

DRAFTER'S ANALYSIS: This ordinance strengthens Madison's Erosion and Stormwater Runoff Control Ordinance to conform to and exceed the Dane County Erosion and Stormwater Management Ordinance adopted by the County Board on August 17, 2006, pursuant to the authority delegated to the County under Sec. 33.455, Wisconsin Statutes. The County ordinance adopted stormwater standards designed to improve the quality and increase the amount of runoff infiltrated or recharged. The County Ordinance became effective on September 1, 2006, applies countywide, and requires landowners and builders in towns, villages and cities to meet a consistent set of stormwater and erosion control standards. However, if Madison is to administer the ordinance standards within its corporate boundaries, it must first adopt stormwater and erosion controls at least as restrictive as those in the County ordinance. This ordinance is intended to do so and exceeds the County requirements in the following manner: any new development exceeding 20,000 square feet in size shall be required to provide weekly inspection of their proposed erosion control practices. The required inspections shall be completed by the applicant and updated to the newly created City of Madison Erosion Control and Stormwater Management website.

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

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

"Connected Impervious Area means an impervious surface that is either connected to a separate storm sewer system or water of the state via an impervious flow path or is connected to a separate storm sewer system or water of the state by virtue of not having a minimum of thirty (30) feet of continuous pervious area as measured along the flow path, that is a minimum width of the spread of the water flow or a stormwater best management practice. Grassed swales designed to slow and treat discharge shall not be considered to be part of the separate storm sewer system."

"Impervious Surface means an area that releases as run-off all or a large portion of the precipitation that falls on it, except for frozen soil. Rooftops, sidewalks, driveways, parking lots, gravel storage areas, underground structures with less than two and one half (2.5) feet of pervious material installed above the outside top of the concrete structure and streets are examples of surfaces that typically are impervious."

"Karst Feature means an area or surficial 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."

"Pervious Area means an area that releases as runoff a small portion of the precipitation that falls on it and shall be a minimum of 2.5 feet deep. Lawns, gardens, parks, forests or similar vegetated areas are examples of surfaces that typically are pervious. Additionally, pervious pavement areas (concrete, asphalt or modular block), which are specifically designed to infiltrate stormwater may be considered to be pervious but may not be considered to be a best management practice."

"Residential Development, for the purpose of determining infiltration requirements, shall be considered to be one (1) or two (2) family units. Apartment complexes or condominiums in excess of this size shall be considered to be commercial development/non-residential."

"Standards Oversight Council (SOC) - The Wisconsin Standards Oversight Council (SOC), is a group comprised of regulatory and technical experts, which creates technical standards for stormwater management practices. This group is supported by the WDNR. Further information is available on the WDNR website at <<http://dnr.wi.gov/org/water/wm/nps/stormwater/techstds.htm>>."

2. Subdivision (b) of Subsection (6) entitled "Additions To The Public Stormwater System" of Section 37.05 entitled " The Public Stormwater System" of the Madison General Ordinances 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.

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, to drain to the larger watershed then the storm sewer system shall be designed to handle the runoff that can be expected to result from the 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."

3. Subdivision (c) of Subsection (6) entitled "Additions To The Public Stormwater System" of Section 37.05 entitled " The Public Stormwater System" of the Madison General Ordinances is amended to read as follows:

"(c) Inspection of Additions to the Public Stormwater System. The Administrative Authority shall inspect the construction of all public sewers and all private sewers, including building sewers, from the property line to the public stormwater system and shall inspect the construction of private sewers and best management practices within private property when deemed necessary by the Administrative Authority."

4. 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" of the Madison General Ordinances 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.

(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:

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, 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.

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, 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."

5. Subdivision (3) entitled " Land-Disturbing Activities Subject to Stormwater Management" of Subsection 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 stormwater management provisions of Sec. 37.09 shall apply, to any of the following activities within the City:

- (a) Any development(s) after the adoption date of this ordinance that result(s) in the cumulative addition of 20,000 square feet of impervious surface to the site;
- (b) Any subdivision of land as defined by Sec. 16.23 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, as defined in Sec. 37.04 shall meet the stormwater management performance standards of Sec. 37.09(3).
- (d) Other land development activities, including but not limited to redevelopment or alteration of existing buildings and other structures, that the Administrative Authority determines may exceed the safe 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.
- (e) Any land disturbance equal to or greater than one (1) acre regardless of impervious area which is part of the project after construction.
- (f) New street construction, exceeding 20,000 square feet of new impervious area, that is not directly associated with a new plat or CSM development."

6. Subdivision (1) entitled "Control Plan Required" of Subsection 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 of a plan to control erosion, sedimentation and runoff, when the proposed ~~activity is~~ project covers:
 - 1. ~~an area 20,000 square feet or larger,~~
 - 2. 1. an area 4,000 square feet or larger with any slopes six percent (6%) or larger,
 - 3. 2. an area, regardless of size, with any slope greater than twelve percent (12%),
 - 4. 3. or an area adjacent to or draining directly into any sensitive area.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).

- (b)(c) 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).
- (e)(d) The Administrative Authority may require separate erosion control plans and measures for Planned Development Districts where there is more than one building."

7. Subdivision (o) of Subsection (2) entitled "Plan Materials" of Subsection 37.08 entitled "Erosion Control Plan Requirements" of the Madison General Ordinances is amended to read as follows:

"(o) Provision for sequential steps mitigating erosive effect of land disturbing activities to be followed in appropriate order and in a manner consistent with accepted erosion control methodology suitable to proposed sites and amenable to prompt re-vegetation. Practices shall be installed consistent with Wisconsin Department of Natural Resources' ~~"Wisconsin Construction Site Best Management Practice Handbook"~~ guidance in Storm Water Management Technical Standards as provided on the website as follows: <http://dnr.wi.gov/org/water/wm/nps/stormwater/techstds.htm>."

8. Subsection (5) entitled "City of Madison Erosion Control Website" of Subsection 37.08 entitled "Erosion Control Plan Requirements" of the Madison General Ordinances is created to read 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."

9. Subdivision (k) of Subsection (2) entitled "Plan Materials" of Section 37.09 entitled "Stormwater Management Plan Requirements" of the Madison General Ordinances is created to read as follows:

"(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."

10. Subdivision (f) entitled "Infiltration" of Subsection (3) entitled "Stormwater Management Performance Standards" of Section 37.09 entitled "Stormwater Management Plan Requirements" of the Madison General Ordinances is amended to read as follows:

"(f) Infiltration.

4. ~~All lots, plats, or Certified Survey Maps which have a total disturbed area of 20,000 square feet or more one (1) acre or more are required to provide infiltration of stormwater as set forth below. per Wisconsin Administrative Code NR 216 and this paragraph to obtain a Notice of Intent (NOI) permit from the Wisconsin Department of Natural Resources or the Commerce Department (if the disturbance is associated with a commercial building). If an NOI is obtained after October 1, 2004, the applicant shall be subject to and shall comply with a stormwater infiltration requirement. This requirement shall be in accordance with the standards established in Wisconsin Administrative Code NR 151.12(5)(c).~~

~~All stormwater management plans submitted to the City of Madison for infiltration review shall meet the requirements of Wisconsin Administrative Code NR 151.12(5)(c). The sStormwater management plans submitted to the City of Madison for review shall also comply with the sections entitled "Criteria" within the associated applicable Infiltration Technical Standards as provided by the Department of Natural Resources and maintained by the Standards Oversight Council. These standards have been produced by the Standards Oversight Council and are administered by the Wisconsin Department of Natural Resources and are available on the Wisconsin Department of Natural Resources website (a link to this website can be found on the City of Madison website). A link to the technical standards is provided as follows:~~

~~<http://dnr.wi.gov/org/water/wm/nps/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 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 60% of the pre-development infiltration volume, based on average annual rainfall. If when designing appropriate infiltration systems, more than two (2%) 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 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 1,000 feet up-gradient or within 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 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 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 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 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 5,000 square feet .
 - g. roads in areas containing significant commercial, industrial and institutional land uses and arterial roads.
2. ~~All downspouts in residential development shall be directed to pervious surfaces, where feasible, or unless the applicant can demonstrate that the practice is likely to result in groundwater contamination or will cause significant structural damage.~~
 3. ~~Use of distributed detention devices (e.g. rain gardens) will require a deed restriction and maintenance agreement, both recorded against individual parcels. If these devices are utilized to meet the requirements of Wisconsin Administrative Code NR 151 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. ~~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."~~

11. Subdivision (g) entitled "Thermal Control" of Subsection (3) entitled "Stormwater Management Performance Standards " of Section 37.09 entitled "Stormwater Management Plan Requirements" of the Madison General Ordinances is amended to read as follows:

"(g) Thermal Control. The stormwater management plan shall include provisions and practices to reduce the temperature of runoff for sites loed ithin the watershed of a river or streamidentifiedhe Wisconsin Department of Natral Resources as a Cold Water Community through 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) or its successor.

The stormwater management plan 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 practics are not necessary because the temperature increase of runoff from the si post-development will be zero.

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 ~~Wisconsin Administrative Code NR 151.12(5)(c)~~ Madison General Ordinances 37.09(3)(f) shall satisfy all requirements for thermal control. If a site is exempt or excluded from infiltration requirements ~~in accordance with Wisconsin Administrative~~

~~Code NR-151.12(5)(c)5. and 6.~~ but is located in a thermal control watershed, the thermal requirements of this section apply and shall be met."

12. Subdivision (b) of Subsection (4) entitled "Stormwater Management Goals" of Section 37.09 entitled "Stormwater Management Plan Requirements" of the Madison General Ordinances is amended to read as follows:

- "(b) For ~~new street construction, not associated with new plat development (as stormwater management for these types of streets shall be addressed with the development), or with 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 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 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 25% effective, do not provide a 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 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)

13. Subsection (6) entitled "Annual Stormwater Management Plan" of Section 37.09 entitled "Stormwater Management Plan Requirements" of the Madison General Ordinances is amended to read as follows:

- "(6) Annual Stormwater Management Plan. Each applicant who is granted a stormwater management permit, and who has signed and recorded the required maintenance agreement, shall submit to City Engineering an annual report on the condition of the site's stormwater treatment devices. This report shall consist of the following:
- (a) documentation of the completion of the required annual maintenance, including copies of receipts from agents hired to perform the work and date the work was completed;
 - (b) photos of the treatment device post completion of required maintenance;
 - (c) 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"

14. Subdivision (e) of Subsection (2) entitled "Technical Standards and Specifications" of Section 37.10 entitled "Standards and Specifications" of the Madison General Ordinances is amended to read as follows:

- "(e) Wisconsin Department of Natural Resources' "Stormwater Management Technical Standards" as provided at <http://dnr.wi.gov/org/water/wm/nps/stormwater/techstds.htm>, ~~"Wisconsin Construction Site Best Management Handbook,"~~ or its successor;

15. Subdivision (a) of Subsection (1) entitled "Permit Required; Procedure and Fee" of Section 37.11 entitled "Applications And Issuance Of Permits" of the Madison General Ordinances is amended to read as follows:

"(a) Unless specifically excluded by this ordinance in Sec. 37.06, no person may undertake an activity subject to this ordinance without receiving an erosion control and stormwater management permit issued by the Administrative Authority. Each person desiring to undertake a regulated activity subject to this ordinance shall submit an application for an initial permit together with the appropriate fee.

1. There is a \$50 base fee for the erosion control and stormwater management permit.
2. For the erosion control permit there shall be the following an additional fees:
 - a. An additional fee of \$.004 per square foot of disturbed area.
 - b. An additional fee of \$200.00 for each plat.
 - c. An additional fee of \$70.00 for each permit site where new impervious area exceeds 20,000 square feet.
 - d. An additional fee of \$40.00 for each permit covering a redevelopment site over 4,000 square feet or commercial site with less than 20,000 square feet and more than 4,000 square feet.
3. For the initial stormwater management permit there shall be an additional fee of \$.005 per square foot of impervious area or redeveloped impervious area. Each subsequent application, for the work on the same parcel, shall include:
 - a. A \$50 base fee for the erosion control and stormwater management permit.
 - b. Receipts for continual maintenance as designated in initial stormwater permit application."

16. Subsection (5) entitled "Permit Duration" of Section 37.11 entitled "Applications And Issuance Of Permits" of the Madison General Ordinances is amended to read as follows:

"(5) Permit Duration. Permits issued under this ordinance shall be valid for a period of six (6) months from the date of issuance. The Administrative Authority is authorized to extend the expiration date of the permit. The Administrative Authority is authorized to require modification of the plans to prevent any increase in sedimentation, erosion or runoff resulting from any extension.
If the Administrative Authority is not contacted with a request from the applicant to extend/modify a permit prior to the expiration of that permit, the applicant shall be required to pay a new \$50.00 base fee to reinstate the permit."