

ORDINANCE O2023-10-02

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AN ORDINANCE CREATING SECTION 167-10(E) OF THE VILLAGE OF RICHFIELD  
MUNICIPAL CODE

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WHEREAS, the Village of Richfield is a part of the State Department of Natural Resources Municipal Separate Storm Sewer System (MS4) Permit program; and

WHEREAS, the Village of Richfield is required by the DNR to adopt Ordinances relating to improving the quality of stormwater that ultimately returns to the shallow aquifer; and

WHEREAS, under the MS4 Permit program the Village is required to implement a range of stormwater management practices, from public education and outreach to pollution prevention measures and monitoring; and

WHEREAS, this provision of the Village Code is meant to mimic the standard form developer's agreement and stormwater management agreements that the Village enters into with developers. While this type of language has been commonplace for our agreements for years, the State wants to ensure these types of provisions are codified for municipalities to help them better manage their stormwater management systems; and

NOW, THEREFORE BE IT RESOLVED, the Village of Richfield Village Board, Washington County, Wisconsin DO HEREBY ORDAIN AS FOLLOWS to Create Section 167-10(E) of the Village of Richfield Municipal Code entitled "Stormwater Management Plan requirements and Performance Standards" as follows:

**Section 1. Intent**

The intent of this ordinance is to amend section 167-10 of the Village Code entitled Stormwater Management Plan requirements and Performance Standards to insert Subsection E. to read as follows:

- E. Record drawings are to be submitted no later than 30 days after construction is completed.
1. Any deviation from the approved storm water management plan which may result in lower total suspended solids or total phosphorus reductions will require the storm water management plan to be updated.
  2. Any post development site not achieving the performance standards reported in the Village approved storm water management plan will require a remedial action plan to bring the site back into compliance with the approved storm water management plan, with the following exception:
    - a. A post development site that is still in compliance with the performance standards of this chapter.

**Section 2. Effective Date**

This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

**Section 3. Severability.** Several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

**Section 4. Effective Date.** This ordinance shall become effective upon passage and publication/posting.

Adopted this 19<sup>th</sup> day of October, 2023.

Attest:



Jim Healy, Village Clerk/Administrator



John Jeffords, Village President