



Snowmobile Capital of the World ★ ATV/UTV Capital of Wisconsin ★ Hockey Capital of Wisconsin

AGENDA NOTICE (9/24/2026)

THE PLANNING COMMISSION OF THE CITY OF EAGLE RIVER WILL HOLD A MEETING ON THURSDAY, OCTOBER 1, 2026, AT 5:00 P.M. AT CITY HALL, 525 E. MAPLE STREET IN EAGLE RIVER.

Notice is hereby given that a majority of the City Council of the City of Eagle River may be attending scheduled Planning Commission meetings either in person or via zoom. This constitutes a meeting of the City Council pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis. 2d 553, 494 N.W.2d 409 (1993), and must be noticed as such, although the Council will not take any formal action at these meetings.

This meeting will be available by Zoom at the following link:

<https://us06web.zoom.us/j/85111695208?pwd=x5pMv8crrbsPuYwefObTYbJG0m83b3.1>

Meeting ID: 851 1169 5208

Passcode: 963936

- 1) Call to Order.
- 2) Roll Call.
- 3) Approval of minutes.
- 4) Discussion and possible action on the following agenda item(s):
 - a) **Public Hearing:** Request to rezone and the subsequent change to the Comprehensive Plan of the City of Eagle River, for 1100 N. Railroad from Highway Commercial to Parks/Recreation zoning classification. Effective 9/30/26, the property is owned by the Veterans Resource Center of Eagle River, Wisconsin. This property is described as: NW-NW, Sect. 28, T40N, R10E, PRT NW NW, City of Eagle River, Vilas County, Wisconsin. Computer number 221-1019-06. COMPLETE LEGAL IN TAX ROLL.
 - b) **Discussion Only:** Discussion, review and possible amendment of proposed changes to DRAFT § 106-273 of the Zoning Ordinance regarding stormwater management and drainage impacts from new construction. Public hearing to be scheduled according to state statute at a future meeting.
- 5) Adjournment.

Robin Ginner, City Administrator

Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services or provide a video link for meetings. For additional information to request this service, please contact the City Clerk's Office at 715-479-8682 ext. 224, 525 E. Maple Street, P.O. Box 1269, Eagle River WI 54521.

September 3, 2026

A meeting of the Plan Commission of the City of Eagle River was called to order at 5:00pm by Commission President Kim Schaffer.

Roll Call: Alex Forer, Mary Horant, Adam Grassl, Kim Schaffer. Also in attendance Robin Ginner and Becky Bolte. Quorum established. Absent: Deb Brown, Brad Adamovich, and John Hletko

Motion by Forer, 2nd by Horant to approve the minutes of the 8-6-2026 meeting. Carried, all.

a) Public Hearing - Zoning Ordinance Amendment: proposed amendments to Chapter 106 – Zoning of the Municipal Code, specifically relating to permitted uses by conditional grant in the Highway Commercial District and the Industrial District. The proposed ordinance amendment would:

- Remove “Storage buildings not used for habitation – human or animals” from the uses permitted by conditional grant in the Highway Commercial zoning district under Section 106-473 of the City of Eagle River Zoning Ordinance; and

- Remove “Storage buildings not used for habitation – human or animals” from the uses permitted by right in the Industrial zoning district under Section 106-502 of the City of Eagle River Zoning Ordinance; and

- Add “Storage buildings not used for habitation – human or animals” to the uses permitted by conditional grant in the Industrial zoning district under Section 106-503 of the City of Eagle River Zoning Ordinance.

Ginner presented the ordinance amendment to move storage units out of Downtown Commercial and into Industrial with conditional grant following the public opposition to storage units following an application for storage unit build along Hwy 45 N. Schaffer opened the public hearing at 5:05PM. Ginner reported no public comments were received and no public requests to speak. Public hearing was closed at 5:05PM. Discussion. Industrial zoned parcels were identified throughout the city with implications of proposed amendment. Grassl stated the proposed amendment to the zoning code was an over correction with Forer in agreement. Grassl suggested removing bullet points two and three of the presented amendment completely. *Motion by Horant, 2nd by Schaffer for discussion, to recommend City Council approval of bullet point one amendment only; to amend zoning code by removing “Storage buildings not used for habitation – human or animals” from the uses permitted by conditional grant in the Highway Commercial zoning district under Section 106-473 of the City of Eagle River Zoning Ordinance. Discussion. Question called, motion failed, lack of a majority vote. Ayes: Horant, Schaffer Nays: Forer, Grassl*

b) Public Hearing – Recreational Easement Request: Request by River Trail Commission/Great Headwaters Trail Foundation for a Recreational Easement, Tax Parcel 221-187, Commencing at the Northeast Corner of Government Lot 2 of Section 32, Township 40 North Range 10 East, thence South on the East 1/8th line of said Section 32 to the intersection of the North line of the County Road; thence West along the North line of said County Road 4 rods; thence North and parallel with, and 4 rods distant from said 1/8th line, to the shore line of Eagle River at low water mark; thence Northeasterly along the shore of said Eagle River to the intersection with said 1/8th line which is the PLACE OF BEGINNING. Wisconsin Stat. § 62.22(1m) expressly authorizes a city's governing body to acquire and convey easements and other limited property interests for public purposes. Ginner presented River Trail Commission/Great Headwaters Trail Foundation (GHT); Perpetual Recreational Trail Easement Agreement with final language drafted by City Attorney Garbowicz, an updated full legal description of parcel, and a copy of a DOT email stating the DOT would not require snow removal from the recreational trail at this time. Ginner reported that Mike Sanborn from Light and Water has reviewed the proposed easement language and is ok with it. Schaffer opened the public hearing at 5:23PM. Ginner reported no public comments were received. Jeff Curtin from GHT explained the placement of the trail on the parcel near the hydrant to be between the street and the existing hydrant and reported that a majority of the easement agreements for the trail along this stretch have been obtained and signed. Schaffer closed the public hearing at 5:39PM. Grassl expressed concern that there is no language in the easement agreement about possible damage to city

infrastructure and concern about the DOT snow removal correspondence stating the DOT would not impose the requirement for snow removal of the trail “at this time”. Grassl questioned the lack of a city “out clause” in the agreement other than if mutually agreed upon. Gary Meister, GHT Board member, talked on how any DOT snow removal requirements in the future could be challenged when off of DOT ROW and reported that River Trail Commission is committed to/responsible for overseeing maintenance of the trail and GHT is in the process of establishing a maintenance fund for the trails in the system. Discussion. *Motion by Horant, 2nd by Forer to recommend City Council approval of the presented Perpetual Recreational Easement request by the River Trail Commission/Great Headwaters Trail Foundation for a recreational easement on tax parcel 221-187. Carried on a roll call vote. Ayes: Horant, Forer, Schaffer Nays: Grassl*

c) Sno-Eagles Building Request: SnoEagles is requesting permission to build a new groomer shed on DPW Shop property at 1020 Bluebird to accommodate their groomers and provide better facilities for their volunteers and club members. Howard Wolf, Sno-Eagles President, presented the Sno-Eagles need for a new building and presented a preliminary project plan to build on the northwest corner of the DPW shop parcel next to the Sno-Eagles current leased land for buildings. Ginner presented that DPW Foreman Brad Adamovich has no concerns about the proposal to lease the land at the DPW shop or with building an additional structure. Wolf reported they are looking to build within the next two to three years as funds are raised. The preliminary plan includes a public bathroom in the building. Forer confirmed that the Commission is being asked only to support and recommend the concept as the project is only in beginning stages. Horant supported the plan citing we are the Snowmobile Capital of the World and brings the associated economic boost to the city. *Motion by Grassl, 2nd by Forer to recommend City Council grants permission for the Sno-Eagles to pursue the process to build a new groomer shed on DPW Shop property at 1020 Bluebird to accommodate their groomers and provide better facilities for their volunteers and club members. Carried on a roll call vote, all.*

d) Discussion Only: Discussion, review and possible amendment of proposed changes to DRAFT § 106-273 of the Zoning Ordinance regarding stormwater management and drainage impacts from new construction. Public hearing to be scheduled according to state statute in October or November. Ginner presented a rough draft using a template provided by the North Central Regional Planning Commission regarding a possible code amendment to stormwater management. Discussion included draft being overly robust and discussion on parts of the presented amendment the Commissioners liked and disliked. Using Commissioners’ comments, Ginner will draft an updated revision for review. Item is postponed until October 1, regularly scheduled meeting.

Motion by Horant, 2nd by Grassl to adjourn at 6:19PM. Carried, all.



Application for a Hearing before Planning Commission

Applicant MUST provide the following information:

Name Veterans Resource Center/City of Eagle River Phone 630-935-0809

Property Address 1100 N. Railroad Street

Interest in the Property VRC (property owner), City of Eagle River (partner)

Name of Property Owner Veterans Resource Center

Mailing Address PO Box 93, Eagle River, WI 54521

The above signed applicant does petition the City Council as follows:

Amend the Zoning Classification or Boundaries of a District

Change may only be initiated by the City Council, Plan Commission or a petition by one or more of the owners or lessees of the property proposed to be changed.

Present Zoning Classification Highway Commercial

Requested Zoning Classification Park/Recreation

Applicant must provide the following information

- Legal description and address of the property in question.
- A sketch drawn to a scale of not less than 100 feet to the inch, showing area to be changed, its location, the location of the existing boundaries and the uses within 300 feet of the property proposed to be changed.
- Property owners names, mailing address of all property within 300 feet of the property in question.
- Present use of the property in question.
- Proposed use of the property in question.

Zoning Ordinance Amendment

Change initiation, must be initiated by Zoning Administrator.

Requested Amendment to section: _____

Conditional Use Permit

Zoning Classification of Property _____

List the requested conditional use, _____

Applicant must provide the following information:

- A legal description and address of the property where the use will take place.
- The names and mailing addresses of the abutting property owners.
- Present uses of the abutting properties.
- A site plan of the property showing distances of structures to property lines, parking areas, landscaping, lighting, traffic line of sight visibilities and any other information which will assist the Planning Commission to make a decision.

Additional information may be requested by the Eagle River Plan Commission or the Eagle River City Council to evaluate your application. The lack of information may in itself be sufficient cause to deny a petition. Failure to provide the above required information may result in additional public hearings, which additional costs will be borne by the applicant.

The completed application must be submitted to the Zoning Administrator's office no less than 30 days before the date of the Planning Commission meeting (unless waived by Zoning Administrator), 525 E. Maple Street, PO Box 1269, Eagle River, WI 54521.

Applicant or Owner of the property or Agent shall appear before the Planning Commission.

Dated this 27 day of August, 2026

Respectfully submitted by Denny Geiseman, Veterans Resource Center

For Office Use Only:

Permit distribution: ☐ Treasurer (w/check) ☐ File ☐ Planning Commission

Payment: \$ _____ ☐ Cash ☐ Check # _____ Date: _____ Admin: _____ Date: _____



Planning & Zoning Explorer



Vilas County Land Information

PLSS Section/Quarter/Gov't Lot Lines

Address Sites Addressed Points

Subdivision Type

..... PLSS Quarter/Gov't Lot Line - - - - - PLSS Section Line

Roads

Major Arterial Minor Arterial Collector Local Resource
Service and 4WD Service and 4WD Other



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PUBLIC HEARING

The Planning Commission will consider the rezoning, and the subsequent change to the Comprehensive Plan of the City of Eagle River, for 1100 N. Railroad from Highway Commercial to Parks/Recreation zoning classification. Effective 9/30/26, the property is owned by the Veterans Resource Center of Eagle River, Wisconsin.

This property is described as: NW-NW, Sect. 28, T40N, R10E, PRT NW NW, City of Eagle River, Vilas County, Wisconsin. Computer number 221-1019-06. **COMPLETE LEGAL IN TAX ROLL.**

The City of Eagle River Planning Commission will hold a Public Hearing on Thursday, October 1, 2026 at 5:00 P.M. at the Eagle River City Hall, 525 East Maple St, Eagle River, WI. Comments can be made at the public hearing or by mail to City Administrator, PO Box 1269, Eagle River, WI 54521; by phone (715) 479-8682 x227 or email rcginner@eagleriverwi.gov.

PUBLIC HEARING

PUBLISH TWO WEEKS STARTING September 14, 2026. Affidavit requested

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Robin Ginner
City Administrator
City of Eagle River

STATE OF WISCONSIN DOT
, WI 00000

KEY 23 INVESTMENTS LLC
PO BOX 914
EAGLE RIVER, WI 54521

CITY OF EAGLE RIVER
PO BOX 1269
EAGLE RIVER, WI 54521

TRIBUTE HOLDINGS LLC
39 OAKWOOD DR
NAPERVILLE, IL 60540

SENIOR EAGLE RIVER INC
VOLUNTEER ENTERPRISE
EAGLE RIVER, WI 54521

BRIAN P ROTH
5408 RAZORBACK RD
CONOVER, WI 54519

CITY OF EAGLE RIVER
PO BOX 1269
EAGLE RIVER, WI 54521

RONALD VAN DUSEN
3910 INDIAN LAKE RD
RHINELANDER, WI 54501

ERINS PUB AND GRUB LLC
2141 ADAM RD
EAGLE RIVER, WI 54521

CITY OF EAGLE RIVER
PO BOX 1269
EAGLE RIVER, WI 54521

GREGORY A HERFINDAHL TRUST
118 AIRPORT RD
EAGLE RIVER, WI 54521

WCD HOLDINGS LLC
PO BOX 1808
EAGLE RIVER, WI 54521

GREGORY A HERFINDAHL TRUST
118 AIRPORT RD
EAGLE RIVER, WI 54521

GREGORY A HERFINDAHL TRUST
118 AIRPORT RD
EAGLE RIVER, WI 54521

INDIANHEAD OIL CO LLC
PO BOX 52085 DC-17
PHOENIX, AZ 85249

ASPIRUS BUILDINGS INC
2200 WESTWOOD DR
WAUSAU, WI 54401

EAGLE CAR WASH LAND LLC
PO BOX 1835
EAGLE RIVER, WI 54521



Ordinance No. 607

AN ORDINANCE AMENDING THE ZONING DISTRICT CLASSIFICATION FROM HIGHWAY COMMERCIAL TO PARKS/RECREATION (PR)

The Common Council of the City of Eagle River, Vilas County, Wisconsin, does hereby ordain as follows:

SECTION 1. PURPOSE AND AUTHORITY.

This Ordinance is adopted pursuant to the authority granted under Wisconsin Statutes Chapter 62 and Chapter 61, and the City of Eagle River Zoning Code, for the purpose of amending the official zoning map of the City of Eagle River.

SECTION 2. FINDINGS.

The Common Council finds and determines that:

- A. The Veterans Resource Center of Eagle River, Wisconsin, is the owner of the property located at 1100 N. Railroad Street, Eagle River, Wisconsin, effective October 1, 2026.
- B. The subject property is legally described as NW-NW, Sect. 28, T40N, R10E, PRT NW NW, City of Eagle River, Vilas County, Wisconsin. Computer number 221-1019-06. COMPLETE LEGAL IN TAX ROLL.
- C. A duly noticed public hearing was scheduled before the City of Eagle River Planning Commission on October 1, 2026, at 5:00 P.M., at Eagle River City Hall, in accordance with applicable Wisconsin Statutes and the City of Eagle River Zoning Code, at which time interested persons were given the opportunity to be heard.
- D. Following review of the rezoning request, public testimony, and staff recommendations, the Planning Commission considered the proposed zoning district classification change and forwarded its recommendation to the Common Council; and
- E. The proposed zoning district classification change is intended to designate the subject property for Parks/Recreation use and is to be considered in conjunction with the proposed corresponding amendment to the City of Eagle River Comprehensive Plan.

SECTION 3. ZONING DISTRICT AMENDMENT.

The official Zoning Map of the City of Eagle River is hereby amended to reclassify the property described in Section 2(B) of this Ordinance from Highway Commercial (HC) zoning district to Parks/Recreation (PR) zoning district.

SECTION 4. ADMINISTRATION.

The City Clerk, Zoning Administrator, and other appropriate City officials are authorized and directed to take all actions necessary to implement this Ordinance, including updating the official zoning map and records of the City.

SECTION 5. SEVERABILITY.

If any section, subsection, clause, or provision of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect upon passage and publication as required by law.

Adopted by the Common Council of the City of Eagle River this 13th day of October, 2026.

SIGNED:

Debra A. Brown, Mayor

ATTEST:

Becky Bolte, Clerk



ORDINANCE NO. _____

DRAFT FOR DISCUSSION ONLY

**AN ORDINANCE AMENDING SECTION 106-273 OF THE CITY OF EAGLE RIVER ZONING
ORDINANCE REGARDING DRAINAGE AND STORMWATER MANAGEMENT**

WHEREAS, the City of Eagle River recognizes that development, redevelopment, construction, grading, paving, and other land-disturbing activities may alter existing drainage patterns and increase stormwater runoff; and

WHEREAS, changes in drainage patterns or increases in stormwater runoff may result in flooding, ponding, erosion, sedimentation, or other adverse impacts to neighboring or downstream properties; and

WHEREAS, Wis. Stat. § 281.33 authorizes municipalities to regulate construction-site erosion control and stormwater management and requires municipal regulations to conform to applicable uniform statewide standards; and

WHEREAS, the Wisconsin Department of Natural Resources has established statewide performance standards for construction-site erosion control and post-construction stormwater management under Wis. Admin. Code ch. NR 151 and related provisions; and

WHEREAS, the City Council finds that development within the City should be designed and constructed in a manner that protects neighboring and downstream properties from adverse stormwater impacts while maintaining consistency with applicable state law and administrative rules; and

WHEREAS, the City Council further finds that minor development and typical one- and two-family residential construction should not be subject to the same level of stormwater review as larger development, provided such development does not create an adverse drainage impact;

NOW, THEREFORE, the City Council of the City of Eagle River, Wisconsin, does ordain as follows:

SECTION 1. AMENDMENT OF § 106-273

Section 106-273 of the City of Eagle River Zoning Ordinance is hereby amended to read in its entirety as follows:

§ 106-273. Drainage and Stormwater Management.

A. Purpose.

The purpose of this section is to regulate stormwater drainage associated with development and redevelopment in order to:

1. Protect neighboring and downstream properties from adverse drainage impacts;
2. Prevent increases in flooding, ponding, erosion, sedimentation, and uncontrolled stormwater runoff;
3. Maintain existing drainage patterns to the maximum extent reasonably practicable;
4. Protect public drainage facilities and receiving waters from excessive stormwater runoff; and
5. Implement applicable state requirements relating to construction-site erosion control and post-construction stormwater management.

B. Applicability.

1. **Construction-Site Erosion Control.** Construction activities that meet the applicable thresholds established by Wis. Stat. § 281.33 and Wis. Admin. Code ch. NR 216 shall comply with all applicable state and City requirements for construction-site erosion and sediment control.
2. The construction-site erosion-control requirements apply to activities meeting applicable state thresholds, including land-disturbing activity affecting **4,000 square feet or more**, excavation or filling involving **400 cubic yards or more**, qualifying street, highway, road, or bridge construction, underground utility work of **300 feet or more**, and activities requiring subdivision plat or certified survey approval, as provided by Wis. Stat. § 281.33.
3. **Post-Construction Stormwater Management.** The post-construction stormwater management requirements of this section shall apply to development meeting the applicable thresholds established under Wis. Stat. § 281.33, Wis. Admin. Code ch. NR 151, and related state requirements, including:
 - a. Residential development with a gross aggregate area of **five acres or more**;
 - b. Residential development with a gross aggregate area of **three acres or more and at least 1.5 acres of impervious surface**;
 - c. Development other than residential development with a gross aggregate area of **three acres or more**; or

d. Development of any size that is reasonably likely to result in stormwater runoff that exceeds the safe capacity of existing drainage facilities or a receiving body of water, causes undue channel erosion, increases water pollution through scouring or transportation of particulate matter, or endangers downstream property.

4. Development that is part of a **larger common plan of development or sale** shall be evaluated based upon the larger common plan when determining applicability.

C. Exemptions.

The following development shall generally be exempt from the post-construction stormwater management requirements of this section, provided the development does not meet the applicability requirements of subsection B.3(d) and is not part of a larger common plan of development or sale:

1. Construction of a **one- or two-family dwelling** and customary accessory structures associated with that dwelling where the project results in less than **one acre of land disturbance**;
2. Minor additions, accessory structures, decks, patios, driveways, and similar improvements that do not meet the applicable thresholds established in subsection B;
3. Routine maintenance, repair, or replacement of existing improvements that does not materially alter existing drainage characteristics; and
4. Other minor development determined by the Zoning Administrator to have no reasonable potential to create an adverse stormwater impact on neighboring or downstream property.

An exemption from post-construction stormwater management requirements shall not authorize any person to redirect, concentrate, or discharge stormwater in a manner that creates an adverse impact on neighboring or downstream property.

Nothing in this subsection exempts a property owner or developer from any erosion-control, stormwater, building, plumbing, wetland, floodplain, or other requirement imposed by state or federal law.

D. Protection of Neighboring Properties.

All development subject to this section shall be designed and constructed so that stormwater generated by the development does not create or increase an adverse impact on neighboring or downstream properties.

Development shall, to the maximum extent practicable and consistent with applicable state law:

1. Maintain existing drainage patterns;

2. Avoid increasing the quantity, velocity, concentration, or rate of stormwater runoff onto neighboring or downstream property;
3. Avoid redirecting or concentrating stormwater onto neighboring or downstream property in a manner that did not exist prior to development;
4. Avoid causing or increasing flooding, ponding, erosion, sedimentation, or other drainage problems on neighboring or downstream property;
5. Avoid directing stormwater toward a neighboring building, structure, driveway, septic system, or other improvement in a manner that creates or increases an adverse impact; and
6. Provide for the management of stormwater on the development site whenever reasonably practicable.

The approval of a development, building permit, zoning permit, site plan, grading plan, or stormwater management plan shall not authorize a property owner to create an adverse drainage impact on neighboring or downstream property.

E. Stormwater Management Standards.

Development subject to the post-construction requirements of this section shall comply with the applicable performance standards established under Wis. Admin. Code ch. NR 151 and related Wisconsin Department of Natural Resources requirements.

Stormwater management shall address, as applicable:

1. **Water Quality.** Reduction of total suspended solids and other pollutants in accordance with applicable state performance standards;
2. **Peak Discharge.** Maintenance or reduction of post-development peak runoff rates to applicable pre-development levels for the required design storm events;
3. **Infiltration.** Infiltration of stormwater runoff in accordance with applicable state performance standards and site conditions;
4. **Protective Areas.** Protection of applicable protective areas adjacent to lakes, streams, rivers, wetlands, and other water resources; and
5. **Drainage and Flooding.** Management of stormwater so that the development does not create or increase an adverse drainage or flooding impact on neighboring or downstream property.

The Wisconsin Department of Natural Resources technical standards, or successor standards, shall be used where applicable in the design, installation, and maintenance of stormwater management practices. The DNR maintains approved technical standards for practices including infiltration basins, infiltration trenches, rain gardens, vegetated swales, permeable pavement, and detention facilities.

F. Stormwater Management Plan.

For development subject to this section, the City may require the applicant to submit a stormwater management plan prepared in accordance with applicable state requirements.

The plan shall contain sufficient information for the City to determine whether the proposed development complies with this section and applicable state standards and may include:

1. Existing and proposed site grades;
2. Existing and proposed drainage patterns;
3. Existing and proposed impervious surface areas;
4. Existing and proposed stormwater runoff volumes and peak discharge rates;
5. Proposed stormwater management facilities and best management practices;
6. Proposed discharge locations and methods;
7. The location of neighboring properties and existing drainage facilities that may be affected by the development;
8. Applicable calculations demonstrating compliance with state stormwater performance standards; and
9. Other information reasonably necessary to determine compliance with this section.

The City may require that a stormwater management plan be prepared or certified by a professional engineer, land surveyor, or other qualified professional when reasonably necessary.

G. On-Site Stormwater Management.

Stormwater generated by development subject to this section shall be managed on the subject property whenever reasonably practicable.

Approved stormwater management measures may include, but are not limited to:

1. Infiltration areas;
2. Rain gardens or bioretention facilities;
3. Detention or retention facilities;
4. Infiltration basins or trenches;
5. Vegetated swales;
6. Permeable pavement or other pervious surfaces;
7. Grading and drainage improvements;
8. Berms or other approved site improvements; and
9. Other practices approved by the City and consistent with applicable Wisconsin Department of Natural Resources technical standards.

H. Existing Drainage Conditions.

Nothing in this section shall be interpreted to require a property owner to eliminate lawful drainage conditions that existed prior to development.

Where development changes the existing drainage characteristics of a property, however, the property owner shall be responsible for implementing reasonable measures necessary to prevent the development from creating or increasing an adverse impact on neighboring or downstream properties.

I. Redevelopment.

Redevelopment projects shall comply with applicable state and local stormwater management requirements.

Where an existing developed property is redeveloped, the City may require improvements to existing drainage or stormwater management facilities when reasonably necessary to address an existing or anticipated flooding or drainage problem caused or exacerbated by the redevelopment.

Nothing in this section shall be interpreted to require the elimination of lawful existing drainage conditions solely because a property is being redeveloped.

J. Maintenance of Stormwater Facilities.

Stormwater management facilities required under this section shall be properly operated and maintained by the property owner or other responsible party.

The City may require a maintenance plan or agreement for stormwater management facilities when reasonably necessary to ensure their continued operation.

The property owner shall maintain stormwater management facilities in accordance with the approved plans and applicable maintenance requirements.

The City may require reasonable corrective measures if a stormwater management facility is not maintained or is no longer functioning as designed.

K. Corrective Measures.

If the City determines that development has resulted in an adverse stormwater impact on neighboring or downstream property, the property owner shall be responsible for taking reasonable corrective measures necessary to eliminate or mitigate the adverse impact.

Corrective measures may include, but are not limited to:

1. Regrading;
2. Installation or modification of drainage improvements;
3. Installation or modification of stormwater management facilities;
4. Installation of swales, berms, or other drainage controls;

5. Modification of impervious surfaces; or
6. Other reasonable measures approved by the City.

Nothing in this subsection authorizes the City to require stormwater retention or infiltration in excess of limitations established by Wis. Stat. § 281.33.

L. State and Federal Requirements.

Compliance with this section does not relieve any person from compliance with applicable federal or state requirements, including requirements administered by the Wisconsin Department of Natural Resources.

Where another federal, state, county, or City regulation imposes a more stringent requirement that is legally applicable to the development, the more stringent requirement shall apply to the extent permitted by law.

The requirements of this section shall be administered and interpreted in a manner consistent with Wis. Stat. § 281.33 and applicable provisions of Wis. Admin. Code chs. NR 151, NR 152, and NR 216.

M. Enforcement.

A violation of this section shall be subject to the enforcement provisions and penalties established elsewhere in the City of Eagle River Municipal Code.

Each day that a violation continues may constitute a separate violation.

SECTION 2. CONFLICTING PROVISIONS

All ordinances, resolutions, or portions thereof inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. SEVERABILITY

If any provision of this ordinance is determined to be invalid or unconstitutional by a court of competent jurisdiction, such determination shall not affect the validity of the remaining provisions.

SECTION 4. EFFECTIVE DATE

This ordinance shall take effect upon passage and publication as required by law.

Adopted this ____ day of _____, 2026.

CITY OF EAGLE RIVER

Mayor

City Clerk

DRAFT