

SHEBOYGAN COUNTY ORDINANCE NO. 12 (2008/09)

Re: **Amending Section 75.06(1)(b)1 of the Erosion Control and Stormwater Management Ordinance**

WHEREAS, the current version of the County's Erosion Control and Stormwater Ordinance (Chapter 75 of the County Code) exempts from County jurisdiction land disturbing construction activity otherwise subject to Department of Commerce regulation on the expectation that the Department of Commerce would be regulating all components of the construction, and

WHEREAS, under Sheboygan County's MS4 Stormwater Permit, Sheboygan County agreed to regulate such activity; and

WHEREAS, it is necessary to amend the Erosion Control and Stormwater Management Ordinance to make it consistent with the MS4 Stormwater Permit;

NOW, THEREFORE, the County Board of Supervisors of the County of Sheboygan does ordain as follows:

Section 1. **Deleting Section 75.06(1)(b)1.** Section 75.06(1)(b)1 of the Sheboygan County Code of Ordinances is deleted and subsequent paragraphs renumbered accordingly:

75.06 APPLICABILITY AND JURISDICTION.

(1) APPLICABILITY.

(b) This Subchapter A does not apply to the following:

- ~~1. Land disturbing construction activity that includes the construction of a building and is otherwise regulated by the Wisconsin Department of Commerce under Wis. Admin. Code §§ COMM 21.125 or COMM 50.115.~~
21. A construction project that is exempted by federal statutes or regulations from the requirement to have a national pollutant discharge elimination system permit issued under 40 CFR, part 122, for land-disturbing construction activity.
32. Nonpoint discharges from agricultural facilities and practices.
43. Nonpoint discharges from silviculture activities.
54. Routine maintenance for project sites if performed to maintain the original line and grade, hydraulic capacity or original purpose of the facility.

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Section 2. **Effective Date.** The herein Ordinance shall take effect upon enactment.

Respectfully submitted this 21st day of October, 2008.

**PLANNING, RESOURCES, AGRICULTURE,
AND EXTENSION COMMITTEE***

Jacob Van Dixhorn

Jacob Van Dixhorn, Chairperson

Keith Abler

Keith Abler, Vice-Chairperson

Michael S. Ogea

Michael S. Ogea, Secretary

James Baumgart

James Baumgart

Al Bosman

Al Bosman

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