentation of Inspection. The inspection, including any repairs needed or actions taken, shall be documented on forms made available by the City Engineer for this purpose. The results of these inspections shall be provided to the Administrative Authority electronically via email or via a non-returnable CD-R within twenty-four (24) hours of the inspection. Digital photographs of the practices and the site are not required but are strongly encouraged.”

13. Subsection (6) entitled “Additional Requirements” of Section 37.08 entitled “Erosion Control Plan Requirements” of the Madison General Ordinances is created to read as follows:

- “(6) Additional Requirements. In addition to the requirements set forth elsewhere in this Ordinance, applicants for an erosion control permit who must submit a control plan under Sec. 37.08(1)(a) must do the following:
- (a) Hold a preconstruction meeting prior to the start of construction. This preconstruction meeting shall be attended by a Professional Engineer licensed in the State of Wisconsin responsible for the initial implementation of the erosion control plan. The erosion control permitting and reporting requirements shall be discussed at this meeting. The Professional Engineer in attendance shall document the meeting and submit minutes of the meeting to the Administrative Authority within one (1) week of this meeting.
 - (b) Provide documentation to the Administrative Authority, on forms available from the City Engineer, from a Professional Engineer licensed in the State of Wisconsin showing the initial installation and implementation of the erosion control plan. These forms shall be submitted to the Administrative Authority within one (1) week of the completion of the initial installation and implementation of the erosion control plan.
 - (c) Within ten (10) working days of completion of the project, or the erosion control portion of the project (meaning the final site stabilization has been completed), notify the Administrative Authority that the Applicant requests closure of the Erosion Control Permit. This request shall be made via the Erosion Control Notice of Termination (ECNOT) form available from the City Engineer.
 - (d) Upon written or verbal notice by an agent of the City of Madison to the applicant, or the applicant's designated representative, regarding an erosion control action or repair needed to bring the site into compliance, the applicant has not less than twenty-four (24) nor more than seventy-two (72) hours to bring the project site into compliance and document those subsequent actions with the Administrative Authority. The time allotted to bring the site into compliance shall be noted on the notice.”

14. Section 37.09 entitled “Stormwater Management Plan Requirements” of the Madison General Ordinances is amended to read as follows:

“37.09 STORMWATER MANAGEMENT PLAN REPORT REQUIREMENTS.

- (1) Management Plan Report Required.
 - (a) Every applicant for a stormwater management permit shall submit ~~five (5) copies of a plan~~ a report documenting the system(s) and measures proposed to control stormwater runoff from the site. The stormwater management report shall be completed and sealed by a Professional Engineer currently licensed in the State of Wisconsin.
 - (b) Evidence of financial responsibility. The Administrative Authority may require a financial security instrument sufficient to guarantee complete construction of the stormwater management systems proposed in the management report.
- (2) Plan Report Materials. Stormwater management ~~plans~~ reports shall satisfy all of the requirements in Sec. 37.09(3), and shall ~~address~~ provide at a minimum the following information:
 - (a) A narrative describing the proposed project, including implementation schedule for planned practices;
 - (b) Identification of the entity responsible for long-term maintenance of the project;
 - (c) A topographic map of the site location, including the contiguous properties, existing drainage patterns and watercourses affected by the proposed development of the site and the existing vegetative cover;
 - (d) A map showing drainage areas for each watershed area;
 - (e) A summary of runoff peak flow rate calculations, by watershed area, including:
 - 1. Pre-existing peak flow rates;
 - 2. Post-construction peak flow rates with no detention;
 - 3. Post-construction peak flow rates with detention;
 - 4. Assumed runoff curve numbers (RCNs); and
 - 5. Time of concentration (Tc) used in calculations.
 - (f) A complete site plan and specifications, ~~signed~~ sealed by the ~~person~~ Professional Engineer who designed the ~~plan~~ stormwater management system(s) and measures. All plans and specifications shall be drawn to a legible scale, shall be clearly labeled, and shall include, at a minimum, all of the following information:

1. Property lines and lot dimensions;
 2. All buildings and outdoor uses, existing and proposed, including all dimensions and setbacks;
 3. All public and private roads, interior roads, driveways and parking lots and shall show traffic patterns and type of paving and surfacing material;
 4. All natural and artificial water features, including, but not limited to lakes, ponds, streams (including intermittent streams), and ditches. Show ordinary high water marks of all navigable waters, 100-year flood elevations and delineated wetland boundaries, if any. If not available, appropriate flood zone determination or wetland delineation, or both, may be required at the applicant's expense;
 5. Depth to bedrock;
 6. Depth to seasonal high water table;
 7. The extent and location of all soil types as described in the Dane County Soil Survey, slopes exceeding twelve percent (12%), and areas of natural woodland or prairie;
 8. Existing and proposed elevations (referenced to the City of Madison Datum when required by the Administrative Authority);
 9. Elevations, sections, profiles, and details as needed to describe all natural and artificial features of the project;
 10. Soil erosion control and overland runoff control measures, including runoff calculations as appropriate;
 11. Detailed construction schedule indicating the anticipated starting and completion dates of the development sequence;
 12. Copies of permit or permit applications required by any other governmental entities or agencies;
 13. Any other information necessary to reasonably determine the location, nature and condition of any physical or environmental features;
 14. Location of all stormwater management practices;
 15. All existing and proposed drainage features;
 16. The location and area of all proposed impervious surfaces;
 17. The limits and area of the disturbed area;
 18. Seeding mixtures and rates, lime and fertilizer application rates, and kind and quantity of mulching for both temporary and permanent vegetative control measures.
- (g) Engineered designs and detailed drawings for all structural management practices;
- (h) A description of methods to control oil and grease or written justification for not providing such control;
- (i) If required under Sec. 37.09(3)(g), ~~a description and~~ the plans to control the temperature of runoff;
- (j) A maintenance plan and schedule for all permanent stormwater management practices as recorded on the affidavit required in Sec. 37.11(3).
- (k) Where the area being developed is in or adjacent to an area prone to flooding (as determined by the Administrative Authority) the applicant shall provide detailed survey and proposed site plan information on the lowest entrance openings to the building (including underground parking). Further, the applicant shall certify to the Administrative Authority that the building has been designed to provide flood protection to an elevation a minimum of one half a foot (0.5') above the regional flood elevation or two (2) feet above the adjacent sidewalk elevation. This shall include permanent flood protection of access to underground parking structures and areas served by on site storm water systems connected to the public system (where the public system in the opinion of the Administrative Authority is known to be lacking sufficient capacity). Where pumping systems are used, the pumping plans shall be submitted to the Administrative Authority and shall be stamped by a Professional Engineer in the State of Wisconsin. These plans shall provide and document that the pump system can adequately control the anticipated flows that result from a 100-year storm event. Alternatively, the pumping plan may be certified by a Professional Engineer and

the pump design and installation plan itself certified by a Master Plumber as defined by Wisconsin Statute.

(l) A completion date for all proposed stormwater management devices to be constructed and in service on the site. Failure to complete the project and bring the devices into service by the approved date shall constitute a violation of this section.

(3) Stormwater Management Performance Standards. The Proposed design, suggested location and phased implementation of effective, practicable stormwater management measures for plans shall be designed, engineered, and sealed by a registered professional engineer a Professional Engineer licensed in the State of Wisconsin, and implemented to achieve the following results:

(a) Sediment Control.

1. For new development, by design, one of the following methods shall be used:

a. Reduce, to the maximum extent practicable, total suspended solids load leaving the site by eighty percent (80%), based on the average annual rainfall, as compared to no runoff management controls. This method requires the use of a continuous model such as SLAMM, P8 or equivalent, and the use of approved grain size distribution curves and rainfall data. These files are managed and maintained by the Wisconsin Department of Natural Resources and are available on its website.

No person shall be required to exceed an eighty percent (80%) total suspended solids reduction, for the site as a whole, to meet the requirements of this subdivision. This analysis shall use approved procedures and shall assume no re-suspension of particles. This analysis shall require tracking of the particulate sizes trapped by each device used in series (or treatment train). Serial redundant removal efficiencies shall not be allowed. For example, two (2) sediment traps used in series each being forty percent (40%) effective does not provide an eighty percent (80%) removal efficiency. Rather, as these devices both trap essentially the same particle size the combined efficiency of these two (2) devices used in series remains at forty percent (40%).

b. Retain soil particles greater than five (5) microns on the site, as measured during a one (1) year 24-hour storm event. This analysis shall use approved procedures and shall assume no re-suspension of particles. This analysis requires tracking of the particulate sizes trapped by each device used in series (or treatment train). Serial redundant removal efficiencies shall not be allowed. For example, two (2) sediment traps used in series each being forty percent (40%) effective does not provide an 80% removal efficiency. Rather, as these devices both trap essentially the same particle size the combined efficiency of these two (2) devices used in series remains at forty percent (40%).

2. For redevelopment by design, one of the following methods shall be used:

a. Reduce, to the maximum extent practicable, total suspended solids loads leaving the site by forty percent (40%), based on average rainfall, as compared to no runoff management controls. This method requires the use of a continuous model such as SLAMM, P8 or equivalent, and the use of approved grain size distribution curves and rainfall data. These files are managed and maintained by the Wisconsin Department of Natural Resources and are available on its website.

No person shall be required to exceed forty percent (40%) total suspended solids reduction, for the site as a whole, to meet the requirements of this subdivision. This analysis shall use approved procedures and assume no re-suspension of particles. This analysis shall require tracking of the particulate sizes trapped by each device used in series (or treatment train). Serial redundant removal efficiencies shall not be allowed. For example, a catchbasin and an inlet filter, each being approximately twenty-five percent (25%) effective, do not provide a fifty percent (50%) removal efficiency. Rather, as these devices both trap the same particle size the combined efficiency of these two (2) devices used in series remains at twenty-five percent (25%).

- b. Retain soil particles greater than twenty (20) microns on the site, as measured during a one (1) year, 24-hour storm event. This analysis shall use approved procedures and shall assume no re-suspension of particles. This analysis shall require tracking of the particulate sizes trapped by each device used in series (or treatment train). Serial redundant removal efficiencies shall not be allowed. For example, a catchbasin and an inlet filter, each being approximately twenty-five percent (25%) effective, do not provide a fifty percent (50%) removal efficiency. Rather, as these devices both trap the same particle size the combined efficiency of these two (2) devices used in series remains at twenty-five percent (25%).
 3. For in-fill development under five (5) acres that occurs within five (5) years of October 1, 2004, by design, reduce to the maximum extent practicable, the total suspended solids load by forty percent (40%) based on the criteria in 2.a. or b., above.
 4. For in-fill development that occurs five (5) or more years after October 1, 2004 by design, reduce to the maximum extent practicable, the total suspended solids load by eighty percent (80%) based on the criteria in 1.a. or b., above. No person shall be required to exceed an eighty percent (80%) total suspended solids reduction to meet the requirements of this subdivision.
- (b) Oil and Grease Control. For all stormwater ~~plans for~~ management measures at commercial or industrial developments and all other uses where the potential for pollution by oil or grease, or both, exists, the first 0.5 inches of runoff will be treated using the best oil and grease removal technology available. The Administrative Authority may waive this requirement only when the applicant can demonstrate that the installation of such practices is not necessary.
- (c) Runoff Rate Control - Hydrologic Calculations. Runoff calculations for event driven analysis shall be according to the methodology described in the Natural Resources Conservation Service's Technical Release 55, "Urban Hydrology for Small Watersheds" (commonly known as TR-55), for analysis requiring average annual results SLAMM or other Technical Standards and Specifications as provided in Sec. 37.10(2). For agricultural land subject to this section, the maximum runoff curve number (RCN) used in such calculations shall be 51 for hydrologic soil group (HSG) A, 68 for HSG B, 79 for HSG C, and 84 for HSG D. The TR-55-specified curve numbers for other land uses shall be used. Heavily disturbed sites will be lowered one permeability class for hydrologic calculations. Lightly disturbed areas require no modification.
- (d) Runoff Rate Control - Design Standards. All stormwater facilities shall be designed, installed and maintained to effectively accomplish the following:
1. Maintain predevelopment peak runoff rates for the 2-year, 24-hour storm event (2.9 inches over 24 hours duration).
 2. Maintain predevelopment peak runoff rates for the 10-year, 24-hour storm event (4.2 inches over 24 hours duration.)

3. Safely pass the 100-year, 24-hour storm event (6.0 inches over 24-hour duration).
 4. Development/Redevelopment shall be required to implement runoff rate controls upon a cumulative increase in impervious area equal or exceeding twenty thousand (20,000) square feet. Incremental increases over a period of years such that multiple small incremental increases in impervious area eventually exceeds the twenty thousand (20,000) square foot criteria shall be retroactively controlled once the cumulative increase in impervious area meets or exceeds twenty thousand (20,000) square feet.
 5. Lands that are to be developed in the Upper or Lower Badger Mill Creek Watersheds are required to maintain predevelopment peak runoff rates for the 100-year, 24-hour storm event (6.0 inches over 24 hours duration). This is required in addition to the requirements of Paragraphs 1-4. Further, the applicant shall be aware that development in both of these watersheds is subject to City of Madison impact fees notwithstanding any provision set forth herein.
 6. Redevelopment or Infill Development.
 - a. Lands that are known to the City Engineer to be within watersheds experiencing significant flooding shall provide detention volume equal to the known surcharge volume in the watershed (during a 25-year storm event) multiplied by the proposed development's impervious area and divided by the total impervious area of the watershed as determined by the City of Madison Stormwater Utility Records. This is intended to create a proportional allocation of the excess flood volume by impervious area within the watershed. Any redevelopment or infill development shall provide detention commensurate with the proportion of the flooding problem. For purposes of this calculation, timing and routing issues of stormwater shall be ignored.
 - b. For the University/Midvale watershed (also known as watershed ME01), the applicant shall provide 0.06 acre-ft of detention per acre of proposed impervious area.
- (e) Outlets. Discharges from new construction sites must have a stable outlet capable of carrying designed flow as required in Sec. 37.09(3)(d), at a non-erosive velocity. Outlet design must consider flow capacity and flow duration. This requirement applies to both the site outlet and the ultimate outlet to stormwater conveyance or water body.
- (f) Infiltration.
All lots, plats, or Certified Survey Maps which ~~have create a cumulative total disturbed area~~ of 20,000 square feet or more of additional impervious area are required to provide infiltration of stormwater as set forth below. Stormwater management ~~plans reports~~ submitted to the City of Madison for review shall meet the requirements of Wisconsin Administrative Code NR 151.12(5)(c). The stormwater management ~~plans reports~~ shall comply with the sections entitled "Criteria" within the applicable Infiltration Technical Standards as provided by the Department of Natural Resources and maintained by the Standards Oversight Council. A link to the technical standards is provided as follows:
<http://dnr.wi.gov/org/water/wm/hps/stormwater/techstds.htm>
<http://dnr.wi.gov/runoff/stormwater/techstds.htm>. Stormwater infiltration shall comply with the following:
1. Residential Development. For residential developments, design practices to infiltrate sufficient runoff volume so that the post-development infiltration volume shall be at least ninety percent (90%) of the pre-development infiltration volume, based upon an average annual rainfall. If when designing appropriate infiltration systems, more than one (1%) percent of the site is required to be used as effective infiltration area, the applicant may alternately design infiltration systems and

pervious surfaces to meet or exceed the estimated average annual recharge rate (7.6" inches per year). If this alternative is taken at least one (1%) percent of the site must be used as part of the effective infiltration area.

2. Non-Residential Development. For non-residential development, including new streets not directly associated with a new plat or CSM, commercial, industrial, institutional and multi-family residential (over 2-unit buildings) developments, design practices to infiltration sufficient runoff volume so that post-development infiltration volume shall be at least sixty percent (60%) of the pre-development infiltration volume, based on average annual rainfall. If when designing appropriate infiltration systems, more than two percent (2%) of the site is required to be used as effective infiltration area, the applicant may alternately design infiltration systems and pervious surfaces to meet or exceed the estimated average annual recharge rate (7.6 inches per year). If this alternative design approach is taken, at least two percent (2%) of the site must be used as part of the effective infiltration area.
3. Distributed Best Management Practices. If the applicant proposes to use distributed practices (e.g. rain gardens) to meet infiltration requirements, a deed restriction and maintenance agreement will be required. These shall be recorded against individual parcels. If these devices are utilized to meet infiltration requirements no credit shall be given towards the volume requirements for Runoff Rate Control--Hydrologic Calculations or Design Standards, in Sec. 37.09(3)(c) and (d) of the Madison General Ordinances.
4. Pre-Treatment. Prior to infiltration of runoff from parking lots, new road construction (in commercial, industrial and institutional areas), the runoff shall be pre-treated. This pre-treatment shall be in accord with the applicable Standards Oversight Council Technical Standard. Infiltration systems designed in accordance with this section shall, to the extent technically and economically feasible, minimize the level of pollutants infiltrating to the groundwater and shall maintain compliance with the prevention action limits at a point of standards application in accordance with State of Wisconsin Administrative Code NR-140 for all pollutants excepting chloride. Further, if site-specific information indicates that compliance with the applicable prevention action limit is not achievable, the infiltration device shall not be installed or shall be modified to prevent infiltration to the maximum extent practicable.
5. Prohibitions. Notwithstanding subparagraphs (1) through (5), infiltration systems may not be installed in any of the following areas:
 - a. areas associated with Tier 1 industrial facilities as identified in Wisconsin Administrative Code NR-216.21(2)(a),
 - b. storage and loading areas of Tier 2 industrial facilities as identified in Wisconsin Administrative Code NR-216.21(2)(b),
 - c. fueling and vehicle maintenance areas,
 - d. areas with less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonal high groundwater or the top of bedrock. This provision shall not be interpreted to prohibit infiltration of rooftop runoff,
 - e. areas within one thousand (1,000) feet up-gradient or within one hundred (100) feet down-gradient of karst features,
 - f. areas with runoff from industrial commercial and institutional parking lots and roads, and residential arterial roads where there exists less than five (5) feet separation distance from the bottom of the infiltration system to the elevation of season high groundwater or the top bedrock,
 - g. areas where infiltrated water will contain runoff from commercial, industrial and institutional land uses or for regional infiltration devices for residential development and the proposed infiltration

- device is within four hundred (400 feet) of a community water system well as specified in Wisconsin Administrative Code NR-811.16(4),
- h. areas where contaminants of concern, as defined in Wisconsin Administrative Code NR-720.03(2) are present in the soil through which infiltration will occur,
 - i. any areas where the seasonal high groundwater elevation or bedrock is within three (3) feet of the surface and the soil above the bedrock or seasonal high groundwater has less than twenty percent (20%) fines or areas where the seasonal high groundwater elevation or bedrock is within five (5) feet of the surface and the soil above the bedrock or seasonal high groundwater has less than ten percent (10%) fines. Where the soil medium being provided as part of the practice (bio-retention) provides an equivalent level of protection to the soils described above this provision does not apply.
6. Alternative Uses. Where alternate uses of runoff are employed, such as for toilet flushing, laundry or irrigation, such alternate use shall be given equal credit toward the infiltration volume required by this section.
7. Exemptions. The following activities are exempt from infiltration requirements:
- a. redevelopment sites.
 - b. new development sites with less than ten percent (10%) connected imperviousness based on completed development of the post construction site, provided the cumulative area of all impervious surfaces is less than one (1) acre.
 - c. agricultural facilities.
 - d. areas where the infiltration rate of the soil is less than 0.60 inches per hour measured at the bottom of the proposed infiltration system, provided that, based on soil borings, a more permeable soil layer with infiltration rates exceeding 0.60 inches per hour does not exist within two (2) feet of the proposed bottom of the infiltration device.
 - e. notwithstanding Paragraph d., areas that have been artificially filled and compacted as a result of that fill are not exempt from infiltration based on the infiltration rate of the compacted fill. Rather the soil properties of the underlying native soils must be investigated. It is possible that the only method available for this investigation will be the county soil survey. If that record indicates that the native soil would have supported infiltration then infiltration will be required consistent with the native soil type.
 - f. parking areas and access roads less than five thousand (5,000) square feet.
 - g. roads in areas containing significant commercial, industrial and institutional land uses and arterial roads.
- (g) Thermal Control. The stormwater management ~~plan~~report shall include provisions and practices to reduce the temperature of runoff for sites located within the watershed of a river or stream identified by the Wisconsin Department of Natural Resources as a Cold Water Community through Wisconsin Administrative Code NR 102.04(3)(a), NR 104, Wisconsin Administrative Code, and Class I, Class II, and Class III Trout Streams identified in "Wisconsin Trout Streams", DNR publication 6-3600(80) Wisconsin Department of Natural Resources Publication PUB-FH-806 2002, <http://dnr.wi.gov/fish/species/trout/wisconsintroutstreams.pdf>, or its successor.
- The stormwater management ~~plan~~report does not have to meet this thermal control requirement if the applicant can justify by use of a model approved by the Dane County Conservationist and the Administrative Authority

that practices are not necessary because the temperature increase of runoff from the site post-development will be zero (0).

A current list and maps of affected watersheds shall be available for reference at the office of the Administrative Authority.

Meeting the infiltration standards of Madison General Ordinances 37.09(3)(f) shall satisfy all requirements for thermal control. If a site is exempt or excluded from infiltration requirements but is located in a thermal control watershed, the thermal requirements of this section apply and shall be met.

(h) Protective Areas. Impervious surfaces shall be kept out of the protective areas to the maximum extent practicable. The storm water management plan report shall contain a written site-specific explanation for any parts of the protective area that are disturbed. Where land disturbance occurs within the protective area and where no impervious surface is present, adequate sod or self-sustaining vegetative cover of seventy percent (70%) (of the disturbed area) or greater shall be established and maintained. Best management practices may be located within protective areas.

1. For outstanding resources waters and exceptional resources waters and for wetlands in areas of special natural resource interest as specified in Wisconsin Administrative code NR-103.04 -- the protective distance is seventy-five (75) feet.
2. For perennial and intermittent streams identified on a United States Geological Survey 7.5 minute series topographic map, or on a county soil survey map, which is more current -- the protective distance is fifty (50) feet.
3. For lakes -- the protective distance is fifty (50) feet.
4. For highly susceptible wetlands -- the protective distance is fifty (50) feet.
5. For less susceptible wetlands -- the protective distance is ten percent (10%) of the average wetland width, but not less than ten (10) feet nor more than thirty (30) feet.
6. For concentrated flow channels with drainage areas greater than one hundred thirty 130 acres -- the protective distance is ten (10) feet.
7. ~~Redevelopment~~ post-construction sites and infill development (less than five (5) acres) sites are exempt from the protective area requirements.
8. Structures that cross or access surface waters are exempt from the protective area requirements.

(4) Stormwater Management Goals.

(a) For existing development, implement practices to reduce by twenty percent (20%) the anticipated total suspended solids entering waters of the state, as compared to no controls, by March 10, 2007 and a forty percent (40%) reduction by March 10, 2011. This as designed/modeled standard will be met on a municipality wide basis. In the event that the majority of the communities in the Madison Lakes watershed fail to adopt similar provisions, then the requirements of this section shall revert to those contained in State of Wisconsin Administrative Code NR-151.13(2).

(b) For street reconstruction, the following shall apply:

1. Total Suspended Solids (TSS) Control -- Reduce, to the maximum extent practicable, total suspended solids loads leaving the site by forty percent (40%), based on average rainfall, as compared to no runoff management controls. This method requires the use of a continuous model such as SLAMM or P8, and of approved grain size distribution curves and rainfall data. These files are managed and maintained by the Wisconsin Department of Natural Resources and are available on its website.

No person shall be required to exceed forty percent (40%) total suspended solids reduction to meet the requirements of this subdivision. This analysis shall use approved procedures and assume no re-suspension of particles. This analysis shall require tracking of the particulate sizes trapped by each device used in series (or treatment train). Serial redundant removal efficiencies shall not be allowed. For example, a catchbasin and an inlet filter, each being approximately

twenty-five percent (25%) effective, do not provide a fifty (50%) removal efficiency. Rather, as these devices both trap the same particle size the combined efficiency of these two (2) devices used in series remains at twenty-five percent (25%).

2. Infiltration -- design practices to infiltrate stormwater runoff from the roadway in accordance with Wisconsin Administrative Code NR-151.24(5).
 3. Peak Discharge -- design practice to reduce peak runoff from the roadway in accordance with Wisconsin Administrative Code NR-151.24(4).
- (5) Off-Site Stormwater Management. Off-site stormwater management is allowed, provided that all of the following conditions for the off-site facility are met:
- (a) The facility is in place;
 - (b) The facility is designed and adequately sized to provide a level of stormwater management that at least meets the ordinance standards;
 - (c) The facility has a legally obligated entity responsible for its long-term operation and maintenance.
- (6) Installation Certification. Each applicant who is granted a stormwater management permit, and who has signed and recorded the required maintenance agreement, shall submit to the City Engineer certification that the BMP's referred to in the stormwater management report have been installed in accord with the plans and specifications of that report. This certification shall be provided and sealed by a Professional Engineer currently licensed in the State of Wisconsin, on forms available from the City of Madison Engineer.

The City of Madison stormwater management permit shall not be closed without submission of this certification. This certification shall serve as Official Notice of Termination by the Applicant with regard to the stormwater management permit, and shall trigger a final site inspection by City Engineering staff. Upon completion of this inspection, a notice of permit closure and reminder to the Applicant of the annual stormwater management report requirement shall be sent and the stormwater management permit shall be closed.

- (67) Annual Stormwater Management Plan Report. Each applicant who is granted a stormwater management permit, and who has signed and recorded the required maintenance agreement, shall submit to the City Engineering an annual report on the condition of the site's stormwater ~~treatment~~ management devices. This report shall be submitted by December 31 of each year following closure of the Stormwater Management Permit required under Sec. 37.09(6). ~~This~~ The annual report shall consist of be completed and sealed by a Professional Engineer currently licensed in the State of Wisconsin, on forms provided by the City Engineer, and shall include the following:
- (a) ~~d~~ Documentation of the completion of the required annual maintenance, including copies of receipts from agents hired to perform the work and the date the work was completed;
 - (b) ~~p~~ Photos of the ~~treatment~~ management device ~~post~~ after completion of the required maintenance.
 - (c) ~~d~~ Documentation required under sub-chapter (a) & (b) may be submitted to the City Engineer, Room 115 City/County Building, 210 Martin Luther King Jr. Blvd. Madison WI 53703 or they may be emailed to engineer@cityofmadison.com"

15. The title of Section 37.11 entitled "Applications and Issuance of Permits" of the Madison General Ordinances is amended by amending therein the following:

"37.11 APPLICATIONS FEES AND ISSUANCE OF PERMITS."

16. Subdivision (a) of Subsection (7) entitled "Penalties" of Section 37.12 entitled "Administration" of the Madison General Ordinances is amended to read as follows:

- "(a) Any person who violates, disobeys, omits, neglects or refuses to comply with or resists the enforcement of any of the provisions of this ordinance, or causes or directs another to do so, shall, upon conviction thereof, be subject to a forfeiture of not less than fifty one hundred dollars

~~(\$50100)~~ nor more than ~~five hundred one thousand~~ one thousand dollars (~~\$5001,000~~) for each and every violation thereof. Each day that a violation exists shall constitute a separate offense.”

17. Subdivision (a) of Subsection (3) entitled “Schedule of Deposits” of Section 1.08 entitled “Issuance of Citations for Violations of Certain Ordinances and Providing a Schedule of Cash Deposits” of the Madison General Ordinances is amended by amending therein the following:

<u>“Offense</u>	<u>Ord. No.</u>	<u>Deposit</u>
Improper maintenance of private storm or building storm sewers.	37.05(7)(b)6.	\$75, 1st \$125, 2nd
<u>Conducting land disturbing activity without an erosion control permit.</u>	<u>37.06(2)</u>	<u>\$200, 1st at site \$500, 2nd at site \$1000, 3rd + at site</u>
<u>Conducting land disturbing activity without a stormwater management permit.</u>	<u>37.06(3)</u>	<u>\$200, 1st at site \$500, 2nd at site \$1000, 3rd + at site</u>
Permitting or causing erosion prohibited.	37.07	\$400200, 1st at site \$250500, 2nd in at site \$5001000, 3rd in 1-yr+ at site
<u>Failure to implement stormwater management performance standards.</u>	<u>37.09(3)</u>	<u>\$200, 1st at site \$500, 2nd at site \$1000, 3rd + at site</u>
Failure to install/maintain erosion control	37.10	\$100, 1st per site \$250, 2nd per site \$500, 3rd per site
Failure to obtain an erosion control and storm water management permit.	37.11	\$100, 1st per site \$250, 2nd per site \$500, 3rd per site
<u>Violation of a Stop Work Order.</u>	<u>37.12(6)(a)1.</u>	<u>\$200, 1st at site \$500, 2nd at site \$1000, 3rd + at site”</u>

18. Subdivision (b) of Subsection (3) entitled “Schedule of Deposits” of Section 1.08 entitled “Issuance of Citations for Violations of Certain Ordinances and Providing a Schedule of Cash Deposits” of the Madison General Ordinances is amended to read as follows:

“(b) For violation of provisions of Chapter 6 (Fire Department and Fire Regulations), Chapter 7 (Public Health), Chapter 22 (Consumer Protection and Weights and Measures), Chapter 27 (Minimum Housing and Property Maintenance Code), Chapter 28 (Zoning Code), Chapter 31 (Sign Code), and Chapter 34 (Fire Prevention Code) of the Madison General Ordinances not enumerated in Subdivision (a) above: one hundred dollars (\$100) for the first violation, two hundred dollars (\$200) for the second violation and two hundred fifty dollars (\$250) for the third and all subsequent violations within any twelve (12) month period. For violations of provisions of Chapter 37 (Erosion and Stormwater Runoff Control) not enumerated in Subdivision (a) above, the deposit amount shall be one hundred dollars (\$100) for the first violation at the site, two hundred and fifty dollars (\$250) for the second violation at the site, and five hundred dollars (\$500) for the third and subsequent violation at the site. For violations of the provisions of Section 11.08, Madison General Ordinances, Wisconsin Administrative Code, Chapter MVD5, the Revised Uniform State Traffic Deposit Schedule shall apply where applicable and in the event no deposit amount is listed for the offense, one hundred dollars (\$100) shall be the deposit amount.”

EDITOR’S NOTE:

1. New bail deposits must be approved by the Municipal Judge prior to adoption. This deposit has been so approved, provided the penalty range is increased.

2. Current Sec. 37.08(5) reads as follows:

- “(5) City of Madison Erosion Control Website. When a project exceeds 20,000 square feet of disturbance the applicant shall inspect erosion control measures on a weekly basis and after each ½” rain event. Inspections are required to be documented by the applicant. When such a project is approved the City of Madison shall create a job/permit on a website provided by the City. Further, the City will provide the applicant with a permit number and access code for that job on the website. The applicant shall:
- (a) Within ten (10) working days of receipt of the permit number and access code, enter the website and create a list of site erosion control practices that are proposed on the approved plan.
 - (b) Within ten (10) working days of actual start of work – enter the website and document that the practices have been installed in accord with the approved plan.
 - (c) Provide weekly and event driven erosion inspection documentation of the condition of the practices and note any repairs needed and actions taken.
 - (d) Within ten (10) working days of completion of the project, enter the project and note that the project has been terminated and a notice of termination (NOT) has been submitted to the Department of Natural Resources or Department of Commerce.
 - (e) Upon written or verbal notice by an agent of the City of Madison to the applicant or the applicant's designated representative regarding an erosion control action or repair needed to bring the site into compliance the applicant shall have not less than 24 nor more than 72 hours to bring the project site into compliance and document those actions on the website. The time allotted to bring the site into compliance shall be noted on the notice.”