

**Construction Site Erosion Control Ordinance:
Revised: January 23, 2001**

AMEND CHAPTER 15.56

Section 1.

Amend Section 15.56.040 as follows:

Section 15.56.040 PURPOSE AND INTENT

- (1) **PURPOSE.** The purpose of this ordinance is to set forth stormwater management and construction site erosion control requirements and criteria which will diminish the threats to water resources and the public health, safety and general welfare as described in Section 15.56.030 due to uncontrolled stormwater run-off from **land development activity**.

- (2) **INTENT.** It is the intent of the Common Council that this ordinance manage the long-term, **post-development stormwater discharges** from **land development activities** and establish construction site erosion control standards and practices for sites and activities not regulated by other laws. The Common Council recognizes that the preferred method of addressing stormwater management problems and needs is through the preparation of comprehensive **stormwater management system plans** for sub-watershed areas which are designed to meet the purpose and intent of this ordinance. Where such system plans have been developed and approved by the Common Council, it is the intent that all **land development activities** will include stormwater management measures that meet performance standards set forth in those approved plans. Where such **stormwater management system plans** have not been developed or approved by the Common Council, it is the intent of the Common Council that the generic stormwater management standards set forth in Section 15.56.080 of this ordinance be applied unless otherwise excepted by the city engineer.

Construction site erosion control practices are intended to minimize the amount of soil and other material carried by **stormwater runoff** from the site of a **land development activity** where the construction activities do not include the construction of a building.

Section 2.

Amend Section 15.56.050 by creating the following definitions:

- (1) "**Erosion**" means the detachment and movement of soil, sediment or rock fragments by water, wind, ice or gravity.

- (2) "**Erosion control plan**" means a written description and detailed site plan of **best management practices** designed to meet the requirements of this ordinance submitted by the applicant for review and approval by the City Engineer.

- (3) "**Stabilize**" means that vegetation is well established or other surfacing material is in place and the risk of further **erosion** is minimal.

- (4) **“Temporary Best Management Practices”** means best management practices that are designed to provide control of pollutants for days, weeks, or months and generally are removed from the site when no longer needed.

Section 3.

Create: Section 15.56.065 Construction Site Erosion Control

(1) CONTROL OF EROSION AND POLLUTANTS DURING LAND DEVELOPMENT ACTIVITIES

- (A) Section 15.56.065 applies to any of the following sites of **land development activities** where the construction activities do not include the construction of a building:
- (i) Those sites where there will be grading, removal of protective ground cover or vegetation, demolition, excavation, land filling or other **land development activity** affecting a surface area of 3,000 square feet or more.
 - (ii) Those sites where there will be excavation or filling or a combination of excavation and filling affecting 400 cubic yards or more of soil, sand or other excavation or fill material, or in excess of 15 cubic yards in aggregate on sites within the floodplain of navigable waters or within 100 feet of the normal high water mark of navigable water if a floodplain has not been identified.
 - (iii) Those sites involving the laying, repairing, replacing or enlarging of an underground pipe or facility for a distance of 300 feet or more.
- (B) Section 15.56.065 does not apply to the following activities:
- (i) Those sites involving street, highway, road, or bridge construction activities meeting requirements contained in the Department of Transportation, Department of Natural Resources Cooperative Agreement Memorandum of Understanding On Erosion Control.
 - (ii) Underground pipe or facility placement which is “plowed” into the ground outside areas of channelized runoff.
 - (iii) Activities exempted under S. 62.234(7) of the Wisconsin Statutes.
 - (iv) Sites or portions thereof located outside of the city limits.
- (C) The following requirements shall be met on all sites covered by this ordinance:
- (i) During **land development activities, best management practices**, as approved by the City Engineer, shall be used to minimize the amount of **erosion**.
 - (ii) All activities on the site shall be conducted in a logical sequence to minimize the area of bare soil exposed at any one time.
 - (iii) The disturbed area shall be **stabilized** by seeding, sodding or other permanent means or other **best management practices** as approved in advance by the City Engineer.

- (iv) Each site shall have graveled roads, access drives and parking areas of sufficient width and length to prevent sediment from being tracked onto public or private roadways. Sediment reaching a public or private road shall be removed by street cleaning before the end of each work day. Flushing may not be used unless the sediment will be controlled by a filter fabric barrier, sediment trap, sediment basin or equivalent **best management practice**.
 - (v) Downslope storm drain inlets shall be protected with filter fabric, straw bales, or other equivalent **best management practices**.
 - (vi) Water pumped from the site shall be treated by an appropriately sized filter fabric barrier, sediment trap, sediment basin or equivalent **best management practice**. Water may not be discharged in a manner that causes **erosion** or damage to adjacent properties or receiving channels.
 - (vii) All off-site sediment deposits occurring as a result of **land development activity** shall be cleaned up at the end of the work day.
 - (viii) All waste and unused building materials shall be properly managed and disposed of to prevent pollutants and debris from being carried from the site by runoff.
 - (ix) Soil storage piles shall be located at least 25 feet from any downslope road, lake, stream, **wetland**, ditch, channel or other watercourse and protected with silt fencing. Piles located in the street or within 25 feet of any downslope road, lake, stream, **wetland**, ditch, channel, floodplain or other watercourse shall require the use of additional **best management practices**.
 - (x) **Stormwater runoff** shall not be diverted so as to concentrate flow directly onto adjacent property or adversely affect adjoining property.
- (2) **CONSTRUCTION SITE EROSION CONTROL MEASURES.** All **best management practices** for reducing **erosion** shall be consistent with the standards contained in the *Wisconsin Construction Site Best Management Practice Handbook*. The applicant and any subsequent landowner shall be responsible for maintaining the **best management practices** during the period of **land development activity** on the site until the site is **stabilized**.
- Implementation of standards for **best management practices** that are not included in the *Wisconsin Construction Site Best Management Practice Handbook* shall not be permitted unless prior approval is granted by the City Engineer.
- (3) **EROSION CONTROL PLAN CONTENT AND PERMIT APPLICATION SUBMITTAL AND APPROVAL.** No person may commence **land development activity** subject to this ordinance without receiving prior approval of an **erosion control plan** for the site and a **permit** from the City Engineer. At least one landowner or land user controlling or using the site and desiring to undertake a **land development activity** subject to this ordinance shall submit an application for a **permit** and an **erosion control plan**. Submission of an application authorizes the City Engineer to enter the site to obtain information required for the review of the **erosion control plan**.
- (A) The **erosion control plan** for sites of **land development activity** of one acre or less shall contain the following:

- (i) The location of existing dwellings and other buildings and proposed improvements with respect to the property lines.
 - (ii) The topography of the site before and after the **land development activity**.
 - (iii) A description of all **temporary best management practices** required by this ordinance and Wisconsin law. Other **best management practices** shall be implemented during construction as deemed necessary by the City Engineer.
 - (iv) A description and time schedule for implementing site **stabilization** measures.
 - (v) Any other information deemed necessary by the City Engineer.
- (B) The **erosion control plan** for sites of **land development activity** of more than one acre shall be submitted in accordance with Section 15.56.090.

END

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