

ORDINANCE NO. 273

AN ORDINANCE TO REPEAL ORDINANCE NUMBERS 89 & 192 AND REQUIRING HOOKUPS TO CITY SEWER AND WATER SYSTEMS AND PROHIBITING THE ESTABLISHMENT OF SEPTIC TANKS, PRIVIES OR CESSPOOLS WITHIN THE CITY LIMITS.

BE IT ORDAINED by the common council of the City of Alexandria that :

1. **REPEALER.** Ordinance No. 89 and Ordinance No. 192 are hereby repealed in their entirety.
2. **PRIVATE WASTE WATER TREATMENT SYSTEMS PROHIBITED.** No person or corporation or organization may build or cause to build any private waste water treatment system, septic tank, cesspool, or privy within the corporate limits of the City of Alexandria.
3. **USE OF MUNICIPAL WATER AND SEWER SYSTEMS REQUIRED.** Any structure located within the corporate limits of the City of Alexandria which contains any portion of a water or waste water system within said structure shall be constructed in such a manner that the water is obtained from the municipal water system and constructed in such a manner that the waste water is disposed of through the municipal waste water system.
4. **EXISTING COMPLYING SYSTEMS EXEMPTED.** Any private water or waste water systems in existence at the time of the effective date of this Ordinance shall not be affected by the provisions of this Ordinance, subject to the following limitations and exceptions:
 - [a] No such system may be added to for the purpose of providing access to said system or use of said system by a greater number of structures or buildings than are being served by said system as of the effective date of this Ordinance; and
 - [b] All private water and/or waste water systems must meet applicable state and federal regulations for such systems, as the same may be adopted by or from time to time modified by the State of South Dakota or the United States Government, acting by and through their respective departments and/ or agencies.
5. **ADDITIONS TO EXISTING WASTE WATER SYSTEMS AND WATER SYSTEM LINES.** The cost of installing new water and sewer lines to reach additional locations within the City shall be paid as follows:
 - [a] Those portions of any such line located on private property shall be installed and maintained at the landowner's expense; and

[b] Those portions of any extension located in the public street rights-of-way shall be paid for by the landowner on whose property the new sewer line or water line hookup is to be installed.

6. OWNERSHIP OF LINES. After the installation of any new water system or waste water system lines, the ownership of the lines shall be as follows:

[a] Those portions of any such lines located on private property are the property of the respective landowners; and

[b] Those portions of any such lines located in the various rights-of-way of the streets and alleys in the City of Alexandria, shall be owned and maintained by the City of Alexandria.

7. SPECIFICATIONS FOR INSTALLATION. Prior to the installation of any new water system or waste water system lines, the City of Alexandria shall set and approve all specifications for the location and installation of said line.

8. LIMITATION. No tract of land may be assessed the costs of installation of new water system lines or waste water systems lines more than one time for each.

9. NONCOMPLIANCE AS PUBLIC NUISANCE. Any violation of the provisions of this Ordinance is hereby determined to be a public nuisance.

10. SEVERABILITY OF PROVISIONS. If any provision of this Ordinance, or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

First Reading: December 3, 1984

Second Reading: _____

Dated: _____

Mayor