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**CITY OF SHEBOYGAN
ORDINANCE 8-25-26
DIRECT REFERRAL TO PUBLIC WORKS COMMITTEE
BY ALDERPERSONS DEKKER AND RUST.**

JUNE 9, 2025.

AN ORDINANCE amending sections 22-93 and 22-97 of the Sheboygan Municipal Code relating to post-construction stormwater management.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

SECTION 1: AMENDMENT "Sec 22-93 Applicability And Jurisdiction" of the Sheboygan Municipal Code is hereby amended as follows:

"Sec 22-93 Applicability And Jurisdiction

(a) *Applicability.*

(1) Except as provided under par. (2), this ordinance applies to the following:

- a. A post-construction site whereupon one acre or more of land-disturbing construction activity occurs during construction.
- b. A post-construction site that had more than 1,000 square feet but less than one acre of land-disturbing activity shall be required to obtain a permit under this ordinance, but shall only be required to comply with the performance standards contained in section 22-97(d)(2) regarding peak discharges unless otherwise required by the administering authority.

(2) A site that meets any of the criteria in this paragraph is exempt from the requirements of this ordinance:

- a. A post-construction site with less than ten percent connected imperviousness, based on the area of land disturbance, provided the cumulative area of all impervious surfaces is less than one acre. However, the exemption of this paragraph does not include exemption from the protective area standard of this ordinance.
- b. Agricultural facilities and practices.
- c. Underground utility construction, but not including the construction of any above-ground structures associated with utility construction.
- d. A redevelopment post-construction site with no increase in exposed parking lots or roads.

SECTION 2: AMENDMENT “Sec 22-97 Performance Standards” of the Sheboygan Municipal Code is hereby amended as follows:

“Sec 22-97 Performance Standards

- (a) *Responsible party.* The responsible party shall comply with this section.
- (b) *Stormwater management plan.* A written stormwater management plan in accordance with section 22-99 shall be developed and implemented for each post-construction site.
- (c) *Maintenance of effort.* For redevelopment sites where the redevelopment will be replacing older development that was subject to post-construction performance standards of Wis. Admin. Code Ch. NR 151 in effect on or after October 1, 2004, the responsible party shall meet the total suspended solids reduction, peak flow control, infiltration, and protective areas standards applicable to the older development or meet the redevelopment standards of this ordinance, whichever is more stringent.
- (d) *Requirements.* The stormwater management plan required under section 22-97(b) shall include the following:
 - (1) *Total suspended solids.* BMPs shall be designed, installed, and maintained to control the total suspended solids carried off in runoff from the post-construction site as follows:

...

(2) *Peak Discharge.*

- a. By design, BMPs shall be employed to maintain or reduce the 1-year, 2-year, and 10-year, 24-hour post-construction peak runoff discharge rates to the 1-year, 2-year, and 10-year, 24-hour predevelopment peak runoff discharge rates, respectively, or to the maximum extent practicable. The runoff curve numbers in Table 2 shall be used to represent the actual pre-development conditions. Electronic stormwater quantity model files shall be submitted with the stormwater plan.

For peak discharge control design, calculations shall use TR-55 runoff curve number methodology, Atlas 14 precipitation depths, and the NRCS Wisconsin MSE4 precipitation distribution. On a case-by-case basis, the department of public works may allow the use of TP-40 precipitation depths and the Type II distribution.

The department of public works may require additional retention up to and including the 100-year post-development storm frequency due to downstream threats to life and property resulting from the additional drainage.

The grading plan shall pass the 100-year storm around or through the development without causing harm to life or property.

Table 2. Maximum Pre-Development Runoff Curve Numbers

Runoff Curve Number	Hydrologic Soil Group			
	A	B	C	D
Woodland	30	55	70	77
Grassland	39	61	71	78
Cropland	55	69	78	83

- b. **Exemptions:** A post-construction site where the change in hydrology due to development does not increase the existing surface water elevation at any point within the downstream receiving water by more than 0.01 of a foot for the 2-year, 24-hour storm event. Note: Hydraulic models such as HEC-RAS or another methodology may be used to determine the change in surface water elevations.

...”

SECTION 3: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 4: **EFFECTIVE DATE** This ordinance shall be in effect from and after its passage and publication according to law.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

June 16, 2025

Presiding Officer



Dean Dekker, Council President, City of Sheboygan

Attest



Meredith DeBruin, City Clerk, City of Sheboygan

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Certified June 17, 2025 to —Atty.; DPW