

**Private Storm Water
Management Facilities
Maintenance Agreement**

Property Owner:
Property Address:

This Agreement includes the following exhibits:

- Exhibit A:** Legal Description of the real estate for which this Agreement applies (“Property”)
- Exhibit B:** Location Map(s)-shows the location of each storm water management practice affected by this Agreement.
- Exhibit C:** Maintenance Plan-prescribe those activities that must be carried out to maintain compliance with this Agreement.
- Exhibit D:** Design Summary-contains a summary of key engineering calculations and other data used to design the storm water management practice(s).
- Exhibit E:** As-built Plan(s)-shows detailed “as-built” cross-section and plan view data.

This space is reserved for recording data
Return To: Joe Eichsteadt Engineering Department City of Wisconsin Rapids 444 West Grand Avenue Wisconsin Rapids, WI 54495
Parcel Identification Number/Tax Key Number

This Private Storm Water Management Facilities Maintenance Agreement is entered into this _____ day of _____, 20_____, by and between the City of Wisconsin Rapids, hereinafter referred to as the “City”, and _____ hereinafter referred to as the “Property Owner(s)”.

Section 1: Operation and Maintenance Responsibility

This agreement and covenants contained herein shall apply to and bind the Property Owner(s) and Property Owner(s)’ heirs, executives, successors, and assigns, and shall bind all present and subsequent owners of the property.

Section 2: Maintenance of Storm Water Management Facilities

The Property Owner(s), at their expense, shall adequately maintain the storm water management facilities in good working condition acceptable to the City. This includes, but is not limited to, maintaining and repairing structures and pipes, as well as removing debris and obstructions. In addition, sediment accumulation resulting from normal operation shall be routinely removed and properly disposed of. The Storm Water Management Facilities shall be kept in good working condition so that these facilities continue to operate as originally designed and approved, as identified in Exhibit A.

Section 3: Annual Inspection and Report

The Property Owner(s) shall complete an annual Maintenance Inspection Report attached to this agreement. The Maintenance Inspection Report shall be completed on an annual basis and shall be submitted to the City in order to verify that inspection and maintenance of the applicable storm water management facilities has been conducted. Please submit the inspection report no later than December 31 of each year to:

City of Wisconsin Rapids
444 West Grand Avenue
Wisconsin Rapids, WI 54495
Attn: Joe Eichsteadt, P.E., City Engineer

Section 4: Reimbursement of City Expenditures

In the event the City Engineer notifies the Property Owner(s) responsible for maintenance that there are problems that require correction, the specified corrective actions shall be taken within a reasonable time frame set by the City Engineer. If the Property Owner(s) fail to make the necessary correction within the time frame, the City Engineer is authorized to make the corrections at the Property Owner's expense. To pay for the corrections, the City Engineer may assess the Property Owner(s) the cost of the work. Said assessments shall be a lien against the Property, or may be placed on the property tax bill.

Section 5: Access to the Property

The Property Owner(s) shall grant the City Engineer and other City representatives access to the property to conduct inspections of the storm water management facilities as necessary to verify that facility conditions and inspection reports are in accordance with the agreement.

Section 6: Indemnification

The Property Owner(s) shall indemnify, hold harmless, and defend the City from any and all claims for damages to persons or property arising from the construction, maintenance, and use of the facility.

Section 7: Transfer of Property

The Property Owner(s) shall not be able to transfer, assign, or modify its responsibilities with respect to this agreement without the City's written prior consent.

Section 8: Release of Agreement

In the event the City determines the storm water management facilities, located on the Property, are no longer required, then the City, at the request of the Property Owner(s) shall execute a release of this Agreement.

Property Owner

Property Owner Signature

Date

Type or Print Property Owner
Name

Type or Print Property Owner Address, City, State, Zip Code

Type or Print Property Owner Phone
Number

STATE OF _____
COUNTY OF _____

The foregoing Agreement was acknowledged before me this _____ day of _____,
20_____, by

NOTARY PUBLIC

Type or Print Notary Public Name

My Commission
Expires: _____

City of Wisconsin Rapids

Zachary Vruwink
Mayor

Date

STATE OF _____
COUNTY OF _____

The foregoing Agreement was acknowledged before me this _____ day of _____,
20_____, by

Kraig Ashbeck NOTARY PUBLIC

My Commission
Expires:

Approved as to Form:

Susan C. Schill, City Attorney

Date

Drafted by Susan C. Schill, City Attorney

Exhibit A: Legal Description

The following description and map identifies the land parcel(s) affected by this Agreement.

Map Produced By:
Legal Description as described on property title or reference land division document, i.e. subdivision plat
Show legal boundaries of property

Exhibit B: Location Map – Storm Water Management Practices Covered by this Agreement

The storm water management practices covered by this Agreement are depicted in the construction plans, as shown below. All the located storm water management practices are located [reference legal description]

Map Name:
Storm Water Practices:
Location of Practices:

Exhibit C: Storm Water Practices Maintenance Plan

This exhibit explains the basic function of each storm water practice listed in Exhibit B and prescribes the minimum maintenance requirements to remain compliant with this Agreement.

Exhibit D: Design Summaries for Each Storm Water Practice

This exhibit provides design data such as watershed area, runoff curve numbers, time of concentration, land use, peak flows, sediment removals, pre and post development data, design elevations, etc. Attach maps and details as necessary.

Exhibit E: As-built Data for Each Storm Water Practice

Exhibit B: Inspection Report Form

Property Owner:	
Parcel ID #:	
Property Owner Address:	
Property Address:	
Property Owner Phone #:	
Permit Type:	
Permit Number:	
Property Type:	<input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Parking <input type="checkbox"/> Other



Engineering Department
 444 West Grand Avenue
 Wisconsin Rapids, WI 54495
 Phone 715.421.8205
 Fax 715.421.8291

Activities – Check each activity present at the site	Response			Maintenance Req'd/Performed with Date	Comments
	Yes	No	N/A		
<input type="checkbox"/> Parking Lots					
1. Are parking areas adequately maintained (significant cracking, deterioration)?					
2. Are parking areas kept free of trash and litter?					
3. Are parking areas swept or vacuumed regularly and is wash down prohibited unless wash water is contained?					
4. Are parking areas kept relatively free of oil, grease, etc.?					
<input type="checkbox"/> Building and Grounds Maintenance					
1. Are pesticides and fertilizers used and stored properly?					
2. Are areas swept regularly and is wash down by hosing prohibited unless wash water is contained?					
3. Are contained wash water, sweepings and sediments disposed of properly?					
4. Are paved surfaces adequately maintained (minimal crumbling asphalt or concrete)?					
<input type="checkbox"/> Storm Water Management Structures					
1. Inlet and outlets are clear of debris?					
2. Evidence of oil and grease?					
3. Adjacent areas are stabilized?					
4. Any evidence of erosion?					
5. Sediment chambers are clean?					
6. Any evidence of structural deterioration?					
7. Grates are in good condition?					
8. Any evidence of spalling or cracking of structural parts?					
9. Outlets/overflow spillway is in good condition?					
<input type="checkbox"/> Park and Landscape Maintenance					
1. Are non-vegetative surfaces covered to prevent erosion?					
2. Are pesticides and fertilizers used only as needed and stored properly?					
3. Are areas swept regularly and is wash down by hosing prohibited unless wash water is contained?					
4. Are landscape clippings and leaves collected and disposed of properly?					
5. Are irrigation systems designed to prevent runoff?					

6. Is roof water diverted to lawns or landscaping rather than paved surfaces?					
<input type="checkbox"/> Outdoor Loading/Unloading of Materials					
1. Are delivery vehicles parked so spills and leaks can be contained?					
2. Is the loading/unloading area covered to reduce exposure of materials to rain?					
3. Is loading/unloading area designed to prevent storm water run-on?					
4. Are storm drain inlets covered during transfer of materials?					
<input type="checkbox"/> Outdoor Storage of Materials/Products/Equipment					
1. Are chemicals, drums, or bagged materials on pallets or similar method that keep them off the ground?					
2. Are hazardous materials stored in properly designed secondary containment areas?					
3. Are drip pans and containers used in areas where drips or leaks may occur?					
4. Are berms, curbs, or other structures in place to minimize pollutants from entering the storm water system?					
<input type="checkbox"/> Waste Handling and Disposal					
1. Is storage areas designed to prevent storm water runoff?					
2. Are waste dumpsters covered?					
<input type="checkbox"/> Erodible Surface Area					
1. Are areas of exposed/disturbed soil properly managed?					
2. Do any landscaped areas require re-vegetation?					
<input type="checkbox"/> Illicit Connections/Illegal Discharges					
Are any illicit connections present?					
2. Is illegal dumping or uncontrolled spillage/discharge occurring?					
Corrective Actions					
<input type="checkbox"/> None <input type="checkbox"/> Correct Deficiencies noted above in time frame indicated Follow-up inspection required? <input type="checkbox"/> Yes <input type="checkbox"/> No Anticipated Date of next inspection _____					

Inspector Name (Printed)	Date of Inspection	Time of Inspection
Inspector Signature		
Reason for Inspection	<input type="checkbox"/> Initial	<input type="checkbox"/> Scheduled
	<input type="checkbox"/> Follow-up	<input type="checkbox"/> Response to Complaint
		<input type="checkbox"/> Annual Inspection

CITY OF WISCONSIN RAPIDS STORMWATER BMP INSPECTION CHECKLIST

BMP NAME:

Inspector:
Date:
Time:
Most recent rainfall (date & amount):

Items Inspected	Checked			Maintenance Needed			Comments
	Y	N	NA	Y	N	NA	
EMBANKMENT & EMERGENCY SPILLWAY							
1. Is the spillway level?							
2. Adequate vegetation & ground cover?							
3. Appropriate vegetation?							
4. Adequate freeboard: (min 1' from top of bank to highest outlet)							
5. Embankment erosion evident?							
6. Cracking, bulging or sliding of embankment							
a. interior face							
b. exterior face							
c. emergency spillway location							
7. Evidence of animal burrows?							
8. Seepage evident on exterior face of embankment?							
9. Vertical & horizontal alignment of top of dam as per plans.							
10. Emergency spillway clear of obstructions & debris?							
11. Maintenance access clear of obstruction?							
12. Other?							
RISER & SERVICE SPILLWAY	Y	N	NA	Y	N	NA	Comments
13. Low flow orifice obstructed?							
14. Drawdown valve operating?							
15. Weir trash rack maintenance							
a. Is debris removal required?							
b. Is corrosion evident?							
16. Is there excessive sediment accumulation inside the riser?							
17. Sediment accumulation in outlet pipe?							
18. Outfall channels functioning?							
20. Slope protection or rip-rap failures?							
21. Other?							

MAIN POND BAY	Y	N	NA	Y	N	NA	Comments
22. Udesirable vegetative growth?							
23. Removal of floating debris required?							
24. Visible oil/chemical presence?							
25. Evidence of wave action?							
26. Safety shelf erosion or failure?							
27. Other?							
SEDIMENT FOREBAY	Y	N	NA	Y	N	NA	Comments
41. Is sediment accumulation >50% (maintenance req'd immed. If yes)							
42. Evidence of excessive velocity/scour?							
43. Maintenance access clear of obstructions?							
OTHER	Y	N	NA	Y	N	NA	Comments
46. Aesthetics?							
a. odor?							
b. grass mowing required?							
c. graffiti removal needed?							
d. insects in excess?							
e. other (specify)?							
47. Any public hazards (specify)?							
Riser condition (circle one)	Good		Fair		Poor		Describe
Outlet Pipe condition (circle one)	Good		Fair		Poor		Describe
Outfall into Pond	Describe						
Condition?							
Erosion at outfall?							
Evidence of illicit discharge?							

Summary of Inspection and Maintenance Requirements:
Inspector's Remarks:
Photo Documentation Summary (attach photos):

Inspector's signature: _____

Date: _____