

ORDINANCE NO. 2026-2

AN ORDINANCE entitled “An Ordinance for house sewers and repealing Ordinance No. 41, Amendment of Section (D), Ordinance 82, Ordinance 121, Ordinance 132, Ordinance 136, Ordinance 149, Ordinance 155, Ordinance No 2022-2, Ordinance No. 2024-2, Ordinance 2025-1, and Ordinance 2025-5”

BE IT ORDAINED BY THE CITY OF COLOME, SOUTH DAKOTA

(A). SUPERVISION:

1. SEWER INSPECTOR: The sewer Inspector shall be appointed pursuant to the laws of the city and state and shall -under the direction of the governing elective officers of the city or village, supervise all house sewer connections and excavations for the purpose of installing or repairing the same.

(B). DEFINITION OF BUILDING OR HOUSE SEWER:

1. BUILDING OR HOUSE SEWER: That part of the horizontal pipe which begins outside of the wall of a building and connects the "House Drain" with the main public sewer.

(C). SPECIFIC REQUIREMENTS:

1. RAINWATER LEADERS: Roof leaders, surface drains, sump pumps, or ground water drains shall not be connected to the sanitary sewer.

2. INDEPENDENT SYSTEM: Each house sewer and drainage system shall be Independent of any other building except as provided below:

Where one building stands in the rear of another building located on the interior lot, the house sewer from the front building may be extended to the rear building and the whole considered as one house sewer.

3. CONNECTION TO THE MAIN PUBLIC SEWER: Before any connection is made to the public sewer, an approved permit for such connection must be obtained from the governing body or its designated representative.

Each connection shall be made at the “Y” designated for that property. The only exception shall be where designated “Y” is not, properly located within three feet of the point of measurement furnished by the local governing body, any connection not made at the designated “Y” in the main sewer shall be made under the direct supervision of the Sewer Inspector.

D) SPECIFICATIONS: (Specifications pertain to the part of house sewer which begins with the main public sewer and extends beyond the property line.)

1. All house sewers shall be constructed, and joints connected by the standards required and specified by the State Plumbing Code of the South Dakota Department of Health, and further:

2. No house sewer shall be less than four (4”) inches in diameter but this must meet the approval of the Sewer Inspector and if he determines necessary, six (6”) inch in diameter will be used. No building sewer shall be less than four (4”) inches in diameter and in any event the size of the house or building sewer shall meet the standards required by the State Plumbing Code of the South Dakota Department of Health.

3. All excavations shall be open trench work unless otherwise authorized by the Sewer Inspector. The foundation in the trench shall be formed to prevent any subsequent settlement of the pipes. If the foundation is good, firm earth, the earth shall be pared or molded to give full support to the lower quadrant of each pipe, Bell holes shall be dug to provide ample space for pouring of joints. Care must be exercised in the back filling below the center line of the pipe to give it proper support. The back filling shall be placed in layers and solidly tamped or packed up to two feet (2’) above the pipes. The back filling shall not be done until the Sewer Inspector makes the final inspection.

4. All excavations made upon the street, alleys, and/or public grounds of the city of Colome for the purpose of connecting with water mains, sewer mains, and/or service pipes shall be made after receiving authorization from the city. The cost of all repairs on service lines, streets, alleys, and/or public grounds of the City of Colome shall be referred to the premises owner or will be invoiced to the property owner.

Property owners are responsible for damage to public utilities connected with the installation of sewers.

(E). EXCEPTION:

1. Use of Old House Sewers: Old house sewers or portions thereof may be approved for use by the Sewer Inspector. The Sewer Inspector may request the old sewer be excavated for the purpose of facilitating inspection. No old cesspool or septic tank shall be connected to any part of a house sewer that is also connected to the public sewer.

2. All Atteberry Addition Property Owners are required to install septic tanks for the use of disposal due to unavailability of access to city sewer mains due to elevation. All cost of tanks and installation will be covered by property/homeowner.

(F). INSPECTION:

1. Every part of the house sewer shall be inspected and approved by the sewer inspector before being concealed or backfilled.

(G). CHARGES:

1. The monthly sewer fee shall be Thirty-one Dollars (\$31.00) per month payable in advance and beginning on April 20th, 2026.

2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

3. This Ordinance shall be in effect on April 14th, 2026, but only after twenty (20) days have elapsed after its passage, approval, and publication.

(H). LANDLORD RESPONSIBILITIES:

1. The owner of rental property, whether commercial or residential, shall be responsible for payment of any delinquent water, sewer, or garbage charges not promptly paid by the owner's tenant or tenants.
2. This provision applies to all rental property, including commercial property, single-family residential dwellings, apartment complexes, mobile home courts, and any other rental property. The owner shall be furnished with a copy of any notice of delinquency served upon the tenant.
3. Owners and/or landlords of rental properties must give notice of change of tenants if the utilities are being billed to the tenant

(I). DISCONTINUANCE AND RECONNECTION OF SEWER SERVICE:

The City reserves the right to discontinue sewer service to any or all consumers without prior notice when necessary for:

- System repairs;
- Non-payment of any bill, including water and/or sanitation utilities; or
- Violation of rules and regulations governing sewer service.

1. Restoration of Service

When service has been discontinued due to non-payment or violation of applicable rules and regulations, service will not be restored until all of the following conditions have been met:

Ordinance NO. 2026-2 SEWER

1. The outstanding balance has been paid in full;
2. A penalty and interest totaling twenty percent (20%) of the outstanding amount have been paid;
3. Full compliance with all applicable regulations has been achieved; and
4. A fifty-dollar (\$50.00) reconnection fee has been paid to the City.

2. Past-Due Accounts and Reconnection

All balance due and/or past-due bills associated with a property must be paid in full before:

- Water, sewer, and/or sanitation services will be reconnected; or
- A new utility account may be opened for the property.

Reconnections will be performed during regular business hours only.

(J). NON-SUFFICIENT FUNDS (NSF) CHECK/ACH POLICY

Customers who issue checks and/or ACH that are returned to the City for insufficient funds will be subject to a \$40 service charge, immediate disconnection of utilities for non-payment, and are required to provide immediate payment of all fees and penalties by cash or money order before utilities are reconnected. No further notice of disconnect will be provided.

The handling of a returned check or ACH payment due to non-sufficient funds (NSF) is outlined below:

(A) First Offense

1. All applicable NSF fees must be paid in full.
2. No additional checks or ACH payments will be accepted until all outstanding balances and fees are collected.

(B) Second Offense

1. Checks and ACH payments will not be accepted for a period of six (6) months from the date of the second NSF occurrence.

(C) Third Offense

1. Checks and ACH payments will not be accepted for a period of twenty-four (24) months from the date of the third NSF occurrence.
2. Any payment arrangements following a third offense will be determined at the discretion of the Finance Office, with input from the City Council.

Kelly Leighton, Mayor

ATTEST:

Bobbi Harter, Finance Officer

First Reading: March 3rd, 2026

Second Reading: March 19th, 2026

Passage and Approval: March 19th, 2026

Publication: March 25th, 2026

Effective Date: April 14th, 2026