

Chapter 33

Erosion Control Ordinance

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Effective: 10-19-95

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33.01 CONTROL MEASURES

All control measures necessary to meet the requirements of this chapter shall be maintained by the applicant or subsequent landowner during the period of land disturbance and land development of the site in a satisfactory manner to ensure adequate performance and to prevent nuisance conditions.

Effective: 10-19-95

33.02 CONTROL OF EROSION DURING LAND DISTURBANCE AND DEVELOPMENT

A. Applicability: This section applies to the following sites of land development or land disturbing activities:

- (1) Those involving grading, removal of protective ground cover or vegetation, excavation, land filling or other land disturbing activity.
- (2) Those involving excavation or filling or a combination of excavation and filling of dirt, sand or other excavation or fill material.
- (3) Those involving street, highway, road or bridge construction, enlargement, relocation or reconstruction.

B. Erosion Control Requirements: The following requirements shall be met on all sites described in Subsection (a).

- (1) Tracking: The applicant or his agent shall take precautions to minimize sediment and runoff into the public or private roadways.
- (2) Drain Inlet Protection: All storm drain inlets shall be protected with a straw bale, filter fabric or equivalent barrier meeting accepted design criteria, standards and specifications.
- (3) Site Erosion Control: The following criteria apply only to land development or land disturbing activities that result in runoff leaving the site:
 - a. Channeled runoff from adjacent areas passing through the site shall be diverted around disturbed areas, if practical. Otherwise, the channel shall be protected as described below in Subsection (b)(3)c.3. Diverted runoff shall be conveyed in a manner that will not erode the conveyance and receiving channels.

- b. All activities on the site shall be conducted in a logical sequence to minimize the area of bare soil exposed at any one time.
- c. Runoff from the entire area disturbed on the site shall be controlled by either of the following:
 - 1. All disturbed ground shall be stabilized by seeding or sodding (only available prior to September 15th) or by mulching or covering, or other equivalent control measure.
 - 2. For sites with more than ten (10) acres disturbed at one time, or if a channel originates in the disturbed area, one or more sedimentation basins shall be constructed.
 - 3. For sites with less than ten (10) acres disturbed at one time, filter fences, straw bales, or equivalent control measures shall be placed along all sideslopes and downslope sides of the site. If a channel or area of concentrated runoff passes through the site, filter fences shall be placed along the channel edges to reduce sediment reaching the channel.
- d. Any soil or dirt storage piles containing more than ten (10) cubic yards of material should not be located with a downslope drainage length of less than twenty five (25) feet to a roadway or drainage channel. If remaining for more than five (5) days, they shall be stabilized by mulching, vegetative cover, tarps or other means. Erosion from piles which will be in existence for less than five (5) days shall be controlled by placing straw bales or filter fence barriers around the pile.

Effective: 10-19-95

33.03 INSPECTION

The Building Inspector or his designee shall inspect construction sites at such times as he deems necessary during the construction period to ensure compliance with this Chapter. If land disturbing or land development activities are being carried out without a building permit, the Building Inspector shall enter the land pursuant to the provisions of Sections 66.122 and 66.123 , Wis. Stats.

Effective: 10-19-95

33.04 ENFORCEMENT

- A. The Building Inspector or his designee may post a stop work order if:
 - (1) Any land disturbing or land developing activity regulated under this Chapter is being undertaken without a building permit;
 - (2) The conditions of the building permit are not being met.
- B. If the permittee does not cease the activity or comply with the control plan or permit

conditions within ten (10) days, the Building Inspector may revoke the permit.

C. The Building Inspector or the Board of Appeals upon appeal may retract the stop work order or the revocation.

D. Ten (10) days after posting a stop work order, the Building Inspector may issue a notice of intent to the permittee or landowner or land use of the Building Inspector's intent to perform work necessary to comply with this Chapter. The Building Inspector or his designee may go on the land and commence the work after fourteen (14) days from issuing the notice of intent. The costs of the work performed by the Building Inspector shall be billed to the permittee or the landowner. In the event a permittee or landowner fails to pay the amount due, the Village Clerk/Treasurer shall enter the amount due on the tax rolls and collect as a special assessment against the property pursuant to Section 66.60(16), Wis. Stats. In addition to any other remedy, any person violating any of the provisions of this Chapter shall be subject to forfeiture in the amount of \$100.00 per day plus costs and attorney's fees. Each day a violation exists shall constitute a separate offense.

E. Compliance with the provisions of this Chapter may also be enforced by injunction.

Effective: 10-19-95

33.05 APPEALS

A. Appeals: The Board of Appeals shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made by the Building Inspector in administering this Chapter. Upon appeal, the Board of Appeals may authorize variances from the provisions of this Chapter which are not contrary to the public interest and where special conditions a literal enforcement of the provisions of this Chapter will result in unnecessary hardship. The Board of Appeals shall use the rules, procedures, duties and powers authorized by statute for zoning boards or appeals in hearing and deciding appeals and authorizing variances.

B. Who may appeal: Any applicant, permittee, landowner or land user may appeal any order, decision or determination made by the Building Inspector in administering this Chapter.

Effective: 10-19-95