

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

195C0268

## HOUSE BILL NO. 1088

Introduced by: Representatives Pummel, Patterson, Peterson, and Solum and Senator Kleven

1 FOR AN ACT ENTITLED, An Act to revise the requirements to determine if a building shall  
2 be connected to a public water system or public wastewater collection system.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 9-47-28 be amended to read as follows:

5 9-47-28. ~~Every~~ Each building in which plumbing fixtures are installed shall be connected to  
6 a public water ~~supply~~ system if available. A public water system is available ~~to a premise used~~  
7 ~~for human occupancy if the property line of such premise~~ if a building with plumbing fixtures is  
8 within two hundred feet of such the system. Any municipality or governmental subdivision that  
9 operates a public water system may impose reasonable conditions, including annexation within  
10 its boundaries, for connecting to the public water system. A municipality may purchase, lease  
11 with purchase option, lease, or otherwise acquire from the owners thereof, any preexisting  
12 private wells located within the municipality. The provisions of this section do not apply to  
13 ~~municipalities of the~~ any first class municipality.

14 Section 2. That § 9-48-53 be amended to read as follows:

15 9-48-53. ~~Every~~ Each building in which plumbing fixtures are installed shall be connected to  
16 a public ~~water sewer~~ wastewater collection system if available. A public ~~sewer~~ wastewater  
17 collection system is available ~~to a premise used for human occupancy if the property line of such~~

1 ~~premise if a building with plumbing fixtures~~ is within two hundred feet of ~~such~~ the system. Any  
2 municipality or governmental subdivision that operates a public wastewater collection system  
3 may impose reasonable conditions, including annexation within its boundaries, for connecting  
4 to the public wastewater collection system. A municipality may purchase, lease with purchase  
5 option, lease, or otherwise acquire from the owners thereof, or condemn pursuant to subdivision  
6 9-12-1(2), any preexisting private sewers located within the municipality. The provisions of this  
7 section do not apply to ~~municipalities of the~~ any first class municipality.