

Chapter 163, EROSION, SEDIMENT AND WATER RUNOFF CONTROL
[HISTORY: Adopted by the Village Board of the Village of Cottage Grove 8-19-
2002 by Ord. No. 15-2002.EN Amendments noted where applicable.]

GENERAL REFERENCES

- Comprehensive Master Plan -- See Ch. 23.
- Building construction and fire prevention -- See Ch. 130.
- Floodplain zoning -- See Ch. 183.
- Subdivision of land -- See Ch. 274.
- Water and sewers -- See Ch. 312.
- Wellhead protection -- See Ch. 317.
- Zoning -- See Ch. 325.

§ 163-1. General provisions.

- A. Authority. This chapter is adopted under the authority granted by ss. 61.34(1), 61.35, 61.354, 62.23 and 236.45, Wisconsin Statutes.
- B. Legislative findings.
 - (1) The Village Board of the Village of Cottage Grove finds that construction site erosion and uncontrolled storm water runoff from land disturbing and land development activities have significant adverse impacts upon regional water resources and the health, safety, property and general welfare of the community, and diminish the public enjoyment and use of natural resources. Specifically, soil erosion and storm water runoff can:
 - (a) Carry sediment, nutrients, pathogens, organic matter, heavy metals, toxins and other pollutants to regional lakes, streams and wetlands;
 - (b) Diminish the capacity of water resources to support recreational and water supply uses and a natural diversity of plant and animal life;
 - (c) Clog existing drainage systems, increasing maintenance problems and costs;
 - (d) Cause bank and channel erosion;
 - (e) Increase downstream flooding;
 - (f) Reduce groundwater recharge, which may diminish stream base flows and lower water levels in regional lakes, ponds and wetlands;
 - (g) Contaminate drinking water supplies;
 - (h) Increase risk of property damage and personal injury; and
 - (i) Cause damage to agricultural fields and crops.
 - (2) The Village Board of the Village of Cottage Grove also finds that effective sediment and storm water management depends on proper planning, design and timely installation of conservation and management practices and their continuing maintenance.

- C. Purpose and intent.
- (1) The purpose of this chapter is to set forth the minimum requirements for construction site erosion control and storm water management that will diminish threats to public health, safety, public and private property and natural resources of Village of Cottage Grove.
 - (2) This chapter is intended to regulate construction site erosion and storm water runoff, to accomplish the following objectives:
 - (a) Promote regional storm water management by watershed;
 - (b) Minimize flooding, sedimentation, water pollution from nutrients, heavy metals, chemical and petroleum products and other contaminants to the water resources of Cottage Grove;
 - (c) Promote infiltration and groundwater recharge;
 - (d) Protect functional values of natural watercourses and wetlands;
 - (e) Provide a set of performance standards that are consistent with the standards set forth by Dane County;
 - (f) Achieve an eighty-percent reduction in sediment load rates to Dane County waters compared to no controls for all new development, a forty-percent reduction in sediment load rates compared to no controls for all redevelopment and street reconstruction, and a twenty-percent reduction in sediment load rates compared to no controls for existing developments;
 - (g) Ensure no increase in the flow rate of surface water drainage from sites during or after construction; and
 - (h) Protect public and private property from damage resulting from runoff or erosion.
- D. Abrogation and greater restrictions. It is not intended by this chapter to repeal, abrogate, annul, impair or interfere with any existing easements, covenants, deed restrictions, agreements, rules, regulations, ordinances or permits previously adopted or issued pursuant to law. However, wherever this chapter imposes greater restrictions, the provisions of this chapter shall govern.
- E. Interpretation. In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. Where any terms or requirements of this chapter may be inconsistent or conflicting, the more restrictive requirement or interpretation shall control.
- F. Effective date. This chapter shall become effective immediately upon publication and posting. After that date, all land disturbing activities shall be in compliance with all provisions of this chapter.

§ 163-2. Definitions.

The following terms, wherever they appear in this chapter, are defined as follows:

AGRICULTURAL -- Related to or used for the production of food and fiber, including but not limited to, general farming, livestock and poultry enterprises, grazing, nurseries, horticulture, viticulture, truck farming, forestry, sod production, cranberry productions and wild crop harvesting and includes lands used for on-site buildings and other structures necessary to carry out such activities.

AFFECTED -- That a regulated activity has significantly:

- A. Caused negative impacts on water quality or the use or maintenance of one's property or business; or
- B. Endangered one's health, safety, or general welfare.

BASIN -- The total area drained by a waterway as designated by the Village Engineer or the total area drained by any of the waterway's tributaries, exclusive of any other drainage area.

BEST MANAGEMENT PRACTICE -- A practice, technique or measure that is an effective, practical means of preventing or reducing soil erosion or water pollution, or both, from runoff both during and after land development activities. These can include structural, vegetative or operational practices.

COMMERCIAL -- For the retail or wholesale sale of goods or services.

CONSTRUCTION SITE EROSION CONTROL -- Preventing or reducing soil erosion and sedimentation from land disturbing activity.

CONTROL PLAN -- An erosion control plan required by § 163-5 or a storm water management plan required by § 163-6.

EROSION (SOIL EROSION) -- The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

EXCAVATION -- Any act by which organic matter, earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the resulting conditions.

EXISTING DEVELOPMENT -- Buildings and other structures and impervious area existing prior to chapter adoption.

FILL -- Any act by which earth, sand, gravel, rock or any other material is deposited, placed, replaced, pushed, dumped, pulled, transported or moved to a new location and shall include the resulting conditions.

GRADING -- Altering the elevation of the land surface by stripping, excavating, filling, stockpiling of soil materials, or any combination thereof, and shall include the land from which the material was taken or upon which it was placed.

GULLY EROSION -- A severe loss of soil caused by or resulting in concentrated flow of sufficient velocity to create a defined flow channel.

HEAVILY DISTURBED SITE -- A site where an area of land is subjected to significant compaction due to the removal of vegetative cover or earthmoving activities, including filling.

HYDROLOGIC SOIL GROUP (HSG) -- Has the meaning used in the runoff calculation methodology promulgated by the United States Natural Resources Conservation Service Engineering Field Manual for Conservation Practices.

IMPERVIOUS SURFACE -- Any land cover that prevents rain or melting snow from soaking into the ground, such as roofs (including overhangs), roads, sidewalks, patios, driveways and parking lots. For purposes of this chapter, all road, driveway or parking surfaces, including gravel surfaces, shall be considered impervious unless specifically designed to encourage infiltration and approved by the local approval authority.

INFILTRATION -- The process by which rainfall or runoff seeps into the soil.

LAND DISTURBING ACTIVITIES -- Any land alterations or disturbances that may result in soil erosion, sedimentation or change in runoff, including but not limited to removal of ground cover, grading, excavating and filling of land.

LANDOWNER -- Any person holding title to or having an ownership interest in land.

LIGHTLY DISTURBED SITE -- A site where an area of land is subjected to minor compaction due to the limited removal of vegetative cover or earthmoving activities.

LOCAL LAND DIVISION ORDINANCE -- Any County, City, Village or Town ordinance adopted under Chapter 236, Wis. Stats., to regulate the division of land.

MAJOR LAND DISTURBING ACTIVITIES -- Those activities where:

- A. The land disturbance exceeds 20,000 square feet in area; or
- B. The slope of the land exceeds 6%; or
- C. The Village Engineer determines that special circumstances due to topography, proximity to watercourses or relation to sensitive environmental areas make the disturbance a major one.

MINOR LAND DISTURBING ACTIVITIES -- Those activities where:

- A. The land disturbance does not exceed 20,000 square feet in area; and
- B. The slope of the land does not exceed 6% throughout the site.

NEW DEVELOPMENT -- Any of the following activities:

- A. Structural development, including construction of a new building or other structures;
- B. Expansion or alteration of an existing structure that results in an increase in the surface dimensions of the building or structure;
- C. Land-disturbing activities; or
- D. Creation or expansion of impervious surface

NONEROSIVE VELOCITY -- A rate of flow of storm water runoff, usually measured in feet per second that does not erode soils. Non erosive velocities vary for individual sites, taking into account topography, soil type and runoff rates.

PEAK FLOW -- The maximum rate of flow of water at a given point in a channel, watercourse or conduit resulting from the predetermined storm or flood.

PERSON -- Any individual, corporation, partnership, joint venture, agency, unincorporated association, Municipal Corporation, County or state agency within Wisconsin, the federal government, or any combination thereof.

PERVIOUS SURFACE -- Any land cover that permits rain or melting snow to soak into the ground.

POST-DEVELOPMENT -- Refers to the extent and distribution of land cover types anticipated to occur under conditions of full development of the submitted plan. This term is used to match pre- and post-development storm water peak flows as required by the chapter.

PRE-DEVELOPMENT -- Refers to the extent and distribution of land cover types present before the initiation of land development activity, assuming that all land uses prior to land disturbing activity are in good condition as described in the Natural Resources Conservation Service Technical Release 55, Urban Hydrology for Small Watersheds (commonly known as "TR-55"). This term is used to match pre- and post-development storm water peak flows as required by the chapter. In a situation where the cumulative impervious surface created after the adoption of this chapter exceeds the 20,000 square feet threshold, the pre-development conditions shall be those prior to any land disturbance.

REDEVELOPMENT -- Any construction, alteration or improvement exceeding 4,000 square feet of land disturbance performed on sites where the entire existing site is predominantly developed to commercial, industrial, institutional or multifamily residential uses.

RUNOFF CURVE NUMBER (RCN) -- Has the meaning used in the runoff calculation methodology promulgated by the United States Natural Resources Conservation Service Engineering Field Manual for Conservation Practices.

SEDIMENT -- Solid earth material, both mineral and organic, that is in suspension, is being transported or has been moved from its site of origin by air, water, gravity or ice and has come to rest on the earth's surface at a different site.

SEDIMENTATION -- The deposition of eroded soils at a site different from the one where the erosion occurred.

SHEET AND RILL EROSION -- 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.

SITE -- The bounded area described in an erosion control plan or storm water management plan.

SLOPE -- The net vertical rise over horizontal run, expressed as a percentage, which represents a relatively homogeneous surface incline or decline over the area disturbed.

SOIL LOSS RATE -- The rate, usually measured in tons per acre per year, at which soil is transported beyond the perimeter of a given control site and which occurs as a result of sheet and rill erosion. This term does not apply to soil movement resulting from concentrated flow such as gully or bank erosion.

STORM EVENTS -- The precipitation amounts that occur over a twenty-four-hour period that have a specified recurrence interval for Dane County, Wisconsin. For example, one-year, two-year, ten-year and one-hundred-year storm events mean the precipitation amounts that occur over a twenty-four-hour period that have a recurrence interval of one, two, 10 and 100 years, respectively.

STORMWATER -- The flow of water which results from, and which occurs during and immediately following, a rainfall, snow- or ice-melt event.

STORMWATER MANAGEMENT -- Any measures taken to permanently reduce or minimize the negative impacts of storm water runoff quantity and quality after land development activities.

STORMWATER RUNOFF -- The waters derived from rains falling or snowmelt or ice melt occurring within a drainage area, flowing over the surface of the ground and/or collected in channels, watercourses or conduits.

STREET RECONSTRUCTION -- Removal and replacement of the road subgrade, where existing storm water conveyance systems are modified.

STRUCTURE -- Any human-made object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed.

SUB-BASIN -- A subdivision of a basin all of which drains to a single identifiable location.

UNNECESSARY HARDSHIP -- That circumstance where special conditions, which were not self-created, affect a particular property and make strict conformity with regulations unnecessarily burdensome or unreasonable in light of the purposes of this chapter.

VILLAGE -- The Village of Cottage Grove.

VILLAGE AGENT -- The Erosion Control Officer, the Village Engineer, the Building Inspector or any other Village employee or official assigned or charged with the responsibility of administering and enforcing the requirements of this chapter or any independent contractor retained by the Village for such purpose.

VILLAGE ENGINEER -- The individual, or the individual's designee, or the firm, or a representative of the firm, appointed or retained by the Village Board to routinely provide engineering services for the Village.

§ 163-3. Scope of geographic coverage; exclusions.

- A. Within the Village. Unless specifically excluded herein, this chapter applies to all land disturbing and land developing activities occurring within the corporate limits of the Village.
- B. Within the extraterritorial area. This chapter shall apply outside the Village limits within the extraterritorial plat review area provided by Chapter 236, Wis. Stats., but only to those land disturbing activities relating to, arising from or connected with a subdivision as defined in s. 236.02(12), Wis. Stats.

§ 163-4. Technical standards and specifications.

The design of all best management practices designed to meet the requirements of this chapter shall comply with the following technical standards:

- A. Natural Resources Conservation Service's Field Office Technical Guide, Chapter 4, or its successor;
- B. Wisconsin Department of Natural Resources' Wisconsin Construction Site Best Management Practice Handbook, or its successor.
- C. Any other technical methodology approved by the Dane County Conservationist.

§ 163-5. Applicability of requirement for erosion control permits.

Unless expressly exempted by § 163-7, an erosion control permit under § 163-9 shall be required and all construction site erosion control provisions of this chapter shall apply to any of the following activities in Village of Cottage Grove:

- A. Land disturbing activity in excess of 4,000 square feet;
- B. Land disturbing activity on a slope of greater than 12%;
- C. Land disturbing activity that involves the excavation or filling, or a combination of excavation and filling, in excess of 400 cubic yards of material;
- D. Land disturbing activity that disturbs more than 100 lineal feet of road ditch, grass waterway or other land area where surface drainage flows in a defined open channel, including the placement, repair or removal of any underground pipe, utility or other facility within the cross-section of the channel;
- E. Any new public or private roads or access drives longer than 125 feet;
- F. Development that requires a subdivision plat, as defined in the applicable local land division ordinance(s);
- G. Land disturbing activity that disturbs less than 4,000 square feet of land, including the installation of access drives, that the local approval authority determines to have a high risk of soil erosion or water pollution or that may significantly impact a lake, stream or wetland area. Examples of activities with a high risk of soil erosion or water pollution may include, but are not limited to, land disturbance on erodible soil or disturbance adjacent to lakes, rivers, streams or wetlands. All such determinations made by the local approval authority shall be in writing, unless waived by applicant.

§ 163-6. Applicability of requirement for storm water control permits.

Unless otherwise exempted by § 163-7, a storm water control permit under § 163-9 shall be required and all storm water management provisions of this chapter shall apply to any of the following activities within the Village of Cottage Grove:

- A. Any development(s) after the adoption date of this chapter that result(s) in the cumulative addition of 20,000 square feet of impervious surface to the site;
- B. Any development that requires a subdivision plat, as defined in applicable local land division ordinance(s);
- C. Any development that requires a certified survey map, as defined in the applicable local land division ordinance(s) for property intended for commercial or industrial use;
- D. Redevelopment, as defined in § 163-2, shall meet the following storm water management performance standards: § 163-11B(1)(b), B(2), B(6) and B(7).
- E. Other land development activities, including but not limited to redevelopment or alteration of existing buildings and other structures, that the local approval authority determines may significantly increase downstream runoff volumes, flooding, soil erosion, water pollution or property damage or significantly impact a lake, stream or wetland area. All such determinations shall be made in writing unless waived by the applicant.

§ 163-7. Exemptions and clarifications.

- A. The following activities are exempt from all requirements of this chapter:
- (1) Any activity directly related to the planting, growing and harvesting of agricultural crops; and
 - (2) Construction of agricultural buildings, provided the resulting new total impervious surface area does not exceed 20,000 square feet.
- B. The following activities are exempt from the construction site erosion control provisions of § 163-5:
- (1) One- and two-family dwelling units regulated under the Wisconsin Uniform Dwelling Code; the Village of Cottage Grove shall regulate these sites during the period that residential building permits are in effect, consistent with then-existing Wisconsin Uniform Dwelling Code requirements.
 - (2) Construction of public buildings and buildings that are places of employment relating to activities specifically regulated by the Wisconsin Department of Commerce during the period that Department of Commerce-authorized building permits are in effect and specific erosion control procedures on these construction sites are effective, pursuant to s. 101.1205, Wis. Stats.
 - (3) State building projects subject to s. 13.48 (13), Wis. Stats, and state highway projects subject to Wis. Admin. Code Chap. Trans 401.
- C. Notwithstanding the language of Subsection B(2), activities unrelated to actual building construction shall be subject to all the requirements of this chapter. These activities shall include, but are not limited to:
- (1) Land disturbing activity prior to excavation for foundation work;
 - (2) Landscaping;
 - (3) Installation of driveways, parking areas and sidewalks;
 - (4) Earthwork on an area greater than 4,000 square feet on sites not directly related to structural concerns; and
 - (5) Development of ponds and channelized watercourses, commercial parks and landing strips or airport runways.
- D. Notwithstanding the language of Subsection B(3), the following activities are subject to the requirements of this chapter:
- (1) Buildings and activities of municipalities;
 - (2) Buildings and activities of school districts;
 - (3) Local highway projects; and
 - (4) Municipal streets.

§ 163-8. Preliminary review letter.

- A. A preliminary review letter provides a potential permit applicant with an initial simple evaluation of whether erosion and storm water control standards can be met for a proposed site, lot layout and/or construction design. This review is intended to assist applicants in preparing general site plans and other submittals necessary to obtain an erosion control and storm water permit. A preliminary review letter does not guarantee that an erosion or storm water control plan will be approved or that a permit will be issued. Erosion and storm water control plans and permit applications must meet all applicable standards and criteria for approval.
- B. A preliminary review letter shall be required for all activities requiring an erosion control or storm water management permit under §§ 163-5 and 163-6.
- C. Application requirements.
 - (1) A preliminary review letter must be submitted to and approved by the Village Engineer before an erosion control or storm water management permit application may be submitted.
 - (2) The following materials must be included in the preliminary review letter:
 - (a) A narrative describing the proposed project;
 - (b) A map showing the following information:
 - [1] Location of the proposed project;
 - [2] Limits of disturbed area;
 - [3] Limits of impervious area;
 - [4] Drainage area for each watershed area; and
 - [5] Location and description of proposed storm water facilities.
 - (c) Preliminary runoff calculations which clearly demonstrate the adequacy of the proposed facilities and land that will be dedicated to storm water management for meeting the standards of this chapter.
- D. Approval process.
 - (1) The Village Engineer shall review the letter and determine whether erosion and storm water control standards can be met for a proposed site, lot layout and/or construction design.
 - (2) Within 15 days of receiving the preliminary review letter, the Village Engineer shall either approve the preliminary plan or notify the applicant of any deficiencies.
 - (3) The Village Engineer shall notify the applicant in writing of any deficiency in the preliminary plan and the applicant shall be given an opportunity to correct any deficiency.
 - (4) Approval of a preliminary review letter does not guarantee that an erosion or storm water control plan will be approved or that a permit will be issued. Erosion and storm water control plans and permit applications must meet all applicable standards and criteria for approval.

§ 163-9. Erosion control and storm water control permits and administration.

- A. No activity meeting the criteria described in §§ 163-5 and 163-6 shall occur and no zoning permit may be issued until an erosion control and storm water control permit is issued by the Village.
- B. The applicant must provide the following when requesting a permit:
- (1) Completed application form.
 - (a) The application must be signed by the landowner or include a notarized statement signed by the landowner authorizing the applicant to act as the landowner's agent and bind the landowner to the terms of this chapter.
 - (b) If a landowner appoints an agent to submit an application pursuant to Subsection B(1)(a), the landowner shall be bound by all of the requirements of this chapter and the terms of any permit issued to the agent.
 - (2) Fees as required by § 163-15,
 - (3) Copy of preliminary review letter, as described in § 163-8.
 - (4) If required by § 163-5, an erosion control plan meeting all the standards of § 163-10A and C or a simplified checklist as described in § 163-10B.
 - (5) If required by § 163-6, a storm water management plan meeting all of the standards of § 163-11 and a draft maintenance agreement as described in § 163-11A(8).
 - (6) Copies of permits or permit applications or approvals required by any other governmental entity.
 - (7) A proposed timetable and schedule for completion and installation of all elements of approved erosion control and storm water management plans and a detailed schedule for completion of construction.
 - (8) An estimate of the cost of completion and installation of all elements of the approved erosion control and storm water management plans.
 - (9) Evidence of financial responsibility to complete the work proposed in the plan. For major land disturbing activities, the applicant shall provide, prior to issuance of the permit, an irrevocable letter of credit, certificate of deposit or certified check to the Village in an amount equal to 125% of the estimated cost of all required control measures as determined by the Village Engineer. The security deposited shall guarantee that all required control measures will be taken or installed according to the approved plan. The security shall remain in full force until released by the Village Board, and only after an inspection by the Village Engineer assures that all required control measures have been fully and satisfactorily completed. The Village shall have the right to draw upon the security for purposes of obtaining compliance with the approved control plan as it deems necessary. If the erosion and runoff control requirements of this chapter are included as part of plat or certified survey map conditions of approval, then, security for performance of the control requirements may be included as part of the overall security required for installation of improvements under Chapters 23, 274 and 325 of the Village Code.

- C. Approval process.
- (1) Major land disturbing activities.
 - (a) The Village Engineer shall verify that the permit application is complete under § 163-9B and review the plan(s) for compliance with the standards identified in § 163-10 and § 163-11.
 - (b) The Village Engineer shall either approve the submitted plan or notify the applicant in writing of any deficiencies within 30 days of receipt of the control plan. Staff engaged in this review and approval process shall be certified, where appropriate, by the Wisconsin Department of Commerce for this purpose.
 - (2) Minor land disturbing activities.
 - (a) The Village Agent shall verify the permit application is complete under § 163-9B and review the plan for compliance with this chapter in accordance with the Erosion Control Checklist attached hereto and incorporated herein as Exhibit A established by the Village Engineer and approved by the Village Board. EN
 - (b) The Village Agent shall approve, reject or conditionally approve the plan within the same number of working days as required for issuance of a building permit, but in no event more than three working days after receipt of the completed control plan statement. If the control plan statement is rejected or conditionally approved, the applicant shall be informed, in writing, of the reasons for rejection or conditions of approval. Staff engaged in this review and approval process shall be certified, where appropriate, by the Wisconsin Department of Commerce for this purpose.
 - (3) Where installed storm water practices will be privately owned, an affidavit which describes the property by legal description, notifying future prospective purchasers of the existence of a storm water permit (which is on file at Village Hall) issued under this chapter and applicable plan, timetables and potential liability imposed by Subsection H(3) for failure to bring the property into compliance with this chapter after notification, shall be recorded with the Dane County Register of Deeds prior to issuance of an erosion and storm water control permit. The foregoing information shall also be noted on every plat and certified survey map.
 - (4) Upon approval of the Village Engineer, the erosion control or storm water management permit shall be issued by the Village after the applicant has met all other requirements of this chapter.
- D. Permit conditions.
- (1) The plan shall be implemented prior to the start of any land disturbing activity and shall be maintained over the duration of the project. Storm water components of the plan shall be maintained in perpetuity.
 - (2) The permittee is responsible for successful completion of the erosion control plan and the storm water management plan. The permittee shall be liable for all costs incurred, including environmental restoration costs, resulting from noncompliance with an approved plan.

- (3) Application for a permit shall constitute express permission by the permittee and landowner for the Village Agent to enter the property for purposes of inspection under Subsection E or curative action under Subsection H(3). The application form contains a prominent provision advising the applicant and landowner of this requirement.
- (4) All incidental mud tracking off site onto adjacent public thoroughfares shall be cleaned up and removed by the end of each working day using proper disposal methods.

E. Inspections.

- (1) Application for a permit under this chapter shall constitute permission by the applicant and landowner for the Village Agent to enter upon the property and inspect during the construction phase prior to the inspections pursuant to Subsections E(4) and (6) as necessary to confirm compliance with the requirements of this ordinance.
- (2) As part of the plan approval process, the Village Agent shall determine the minimum number of inspections required to assure compliance. The site of any regulated land disturbing activity shall be inspected once every 30 days, or more frequently as determined by the Village Engineer during the construction phase, with assistance from the Erosion Control Officer and/or Building Inspector.
- (3) Within 10 days after installation of all practices in an approved erosion control plan and achievement of soil stabilization, the permittee shall notify the Village Clerk.
- (4) The Village Agent shall inspect the property to verify compliance with the erosion control plan within 10 days of notification of soil stabilization.
- (5) Within 10 days after installation of all practices in an approved storm water management plan, the permittee shall notify the Village Clerk and submit drawings documenting construction. The person who designed the storm water management plan for the permittee shall submit as-built certification to ensure that constructed storm water management practices and conveyance systems comply with the specifications included in the approved plans. At minimum, as-built certification shall include a set of drawings comparing the approved storm water management plan with what was constructed. Other information shall be submitted as required by the Village Engineer, Building Inspector or Erosion Control Officer.
- (6) The Village Agent shall inspect the property to verify compliance within 10 days of notification.
- (7) Maintenance is the responsibility of the owner, and facilities are subject to inspection and orders for repairs.

- F. Permit transfers.
- (1) The affidavit [required in § 163-9C(3)] describing the property by legal description and notifying future prospective purchasers of the existence and responsibilities associated with the storm water permit on file at Village Hall runs with the property.
 - (2) When a permittee and landowner transfers ownership, possession or control of real estate subject to either or both an uncompleted erosion control or storm water management plan, the successor in interest to any portion of the real estate shall be responsible to control soil erosion and runoff and shall comply with the minimum standards provided in this chapter.
 - (3) When ownership, possession or control of property subject to an uncompleted erosion control or storm water management plan, or both, is transferred, the former owner (seller) shall notify the new owner (buyer) as to the current status of compliance with notice to the authority and provide a copy of the erosion control plan or storm water management plan, or both.
 - (4) Transfers of interest in real estate subject to an approved, uncompleted plan may be conducted consistent with this chapter under any of the following arrangements:
 - (a) The transferee shall file a new, approved erosion control or storm water management plan, or both, with the authority;
 - (b) The transferee shall obtain an approved assignment from the authority as sub-permittee to complete that portion of the approved plan regulating soil erosion and runoff on the transferee's property.
 - (c) The permittee shall provide the authority with a duly completed and executed continuing surety bond or certified check in an amount sufficient to complete the work proposed in the approved plan; at the time of transfer the permittee may seek to reduce the surety bond or certified check to the appropriate amount to complete remaining work. If the transferor enters into escrow agreements with transferees to complete an approved plan, these funds shall be available to the authority to attain plan compliance. When an approved erosion control plan and, if required, a storm water management plan is or are not completed as proposed, the authority may use the surety bond to complete remaining work to achieve plan compliance.
- G. Plan or permit amendments. Any proposed modifications to approved plans, construction schedules or alterations to accepted sequencing of land disturbing site activities shall be approved by the Village Engineer in consultation with the Erosion Control Officer or Building Inspector prior to implementation of said changes.

H. Enforcement.

- (1) Stop-work order.
 - (a) Whenever the Village Agent finds any noncompliance with the provisions of this chapter, the Village Agent shall attempt to communicate with the owner or person performing the work to obtain immediate and voluntary compliance if such person is readily available. If the owner or person performing the work is not readily available, that person refuses to voluntarily comply immediately or the noncompliance presents an imminent danger or will cause or threatens to cause bodily injury or damage to off-site property, including, but not limited to off-site runoff, the Village Agent shall post in a conspicuous place on the premises a stop-work order which shall cause all activity not necessary to correct the noncompliance to cease until noncompliance is corrected.
 - (b) The stop-work order shall provide the following information: date of issuance, an adequate identification of the property subject to the stop-work order, reason for posting and the signature of the inspector posting the card.
 - (c) It shall be a violation of the chapter for the unauthorized removal of the stop-work order from the premises.
- (2) In addition to posting a stop-work order, the Village Agent shall provide notification to the owner or contractor by personal service, written notice by certified mail or facsimile transmission.
 - (a) The permittee, landowner and contractor shall have 24 hours from the time and date of notification by the Village Agent to correct any noncompliance with the plan when notification is by either personal communication of noncompliance to owner or contractor or their respective agents or written notice sent by certified mail to owner or contractor.
 - (b) If notice is not provided under Subsection H(2)(a), the permittee and landowner shall have 72 hours to correct any noncompliance with the plan when notification is by posting notice in a conspicuous place on the site or sending notice by facsimile transmission to owner or contractor.
- (3) If any noncompliance is not corrected within the time periods specified in Subsection H(2)(a) or Subsection H(2)(b), the permittee and landowner authorize the Village Agent to take any action, to perform any work or commence any operations necessary to correct conditions upon the subject property where notice of noncompliance has been issued to bring the property into conformance with plan requirements. The permittee and landowner further consent to reimburse the authority for the total costs and expenses of the aforementioned actions. Said reimbursement may be collected as a special charge upon the property for current services rendered as provided by law.

- (4) If the permittee has filed an appeal under § 163-14A(1) prior to the expiration of the time for compliance under § 163-9H(2), the Village Agent may take action, perform work or correct conditions only to the extent necessary to protect against or correct an imminent hazard or a condition that will cause or threatens to cause personal injury or damage to off-site property.
- (5) Revocation of permit. Where a stop-work order has been issued in order to obtain compliance with a control plan and the permittee does not cease the illegal activity or obtain compliance with the control plan or permit conditions within the time period specified in Subsection H(2)(a) or Subsection H(2)(b), the Village may revoke the permit issuance of the stop-work order. Permits for major land disturbing activities may be revoked by the Village Engineer or his designee; permits for minor land disturbing activities may be revoked by the Erosion Control Officer, Building Inspector or Village Engineer.
- (6) Private remedies preserved. These enforcement provisions are not intended in any way to restrict or limit the rights of private parties to pursue whatever private legal remedies they may have available as a result of any erosion, sediment or water runoff.

I. Penalties.

- (1) Any person or persons, firm, company or corporation, owner, occupant or other user of the premises who violates, disobeys, omits, neglects or refuses to comply with or resists the enforcement of any of the provisions of this chapter shall be subject to a forfeiture of not less than \$200 dollars nor more than \$2,000 dollars, plus the actual costs of persecution for each offense for major land disturbing activities, and not less than \$50 nor more than \$500, plus the actual costs of prosecutions of each offense, for minor land disturbing activities. Each day that a violation exists shall constitute a separate offense.
- (2) Any person who has the ability to pay any forfeiture entered against him or her under this chapter but refuses to do so may be confined in the County jail until such forfeiture is paid, but in no event to exceed 30 days. In determining whether an individual has the ability to pay a forfeiture, all items of income and all assets may be considered, regardless of whether or not such income or assets are subject to garnishment, lien or attachment by creditors.
- (3) As a substitute for or as an addition to forfeiture actions under Subsection I(1) or corrective action under Subsection H(3), the Village Attorney is authorized to seek enforcement of any part of this chapter by court action seeking injunctive relief. It shall not be necessary for the Village Attorney to take corrective action or prosecute for forfeiture before resorting to injunctive relief.

J. Fees. The permit fee shall be payable at the time an application for either an erosion control or a storm water management permit, or both, is submitted.

§ 163-10. Erosion control plan requirements.

- A. Plan materials. Erosion control plans required under § 163-5 may include consideration of adjoining landowners' cooperative efforts to control transport of sediment and, except as specifically exempted below, shall include, at a minimum, the following information:
- (1) Limits of disturbed area;
 - (2) Limits of impervious area;
 - (3) Cross sections of and profiles within road ditches;
 - (4) Culvert sizes;
 - (5) Direction of flow of runoff;
 - (6) Watershed size for each drainage area;
 - (7) Design discharge for ditches and structural measures;
 - (8) Runoff velocities;
 - (9) Fertilizer and seeding rates and recommendations;
 - (10) Time schedules for stabilization of ditches and slopes;
 - (11) Description of methods by which sites are to be developed;
 - (12) 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 revegetation;
 - (13) Provisions to prevent mud tracking off site onto public thoroughfares during the construction period; and
 - (14) Any other information necessary to reasonably determine the location, nature and condition of any physical or environmental features of the site.
- B. Simplified plan checklist. For minor land disturbing activities, as defined in § 163-2, applicants may submit erosion control proposals using simplified checklists of standard erosion control practices, on a standard form established by the Village Engineer and approved by the Village Board, and a simple map and site development schedule. Simplified plan checklists shall be reviewed by the Village Agent for completeness and accuracy.
- C. Erosion control performance standards.
- (1) Proposed design, suggested location and phased implementation of effective, practicable erosion control measures for plans shall be designed, engineered and implemented to achieve the following results:
 - (a) Prevent gully and bank erosion; and
 - (b) Limit total off-site permissible annual aggregate soil loss for exposed areas resulting from sheet and rill erosion to an annual, cumulative soil loss rate not to exceed 7.5 tons per acre annually.
 - (2) Site dewatering. Water pumped from the site shall be treated by temporary sedimentation basins or other appropriate control measures. Such sedimentation basins shall have a depth of at least three feet, be surrounded by a four-foot-high snow fence or equivalent barrier and have sufficient surface area to provide a surface settling rate of not more than 1,500 gallons per square foot per day at the highest dewatering pumping rate. Water may not be discharged in a manner that causes erosion of the site, a neighboring site or the bed or banks of the receiving water.

- (3) Sedimentation control measures. Where sedimentation basins or equivalent sediment control measures are required by the Village Engineer, they shall be constructed and maintained for the duration of the land disturbing activity, or longer, if so provided in the permit. Sedimentation basins shall be constructed in accordance with accepted design standards, as approved by the Village Engineer, and designed to meet the soil loss rate standard in Subsection C(1)(b). Sedimentation basin depth shall be at least three feet, and all sedimentation basins shall be surrounded by a four-foot-high snow fence or equivalent barrier, unless the side slopes comply with the requirements in § 163-11B(5). The basin design discharge rate shall also be sufficiently low, as determined by the Village Engineer, so as to not cause erosion along the discharge channel or the receiving water. The permittee shall periodically remove sediment from the basin so as to maintain a depth of at least three feet at all times. This control requirement also applies to any site, regardless of size, if a channel originates in the disturbed area.
- (4) Waste and material disposal. All waste and unused building materials and construction debris (including garbage, debris, cleaning wastes, wastewater, toxic materials or hazardous materials) shall be properly disposed of and not allowed to be carried off site by wind and/or runoff into a receiving channel or storm sewer system.
- (5) Channelized runoff. Channelized runoff from adjacent areas passing through the site shall be diverted around disturbed areas, if practical, as determined by the Village Engineer.
- (6) Drain inlet protection. Affected storm drain inlets shall be protected with a straw bale, filter fabric or equivalent barrier meeting accepted design criteria, standards and specifications, as determined by the Village Engineer.
- (7) Plan compliance under Subsection C(1) shall be determined using the United States Natural Resources Conservation Service Technical Guide or another commonly accepted soil erosion methodology approved by the Dane County Conservationist that considers season of year, site characteristics, soil erodibility and slope.
- (8) Erosion control measures for plan approval need not attempt to regulate soil transportation within the boundaries of the applicant's site.

§ 163-11. Storm water management plan requirements.

- A. Plan materials. Storm water management plans shall satisfy all of the requirements in Subsection B and shall address at a minimum the following information:
 - (1) A narrative describing the proposed project, including implementation schedule for planned practices;
 - (2) Identification of the entity responsible for long-term maintenance of the project;
 - (3) A map showing drainage areas for each watershed area;

- (4) A summary of runoff peak flow rate calculations, by watershed area, including:
 - (a) Preexisting peak flow rates;
 - (b) Post-construction peak flow rates with no detention;
 - (c) Post-construction peak flow rates with detention;
 - (d) Assumed runoff curve numbers (RCNs); and
 - (e) Time of concentration (Tc) used in calculations.
- (5) A complete site plan and specifications, signed by the person who designed the plan. All plans shall be drawn to an easily legible scale, shall be clearly labeled and shall include, at a minimum, all of the following information:
 - (a) Property lines and lot dimensions;
 - (b) All buildings and outdoor uses, existing and proposed, including all dimensions and setbacks;
 - (c) All public and private roads, interior roads, driveways and parking lots. Show traffic patterns and type of paving and surfacing material;
 - (d) 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, one-hundred-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;
 - (e) Depth to bedrock;
 - (f) Depth to seasonal high water table;
 - (g) The extent and location of all soil types as described in the Dane County Soil Survey, slopes exceeding 12% and areas of natural woodland or prairie;
 - (h) Existing and proposed elevations (referenced to the North American Vertical Datum of 1988, where available) and existing and proposed contours in the area requiring a grading and filling permit;
 - (i) Elevations, sections, profiles and details as needed to describe all natural and artificial features of the project;
 - (j) Soil erosion control and overland runoff control measures, including runoff calculations as appropriate;
 - (k) Detailed construction schedule;
 - (l) Copies of permits or permit applications required by any other governmental entities or agencies;
 - (m) Any other information necessary to reasonably determine the location, nature and condition of any physical or environmental features;
 - (n) Location of all storm water management practices;
 - (o) All existing and proposed drainage features;
 - (p) The location and area of all proposed impervious surfaces; and

- (q) The limits and area of the disturbed area.
 - (6) Engineered designs for all structural management practices;
 - (7) A description of methods to control oil and grease or written justification for not providing such control;
 - (8) A maintenance plan and schedule for all permanent storm water management practices as recorded on the affidavit required in § 163-9C(3).
- B. Storm water management performance standards. Proposed design, suggested location and phased implementation of effective, practicable storm water management measures for plans shall be designed, engineered and implemented to achieve the following results:
- (1) Sediment control.
 - (a) For new construction, design practices to retain soil particles greater than five microns on the site (80% reduction) resulting from a one-year twenty-four-hour storm event, according to approved procedures, and assuming no sediment re-suspension;
 - (b) For redevelopment resulting in exposed surface parking lots and associated traffic areas, design practices to retain soil particles greater than 20 microns on the entire site (40% reduction) resulting from a one-year twenty-four-hour storm event, according to approved procedures, and assuming no sediment re-suspension. Under no circumstances shall the site's existing sediment control level or trapping efficiency be reduced as a result of the redevelopment.
 - (2) Oil and grease control. For all storm water plans for 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. This requirement may be waived by the plan reviewer only when the applicant can demonstrate that installation of such practices is not necessary.
 - (3) Runoff rate control - hydrologic calculations. All runoff calculations 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") or other methodology approved by the Dane County Conservationist. For agricultural land subject to this section, the maximum runoff curve number (RCN) used in such calculations shall be 35 for HSG A, 58 for hydrologic soil group B, 63 for HSG C, and 68 for HSG D. The TR-55-specified curve numbers for other land uses shall be used for pre-development conditions. For post-development conditions, heavily disturbed sites will be lowered one permeability class for hydrologic calculations. Lightly disturbed areas require no modification. Where practices have been implemented to restore soil structure to pre-developed conditions, no permeability class modification is required.

- (4) Runoff rate control - design standards. All storm water facilities shall be designed, installed and maintained to effectively accomplish the following:
 - (a) Maintain pre-development peak runoff rates for the two-year, twenty-four-hour storm event (2.9 inches over 24 hours duration).
 - (b) Maintain pre-development peak runoff rates for the ten-year, twenty-four-hour storm event (4.2 inches over 24 hours duration).
 - (c) Maintain predevelopment peak runoff rates for the one-hundred-year, twenty-four-hour storm event (6.0 inches over twenty-four-hour duration) to prevent increases in floodplain elevation and downstream flooding.
 - (5) Runoff rate control - control measures. All water runoff control measures shall require approval of the Village Engineer. Control measures may include, but are not limited to, infiltration basins, detention ponds and swales. Ponds used as water runoff control measures shall be suitably located and/or landscaped so as not to detract from the attractiveness or value of any surrounding property. In addition, where ponds will contain more than two feet of water, the side slopes shall be as follows: all slopes at least 4:1 or flatter (four feet horizontal to one foot vertical); slopes adjoining intake structures at pond outlets at least 5:1; where water is present for a period longer than 16 hours at a depth greater than four feet, an additional six-foot-wide bench at a 10:1 slope shall be provided for every three feet of water. Fences and/or grates over inlets may be required by the Plan Commission and/or the Village Board.
 - (6) Outlets. Discharges from new construction sites must have a stable outlet capable of carrying designed flow as required in Subsection B(4), 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 storm water conveyance or water body.
 - (7) Infiltration. All downspouts, driveways and other impervious areas shall be directed to pervious surfaces, where feasible, or unless the applicant can demonstrate that the practice is likely to result in groundwater contamination.
- C. Storm water management goals. The following standards shall be met whenever possible, and proposed design, suggested location and implementation of practices to meet these goals shall be included in plans:
- (1) For existing development, design practices to retain soil particles greater than 40 microns on the site (20% reduction) resulting from a one-year, twenty-four-hour storm event, according to approved procedures, and assuming no sediment re-suspension.
 - (2) For street reconstruction, design practices to retain soil particles greater than 20 microns on the site (40% reduction) resulting from a one-year, twenty-four-hour storm event, according to approved procedures, and assuming no sediment re-suspension.

- D. Control standards may be modified by Village.
- (1) Where basin (or sub-basin) study applies. The control standards set forth in Subsections B and C above are intended to apply in typical situations and in those areas where no detailed basin or (sub-basin) drainage study or erosion control and runoff plan has been approved by the Village Plan Commission and Board. When a site is included within an area for which a Village-approved study or plan exists, then the Village Board, at its discretion, may require that control standards set forth in the approved study or plan shall apply, in whole or in part, in lieu of the standards set forth in this section, provided that the study or plan sets forth detailed erosion control and runoff standards which, in the opinion of the Village Engineer, will afford protection equal or superior to those otherwise required by this chapter and which are at least as restrictive as those in Section 14.51 of the Dane County Code of Ordinances. All other provisions of this chapter shall continue to apply.
 - (2) Where special circumstances exist. The control standards set forth above are intended to apply on a typical development site in the Cottage Grove area. When land disturbing or land development activity is proposed for a site with extraordinary features, then the Village Board may, at its discretion, require additional and/or more restrictive control standards and measures before any control plan is approved or permit is issued. Extraordinary sites include, but are not limited to, sites where land disturbing or development activities are proposed to occur on slopes of more than 20%, in areas where historically not off-site discharge occurs, in a designated floodplain, wetland or conservancy areas or in environmental corridor areas identified in the Village Comprehensive Master Plan.

§ 163-12. Regulations for lands or activities not otherwise subject to this chapter. Notwithstanding any other provisions of this chapter, it shall be a violation of this chapter for any person to create, permit, establish, maintain or allow to be maintained any condition or activity that causes excessive runoff or erosion to adjacent land, public streets or water bodies. Penalties and remedies may be sought for such activities as provided in § 163-9I. Erosion and runoff is excessive when in the opinion of the Village Engineer or Building Inspector an unsafe condition results in the streets, sedimentation occurs in lakes and streams, environmentally sensitive lands are threatened, runoff endangers downstream property, or the public health, safety or general welfare of the citizens of the Village of Cottage Grove is otherwise threatened or harmed.

§ 163-13. Off-site storm water management.

- A. When the Village Board determines, based on a drainage study conducted and prepared by a qualified professional engineer, that off-site water runoff control measures best serve the interests of the public and the environment, then the Board may allow or require off-site water runoff control as a condition of approval of a land disturbance permit. When off-site water runoff control is permitted or required as specified in § 163-11B(4), prior to final approval by the Board, the permit applicant shall obtain written permission from any and all property owners who would experience increases in the amount of water runoff entering their land from a two-, a ten-, or a one-hundred-year, twenty-four-hour design storm or whose property is threatened by virtue of additional soil saturation. The Village Board will act on behalf of any and all affected public lands, public drainage ways, storm sewers or other public waterways.
- B. Developments served by off-site storm water management facilities will be charged a fee-in-lieu of detention. Fees-in-lieu will be set by the Village and based on the level of service provided to the applicant by the off-site facility.
- C. Off-site storm water management is only allowed when all of the following conditions for the off-site facility are met:
 - (1) The facility is in place;
 - (2) The facility is designed and adequately sized to provide a level of storm water control that at least meets the chapter standards;
 - (3) The facility has a legally obligated entity responsible for its long-term operation and maintenance.
- D. Permit applicants may be required to install and maintain temporary facilities designed to meet the standards of this chapter if an off-site facility that will serve the proposed development is planned but does not yet meet the conditions of Subsection C. Temporary facilities must be maintained by the applicant until that time that the off-site facility meets the conditions of Subsection C. Applicants required to install and maintain temporary facilities will also be charge a fee-in-lieu.

§ 163-14. Appeals and variances.

- A. Appeals.
 - (1) Any person aggrieved by any decision of the Village Agent pursuant to this chapter may appeal to the Zoning Board of Appeals. Such appeal shall be taken within 30 days after the challenged decision. Notice of appeal setting forth the specific grounds for the appeal shall be filed with the Village Clerk. A fee of an amount set by the Village in the annual fee schedule resolution must accompany any appeal request involving a land disturbing activity. The Zoning Administrator shall forthwith transmit to the Zoning Board of Appeals the record upon which the action appealed from was taken.

- (2) The Zoning Board of Appeals shall publish a Class 2 notice thereof under Ch. 985, Wis. Stats., as well as give due notice to the parties in interest. The Board shall hear and decide variance and appeal requests within 30 days of receipt of written request and payment of the appeal fee. Upon the hearing any party may appear in person or by agent or attorney.
- (3) The Zoning Board of Appeals may, in conformity with the provisions of this chapter, reverse or affirm, wholly or partly, or modify the order, requirement, decision or determination appealed from and may make such order, requirement decision or determination as ought to be made and shall have all the powers of the officer from whom the appeal is taken.
- (4) The concurring vote of a majority of the Zoning Board of Appeals shall be necessary to reverse the decision of the Village Engineer.

B. Variances.

- (1) An applicant may include in the application a request for a variance from the requirements of § 163-10 or § 163-11. No variance shall be granted unless applicant demonstrates and the Village Engineer, in consultation with the Zoning Administrator, finds that all of the following conditions are present:
 - (a) Enforcement of the standards set forth in this chapter will result in unnecessary hardship to the landowner;
 - (b) The hardship is due to exceptional physical conditions unique to the property;
 - (c) Granting the variance will not adversely affect the public health, safety or welfare, nor be contrary to the spirit, purpose and intent of this chapter;
 - (d) The project will have no impact upon any of the stated purposes of this chapter as set forth in § 163-1C;
 - (e) The applicant has proposed an alternative to the requirement from which the variance is sought that will provide equivalent protection of the public health, safety and welfare, the environment and public and private property;
 - (f) The net cumulative effect of the variance will not impact downstream conditions; and
 - (g) Existing regional facilities are shown to meet the performance standards of this chapter.
- (2) If all of the conditions set forth in Subsection B(1) are met, a variance may only be granted to the minimum extent necessary to afford relief from the unnecessary hardship, with primary consideration to water quality.
- (3) A variance from the provisions of § 163-11B(1) and (2) may only be granted if:
 - (a) The applicant has met the requirements of § 163-14B(1); and
 - (b) The applicant will be denied all reasonable and beneficial use of the property if the variance is denied.
- (4) A person aggrieved by a variance determination by the Village Engineer and/or Zoning Administrator may appeal the decision to the Zoning Board of Appeals pursuant to Subsection B(1).
- (5) A person aggrieved by a decision of the Zoning Board of Appeals regarding a variance may appeal that decision to Dane County Circuit Court.

§ 163-15. Permit fees.

- A. Major. The application fee for a major land disturbing activity permit shall be an amount set by Village in the annual fee schedule resolution, of which a portion will cover administration and inspections, and the remainder will be a deposit which is refundable unless violations occur and have to be taken care of by the Village. In addition to this fee, before any permit will be issued, the applicant must pay the actual engineering fees or expenses incurred by the Village in connection with review of the control plan and the engineering fees or expenses estimated to be incurred for on-site inspection during the project. Where plat or certified survey map review fees are paid pursuant to Chapters 23, 274 and 325 of the Village Code for the same project covered by the proposed land disturbing activity permit, then the application fee will be waived. Where the application fee is waived, the applicant must still pay engineering and inspection fees and expenses; however, such fees and expenses shall not be duplicative of any engineering or inspection fees paid in connection with plat or certified survey map approval.
- B. Minor. The application fee for a minor land disturbing activity permit shall be an amount set by Village in the annual fee schedule resolution, of which a portion will cover administration and inspections, and the remainder will be a deposit, which is refundable unless violations occur and have to be taken care of by the Village.
- C. Village activity. No permit or fees are required for Village activity.