

**Ordinance No. 20140121**  
Town of Middleton, Wisconsin

**Ordinance Amending Title 10, Chapter 3, Town of Middleton Code of Ordinances  
(Erosion and Storm Water Runoff Control), relating to  
Reporting on Stormwater Facilities**

**WHEREAS**, Title 10, Chapter 3, Town of Middleton Code of Ordinances contains provisions governing erosion and stormwater runoff control; and

**WHEREAS**, the Town Engineer has recommended that said Chapter be amended;

**NOW, THEREFORE**, the Town Board of the Town of Middleton ordains that Title 10, Chapter 3, Town of Middleton Code of Ordinances, is amended, in part, as follows:

10-3-6 is modified to read as follows:

**10-3-6 Reporting on Stormwater Facilities.**

Any development or land disturbing activity required to have a recorded Stormwater Maintenance Agreement per § 14.49(3)(d), Dane County Ordinances, rev. October 31, 2007 (or similar section in earlier or later versions of the Ordinances), or any development or land disturbing activity required to record a Stormwater Maintenance Agreement or Plan by the Town of Middleton or other regulatory agency (either as part of Covenants and Restrictions for a development or by other instrument) is subject to biennial reporting of the activities required by the Stormwater Maintenance Agreement or Plan. The Landowner or Homeowners' Association must submit a report and certification to the Town of Middleton in every odd numbered year describing the inspection and maintenance activities of the stormwater facilities, as required by the Stormwater Maintenance Agreement. The report and certification shall include inspection and maintenance activities that took place during the previous two years. The report must be completed by an Engineer or qualified individual suitable to the Town, and must be submitted to the Town by November 1 of each odd numbered calendar year. Frequency of the report and contents of the report shall be per Town of Middleton Stormwater Reporting Guidelines Policy. The fee for the report and certification shall be as indicated on the Town Fee Schedule. If complete reports are not received by November 1 of the odd numbered calendar year, a penalty (per the Town Fee Schedule) will be pro-rated and assessed to all owners of the stormwater facilities. In addition, for those reports not received by the due date, the Town will complete the report, charge the report fee indicated on the Town Fee Schedule and pro-rate and assess the cost to all owners of the stormwater facilities.

The Town Board may, at its sole discretion, reduce, eliminate, or alter the reporting requirements or frequency on a case by case basis, at any time.

  
Milo Breunig, Chair

I certify that the above Ordinance was adopted by  
the Town Board of the Town of Middleton, Wisconsin,  
at a regular meeting held on January 21, 2014.

  
David Shaw, Administrator / Clerk / Treasurer  
January 21, 2014