

# Guide for Treatment of Residential Impervious Surfaces

There are two design options for treatment of residential impervious surfaces which exceed the allowable limits.

## OPTION #1 – Rain Garden

You may hire a Professional Engineer (PE) or Landscape architect to design a rain garden following the DNR’s Guidelines: <https://dnr.wi.gov/topic/Stormwater/documents/RainGardenManualPrint.pdf>

NOTE: design must be stamped by a PE or Landscape Architect

The design will need to include all necessary assumptions/information related to the design outline and a planting plan. Also needed are:

- a. A maintenance agreement will need to be recorded at the Register of Deeds office prior to issuance of a permit for the rain garden, and
- b. Upon completion a Landscape Architect or PE stamped letter needs to be submitted to Winnebago County stating that the plan has been installed correctly and to the approved design.



## Residential Rain Garden Maintenance Schedule and Guidelines

### First Year Maintenance Guidelines

Successful establishment of rain garden areas requires that the following tasks be undertaken in the first year following installation:

- Initial inspections. For the first 6 months following construction, the rain garden area should be inspected at least twice after storm events that exceed 1/2 inch of rainfall.
- Spot reseeding. Inspect for bare or eroding areas in the contributing drainage area or around the rain garden area, and make sure they are immediately stabilized with grass cover.
- Watering. Watering is needed once a week during the first 2 months, and then as needed during first growing season (April-October), depending on rainfall.
- Remove and replace dead plants.

### Routine Maintenance Guidelines

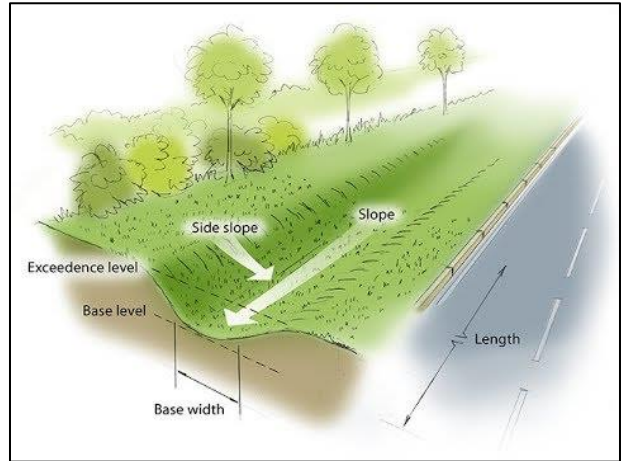
Rain garden areas must be inspected to ensure that they operate in good working condition and in accordance with the approved design and specifications. Items in need of repair must be immediately addressed.

Routine Maintenance Tasks	Frequency
Remove trash and debris	As needed
Check and repair eroded areas	Annually
Inspect for and remove excess sediment	Annually
Weed mulch	Twice during the growing season
Inspect plant composition for consistency with approved plans & correct any deficiencies	Annually
Re-mulch to maintain a 2-3 inch layer	Annually
Prune trees and shrubs	Annually
Inspect for clogging or ponding water in the filter bed	Annually
Remove invasive plants	As needed
Replace dead or damaged plant material	As needed
Repair broken pipes	As needed
Replace the mulch layer	Every 3 years

## OPTION #2 – Alternative to a Rain Garden

You can design an alternative treatment system that captures and treats all of the impervious runoff beyond your allowable limits however it must be PE stamped and would need to go through the stormwater permitting process.

The stormwater permitting process is require to be PE peer reviewed and treated to the standards outlined in the post-construction stormwater portion of the ordinance. This option is good for those looking for a design that doesn't require as much maintenance as a rain garden, something that fits the existing landscaping/vegetation, or to explore alternatives.



### The general stormwater permitting process:

1. Submit the following to Winnebago County Zoning Department:
  - a. Application (<https://www.co.winnebago.wi.us/zoning/stormwater-and-erosion-control/>)
  - b. 2 copies of supporting plans and documents (must have a PE stamp)
  - c. a check for \$175 written to Winnebago County for the review fee
2. RA Smith (a 3rd Party PE Engineer) reviews the project and submits an escrow estimate to the owner/applicant and Winnebago County.
3. The owner/applicant pays the escrow fee to Winnebago County.
4. RA Smith performs an engineering review of the plans, coordinating with the contracted engineer/owner. Once a design is reached which meets Winnebago County's ordinance, RA Smith issues an approval letter to the owner/applicant and Winnebago County.
5. The owner records a maintenance agreement with the Register of Deeds.
  - a. [Maintenance Agreement](#)
6. A permit fee of \$250.00 is paid to Winnebago County and the permit is approved. Note: Permit fees are doubled for projects which have started prior to permit issuance.
7. The plan is installed.
8. Two copies of an "as-built" survey (must be PE stamped) are submitted to the County after RA Smith completes the final inspection of the property.
9. RA Smith reviews the "as-built" survey and if it meets Winnebago County design requirements an approval letter is issued.
10. After Winnebago County has received the RA Smith invoice for the final inspection, the remaining escrow is returned to the original payee and the permit closed out.

**Long-Term Stormwater Management  
Maintenance Agreement**  
(Rain Garden)

**SITE ADDRESS:**

**Tax Parcel I.D. Number:**

**RESPONSIBLE PARTY:**

The owner is responsible for satisfying the provisions of this agreement throughout the project site for the duration of the construction period and upon completion of all construction phases. Unless otherwise expressly provided herein, all representations in this agreement shall remain operative and in full force and effect on the parties and subsequent assignees or purchasers of the parcel or any portion thereof. No modifications, alteration, or amendment to this agreement shall be binding upon any party hereto until such modifications, alteration or amendment is reduced to writing and executed by both parties hereto.

Recording Area

Name and Return Address

**PERMANENT COMPONENTS OF THE STORMWATER SYSTEM:** The stormwater system consists of the following components:

**INSPECTION AND MAINTENANCE:** All components of the stormwater system shall be inspected at least semiannually in early spring and early autumn, and after major storm events. Repairs will be made whenever the performance of a stormwater control structure is compromised. Soil erosion, sedimentation of the rain garden, rilling of side slopes, and other compromised features of the stormwater system are examples of items requiring repair work.

The operation and maintenance plan shall remain onsite and be available for inspection when requested by the DNR or the Zoning Department. When requested, the owner shall make available for inspection all maintenance records to the department or agent for the life of the system.

**DUTY TO PROVIDE MAINTENANCE:** In the event the Owner fails to perform its obligations under this agreement, Winnebago County Zoning Department shall have the authority to inspect and maintain all components of the stormwater system. In such an event, all associated costs will be assessed back as a special charge against the property per Sec. 66.0627 Wis. Stats. **Said charge shall be a lien on the property and shall be collected with the real estate taxes.**

**SIGNATURES:** The undersigned agree to the provision set forth in this agreement.

For the Owner:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

STATE OF WISCONSIN        )  
  )SS  
WINNEBAGO COUNTY        )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above-named \_\_\_\_\_, to me known to be the person who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public, State of Wisconsin

My commission expires: \_\_\_\_\_

**Drafted by:** Winnebago County Corporate Counsel