

**City of Fitchburg Engineering
Standard Operating Procedures & Common Requirements for
Long-term Maintenance of Private Stormwater Facilities**

To better provide uniform oversight and obtain compliance on projects under the City Engineering's jurisdiction for inspection and enforcement.

Applicability

Per ordinance, long-term maintenance of private stormwater facilities and the submission of an annual report is required for any facility that received a stormwater management permit (see City Ordinance Section 40-896 – a portion is excerpted below for reference):

Each applicant who is granted a stormwater management permit, and who has signed a maintenance agreement for the best management practice on the property, shall submit to the director an annual report reviewing the condition of that practice and the maintenance performed during the past calendar year. This report shall be submitted and sealed by a professional engineer currently licensed in the State of Wisconsin or alternate certification approved by the city. Where a recorded maintenance agreement exists, the annual report should provide documentation that maintenance was performed in accordance with the annual inspection requirements of the recorded maintenance agreement on file with the city. If a stormwater management permit was granted but no maintenance agreement has been recorded, the property owner shall work with a professional engineer to develop a maintenance plan and submit the plan and subsequent annual review reports to the city.

In addition, any facility that has received a stormwater utility credit must submit an annual report in order to maintain the credit for having those facilities in place.

Annual Report Submission Guidelines

1. Annual reports are due by December 31 for the current calendar year.
2. Per City Ordinance Section 40-896, annual reports shall consist of the following:
 - (1) Documentation of the completion of the required annual maintenance, including copies of receipts from agents hired to perform the work and date the work was completed.
 - (2) Photos of the treatment device post completion of required maintenance.
3. The Annual Stormwater Maintenance Report template is available at the link below. The report shall be submitted and sealed by a professional engineer or alternate certification approved by the City Engineer:

<https://www.fitchburgwi.gov/DocumentCenter/View/19566/Annual-Stormwater-Management-Maintenance-Report>

4. At the link below, you will find a list of contractors that have expressed interest in providing stormwater management services (such as preparing annual reports for stormwater facilities). The information is being provided, not an endorsement, but is as a public service to help facility owners with the inspection and maintenance of private stormwater facilities:

<http://www.fitchburgwi.gov/DocumentCenter/View/18637/Engineering-Firm-List>

5. Annual reports shall be submitted to the City via PermiTrack, which is a web-based database for erosion control-related submissions. If the engineer you are working with requires access to the portal, please have them contact Aaron Rowland at aaron.rowland@fitchburgwi.gov.

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Failure to Submit an Annual Stormwater Maintenance Report

1. For facilities that received a stormwater management permit, maintenance of stormwater facilities is required per City ordinance. As stated in the City's template for Stormwater Maintenance Agreements, if the owner fails to maintain the stormwater facilities, then the City (or qualified representative) may, after providing Owner with written notice of the maintenance issue and thirty (30) days to comply with the notice, enter the Property in order to conduct the maintenance specified in the Maintenance Notice. The City will conduct such maintenance work in accordance with all applicable laws, codes, regulations, and similar requirements and will not unreasonably interfere with Owner's use of property. All costs and expenses incurred by the City in conducting such maintenance may be charged to Owner by placing the amount on the tax roll for the Property as a special assessment in accordance with Section 66.0703, Wis. Stats.
2. For facilities that received a stormwater management permit, violation of the ordinance may result in the issuance of citation(s). Each day that the violation exists shall constitute a separate offense and may result in additional citations.
3. For any facility that has a stormwater utility credit, failure to submit an Annual Stormwater Maintenance Report will result in the loss of the credit. The owner will not be eligible to apply for the credit for one full calendar year. Prior to receiving a credit in the future, the City will require documentation that the facility has been maintained and is functioning as designed.