

Duane:

Mr. Gosch asked me to retype and send you Ordinance No. 12 as he has revised it. I have done so, and have attached it hereto. In the event you cannot convert the attachment (it is in Microsoft Word form), I have inserted it as text below this message. If you have any questions, please call.

Cristy Biegler, Secretary to Kenneth L. Gosch
Bantz, Gosch, Cremer, Peterson & Sommers, L.L.C.
305 Sixth Avenue SE
PO Box 970
Aberdeen, SD 57402-0970
(605) 225-2232

PICKEREL LAKE SANITARY DISTRICT

ORDINANCE NO. 12

AN ORDINANCE in and for Pickerel Lake Sanitary District, Day County, South Dakota, amending Ordinance No. 2, Ordinance No. 3, Ordinance No. 4, Ordinance No. 5, and Ordinance No. 6, as they apply to the establishment and collection of Connection Fees.

BE IT ORDAINED AND ENACTED by the Board of Trustees of Pickerel Lake Sanitary District, Day County, South Dakota, as follows:

SECTION I

- A. The establishment and collection of Connection Fees by Pickerel Lake Sanitary District is hereby discontinued.
- B. Property owners connecting to the collection system as provided by Pickerel Lake Sanitation District shall be responsible for the cost of materials and installation from the Sanitary District Collection Line to the structure being connected.
- C. The installation shall be completed by an installer licensed by the State of South Dakota and approved by the Pickerel Lake Sanitary District. Materials and installation shall comply with the South Dakota Codified Laws and rules and regulations promulgated pursuant thereto, and the Ordinances of Pickerel Lake Sanitary District.
- D. Individual Lift Stations (receptacles, lift pumps, control boxes, and accessories) shall be purchased by property owner from the Pickerel Lake Sanitary District at the District's actual cost, including shipping, handling and storage. This provision is to assure the compatibility of parts and service procedures.
- E. Septic tanks and other materials as needed may be obtained from a supplier of the owner's choice, but must meet the minimum requirements as set forth by the State of South Dakota and the Pickerel Lake Sanitary District.
- F. Upon completion of installation and acceptance by Pickerel Lake Sanitary District, the District shall assume responsibility for normal service and maintenance of the line and equipment located outside the owner's structure.
- G. Abuse, wrong doings, and/or negligence on the part of the owner, the owner's agents, or other unknowns, which cause damage or failure of the service line between the structure and the System Collection Line shall not be the responsibility of the Pickerel Lake Sanitary District. Service calls placed with Pickerel Lake Sanitary District for such instances shall be

billed to the property owner at the rate of \$50.00 for the first hour, and \$25.00 for each hour, or portion thereof after the first hour for labor, plus any needed parts, materials or supplies and other costs incurred..

SECTION II

A. Property owners having paid an advance connection fee as established in previous ordinances of Pickerel Lake Sanitary District shall be entitled to have the connection to the District Collection System completed under the provisions of the Ordinance in effect at the time they made payment.

B. Property owners having made previous connection fee payment shall not be entitled to refund of money either in part or in full as a result of this Ordinance change.

SECTION III

VALIDITY

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

B. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

SECTION IV

ORDINANCE IN FORCE

A. This Ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

B. Passed and adopted by the Board of Trustees of Pickerel Lake Sanitary District, Day County, State of South Dakota, on the _____ day of _____, 2001, by the following vote:

FIRST READING: Date:

Ayes: Namely:

Nays: Namely:

SECOND READING: Date:

Ayes: Namely:

Nays: Namely:

PUBLISHED:

Approved this _____ day of _____, 2001

By:

ATTEST:

Duane H. Podoll, Clerk

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(As Amended August 2005)

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BE IT ORDAINED AND ENACTED by the Board of Trustees of Pickerel Lake Sanitary District, Day County, South Dakota, as follows:

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- C. The installation shall be completed by an installer licensed by the State of South Dakota and approved by the Pickerel Lake Sanitary District. Materials and installation shall comply with South Dakota Codified Laws and rules and regulations promulgated pursuant thereto, and the Ordinances of Pickerel Lake Sanitary District.
- D. Individual Lift Stations (receptacles, lift pumps, control boxes, and accessories) shall be furnished by the Pickerel Lake Sanitary District. The property owner shall be assessed the actual cost of the items furnished by the District to include shipping, handling and storage. This provision is to assure the compatibility of parts and service procedures.
- E. Septic tanks and other materials as needed may be obtained from a supplier of the owner's choice, but must meet the minimum requirements as set forth by the State of South Dakota and the Pickerel Lake Sanitary District.

- F. Upon completion of installation and acceptance by Pickerel Lake Sanitary District, the District shall assume responsibility for normal service and maintenance of the line and equipment located outside the owner's structure.
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SECTION IV

ORDINANCE IN FORCE

A. This Ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

B. Passed and adopted by the Board of Trustees of Pickerel Lake Sanitary District, Day County, State of South Dakota, on the 20th day of February, 2001, by the following vote:

FIRST READING: Date: January 12, 2001

Ayes: 3 Namely: Porter, Svare and Swanhorst

Nays: 0 Namely: None

SECOND READING: Date: February 20, 2001

Ayes: 2 Namely: Svare and Swanhorst (Porter Absent)

Nays: 0 Namely: None

PUBLISHED: February 26, 2001 and April 23, 2001

Approved this 25th day of April, 2001

by: _____
Allen O. Svare, Vice President

ATTEST:

Duane H. Podoll, Clerk

CORPORATE

SEAL