

It was moved by Anthony Casanova and seconded by Russell Fischer that Ordinance No. 13 be given its second reading, which ordinance reads as follows:  
Extract of Minutes of 11-13-74

ORDINANCE NO. 13

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS; THE INSTALLATION AND CONNECTION OF BUILDING SEWERS AND THE DISCHARGE OF WATER AND WASTES INTO THE PUBLIC SEWER SYSTEM; AND PROVIDING PENALTIES FOR VIOLATION OF SECTIONS THEREOF; IN THE TOWN OF RAMONA, SOUTH DAKOTA.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RAMONA, LAKE COUNTY, SOUTH DAKOTA:

SECTION 1. . . . DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- A. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.
- B. "Superintendent" shall mean the Superintendent of the Municipal Sewage Works of the Town of Ramona, South Dakota, or his authorized deputy, agent or representative.
- C. "Inspector" shall mean any person or persons duly authorized by the Town to inspect and approve the installation of building sewers and their connection to the public sewer system.
- D. "Sewage" shall mean a combination of the water carried wastes from residences, business buildings, institutions, and industrial establishment, together with such ground, surface, and storm waters as may be present.
- E. "Sewer" shall mean a pipe or conduit for carrying sewage.
- F. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- G. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.
- H. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm. Surface and ground waters are not intentionally admitted.
- I. "Storm Sewer" or "Storm Drain" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.
- J. "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.
- K. "Garbage" shall mean solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

- L. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.
- M. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.
- N. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- O. "B.O.D." (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20° C, expressed in parts per million by weight.
- P. "pH" shall mean the logarithm of the reciprocal of the weight of the hydrogen ions in grams per liter of solution.
- Q. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids; and which are removable by laboratory filtering.
- R. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.
- S. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- T. "Person" shall mean any individual, firm, company, association, society corporation, or group.
- U. "Shall" is mandatory; "May" is permissive.

SECTION II. . . . . USE OF PUBLIC SEWERS REQUIRED

- A. It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the Town of Ramona, South Dakota, or in any area under the jurisdiction of the Town any human or animal excrement, garbage, or other objectionable waste which ordinarily would be regarded as sewage or industrial wastes.
- B. It shall be unlawful to discharge to any natural outlet within said Town, or any area under the jurisdiction of said Town, any sanitary sewage, industrial waste, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.
- C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facilities intended for or used for the disposal of sewage.
- D. The owner of all houses, buildings or properties used for human occupancy, employment, recreation, or other purposes situated within the Town and abutting any street, alley or right-of-way in which there is now located or may in the future be located a public sewer or combined sewer of the Town, is

hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of the ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within 150 feet of the property line.

SECTION III. . . . . PUBLIC SEWAGE DISPOSAL

- A. Where a public sanitary or combined sewer is not available under the provisions of Section II D, the building sewer shall be connected to a private sewage disposal system complying with all requirement of the State Board of Health.
- B. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Town.
- C. At such times as a public sewer becomes available to a property served by a sewage disposal system as provided in Section II D, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned, and filled with suitable material.
- D. No statement contained in the article shall be construed to interfere with any additional requirements that may be imposed by the State Board of Health.

SECTION IV. . . . . BUILDING SEWERS AND CONNECTIONS

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the Town. Before a permit may be issued for excavating for plumbing in any public street, way or alley, the person applying for such permit shall have deposited with the Finance Officer a connection charge in the sum of \$50.00 if application is made more than 60 days after completed construction of sewer system. He will perform faithfully all work with due care and skill, and in accordance with the laws, rules, and regulations established under any ordinances of the Town pertaining to plumbing.
- B. All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner. The owner or the person installing the building sewer for said owner shall indemnify said Town from any loss or damage that may directly or indirectly be occasioned by said installation.
- C. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be construed to the rear through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. Other exceptions will be allowed only by special permission granted by the superintendent.

- D. Old building sewer or portions thereof, may be used in connection with new buildings only when they are found on examination and test by the said Inspector to meet all requirements of the ordinance.
- E. The building sewer shall be constructed of either verified clay, cast iron, polyvinyl chloride, or cement asbestos, sewer pipe which meets current A.S.T.M. specifications. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that vitrified clay pipe or asbestos cement or concrete pipe may be accepted if laid on a suitable improved bed or cradle as approved by said Inspector.
- F. The size and slope of the building sewers shall be subject to the approval of the said Inspector, but in no event shall the diameter be less than 4 inches. The slope of such pipe shall not be less than 1/8<sup>th</sup> inch per foot. A slope of 1/4<sup>th</sup> inch per foot shall be used whenever practical.
- G. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the said Inspector. Pipe laying and backfill shall be performed in accordance with current A.S.T.M. specifications except that no backfill shall be placed until the work has been inspected by the Inspector or his representative.
- H. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drains shall be lifted by approved artificial means and discharged to the building sewer.
- I. The connection of the building sewer into the public sewer shall be made at the "Y" branch designated for that property, if such branch is available at a suitable location. Any connection not made at the designated "Y" branch in the main sewer, shall be made only as directed by the said Inspector.
- J. The applicant for the building sewer shall notify the said Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the said Inspector or his representative.
- K. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in manner satisfactory to the said Town.

SECTION V. . . . . USE OF PUBLIC SEWERS

- A. No persons shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process water to any sanitary sewer.
- B. No person shall discharge or cause to be discharged to any public sewer, any harmful waters or wastes, whether liquid, solid or gas, capable of

causing the obstruction to the flow in sewers, damage or hazard to structures, equipment and personnel of the sewage works, or other interference with the proper operation of the sewage works.

- C. Grease, oil, and sand interceptors shall be provided when, in the opinion of the said Inspector, they are necessary for the proper handling of liquid wastes containing grease in excessive amount, or any flammable wastes, sand and other harmful ingredients except that such interceptors shall not be required for private living quarters or dwelling units. Where installed, they shall be maintained by the owner, at his expenses, in continuously efficient operation at all times.
- D. The admission into the public sewers of any waters or wastes having harmful or objectionable characteristics shall be subject to the review and approval of the Superintendent, who may prescribe limits on the strength and character of these waters or wastes. Where necessary, in the opinion of the Superintendent, the owner shall provide at his expense, such preliminary treatment as may be necessary to treat these wastes prior to discharge to the public sewer. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the said Superintendent and of the South Dakota State Board of Health, and no construction of such facilities shall be commenced until said approval is obtained in writing. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
- E. When required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install and maintain at his expense a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. All measurements, tests and analyses of the characteristics of water and wastes shall be determined in accordance with "Standard Methods for the Examination of Water And Sewage", and shall be determined at the control manhole or upon suitable samples taken at said control manhole. In the event that no special manhole has been required. The control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

SECTION VI. . . . . PROTECTION FROM DAMAGE

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the municipal sewage works. Any person violating this provision shall be subject to immediate arrest, under charge of disorderly conduct.

SECTION VII. . . . . POWERS AND AUTHORITY OF INSPECTIORS

The Superintendent, inspector, and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this Ordinance.

SECTION VIII . . . . .PENALTIES

- A. Any person found to be violating any provision of this ordinance except Section VI, shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. Any person who shall continue any violation beyond the time limit provided for in Section VIII A, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount no less than Ten Dollars (\$10.00) and not more than one Hundred Dollars (\$100.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- C. Any person violating any of the provisions of this ordinance shall become liable to the Town for any expense, loss or damage occasioned the Town by reason of such violation.

SECTION IX . . . . .CONDITIONS OF SERVICE

- A. The Town shall install and maintain at its expense that portion of the service from the main to the lot or easement line, and the customer shall install and maintain at his expense that portion of the service from said lot or easement line to his premises. The size and slope of the building sewers shall be subject to the approval of the authorized personnel of the Town, but in no event shall the diameter be less than six (6) inches. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor.
- B. Applications may be cancelled and/or sewer service discontinued by the Town for any violation of any rule, regulation or condition of service, and especially for any of the following reasons:
  - 1. Misrepresentation in the application as to the property or fixtures to be serviced by the sanitary sewer system.
  - 2. Nonpayment of bills.
  - 3. Improper or imperfect service pipes and fixtures or failure to keep same in suitable state of repair.
- C. Bills and notices relating to the conduct of the business of the Town will be mailed to the customer at the address listed on the application, unless a change of address has been filed in writing at the business office of the Town; and the Town shall no otherwise be responsible for delivery of

any bill or notice, nor will the customer be excused from nonpayment of a bill or from any performance required in said notice.

- D. 1. Bills for sewer service are due and payable at the business office of the Town, or to any designated agent, on their date of issue. The past due date shall be the 10<sup>th</sup> of the month after the period of service. Bills will be dated and mailed each month.  
2. All bills not paid on or before the past due date shall be termed delinquent, and the Town shall serve on the customer a written final notice of said delinquency. If a delinquent bill is not paid within 30 days after date due, the water and/or sewer service to the user will be subject to discontinuance, or other measures as State law will allow.
- E. Where the water or sewer service supplied to a customer has been discontinued for nonpayment of delinquent bill, the Town reserves the right to request a nominal sum be placed on deposit with the Town for the purpose of establishing or maintaining any customer's credit. The reconnection will not be made until after all delinquent bills and charges, it any owned by the customer to the Town have been paid.
- F. The town shall make all reasonable efforts to eliminate interruption of service, and when such interruption occurs will endeavor to re-establish service with the shortest possible delay. Whenever service is interrupted for purpose of working on the collection system or the treatment equipment, all consumers affected by such interruption will be notified in advance whenever it is possible to do so.
- G. The Town shall in no event be held responsible for claim made against it by reason of the breaking of any mains or service pipes, or by reason of any other interruption of the service caused by the breaking of machinery or stoppage for necessary repairs; and no person shall be entitled to damages nor have any portion of a payment refunded for any interruption.
- H. The premises receiving sanitary sewer service shall at all reasonable hours be subject to inspection by duly authorized personnel of the Town and the State Board of Health.
- I. Special terms and conditions may be made where sewer service is used by the Town or community for public purposes such as public parks, etc.
- J. These rules may be changed or amended.

SECTION X . . . . . VALIDITY

All ordinances or parts of ordinance in conflict herewith are hereby repealed.

SECTION XI . . . . . ORDINANCE IN FORCE

This ordinance to be in full force and effect from and after its passage, approval and publication according to the law of the State of South Dakota.

Approved:

Urban McDonald  
President, Town Board of Ramona

ATTEST:

Minnie Mathison  
Finance Officer, Town of Ramona

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Second Reading: Nov 13, 1974  
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