8.88 - PERMITTING REQUIREMENTS, PROCEDURES AND FEES.

(1) PERMIT REQUIRED. No responsible party may commence a land disturbing construction activity subject to this ordinance without receiving prior approval of an erosion and sediment control plan for the site and a permit from the Director of Engineering.

(2) PERMIT APPLICATION AND FEES. At least one responsible party desiring to undertake a land disturbing construction activity subject to this ordinance shall submit an application for a permit and an erosion and sediment control plan that meets the requirements of § 8.89 to the Director of Engineering and shall pay an application fee required by § 8.90 to the City Treasurer. By submitting an application, the applicant is authorizing the Director of Engineering or his agent to enter the site to obtain information required for the review of the erosion and sediment control plan.

(3) REVIEW AND APPROVAL OF PERMIT APPLICATION. The Director of Engineering shall review any permit application that is submitted with an erosion and sediment control plan, and the required fee. The following approval procedure shall be used:

(a) Within 15 business days of the receipt of a complete permit application, as required by subsection (2), the Director of Engineering shall inform the applicant whether the application and plan are approved or disapproved based on the requirements of this ordinance.

(b) If the permit application and plan are approved, the Director of Engineering shall issue the permit.

(c) If the permit application or plan is disapproved, the Director of Engineering shall state in writing the reasons for disapproval.

(d) The Director of Engineering may request additional information from the applicant. If additional information is submitted, the Director of Engineering shall have 10 business days from the date the additional information is received to inform the applicant that the plan is either approved or disapproved.

(e) Failure by the Director of Engineering to inform the permit applicant of a decision within 30 business days of a required submittal shall be deemed to mean disapproval of the submittal and the applicant may not proceed with any work on the site.

(4) SURETY BOND. As a condition of approval and issuance of the permit, the Director of Engineering may require the applicant to deposit a surety bond or irrevocable letter of credit to guarantee a good faith execution of the approved erosion control plan and any permit conditions.

(5) PERMIT REQUIREMENTS. All permits shall require the responsible party to:

(a) Notify the Director of Engineering not less than 48 hours prior to commencing any land disturbing construction activity.

(b) Notify the Director of Engineering of completion of any BMPs within 14 days after their installation.

(c) Obtain permission in writing from the Director of Engineering prior to any modification pursuant to § 8.89(3) of the erosion and sediment control plan.

(d) Install all BMPs as identified in the approved erosion and sediment control plan.

(e) Maintain all road drainage systems, stormwater drainage systems, BMPs and other facilities identified in the erosion and sediment control plan.

(f) Repair any siltation or erosion damage to adjoining surfaces and drainageways resulting from land disturbing construction activities and document repairs in a site erosion control log.

(g) Inspect the BMPs within 24 hours after each rain of 0.5 inches or more which results in runoff during active construction periods, and at least once each week, make needed repairs and document the findings of the inspections in a site erosion control log with the date of inspection,

the name of the person conducting the inspection, and a description of the present phase of the construction at the site.

(h) Allow the Director of Engineering or his agent to enter the site for the purpose of inspecting compliance with the erosion and sediment control plan or for performing any work necessary to bring the site into compliance with the control plan. Keep a copy of the erosion and sediment control plan at the construction site.

(6) PERMIT CONDITIONS. Permits issued under this section may include conditions established by Director of Engineering in addition to the requirements set forth in subsection (5), where needed to assure compliance with the performance standards in § 8.87.

(7) PERMIT DURATION. Permits issued under this section shall be valid for a period of 180 days, or the length of the building permit or other construction authorizations, whichever is longer, from the date of issuance. The Director of Engineering may extend the period one or more times for up to an additional 180 days. The [administering authority] may require additional BMPs as a condition of the extension if they are necessary to meet the requirements of this ordinance.

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

8.89 - EROSION AND SEDIMENT CONTROL PLAN, STATEMENT, AND AMENDMENTS.

(1) EROSION AND SEDIMENT CONTROL PLAN.

(a) An erosion and sediment control plan shall be prepared and submitted to the Director of Engineering.

(b) The erosion and sediment control plan shall be designed to meet the performance standards in § 8.87 and other requirements of this ordinance.

(c) The erosion and sediment control plan shall address pollution caused by soil erosion and sedimentation during construction and up to final stabilization of the site. The erosion and sediment control plan shall include, at a minimum, the following items:

1. The name(s) and address(es) of the owner or developer of the site, and of any consulting firm retained by the applicant, together with the name of the applicant's principal contact at such firm. The application shall also include start and end dates for construction.

2. Description of the site and the nature of the construction activity, including representation of the limits of land disturbance on a United States Geological Service 7.5 minute series topographic map.

3. A sequence of construction of the development site, including stripping and clearing; rough grading; construction of utilities, infrastructure, and buildings; and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary erosion and sediment control measures, and establishment of permanent vegetation.

4. Estimates of the total area of the site and the total area of the site that is expected to be disturbed by construction activities.

5. Estimates, including calculations, if any, of the runoff coefficient of the site before and after construction activities are completed.

6. Calculations to show the expected percent reduction in the average annual sediment load carried in runoff as compared to no sediment or erosion controls.

7. Existing data describing the surface soil as well as subsoils.

8. Depth to groundwater, as indicated by Natural Resources Conservation Service soil information where available.

9. Name of the immediate named receiving water from the United States Geological Service 7.5 minute series topographic maps.

(d) The erosion and sediment control plan shall include a site map. The site map shall include the following items and shall be at a scale not greater than 100 feet per inch and at a contour interval not to exceed 5 feet.

1. Existing topography, vegetative cover, natural and engineered drainage systems, roads and surface waters. Lakes, streams, wetlands, channels, ditches and other watercourses on and immediately adjacent to the site shall be shown. Any identified 100-year floodplains, flood fringes and floodways shall also be shown.
2. Boundaries of the construction site.
3. Drainage patterns and approximate slopes anticipated after major grading activities.
4. Areas of soil disturbance.
5. Location of major structural and nonstructural controls identified in the plan.
6. Location of areas where stabilization practices will be employed.
7. Areas which will be vegetated following construction.
8. Areal extent of wetland acreage on the site and locations where stormwater is discharged to a surface water or wetland.
9. Locations of all surface waters and wetlands within one mile of the construction site.
10. An alphanumeric or equivalent grid overlying the entire construction site map.

(e) Each erosion and sediment control plan shall include a description of appropriate controls and measures that will be performed at the site to prevent pollutants from reaching waters of the state. The plan shall clearly describe the appropriate control measures for each major activity and the timing during the construction process that the measures will be implemented. The description of erosion controls shall include, when appropriate, the following minimum requirements:

1. Description of interim and permanent stabilization practices, including a practice implementation schedule. Site plans shall ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized.
2. Description of structural practices to divert flow away from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from the site. Unless otherwise specifically approved in writing by the Director of Engineering, structural measures shall be installed on upland soils.
3. Management of overland flow at all sites, unless otherwise controlled by outfall controls.
4. Trapping of sediment in channelized flow.
5. Staging construction to limit bare areas subject to erosion.
6. Protection of downslope drainage inlets where they occur.
7. Minimization of tracking at all sites.
8. Clean up of off-site sediment deposits.
9. Proper disposal of building and waste materials at all sites.
10. Stabilization of drainageways.
11. Control of soil erosion from dirt stockpiles.
12. Installation of permanent stabilization practices as soon as possible after final grading.

13. Minimization of dust to the maximum extent practicable.

(f) The erosion and sediment control plan shall require that velocity dissipation devices be placed at discharge locations and along the length of any outfall channel, as necessary, to provide a nonerosive flow from the structure to a watercourse so that the natural physical and biological characteristics and functions are maintained and protected.

Note: The plan requirements of this subsection will meet the erosion control plan requirements of § NR 216.46, Wis. Adm. Code, when prepared in accordance with good engineering practices and the design criteria, standards and specifications outlined in the Wisconsin Construction Site Best Management Practice Handbook (WDNR Pub. WR-222 November 1993 Revision).

(2) EROSION AND SEDIMENT CONTROL PLAN STATEMENT. For each construction site identified under § 8.84(1)(c), an erosion and sediment control plan statement shall be prepared. This statement shall be submitted to the [administering authority]. The control plan statement shall briefly describe the site, including a site map. Further, it shall also include the best management practices that will be used to meet the requirements of the ordinance, including the site development schedule.

(3) AMENDMENTS. The applicant shall amend the plan if any of the following occur:

(a) There is a change in design, construction, operation or maintenance at the site which has the reasonable potential for the discharge of pollutants to waters of the state and which has not otherwise been addressed in the plan.

(b) The actions required by the plan fail to reduce the impacts of pollutants carried by construction site runoff.

(c) The Director of Engineering notifies the applicant of changes needed in the plan.