

# State of South Dakota

EIGHTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2014

400V0256

## SENATE BILL NO. 29

Introduced by: The Committee on Commerce and Energy at the request of the Department  
of Health

1 FOR AN ACT ENTITLED, An Act to revise certain provisions in statute and administrative  
2 rules regarding the regulation of campgrounds and the license fee for campgrounds and to  
3 repeal administrative rules regulating primitive campgrounds, full-service campgrounds,  
4 limited service campgrounds, and temporary campgrounds.

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

6 Section 1. That § 34-18-1 be amended to read as follows:

7 34-18-1. Terms used in this chapter mean:

8 (1) "Campground," a plot of ground for public use upon which two or more campsites  
9 are located, established, maintained, advertised, or held out to the public to be a place  
10 where camping units can be located and occupied as temporary living quarters for  
11 children or adults, or both. Camping units are considered to be trailers, tent campers,  
12 campers, tents, recreational park trailers, or other equipment that may be used by the  
13 public at individual campsites located at campgrounds or areas used by the public as  
14 campgrounds;

15 (2) "County fair," any fair or celebration operated by any county of this state and under



1 the supervision of a county fair board, county fair association, or the county board of  
2 commissioners;

3 (3) "Department," the Department of Health;

4 (4) "Food," any raw, cooked, or processed edible substance, beverage, or ingredient used  
5 or intended for use or for sale in whole or in part for human consumption;

6 (5) "Food service establishment," any fixed restaurant; coffee shop; cafeteria; short-order  
7 café; luncheonette; grill; tearoom; sandwich shop; soda fountain; tavern; bar; cocktail  
8 lounge; night club; roadside stand; catering kitchen; delicatessen; bakery; grocery  
9 store; boardinghouse; or similar place in which food or drink is prepared for sale or  
10 for service to the public on the premises or elsewhere with or without charge;

11 (6) ~~"Full-service campground," a campground that provides services to accommodate all~~  
12 ~~types of campers and camping units. The campground shall have a service building,~~  
13 ~~an approved water supply, and an approved waste collection system;~~

14 ~~(7)~~ "Hotel," any hotel, motel, lodge, resort, cabins, building, or buildings with more than  
15 ten rental units which is used to provide sleeping accommodations for a charge to the  
16 public;

17 ~~(8)~~ ~~"Limited-service campground," a campground that offers limited services for self-~~  
18 ~~contained and independent camping units only. All camping units shall be equipped~~  
19 ~~with separate potable water and sewage holding tanks on each unit. The campground~~  
20 ~~shall have an approved water supply and an approved waste collection system;~~

21 ~~(9)~~(7) "Lodging establishment," any building or other structure and property or premises  
22 kept, used, maintained, advertised or held out to the public to be a place where  
23 sleeping accommodations are furnished for pay to two or more transient guests. The  
24 term includes hotels, motels, cabins, bed and breakfast establishments, lodges,

1 vacation home establishments, dude ranches, and resorts;

2 ~~(10)~~(8) "Mobile food service establishment," any mobile unit in which food or drink  
3 is prepared for sale or for service to the public with or without charge;

4 ~~(11)~~(9) "Nonprofit organization," any governmental organization, church, fraternal,  
5 social, school, youth, or other similar organization that is organized and  
6 operated for a common good and not for the specific monetary gain of any  
7 person or persons;

8 ~~(12)~~(10) "Owner," the operator, agent, proprietor, manager, or licensee whether it be a  
9 person, firm, corporation, limited liability company, or association;

10 ~~(13)~~ "Primitive campground," a campground accessible by nonmotorized methods of  
11 travel. The campground shall be equipped with an approved limited waste collection  
12 system;

13 ~~(14)~~(11) "Rental unit," any room, cabin, or other quarters that may be rented to a guest  
14 for sleeping accommodations;

15 ~~(15)~~(12) "Secretary," the secretary of the Department of Health;

16 ~~(16)~~(13) "Specialty resort," any bed and breakfast establishment, lodge, dude ranch,  
17 resort, building, or buildings used to provide accommodations or recreation  
18 for a charge to the public, with no more than ten rental units for up to an  
19 average of twenty guests per night and in which meals are provided to only the  
20 guests staying at the specialty resort;

21 ~~(17)~~(14) "State Fair," the fair at Huron, South Dakota, operated by the Department of  
22 Agriculture;

23 ~~(18)~~ "Temporary campground," a campground that is operated for a single event such as  
24 a fair, rally, or festival involving the gathering of camping units and is licensed for

1 a maximum of fourteen consecutive days or less;

2 ~~(19)~~(15) "Temporary food service establishment," any food service establishment  
3 which operates at a fixed location for a temporary period of time, not to  
4 exceed two weeks, in connection with a fair, carnival, circus, public  
5 exhibition, or similar transitory gathering;

6 ~~(20)~~(16) "Transient guest," any person who resides in a lodging establishment less than  
7 four consecutive calendar weeks;

8 ~~(21)~~(17) "Vacation home establishment," any home, cabin, or similar building that is  
9 rented, leased, or furnished in its entirety to the public on a daily or weekly  
10 basis for more than fourteen days in a calendar year and is not occupied by an  
11 owner or manager during the time of rental. This term does not include a bed  
12 and breakfast establishment as defined in subdivision 34-18-9.1(1);

13 ~~(22)~~(18) "Water recreational facility," any artificial basin of water located at a facility  
14 licensed pursuant to chapter 34-18 constructed, installed, modified, or  
15 improved for the purpose of swimming, wading, diving, or recreation,  
16 including swimming pools, spas, hot tubs, and water slides.

17 Section 2. That § 34-18-11.1 be amended to read as follows:

18 34-18-11.1. The annual license fee for a campground shall be as follows is:

19 (1) ~~Full-service campground;~~

20 ~~—————(a)————~~Two to twenty-five campsites, inclusive, seventy-five dollars;

21 ~~(b)~~(2) Twenty-six to one hundred campsites, inclusive, one hundred thirteen dollars;

22 ~~(c)~~(3) One hundred one to two hundred campsites, inclusive, one hundred fifty dollars;

23 ~~(d)~~(4) Two hundred one to three hundred campsites, inclusive, one hundred eighty-eight  
24 dollars; and

- 1       ~~(e)~~(5) Three hundred one or more campsites, two hundred twenty-five dollars;
- 2       ~~(2) Limited-service campground, one hundred thirteen dollars;~~
- 3       ~~(3) Temporary campground, seventy-five dollars; and~~
- 4       ~~(4) Primitive campground, seventy-five dollars.~~

5       Section 3. That ARSD 44:02:14 be amended to read as follows:

6       44:02:14:01. Definitions. Words defined by SDCL 34-18-1 have the same meaning when  
7 used in this chapter. In addition, the terms used in this chapter mean:

8       (1) "Camping cabin," any structure or building that is used to accommodate overnight  
9 sleeping guests and is dependent on a service building for restroom fixtures;

10       (2) "Camping unit," any trailer, tent camper, camper, camping cabin, tent, recreational park  
11 trailer, or other equipment that may be used by the traveling public at individual campsites  
12 located at campgrounds or areas used by the public as campgrounds;

13       (3) "Campsite," a specific parcel of land in a campground intended for occupancy and use  
14 by a single camping unit;

15       (4) "Community water system," a system that is regulated by the Department of  
16 Environment and Natural Resources that meets the definition requirements set forth in §  
17 74:04:12:01;

18       (5) "Designated agent," a municipal, county, or district health department that has been  
19 organized under SDCL chapter 34-2 and SDCL 9-32-1 and has been designated as an agent of  
20 the secretary as provided in SDCL 34-18-7;

21       (6) "Egress window," a window of sufficient size to meet the requirements of § 44:02:10:34  
22 so that an occupant of a guest room can escape through the window in an emergency;

23       (7) "EPA-certified laboratory," a laboratory which meets the requirements outlined in  
24 chapter 74:04:07;

1 (8) "Inspection," an objective examination of a campground by the department to review the  
2 employee practices, sanitary conditions, and health standards in accordance with SDCL chapter  
3 34-18 and this chapter;

4 (9) "Private water system," a water system that serves a campground, food service  
5 establishment, or lodging establishment that is not a public water system regulated by the  
6 Department of Environment and Natural Resources;

7 (10) "Public water system," a system that is regulated by the Department of Environment  
8 and Natural Resources that meets the definition requirements set forth in § 74:04:12:01;

9 (11) "Sanitary dump station," a facility used for the removal and disposal of wastes from a  
10 camping unit holding tank and that has a water connection for the necessary flushing of the area;  
11 and

12 (12) "Service building," a structure housing toilet, lavatory, and bathing facilities.

13 Section 4. That ARSD 44:02:14 be amended to read as follows:

14 44:02:14:02. Water supply. The owner shall provide an accessible, adequate, and safe supply  
15 of water to each campground facility. If a public water system of the quantity, quality, and  
16 pressure approved by the Department of Environment and Natural Resources is available, the  
17 owner shall provide that a connection is made to the system and the system's water supply is  
18 used exclusively. The owner of a private water system shall submit water samples quarterly to  
19 an EPA-certified laboratory for bacteriological analysis while the campground is in operation.  
20 The owner shall submit a nitrate test of the water supply system yearly. The owner of a private  
21 water system shall report any unsafe water sample to the department within three days. If an  
22 unsafe drinking water sample is reported, the campground shall provide two consecutive safe  
23 water samples prior to allowing the public to use the private water supply. No wellhead or well  
24 casing opening may be in a pit, room, or space that is below ground surface.

1 Section 5. That ARSD 44:02:14 be amended to read as follows:

2 40:02:14:03. Water connection system. All water connection and piping systems shall meet  
3 the uniform plumbing code as adopted by the state plumbing commission pursuant to SDCL 36-  
4 25-15.

5 Section 6. That ARSD 44:02:14 be amended to read as follows:

6 44:02:14:04. Waste water disposal. Each campground shall have a wastewater collection and  
7 treatment system to convey and dispose of all wastewater. The system shall be designed,  
8 constructed, and maintained in accordance with specifications for individual and small on-site  
9 wastewater systems pursuant to chapter 74:53:01 and shall meet the uniform plumbing code as  
10 adopted by the state plumbing commission pursuant to SDCL 36-25-15.

11 Section 7. That ARSD 44:02:14 be amended to read as follows:

12 44:02:14:05. Condition of grounds. The owner shall provide that the grounds are kept free  
13 of rubbish, trash, or debris that is or could become a health or safety hazard to any occupant or  
14 surrounding resident.

15 Section 8. That ARSD 44:02:14 be amended to read as follows:

16 44:02:14:06. Garbage and rubbish storage and disposal. The stored garbage and rubbish  
17 shall be kept in a leakproof, nonabsorbent container that is kept covered with a tight-fitting lid  
18 when filled, stored, or not in continuous use. Accessibility by insects, rodents, and other animals  
19 shall be minimized. No disposal of garbage and rubbish may create a health hazard. Disposal  
20 of rubbish shall be done as frequently as needed to minimize the development of objectionable  
21 odors and other conditions that attract or harbor insects and rodents.

22 Section 9. That ARSD 44:02:14 be amended to read as follows:

23 44:02:14:07. Vermin control. Each building and area of the campground shall be  
24 constructed, equipped, and maintained to prevent the entrance, harborage, or breeding of flies,

1 roaches, rats, mice, and all other insects and vermin. If there is an infestation, the department  
2 may require the owner of the campground to clean, renovate, and fumigate the campground to  
3 eliminate and to prevent the pests. The department may require the campground to hire a  
4 professional exterminator to exterminate pests under the following conditions:

5 (1) The infestation is so extensive that it is unlikely that a nonprofessional can eradicate the  
6 pests effectively;

7 (2) The method of extermination of choice can only be carried out by a professional  
8 exterminator; or

9 (3) The department finds that a campground has not been brought into compliance with a  
10 prior order to rid the establishment of pests.

11 The department shall require regularly scheduled professional extermination services  
12 following the determination of an excessive pest infestation.

13 Section 10. That ARSD 44:02:14 be amended to read as follows:

14 44:02:14:08. Fire protection. Portable fire extinguishers shall be provided in an accessible  
15 area for use and shall be maintained in an operable condition. Each fire extinguisher shall be  
16 rated a minimum of 2A10BC and must be accessible to the public at all times.

17 Section 11. That ARSD 44:02:14 be amended to read as follows:

18 44:02:14:09. Sanitary dump station. A campground may provide a sanitary dump station.  
19 Each sanitary dump station shall meet the uniform plumbing code as adopted by the state  
20 plumbing commission pursuant to SDCL 36-25-15.

21 Section 12. That ARSD 44:02:14 be amended to read as follows:

22 44:02:14:10. Sewer connection system. If a sewer connection system is provided, it shall  
23 meet the uniform plumbing code as adopted by the state plumbing commission pursuant to  
24 SDCL 36-25-15.

1 Section 13. That ARSD 44:02:14 be amended to read as follows:

2 44:02:14:11. Swimming pools and spas. Each swimming pool, spa, or other similar  
3 recreational facility shall comply with requirements in the "Recommended Standards for  
4 Swimming Pool Design and Operation," 1996 edition, Great Lakes-Upper Mississippi River  
5 Board of State and Provincial Public Health and Environmental Managers. The owner or  
6 operator of a swimming pool, spa, or other water recreational facility shall collect and submit  
7 at least one water sample weekly for each swimming pool, spa, or other water recreational  
8 facility under the owner's or manager's control to an EPA-certified laboratory for bacteriological  
9 analysis. A copy of the daily log and weekly water sample results taken shall be kept onsite of  
10 the facility and available for inspection at all times. The owner or operator shall report any  
11 unsafe water sample test results to the department within three days after receipt of the test  
12 results. Upon receipt of a positive water sample the owner or operator of the facility shall submit  
13 two consecutive negative samples to the department to confirm treatment procedures have  
14 eliminated the contamination. If a resample test is positive, the owner or operator of the facility  
15 shall close the affected water recreational facility and submit two consecutive negative samples  
16 prior to allowing guest use of the affected water recreational facility. A colorimetric test kit shall  
17 be used for the monitoring and adjusting of disinfectant levels and pH in swimming pool, spa,  
18 or any other water recreational facility. The owner or operator of the facility shall maintain a  
19 daily log of disinfectant levels and pH.

20 Section 14. That ARSD 44:02:14 be amended to read as follows:

21 44:02:14:12. Toilet and bathing facilities. The campground may provide toilets, showers,  
22 and lavatories in one or more service buildings for patron use. The service building can consist  
23 of men's or women's, or unisex facilities. Toilet and bathing facilities must meet the uniform  
24 plumbing code as adopted by the state plumbing commission pursuant to SDCL 36-25-15. Each

1 room containing a sanitary or laundry facility must have sound-resistant walls extending to the  
2 ceiling between male and female sanitary facilities. Each floor, wall, and ceiling shall be  
3 constructed of light-colored, smooth, nonabsorbent, durable, and easily cleanable material. Each  
4 concrete, brick, or pumice block shall be finished and sealed to provide a smooth, flat, easily  
5 cleanable surface. Each floor, wall, and ceiling in the service building shall be kept clean and  
6 in good repair. Each toilet, lavatory, and bathing fixture shall be kept clean, sanitary, and in  
7 good repair. Each restroom fixture shall be cleaned and sanitized daily or more often as needed.  
8 Each cleaner, sanitizer, and disinfectant shall comply with 40 C.F.R. § 180.940, June 23, 2004.  
9 Each room shall have at least one screened window that can be easily opened or a mechanical  
10 device that ventilates the room. Each fixture shall be maintained in good repair. Each opening  
11 for ventilation or entrance shall be kept screened at all times to prevent the entrance of insects  
12 and vermin into the facility. Each service building room shall be equipped with nonglare  
13 lighting to provide at least 10 footcandles on all surfaces except those used for reading, shaving,  
14 or the application of cosmetics. For these areas, a minimum of 30 footcandles shall be provided.

15 Section 15. That ARSD 44:02:14 be amended to read as follows:

16 44:02:14:13. Camping cabins. Any structure that is provided for use by overnight guests  
17 shall meet the following requirements:

18 (1) Each camping cabin shall have no more than two sleeping rooms;

19 (2) Each sleeping room shall either directly exit to the outside or be equipped with an  
20 operable egress window. Each egress window shall have at least a net clear opening of 5.7  
21 square feet and shall be at least 24 inches high and at least 20 inches wide. The egress window  
22 shall open from the inside of the guest room without the use of any special tool or knowledge.

23 The egress window shall have a finished height of not more than 48 inches above the floor. For  
24 camping cabins constructed before July 1, 2009, each grade level egress window shall have at

1 least a net clear opening of 5.0 square feet and shall be at least 24 inches high and at least 20  
2 inches wide;

3 (3) Each floor, wall, and ceiling shall be constructed of durable, nonabsorbent, easily  
4 cleanable materials and cleaned and sanitized between guests;

5 (4) Each mattress provided shall be protected or covered with an impermeable cover to  
6 prevent the infestation of pests and filth;

7 (5) A hard-wired or battery-operated smoke detector shall be provided in each camping  
8 cabin;

9 (6) No bathroom facility may be provided in the camping cabin;

10 (7) Each window and opening to the outside that is not a door shall be screened to prevent  
11 the entrance of vermin and insects; and

12 (8) Any fuel fired heating equipment located inside the camping cabin shall be inspected at  
13 least once a year by a person in the business of heating system maintenance. A written  
14 verification of the inspection shall be kept on file in the campground with the date of the  
15 inspection, a written statement by the person making the inspection, and that person's signature.

16 Section 16. That ARSD 44:02:14 be amended to read as follows:

17 44:02:14:14. Bedding and linen. If a campground owner or operator furnishes linens for use  
18 by a guest using the camping cabin, the owner or operator shall furnish each guest with clean  
19 sheets and pillow cases for the bed, bunk, or cot to be occupied by the guest. Sheets shall be of  
20 sufficient width and length to cover the mattress completely. Any bath linen, sheets, and pillow  
21 cases used by one guest shall be washed and mechanically dried before being furnished to  
22 another guest. Any bedding, including mattress, mattress pad, quilt, blanket, pillows, sheets, and  
23 spreads, and all bath linen shall be kept clean, in good repair, and stored in a sanitary manner.  
24 Separate laundry containers shall be provided for clean and soiled laundry. Any soiled linen,

1 uniform, and other garment shall be kept separate from clean linen to prevent  
2 cross-contamination. Any clean linen shall be stored on smooth, nonabsorbent, cleanable  
3 surfaces located a minimum of six inches above the floor.

4 Section 17. That ARSD 44:02:09:00 be repealed.

5 ~~—44:02:09:00. Definitions. Words defined by SDCL 34-18-1 have the same meaning when  
6 used in this chapter. In addition, the terms used in this chapter mean:~~

7 ~~—(1) "Campground," a plot of ground for public use upon which two or more campsites are  
8 located, established, maintained, advertised, or held out to the public to be a place where  
9 camping units can be located and occupied as temporary living quarters for children or adults,  
10 or both;~~

11 ~~—(2) "Camping unit," any trailer, tent camper, camper, camping cabin, tent, recreational park  
12 trailer, or other equipment that may be used by the traveling public at individual campsites  
13 located at campgrounds or areas used by the public as campgrounds;~~

14 ~~—(3) "Campsite," a specific parcel of land in a campground intended for occupancy and use  
15 by a single camping unit;~~

16 ~~—(4) "Communicable disease," as defined in § 44:20:01:01;~~

17 ~~—(5) "Community water system," a system that is regulated by the Department of  
18 Environment and Natural Resources that meets the definition requirements set forth in §  
19 74:04:12:01;~~

20 ~~—(6) "Designated agent," a municipal, county, or district health department that has been  
21 organized under SDCL chapter 34-3 and SDCL 9-32-1 and has been designated as an agent of  
22 the secretary as provided in SDCL 34-18-7;~~

23 ~~—(7) "EPA-certified laboratory," a laboratory that meets the requirements outlined in chapter  
24 74:04:07;~~

1 ~~—(8) "Gray water," the liquid waste from any lavatory, utensil washing area, and bathing~~  
2 ~~facility;~~

3 ~~—(9) "Inspection," an objective examination of a campground by the department to review~~  
4 ~~the employee practices, sanitary conditions, and health standards in accordance with SDCL~~  
5 ~~chapter 34-18 and this chapter;~~

6 ~~—(10) "Limited waste collection system," a system to collect human excreta that is not~~  
7 ~~equipped with a water source. The system shall be designed, constructed, and maintained in~~  
8 ~~accordance with specifications for individual and small on-site wastewater systems pursuant to~~  
9 ~~chapter 74:53:01;~~

10 ~~—(11) "Nontransient noncommunity public water system," a system that is regulated by the~~  
11 ~~Department of Environment and Natural Resources that meets the definition requirements set~~  
12 ~~forth in § 74:04:12:01;~~

13 ~~—(12) "Primitive campground," a campground accessible by only nonmotorized methods of~~  
14 ~~travel;~~

15 ~~—(13) "Private water system," a water system that serves a campground, food service~~  
16 ~~establishment, or lodging establishment that is not a public water system regulated by the~~  
17 ~~Department of Environment and Natural Resources;~~

18 ~~—(14) "Public water system," a system that is regulated by the Department of Environment~~  
19 ~~and Natural Resources that meets the definition requirements set forth in § 74:04:12:01;~~

20 ~~—(15) "Recreational vehicle," a vehicular portable structure built on a chassis designed to be~~  
21 ~~used as a temporary dwelling for travel, recreational, vacation, or seasonal uses and permanently~~  
22 ~~identified as a travel trailer or a recreational park trailer by the manufacturer of the trailer;~~

23 ~~—(16) "Transient noncommunity water system," a system that is regulated by the Department~~  
24 ~~of Environment and Natural Resources that meets the definition requirements set forth in §~~

1 ~~74:04:12:01;~~

2 ~~—(17) "Watering station" a facility that supplies potable water for camping units.~~

3 Section 18. That ARSD 44:02:09:01 be repealed.

4 ~~—44:02:09:01. Condition of grounds. The department shall approve the location of the~~  
5 ~~campground and any modifications to the campground prior to construction. The owner of the~~  
6 ~~campground shall provide that the condition of the soil, groundwater level, drainage, and~~  
7 ~~topography does not create any hazard to the property or endanger the health or safety of any~~  
8 ~~occupant or surrounding resident. The owner shall provide that the grounds are kept free of~~  
9 ~~rubbish, trash, or debris that is or could become a health or safety hazard to any occupant or~~  
10 ~~surrounding resident.~~

11 Section 19. That ARSD 44:02:09:02 be repealed.

12 ~~—44:02:09:02. Soil and ground cover requirements. The owner of the campground shall~~  
13 ~~control the growth of brush, weeds, and grass to prevent harborage of ticks, chiggers, and other~~  
14 ~~noxious insects. The owner shall prevent the growth of ragweed, poison ivy, poison oak, poison~~  
15 ~~sumac, and other noxious weeds within the campground.~~

16 Section 20. That ARSD 44:02:09:03 be repealed.

17 ~~—44:02:09:03. Campsite. Each campsite shall maintain a linear distance of ten feet between~~  
18 ~~any adjoining camping unit and the camping unit's attachment or any fixed building.~~

19 Section 21. That ARSD 44:02:09:04 be repealed.

20 ~~—44:02:09:04. Density requirement. No primitive camping area may exceed 40 tents per acre~~  
21 ~~excluding any road, building, and other common use area. No primitive camping area may~~  
22 ~~exceed one acre in size.~~

23 Section 22. That ARSD 44:02:09:05 be repealed.

24 ~~—44:02:09:05. Water supply. If water is provided, the owner shall provide an accessible,~~

1 adequate, and safe supply of water to each campground facility. If a public water system of the  
2 quantity, quality, and pressure approved by the Department of Environment and Natural  
3 Resources is available, the owner shall provide that a connection is made to the system and the  
4 system's water supply is used exclusively. The owner of a private water system shall submit  
5 water samples quarterly to an EPA-certified laboratory for bacteriological analysis while the  
6 campground is in operation. The owner shall submit a nitrate test of the water supply system  
7 yearly. The owner of a private water system shall report any unsafe water sample to the  
8 department within three days. If an unsafe drinking water sample is reported, the campground  
9 shall provide two consecutive safe water samples prior to allowing the public to use the private  
10 water supply. The water supply shall be of sufficient quantity to meet the maximum daily  
11 demand. An adequate water supply shall be capable of supplying at least 50 gallons for each  
12 campsite each day for all campsites lacking water riser pipes and at least 75 gallons for each  
13 campsite each day for all campsites provided with water riser pipes. No wellhead or well casing  
14 opening may be in a pit, room, or space that is below ground surface.

15 Section 23. That ARSD 44:02:09:06 be repealed.

16 ~~44:02:09:06. Water storage and distribution facilities. Each water storage reservoir shall be~~  
17 ~~covered, watertight, and constructed of impervious material. Each water storage and distribution~~  
18 ~~facility shall be sanitized and cleaned prior to use each year. Each overflow and vent of a~~  
19 ~~reservoir shall be effectively screened. Each manhole shall be constructed with a raised lip and~~  
20 ~~overlapping cover to prevent the entrance of contaminated material. No water piping system~~  
21 ~~may be connected with any nonpotable or unapproved water supply. The system shall be~~  
22 ~~protected against any hazard of backflow or backsiphonage. The system shall be designed and~~  
23 ~~maintained to provide a pressure of not less than 20 pounds per square inch under normal~~  
24 ~~operating conditions at each outlet and fixture requiring potable water.~~

1 Section 24. That ARSD 44:02:09:07 be repealed.

2 ~~44:02:09:07. Wastewater disposal. Each campground shall have a wastewater collection~~  
3 ~~system to dispose of all wastewater. The system shall be designed, constructed, and maintained~~  
4 ~~in accordance with specifications for individual and small on-site wastewater systems pursuant~~  
5 ~~to chapter 74:53:01.~~

6 Section 25. That ARSD 44:02:09:08 be repealed.

7 ~~44:02:09:08. Plumbing. Any plumbing shall be in accordance with the state plumbing code,~~  
8 ~~article 20:54.~~

9 Section 26. That ARSD 44:02:09:09 be repealed.

10 ~~44:02:09:09. Cooking shelters, barbecue pits, fireplaces, stoves, and incinerators. Any~~  
11 ~~cooking shelter, barbecue pit, fireplace, wood burning stove, and incinerator shall be located,~~  
12 ~~constructed, maintained, and used to minimize fire hazard and smoke nuisance both in the~~  
13 ~~campground and on adjacent property. No open fire is permitted except in the fire apparatus~~  
14 ~~provided. No open fire may be left unattended. No fuel may be used and no material may be~~  
15 ~~burned that emits dense smoke or objectionable odors.~~

16 Section 27. That ARSD 44:02:09:10 be repealed.

17 ~~44:02:09:10. Garbage and rubbish storage and disposal. Any stored garbage and rubbish~~  
18 ~~shall be kept in a leak proof, nonabsorbent container that is kept covered with a tight-fitting lid~~  
19 ~~when filled, stored, or not in continuous use. Accessibility by insects, rodents, and other animals~~  
20 ~~shall be minimized. No disposal of garbage and rubbish may create a health hazard. Disposal~~  
21 ~~of rubbish shall be done as frequently as needed to minimize the development of objectionable~~  
22 ~~odors and other conditions that attract or harbor insects and rodents.~~

23 Section 28. That ARSD 44:02:09:11 be repealed.

24 ~~44:02:09:11. Primitive campground. A campground shall be accessible by only~~

1 ~~nonmotorized methods of travel and equipped with a limited waste collection system meeting~~  
2 ~~Department of Environment and Natural Resources requirements.~~

3 Section 29. That ARSD 44:02:10:00 be repealed.

4 ~~— 44:02:10:00. Definitions. Words defined by SDCL 34-18-1 have the same meaning when~~  
5 ~~used in this chapter. In addition, the terms used in this chapter mean:~~

6 ~~— (1) "Campground," a plot of ground for public use upon which two or more campsites are~~  
7 ~~located, established, maintained, advertised, or held out to the public to be a place where~~  
8 ~~camping units can be located and occupied as temporary living quarters for children or adults,~~  
9 ~~or both;~~

10 ~~— (2) "Camping cabin," any structure or building that is used to accommodate overnight~~  
11 ~~sleeping guests and is dependent on a service building for restroom fixtures;~~

12 ~~— (3) "Camping unit," any trailer, tent camper, camper, camping cabin, tent, recreational park~~  
13 ~~trailer, or other equipment that may be used by the traveling public at individual campsites~~  
14 ~~located at campgrounds or areas used by the public as campgrounds;~~

15 ~~— (4) "Campsite," a specific parcel of land in a campground intended for occupancy and use~~  
16 ~~by a single camping unit;~~

17 ~~— (5) "Communicable disease," as defined in § 44:20:01:01;~~

18 ~~— (6) "Community water system," a system that is regulated by the Department of~~  
19 ~~Environment and Natural Resources that meets the definition requirements set forth in §~~  
20 ~~74:04:12:01;~~

21 ~~— (7) "Dependent camping unit," a camping vehicle that is dependent upon a service building~~  
22 ~~for toilet, lavatory, and bathing facilities;~~

23 ~~— (8) "Designated agent," a municipal, county, or district health department that has been~~  
24 ~~organized under SDCL chapter 34-3 and SDCL 9-32-1 and has been designated as an agent of~~

- 1 ~~the secretary as provided in SDCL 34-18-7;~~
- 2 ~~—(9) "Egress window," a window of sufficient size to meet the requirements of § 44:02:10:34~~  
3 ~~so that an occupant of a guest room can escape through the window in an emergency;~~
- 4 ~~—(10) "EPA-certified laboratory," a laboratory which meets the requirements outlined in~~  
5 ~~chapter 74:04:07;~~
- 6 ~~—(11) "Full-service campground," a campground that has the ability to provide services to~~  
7 ~~accommodate any type of camping unit;~~
- 8 ~~—(12) "Gray water," the liquid waste from any lavatory, utensil washing area, and bathing~~  
9 ~~facility;~~
- 10 ~~—(13) "Improved camping area," a designated parcel of land within a campground that~~  
11 ~~contains designated campsites;~~
- 12 ~~—(14) "Independent camping unit," a camping unit that contains a fresh water storage holding~~  
13 ~~tank and wastewater facility with holding tanks that is an integral part of the unit or to a sewage~~  
14 ~~disposal system;~~
- 15 ~~—(15) "Individual sewer connection," the connection consisting of any pipe, fitting, and~~  
16 ~~appurtenance from the drain outlet of the camping unit to the inlet of the corresponding sewer~~  
17 ~~riser pipe of the wastewater disposal system serving the campground;~~
- 18 ~~—(16) "Individual water connection," the connection consisting of any pipe, fitting, and~~  
19 ~~appurtenance from the water riser pipe to the water inlet pipe of the distribution system within~~  
20 ~~the camping unit;~~
- 21 ~~—(17) "Inspection," an objective examination of a campground by the department to review~~  
22 ~~the employee practices, sanitary conditions, and health standards in accordance with SDCL~~  
23 ~~chapter 34-18 and this chapter;~~
- 24 ~~—(18) "Limited waste collection system," a system to collect human excreta that is not~~

1 ~~equipped with a water source. The system shall be designed, constructed, and maintained in~~  
2 ~~accordance with specifications for individual and small on-site wastewater systems pursuant to~~  
3 ~~chapter 74:53:01;~~

4 ~~— (19) "Nontransient noncommunity public water system," a system that is regulated by the~~  
5 ~~Department of Environment and Natural Resources that meets the definition requirements set~~  
6 ~~forth in § 74:04:12:01;~~

7 ~~— (20) "Private water system," a water system that serves a campground, food service~~  
8 ~~establishment, or lodging establishment that is not a public water system regulated by the~~  
9 ~~Department of Environment and Natural Resources;~~

10 ~~— (21) "Public water system," a system that is regulated by the Department of Environment~~  
11 ~~and Natural Resources that meets the definition requirements set forth in §74:04:12:01;~~

12 ~~— (22) "Recreational vehicle," a vehicular portable structure built on a chassis designed to be~~  
13 ~~used as a temporary dwelling for travel, recreational, vacation, or seasonal uses and permanently~~  
14 ~~identified as a travel trailer or a recreational park trailer by the manufacturer of the trailer;~~

15 ~~— (23) "Sanitary dump station," a facility used for the removal and disposal of wastes from~~  
16 ~~a camping unit holding tank and that has a water connection for the necessary flushing of the~~  
17 ~~area;~~

18 ~~— (24) "Service building," a structure housing toilet, lavatory, and bathing facilities;~~

19 ~~— (25) "Sewer riser pipe," the portion of the sewer lateral which extends vertically to the~~  
20 ~~ground elevation and terminates at each campsite;~~

21 ~~— (26) "Transient noncommunity water system," a system that is regulated by the Department~~  
22 ~~of Environment and Natural Resources that meets the definition requirements set forth in §~~  
23 ~~74:04:12:01;~~

24 ~~— (27) "Unimproved camping area," a designated parcel of land within a campground that~~

1 ~~does not have any individual water or sewer connection and is intended for occupancy by~~  
2 ~~camping units;~~

3 ~~—(28) "Watering station," a facility that supplies potable water for camping units;~~

4 ~~—(29) "Water riser pipe," the portion of the water supply system serving the campground that~~  
5 ~~extends vertically from the ground elevation and terminates at a designated point at each~~  
6 ~~campsite.~~

7 Section 30. That ARSD 44:02:10:01 be repealed.

8 ~~—44:02:10:01. Condition of grounds. The department shall approve the location of the~~  
9 ~~campground and any modifications to the campground prior to construction. The owner of the~~  
10 ~~campground shall provide that the condition of the soil, groundwater level, drainage, and~~  
11 ~~topography does not create any hazard to the property or endanger the health or safety of any~~  
12 ~~occupant or surrounding resident. The owner shall provide that the grounds are kept free of~~  
13 ~~rubbish, trash, or debris that is or could become a health or safety hazard to any occupant or~~  
14 ~~surrounding resident.~~

15 Section 31. That ARSD 44:02:10:02 be repealed.

16 ~~—44:02:10:02. Soil and ground cover requirements. The owner of the campground shall~~  
17 ~~control the growth of brush, weeds, and grass to prevent harborage of ticks, chiggers, and other~~  
18 ~~noxious insects. The owner shall prevent the growth of ragweed, poison ivy, poison oak, poison~~  
19 ~~sumac, and other noxious weeds within the campground.~~

20 Section 32. That ARSD 44:02:10:03 be repealed.

21 ~~—44:02:10:03. Campsite. Each campsite shall maintain a linear distance of ten feet between~~  
22 ~~any adjoining camping unit and the camping unit's attachment or any fixed building.~~

23 Section 33. That ARSD 44:02:10:04 be repealed.

24 ~~—44:02:10:04. Density requirement. No improved camping area may exceed 25 campsites~~

1 ~~per acre excluding any road, building, and other common use area. No unimproved camping~~  
2 ~~area may exceed 40 camping units per acre excluding any road, building, and other common use~~  
3 ~~area.~~

4 Section 34. That ARSD 44:02:10:05 be repealed.

5 ~~— 44:02:10:05. Variance allowance. The department may permit a higher density than allowed~~  
6 ~~pursuant to § 44:02:10:04 if all other environmental, open space, and access requirements of this~~  
7 ~~chapter are adhered to. Any person desiring a higher density shall apply for exemption to the~~  
8 ~~department 30 days prior to the start of the request for variance. The person shall submit a set~~  
9 ~~of scaled plans showing all areas of the campground including any building, roadway, and other~~  
10 ~~common use area. However, density requirements for any recreational vehicle site may not~~  
11 ~~exceed 25 campsites per acre and for any tent sites may not exceed 40 campsites per acre. No~~  
12 ~~mixed camping area allowing recreational vehicle units and tent camping sites in the same~~  
13 ~~campground may be allowed to exceed 25 camp sites per acre for the entire campground. The~~  
14 ~~department shall issue a letter either approving or denying the request for exemption. If the~~  
15 ~~department approves the request, the letter shall specify the conditions of the higher density~~  
16 ~~allowance. Each increased density variance allowance shall be based on the temporary restroom~~  
17 ~~ratios and minimum acres per campsite ratio requirements. Each density variance granted may~~  
18 ~~include limited waste collection systems if minimum service building plumbing fixtures~~  
19 ~~requirements are met.~~

20 Section 35. That ARSD 44:02:10:06 be repealed.

21 ~~— 44:02:10:06. Setback from public streets. Each camping unit and building shall be located~~  
22 ~~at least 20 feet from any campground boundary line abutting a public street or highway.~~

23 Section 36. That ARSD 44:02:10:07 be repealed.

24 ~~— 44:02:10:07. Internal streets. Each surfaced roadway within a campground shall be of~~

1 adequate width to accommodate anticipated traffic. Each one-way street with no parking shall  
2 be at least 10 feet wide. Each two-way street with no parking must be at least 20 feet wide.

3 Section 37. That ARSD 44:02:10:08 be repealed.

4 ~~44:02:10:08. Off-street parking and maneuvering space. Each campground shall provide~~  
5 ~~sufficient parking and maneuvering space so that the parking, loading, or maneuvering of any~~  
6 ~~camping unit incidental to parking does not necessitate the use of any public street, sidewalk,~~  
7 ~~or right-of-way or any private grounds not part of the campground.~~

8 Section 38. That ARSD 44:02:10:09 be repealed.

9 ~~44:02:10:09. Water supply. The owner shall provide an accessible, adequate, and safe~~  
10 ~~supply of water to each campground facility. If a public water system of the quantity, quality,~~  
11 ~~and pressure approved by the Department of Environment and Natural Resources is available,~~  
12 ~~the owner shall provide that a connection is made to the system and the system's water supply~~  
13 ~~is used exclusively. The owner of a private water system shall submit water samples quarterly~~  
14 ~~to an EPA-certified laboratory for bacteriological analysis while the campground is in operation.~~  
15 ~~The owner shall submit a nitrate test of the water supply system yearly. The owner of a private~~  
16 ~~water system shall report any unsafe water sample to the department within three days. If an~~  
17 ~~unsafe drinking water sample is reported, the campground shall provide two consecutive safe~~  
18 ~~water samples prior to allowing the public to use the private water supply. The water supply~~  
19 ~~shall be of sufficient quantity to meet the maximum daily demand. An adequate water supply~~  
20 ~~shall be capable of supplying at least 50 gallons for each campsite each day for all campsites~~  
21 ~~lacking water riser pipes and at least 75 gallons for each campsite each day for all campsites~~  
22 ~~provided with water riser pipes. No wellhead or well casing opening may be in a pit, room, or~~  
23 ~~space that is below ground surface.~~

24 Section 39. That 44:02:10:10 be repealed.

1 ~~44:02:10:10. Water storage and distribution facilities. Each water storage reservoir shall be~~  
2 ~~covered, watertight, and constructed of impervious material. Each water storage and distribution~~  
3 ~~facility shall be sanitized and cleaned prior to use each year. Each overflow and vent of a~~  
4 ~~reservoir shall be effectively screened. Each manhole shall be constructed with a raised lip and~~  
5 ~~overlapping cover to prevent the entrance of contaminated material. No water piping system~~  
6 ~~may be connected with any nonpotable or unapproved water supply. The system shall be~~  
7 ~~protected against any hazard of backflow or backsiphonage. The system shall be designed and~~  
8 ~~maintained to provide a pressure of not less than 20 pounds per square inch under normal~~  
9 ~~operating conditions at each outlet and fixture requiring potable water.~~

10 Section 40. That ARSD 44:02:10:11 be repealed.

11 ~~44:02:10:11. Watering stations. Each campground shall be provided with at least one easily~~  
12 ~~accessible water supply outlet for obtaining potable water for individual use and for filling any~~  
13 ~~camping unit water storage tank. Each water supply outlet shall consist of at least a water~~  
14 ~~hydrant and any necessary appurtenance and shall be protected against any hazard of backflow~~  
15 ~~and backsiphonage. No portion of an unimproved camping area may be more than 400 feet from~~  
16 ~~a water supply outlet. No designated campsite within an improved camping area may be more~~  
17 ~~than 200 feet from a water supply outlet. Each watering station for potable water use shall be~~  
18 ~~located at least 15 feet from a sanitary dump station. Signage shall be provided to identify this~~  
19 ~~as a potable water source and not to be used for flushing waste tanks or other similar warnings.~~

20 Section 41. That ARSD 44:02:10:12 be repealed.

21 ~~44:02:10:12. Water connection system. If any individual water service connection is~~  
22 ~~provided, the connection shall meet the following requirements:~~

23 ~~(1) Each riser pipe provided for the water service connection shall be located and~~  
24 ~~constructed so that the pipe will not be damaged by the parking of camping units; and~~

1 ~~—(2) Each water riser pipe shall extend at least eighteen inches above ground elevation; the~~  
2 ~~pipe size shall be at least three-quarters of an inch.~~

3 Section 42. That ARSD 44:02:10:13 be repealed.

4 ~~—44:02:10:13. Wastewater disposal. Each campground shall have a wastewater collection and~~  
5 ~~treatment system to convey and dispose of all wastewater. The system shall be designed,~~  
6 ~~constructed, and maintained in accordance with specifications for individual and small on-site~~  
7 ~~wastewater systems pursuant to chapter 74:53:01.~~

8 Section 43. That ARSD 44:02:10:14 be repealed.

9 ~~—44:02:10:14. Sanitary dump stations. A full service campground shall provide at least one~~  
10 ~~sanitary dump station. Each full service campground shall provide sanitary dump stations at a~~  
11 ~~ratio of at least one sanitary dump station per one hundred campsites. However, any campsite~~  
12 ~~equipped with individual water and sewer hookups shall not be counted towards the sanitary~~  
13 ~~dump station ratio requirements. Each required sanitary dump station shall meet the following~~  
14 ~~requirements:~~

15 ~~—(1) Have at least a four-inch sewer riser pipe connected to the campground wastewater~~  
16 ~~collection system;~~

17 ~~—(2) Be surrounded at the inlet end by an approved concrete apron that is at least 16 square~~  
18 ~~feet in area and sloped to the drain;~~

19 ~~—(3) Have a tight-fitting cover that prevents contamination of the hands when activated;~~

20 ~~—(4) Have a water outlet with a hose that is mounted on a reel or tower to ensure that the~~  
21 ~~nozzle does not touch the ground when not in use and connected to the campground water~~  
22 ~~supply system to permit periodic wash down of the immediate adjacent areas. This water outlet~~  
23 ~~may not be used for potable water purposes and shall be clearly identified with a sign not less~~  
24 ~~than two foot by two foot square at the water source stating "UNSAFE WATER FACILITY."~~

1 The water outlet shall be protected from backflow and backsiphonage; and  
2 ~~— (5) Be located to permit easy access by a service road for any camping vehicle.~~  
3 ~~— (See Appendix A at the end of this chapter for an illustration of the required sanitary dump~~  
4 ~~station apron.)~~

5 Section 44. That ARSD 44:02:10:15 be repealed.

6 ~~— 44:02:10:15. Sewer connection system. If any individual sewer connection is provided, the~~  
7 ~~connection shall meet the following requirements:~~

8 ~~— (1) The sewer riser pipe shall have at least a four-inch diameter and shall be located on the~~  
9 ~~campsite;~~

10 ~~— (2) The sewer connection system shall have a nominal inside diameter of at least three~~  
11 ~~inches, and the slope of any portion of the system shall be one-fourth inch for each foot. The~~  
12 ~~sewer connection system shall consist of one pipeline only without any branch fittings. Each~~  
13 ~~joint shall be watertight;~~

14 ~~— (3) All materials used for the sewer connection system must be corrosive resistant,~~  
15 ~~nonabsorbent, and durable. The inner surface shall be smooth;~~

16 ~~— (4) A tight-fitting plug or cover for the sewer riser pipe must be in place if a camping unit~~  
17 ~~does not occupy the campsite; and~~

18 ~~— (5) Surface drainage must be diverted away from the riser.~~

19 Section 45. That ARSD 44:02:10:16 be repealed.

20 ~~— 44:02:10:16. Gray water. No gray water may be discharged onto or allowed to accumulate~~  
21 ~~on the ground surface.~~

22 Section 46. That ARSD 44:02:10:17 be repealed.

23 ~~— 44:02:10:17. Plumbing. Any plumbing shall be in accordance with the state plumbing code,~~  
24 ~~article 20:54.~~

1 Section 47. That ARSD 44:02:10:18 be repealed.

2 ~~—44:02:10:18. Electrical system. All electrical wiring shall comply with the rules of the State~~  
3 ~~Electrical Commission, article 20:44.~~

4 Section 48. That ARSD 44:02:10:19 be repealed.

5 ~~—44:02:10:19. Swimming pools and spas. Each swimming pool, spa, or other similar~~  
6 ~~recreational facility must comply with requirements in the "Recommended Standards for~~  
7 ~~Swimming Pool Design and Operation," 1996 edition, Great Lakes-Upper Mississippi River~~  
8 ~~Board of State and Provincial Public Health and Environmental Managers. The owner or~~  
9 ~~operator of a swimming pool, spa, or other water recreational facility shall collect and submit~~  
10 ~~at least one water sample weekly for each swimming pool, spa, or other water recreational~~  
11 ~~facility under the owner's or manager's control to an EPA-certified laboratory for bacteriological~~  
12 ~~analysis. A copy of the daily log and weekly water sample results taken shall be kept onsite of~~  
13 ~~the facility and available for inspection at all times. The owner or operator shall report any~~  
14 ~~unsafe water sample test results to the department within three days after receipt of the test~~  
15 ~~results. Upon receipt of a positive water sample the owner or operator of the facility shall submit~~  
16 ~~two consecutive negative samples to the department to confirm treatment procedures have~~  
17 ~~eliminated the contamination. If a resample test is positive, the owner or operator of the facility~~  
18 ~~shall close the affected water recreational facility and submit two consecutive negative samples~~  
19 ~~prior to allowing guest use of the affected water recreational facility. A colorimetric test kit shall~~  
20 ~~be used for the monitoring and adjusting of disinfectant levels and pH in swimming pool, spa,~~  
21 ~~or any other water recreational facility. The owner or operator of the facility shall maintain a~~  
22 ~~daily log of disinfectant levels and pH.~~

23 Section 49. That ARSD 44:02:10:20 be repealed.

24 ~~—44:02:10:20. Service building. Each campground shall have at least one service building~~

1 containing the necessary toilet and other plumbing fixtures specified in § 44:02:10:21. Each  
 2 service building shall be conveniently located in one or more central locations throughout the  
 3 campground. Each entrance to the service building shall be designed so that the plumbing  
 4 fixtures are not visible from the outside.

5 Section 50. That ARSD 44:02:10:21 be repealed.

6 ~~44:02:10:21. Toilet and bathing facilities. The campground shall provide toilets, showers,~~  
 7 ~~and lavatories in each service building for patron use. The service building can consist of men's~~  
 8 ~~or women's, or unisex facilities, as long as the campground meets the total number of toilet,~~  
 9 ~~lavatory, and shower ratio specified in the rule. Each campground shall provide the following~~  
 10 ~~minimum facilities:~~

Number of Campsites	Toilets		Urinals	Lavatories		Showers	
	Men	Women	Men	Men	Women	Men	Women
1-25	1	1	=	1	1	1	1
26-50	1	2	1	2	2	1	1
51-75	2	3	1	3	3	2	2
76-100	3	4	1	4	4	3	3
101-125	3	5	2	5	5	3	3
126-150	4	6	2	6	6	4	4
151-175	5	7	2	6	6	5	5
176-200	6	8	2	7	7	6	6
201-225	6	9	3	7	7	6	6
226-250	7	10	3	8	8	7	7
251-275	8	11	3	8	8	7	7
276-300	8	12	4	9	9	8	8

25 (For each additional 1-50 campsites, add one of each fixture)

26 ~~If a campsite offers full electrical, water, and wastewater hookups for self-contained RV~~

1 units, the campsite counts 50 percent towards the toilet and bathing facility ratio requirements  
2 contained in this section. These campsites shall be designated for self-contained RV units only.  
3 If a campsite does not provide full electrical, water, and wastewater hookups at the site, the  
4 campsite counts 100 percent towards the toilet and bathing facility ratio requirements contained  
5 in this section. Each toilet shall be located in a separate compartment equipped with a  
6 self-closing door. Cold water shall be furnished to each toilet and urinal. Shower stalls shall be  
7 individual. Hot and cold water shall be furnished to each lavatory, shower, bathtub, and shower  
8 and bathtub combination. The hot water shall be at least 110 degrees Fahrenheit and no more  
9 than 120 degrees Fahrenheit at the tap. Each shower, bathtub, and bathtub and shower  
10 combination shall have individual control valves of the pressure balance, thermostatic, or  
11 combination pressure balance and thermostatic mixing valve type that provide scald and thermal  
12 shock protection. Each bathing or shower facility shall have a nonslip floor surface, such as a  
13 manufactured nonslip bathtub or shower unit, a rubberized throw mat, or adhesive-backed  
14 nonslip strips. Any self-closing, slow-closing, or metered faucet shall be designed to provide  
15 a flow of water for at least fifteen seconds without the need to reactivate the faucet. Facilities  
16 shall be provided for disposal of gray water unless a sanitary station is conveniently accessible.  
17 Each toilet and bathing facility required for a campground shall be separate from any facility  
18 required for any other business, such as a gasoline station or restaurant, operated in connection  
19 with or adjacent to the campground.

20 Section 51. That ARSD 44:02:10:22 be repealed.

21 ~~44:02:10:22. Structure and cleanliness of service buildings. Each room containing a sanitary~~  
22 ~~or laundry facility must have sound-resistant walls extending to the ceiling between male and~~  
23 ~~female sanitary facilities. Each floor, wall, and ceiling shall be constructed of light-colored,~~  
24 ~~smooth, nonabsorbent, durable, and easily cleanable material. Each concrete, brick, or pumice~~

1 ~~block shall be finished and sealed to provide a smooth, flat, easily cleanable surface. Each floor,~~  
2 ~~wall, and ceiling in the service building shall be kept clean and in good repair. Each toilet,~~  
3 ~~lavatory, and bathing fixture shall be kept clean, sanitary, and in good repair. Each restroom~~  
4 ~~fixture shall be cleaned and sanitized daily or more often as needed. Each cleaner, sanitizer, and~~  
5 ~~disinfectant shall comply with 40 C.F.R. § 180.940, June 23, 2004. Each room shall have at~~  
6 ~~least one screened window that can be easily opened or a mechanical device that ventilates the~~  
7 ~~room. Each fixture shall be maintained in good repair. Each opening for ventilation or entrance~~  
8 ~~shall be kept screened at all times to prevent the entrance of insects and vermin into the facility.~~

9 Section 52. That ARSD 44:02:10:23 be repealed.

10 ~~—44:02:10:23. Service building lighting. Each service building room shall be equipped with~~  
11 ~~nonglare lighting to provide at least 10 foot-candles on all surfaces except those used for~~  
12 ~~reading, shaving, or the application of cosmetics. For these areas, a minimum of 30 footcandles~~  
13 ~~shall be provided.~~

14 Section 53. That ARSD 44:02:10:24 be repealed.

15 ~~—44:02:10:24. Cooking shelters, barbecue pits, fireplaces, stoves, and incinerators. Each~~  
16 ~~cooking shelter, barbecue pit, fireplace, wood burning stove, and incinerator shall be located,~~  
17 ~~constructed, maintained, and used to minimize fire hazard and smoke nuisance both in the~~  
18 ~~campground and on adjacent property. No open fire is permitted except in the fire apparatus~~  
19 ~~provided. No open fire may be left unattended. No fuel may be used and no material may be~~  
20 ~~burned that emits dense smoke or objectionable odors.~~

21 Section 54. That ARSD 44:02:10:25 be repealed.

22 ~~—44:02:10:25. Garbage and rubbish storage and disposal. The stored garbage and rubbish~~  
23 ~~shall be kept in a leakproof, nonabsorbent container that is kept covered with a tight-fitting lid~~  
24 ~~when filled, stored, or not in continuous use. Accessibility by insects, rodents, and other animals~~

1 ~~shall be minimized. No disposal of garbage and rubbish may create a health hazard. Disposal~~  
2 ~~of rubbish shall be done as frequently as needed to minimize the development of objectionable~~  
3 ~~odors and other conditions that attract or harbor insects and rodents.~~

4 Section 55. That ARSD 44:02:10:26 be repealed.

5 ~~—44:02:10:26. Vermin control. Each building and area of the campground shall be~~  
6 ~~constructed, equipped, and maintained to prevent the entrance, harborage, or breeding of flies,~~  
7 ~~roaches, rats, mice, and all other insects and vermin. If there is an infestation, the department~~  
8 ~~may require the owner of the campground to clean, renovate, and fumigate the campground to~~  
9 ~~eliminate and to prevent the pests. The department may require the campground to hire a~~  
10 ~~professional exterminator to exterminate pests under the following conditions:~~

11 ~~—(1) The infestation is so extensive that it is unlikely that a nonprofessional can eradicate the~~  
12 ~~pests effectively;~~

13 ~~—(2) The method of extermination of choice can only be carried out by a professional~~  
14 ~~exterminator; or~~

15 ~~—(3) The department finds that a campground has not been brought into compliance with a~~  
16 ~~prior order to rid the establishment of pests.~~

17 ~~—The department shall require regularly scheduled professional extermination services~~  
18 ~~following the determination of an excessive pest infestation.~~

19 Section 56. That ARSD 44:02:10:27 be repealed.

20 ~~—44:02:10:27. Fuel supply and storage. Fuel supply and storage within a campground shall~~  
21 ~~comply with requirements for fire safety standards, chapter 61:15:01; underground storage~~  
22 ~~tanks, chapter 74:56:01; and aboveground stationary storage tanks, chapter 74:56:03.~~

23 Section 57. That ARSD 44:02:10:28 be repealed.

24 ~~—44:02:10:28. Fire protection. Each portable fire extinguisher shall be provided in an~~

1 ~~accessible area for use and shall be maintained in an operable condition. Each fire extinguisher~~  
2 ~~shall be conveniently located at a distance of not more than 400 feet from any campsite or any~~  
3 ~~area where camping activities occur. Each fire extinguisher shall be accessible to the public at~~  
4 ~~all times.~~

5 Section 58. That ARSD 44:02:10:29 be repealed.

6 ~~—44:02:10:29. Reporting communicable disease. Each owner, operator, attendant, or other~~  
7 ~~person operating a campground must notify the department immediately of any suspected~~  
8 ~~communicable or contagious disease within the campground.~~

9 Section 59. That ARSD 44:02:10:30 be repealed.

10 ~~—44:02:10:30. Pet kennels and control of animals. Any pet kennel or compound shall be~~  
11 ~~operated and maintained in a clean and sanitary manner. No owner or person in charge of a dog,~~  
12 ~~cat, or other pet animal may permit it to run at large or to become a nuisance within the limits~~  
13 ~~of a campground or the adjacent property.~~

14 Section 60. That ARSD 44:02:10:31 be repealed.

15 ~~—44:02:10:31. Camping cabins. Any structure that is provided for use by overnight guests~~  
16 ~~shall meet the following requirements:~~

17 ~~—(1) Each camping cabin shall have no more than two rooms. Each sleeping room shall either~~  
18 ~~directly exit to the outside or be equipped with an operable egress window;~~

19 ~~—(2) Each floor, wall, and ceiling shall be constructed of durable, nonabsorbent, easily~~  
20 ~~cleanable materials and cleaned and sanitized between guests;~~

21 ~~—(3) Each mattress provided shall be protected or covered with an impermeable cover to~~  
22 ~~prevent the infestation of pests and filth;~~

23 ~~—(4) A hard-wired or battery-operated smoke detector shall be provided in each camping~~  
24 ~~cabin;~~

1 ~~—(5) No bathroom facility may be provided in the camping cabin. Each camping cabin shall~~  
2 ~~be figured into the fixture count when determining the bathing facility ratio requirements~~  
3 ~~contained in § 44:02:10:21;~~

4 ~~—(6) Each window and opening to the outside that is not a door shall be screened to prevent~~  
5 ~~the entrance of vermin and insects; and~~

6 ~~—(7) Any fuel fired heating equipment located inside the camping cabin shall be inspected~~  
7 ~~at least once a year by a person in the business of heating system maintenance. A written~~  
8 ~~verification of the inspection shall be kept on file in the campground with the date of the~~  
9 ~~inspection, a written statement by the person making the inspection, and that person's signature.~~

10 Section 61. That ARSD 44:02:10:32 be repealed.

11 ~~—44:02:10:32. Full-service campground. A full-service campground shall have a service~~  
12 ~~building, an approved water supply, and an approved waste collection system.~~

13 Section 62. That ARSD 44:02:10:33 be repealed.

14 ~~—44:02:10:33. Bedding and linen. When a campground owner or operator furnishes linens~~  
15 ~~for use by a guest using the camping cabin, the owner or operator shall furnish each guest with~~  
16 ~~clean sheets and pillow cases for the bed, bunk, or cot to be occupied by the guest. Sheets shall~~  
17 ~~be of sufficient width and length to cover the mattress completely. Any bath linen, sheets, and~~  
18 ~~pillow cases used by one guest shall be washed and mechanically dried before being furnished~~  
19 ~~to another guest. Any bedding, including mattress, mattress pad, quilt, blanket, pillows, sheets,~~  
20 ~~and spreads, and all bath linen shall be kept clean, in good repair, and stored in a sanitary~~  
21 ~~manner. Separate laundry containers shall be provided for clean and soiled laundry. Any soiled~~  
22 ~~linen, uniform, and other garment shall be kept separate from clean linen to prevent~~  
23 ~~cross-contamination. Any clean linen shall be stored on smooth, nonabsorbent, cleanable~~  
24 ~~surfaces located a minimum of six inches above the floor.~~

1 Section 63. That ARSD 44:02:10:34 be repealed.

2 ~~—44:02:10:34. Egress windows. Each egress window shall have at least a net clear opening~~  
3 ~~of 5.7 square feet. The net clear opening shall be at least 24 inches high and at least 20 inches~~  
4 ~~wide. The egress window shall open from the inside of the guest room without the use of any~~  
5 ~~special tool or knowledge. The egress window shall have a finished sill height of not more than~~  
6 ~~48 inches above the floor.~~

7 Section 64. That ARSD 44:02:10:35 be repealed.

8 ~~—44:02:10:35. Egress window exception. For camping cabins constructed before July 1,~~  
9 ~~2009, each grade level egress window shall have at least a net clear opening of five square feet~~  
10 ~~and shall be at least 24 inches high and at least 20 inches wide.~~

11 Section 65. That ARSD 44:02:11:00 be repealed.

12 ~~—44:02:11:00. Definitions. Words defined by SDCL 34-18-1 have the same meaning when~~  
13 ~~used in this chapter. In addition, the terms used in this chapter mean:~~

14 ~~—(1) "Campground," a plot of ground for public use upon which two or more campsites are~~  
15 ~~located, established, maintained, advertised, or held out to the public to be a place where~~  
16 ~~camping units can be located and occupied as temporary living quarters for children or adults,~~  
17 ~~or both;~~

18 ~~—(2) "Camping unit," any trailer, tent camper, camper, camping cabin, tent, recreational park~~  
19 ~~trailer, or other equipment that may be used by the traveling public at individual campsites~~  
20 ~~located at campgrounds or areas used by the public as campgrounds;~~

21 ~~—(3) "Campsite," a specific parcel of land in a campground intended for occupancy and use~~  
22 ~~by a single camping unit;~~

23 ~~—(4) "Communicable disease," as defined in § 44:20:01:01;~~

24 ~~—(5) "Community water system," a system that is regulated by the Department of~~

- 1 ~~Environment and Natural Resources that meets the definition requirements set forth in §~~  
2 ~~74:04:12:01;~~
- 3 ~~—(6) "Dependent camping unit," a camping vehicle that is dependent upon a service building~~  
4 ~~for toilet, lavatory, and bathing facilities;~~
- 5 ~~—(7) "Designated agent," a municipal, county, or district health department that has been~~  
6 ~~organized under SDCL chapter 34-3 and SDCL 9-32-1 and has been designated as an agent of~~  
7 ~~the secretary as provided in SDCL 34-18-7;~~
- 8 ~~—(8) "EPA-certified laboratory," a laboratory that meets the requirements outlined in chapter~~  
9 ~~74:04:07;~~
- 10 ~~—(9) "Gray water," the liquid waste from any lavatory, utensil washing area, and bathing~~  
11 ~~facility;~~
- 12 ~~—(10) "Improved camping area," a designated parcel of land within a campground that~~  
13 ~~contains designated campsites;~~
- 14 ~~—(11) "Independent camping unit," a camping unit that contains a fresh water storage holding~~  
15 ~~tank and wastewater facility with holding tanks that is an integral part of the unit or to a sewage~~  
16 ~~disposal system;~~
- 17 ~~—(12) "Individual sewer connection," the connection consisting of any pipe, fitting, and~~  
18 ~~appurtenance from the drain outlet of the camping unit to the inlet of the corresponding sewer~~  
19 ~~riser pipe of the wastewater disposal system serving the campground;~~
- 20 ~~—(13) "Individual water connection," the connection consisting of any pipe, fitting, and~~  
21 ~~appurtenance from the water riser pipe to the water inlet pipe of the distribution system within~~  
22 ~~the camping unit;~~
- 23 ~~—(14) "Inspection," an objective examination of a campground by the department to review~~  
24 ~~the employee practices, sanitary conditions, and health standards in accordance with SDCL~~

1 ~~chapter 34-18 and this chapter;~~

2 ~~— (15) "Limited-service campground," a campground that offers limited services for~~  
3 ~~self-contained and independent camping units only;~~

4 ~~— (16) "Nontransient noncommunity public water system," a system that is regulated by the~~  
5 ~~Department of Environment and Natural Resources that meets the definition requirements set~~  
6 ~~forth in § 74:04:12:01;~~

7 ~~— (17) "Private water system," a water system that serves a campground, food service~~  
8 ~~establishment, or lodging establishment that is not a public water system regulated by the~~  
9 ~~Department of Environment and Natural Resources;~~

10 ~~— (18) "Public water system," a system that is regulated by the Department of Environment~~  
11 ~~and Natural Resources that meets the definition requirements set forth in § 74:04:12:01;~~

12 ~~— (19) "Recreational vehicle," a vehicular portable structure built on a chassis designed to be~~  
13 ~~used as a temporary dwelling for travel, recreational, vacation, or seasonal uses and permanently~~  
14 ~~identified as a travel trailer or a recreational park trailer by the manufacturer of the trailer;~~

15 ~~— (20) "Sanitary dump station," a facility used for the removal and disposal of wastes from~~  
16 ~~a camping unit holding tank and that has a water connection for the necessary flushing of the~~  
17 ~~area;~~

18 ~~— (21) "Sewer riser pipe," the portion of the sewer lateral that extends vertically to the ground~~  
19 ~~elevation and terminates at each campsite;~~

20 ~~— (22) "Transient noncommunity water system," a system that is regulated by the Department~~  
21 ~~of Environment and Natural Resources that meets the definition requirements set forth in §~~  
22 ~~74:04:12:01;~~

23 ~~— (23) "Unimproved camping area," a designated parcel of land within a campground that~~  
24 ~~does not have any individual water or sewer connection and is intended for occupancy by~~

1 camping units;

2 ~~—(24) "Watering station," a facility that supplies potable water for camping units;~~

3

4 ~~—(25) "Water riser pipe," the portion of the water supply system serving the campground that~~  
5 ~~extends vertically from the ground elevation and terminates at a designated point at each~~  
6 ~~campsite.~~

7 Section 66. That ARSD 44:02:11:01 be repealed.

8 ~~—44:02:11:01. Condition of grounds. The department shall approve the location of the~~  
9 ~~campground and any modifications to the campground prior to construction. The owner of the~~  
10 ~~campground shall provide that the condition of the soil, groundwater level, drainage, and~~  
11 ~~topography does not create any hazard to the property or endanger the health or safety of any~~  
12 ~~occupant or surrounding resident. The owner shall provide that the grounds are kept free of~~  
13 ~~rubbish, trash, or debris that is or could become a health or safety hazard to any occupant or~~  
14 ~~surrounding resident.~~

15 Section 67. That ARSD 44:02:11:02 be repealed.

16 ~~—44:02:11:02. Soil and ground cover requirements. The owner of the campground shall~~  
17 ~~control the growth of brush, weeds, and grass to prevent harborage of ticks, chiggers, and other~~  
18 ~~noxious insects. The owner shall prevent the growth of ragweed, poison ivy, poison oak, poison~~  
19 ~~sumac, and other noxious weeds within the campground.~~

20 Section 68. That ARSD 44:02:11:03 be repealed.

21 ~~—44:02:11:03. Campsite. Each campsite shall maintain a linear distance of ten feet between~~  
22 ~~any adjoining camping unit and the camping unit's attachment or any fixed building.~~

23 Section 69. That ARSD 44:02:11:04 be repealed.

24 ~~—44:02:11:04. Density requirement. No improved camping area may exceed 25 campsites~~

1 ~~per acre excluding any road, building, and other common use area.~~

2 Section 70. That ARSD 44:02:11:05 be repealed.

3 ~~—44:02:11:05. Setback from public streets. Each camping unit and building shall be located~~  
4 ~~at least 20 feet from any campground boundary line abutting a public street or highway.~~

5 Section 71. That ARSD 44:02:11:06 be repealed.

6 ~~—44:02:11:06. Internal streets. Each surfaced roadway within a campground shall be of~~  
7 ~~adequate width to accommodate anticipated traffic. Each one-way street with no parking shall~~  
8 ~~be at least 10 feet wide. Each two-way street with no parking shall be at least 20 feet wide.~~

9 Section 72. That ARSD 44:02:11:07 be repealed.

10 ~~—44:02:11:07. Off-street parking and maneuvering space. Each campground shall provide~~  
11 ~~sufficient parking and maneuvering space so that the parking, loading, or maneuvering of any~~  
12 ~~camping unit incidental to parking does not necessitate the use of any public street, sidewalk,~~  
13 ~~or right-of-way or any private grounds not part of the campground.~~

14 Section 73. That ARSD 44:02:11:08 be repealed.

15 ~~—44:02:11:08. Water supply. The owner shall provide an accessible, adequate, and safe~~  
16 ~~supply of water to each campground facility. If a public water system of the quantity, quality,~~  
17 ~~and pressure approved by the Department of Environment and Natural Resources is available,~~  
18 ~~the owner shall provide that a connection is made to the system and the system's water supply~~  
19 ~~is used exclusively. The owner of a private water system shall submit water samples quarterly~~  
20 ~~to an EPA-certified laboratory for bacteriological analysis while the campground is in operation.~~  
21 ~~The owner shall submit a nitrate test of the water supply system yearly. The owner of a private~~  
22 ~~water system shall report any unsafe water sample to the department within three days. If an~~  
23 ~~unsafe drinking water sample is reported, the campground shall provide two consecutive safe~~  
24 ~~water samples prior to allowing the public to use the private water supply. The water supply~~

1 shall be of sufficient quantity to meet the maximum daily demand. An adequate water supply  
2 shall be capable of supplying at least 50 gallons for each campsite each day for all campsites  
3 lacking water riser pipes and at least 75 gallons for each campsite each day for all campsites  
4 provided with water riser pipes. No wellhead or well casing opening may be in a pit, room, or  
5 space that is below ground surface.

6 Section 74. That ARSD 44:02:11:09 be repealed.

7 ~~44:02:11:09. Water storage and distribution facilities. Each water storage reservoir shall be~~  
8 ~~covered, watertight, and constructed of impervious material. Each water storage and distribution~~  
9 ~~facility shall be sanitized and cleaned prior to use each year. Each overflow and vent of a~~  
10 ~~reservoir shall be effectively screened. Each manhole shall be constructed with a raised lip and~~  
11 ~~overlapping cover to prevent the entrance of contaminated material. No water piping system~~  
12 ~~may be connected with any nonpotable or unapproved water supply. The system shall be~~  
13 ~~protected against any hazard of backflow or backsiphonage. The system shall be designed and~~  
14 ~~maintained to provide a pressure of not less than 20 pounds per square inch under normal~~  
15 ~~operating conditions at each outlet and fixture requiring potable water.~~

16 Section 75. That ARSD 44:02:11:10 be repealed.

17 ~~44:02:11:10. Watering stations. Each campground shall be provided with at least one easily~~  
18 ~~accessible water supply outlet for obtaining potable water for individual use and for filling any~~  
19 ~~camping unit water storage tank. Each water supply outlet shall consist of at least a water~~  
20 ~~hydrant and any necessary appurtenance and shall be protected against any hazard of backflow~~  
21 ~~and backsiphonage. No portion of an unimproved camping area may be more than 400 feet from~~  
22 ~~a water supply outlet. No designated campsite within an improved camping area may be more~~  
23 ~~than 200 feet from a water supply outlet. Each watering station for potable water use shall be~~  
24 ~~located at least 15 feet from a sanitary dump station. Signage shall be provided to identify this~~

1 as a potable water source and not to be used for flushing waste tanks or other similar warnings.

2 Section 76. That ARSD 44:02:11:11 be repealed.

3 ~~44:02:11:11. Water connection system. If any individual water service connection is~~  
4 ~~provided, the connection shall meet the following requirements:~~

5 ~~— (1) Each riser pipe provided for the water service connection shall be located and~~  
6 ~~constructed so that the pipe will not be damaged by the parking of camping units; and~~

7 ~~— (2) Each water riser pipe shall extend at least eighteen inches above ground elevation; the~~  
8 ~~pipe size shall be at least three-quarters of an inch.~~

9 Section 77. That ARSD 44:02:11:12 be repealed.

10 ~~44:02:11:12. Wastewater disposal. Each campground shall have a wastewater collection and~~  
11 ~~treatment system to convey and dispose of all wastewater. The system shall be designed,~~  
12 ~~constructed, and maintained in accordance with specifications for individual and small on-site~~  
13 ~~wastewater systems pursuant chapter 74:53:01.~~

14 Section 78. That ARSD 44:02:11:13 be repealed.

15 ~~44:02:11:13. Sanitary dump stations. Each limited service campground shall provide~~  
16 ~~sanitary dump stations at a ratio of at least one sanitary dump station per one hundred campsites.~~

17 ~~However, any campsite equipped with individual water and sewer hookups shall not be counted~~  
18 ~~towards the sanitary dump station ratio requirements. Any campground with less than one~~

19 ~~hundred campsites that are not equipped with individual water and sewer hookups shall have~~  
20 ~~at least one sanitary dump station. For limited service campgrounds where every campsite is~~

21 ~~equipped with individual water and sewer hookups, no sanitary dump station is required. Each~~  
22 ~~required sanitary dump station shall meet the following requirements:~~

23 ~~— (1) Have at least a four-inch sewer riser pipe connected to the campground wastewater~~  
24 ~~collection system;~~

1 ~~—(2) Be surrounded at the inlet end by an approved concrete apron that is at least 16 square~~  
2 ~~feet in area and sloped to the drain;~~

3 ~~—(3) Have a tight-fitting cover that prevents contamination of the hands when activated;~~

4 ~~—(4) Have a water outlet with a hose that is mounted on a reel or tower to ensure that the~~  
5 ~~nozzle does not touch the ground when not in use and connected to the campground water~~  
6 ~~supply system to permit periodic wash down of the immediate adjacent areas. This water outlet~~  
7 ~~may not be used for potable water purposes and shall be clearly identified with a sign not less~~  
8 ~~than two foot by two foot square at the water source stating UNSAFE WATER FACILITY. The~~  
9 ~~water outlet shall be protected from backflow and backsiphonage; and~~

10 ~~—(5) Be located to permit easy access by a service road for any camping vehicle.~~

11 ~~—(See Appendix A at the end of this chapter for an illustration of the required sanitary dump~~  
12 ~~station apron.)~~

13 Section 79. That ARSD 44:02:11:14 be repealed.

14 ~~—44:02:11:14. Sewer connection system. If any individual sewer connection is provided, the~~  
15 ~~connection shall meet the following requirements:~~

16 ~~—(1) The sewer riser pipe shall have at least a four-inch diameter and must be located on the~~  
17 ~~campsite;~~

18 ~~—(2) The sewer connection system shall have a nominal inside diameter of at least three~~  
19 ~~inches, and the slope of any portion of it shall be one-fourth inch for each foot. The sewer~~  
20 ~~connection system shall consist of one pipeline only without any branch fittings. Each joint shall~~  
21 ~~be watertight;~~

22 ~~—(3) Any material used for the sewer connection system shall be corrosive resistant,~~  
23 ~~nonabsorbent, and durable. The inner surface shall be smooth;~~

24 ~~—(4) A tight-fitting plug or cover for the sewer riser pipe shall be in place when a camping~~

1 ~~unit does not occupy the campsite; and~~

2 ~~—(5) Surface drainage shall be diverted away from the riser.~~

3 Section 80. That ARSD 44:02:11:15 be repealed.

4 ~~—44:02:11:15. Gray water. No gray water may be discharged onto or allowed to accumulate~~  
5 ~~on the ground surface.~~

6 Section 81. That ARSD 44:02:11:16 be repealed.

7 ~~—44:02:11:16. Plumbing. Any plumbing shall be in accordance with the state plumbing code,~~  
8 ~~article 20:54.~~

9 Section 82. That ARSD 44:02:11:17 be repealed.

10 ~~—44:02:11:17. Electrical system. Any electrical wiring shall comply with the rules of the~~  
11 ~~State Electrical Commission, article 20:44.~~

12 Section 83. That ARSD 44:02:11:18 be repealed.

13 ~~—44:02:11:18. Cooking shelters, barbecue pits, fireplaces, stoves, and incinerators. Each~~  
14 ~~cooking shelter, barbecue pit, fireplace, wood burning stove, and incinerator shall be located,~~  
15 ~~constructed, maintained, and used to minimize fire hazard and smoke nuisance both in the~~  
16 ~~campground and on adjacent property. No open fire is permitted except in the fire apparatus~~  
17 ~~provided. No open fire may be left unattended. No fuel may be used and no material may be~~  
18 ~~burned that emits dense smoke or objectionable odors.~~

19 Section 84. That ARSD 44:02:11:19 be repealed.

20 ~~—44:02:11:19. Garbage and rubbish storage and disposal. Any stored garbage and rubbish~~  
21 ~~shall be kept in a leak proof, nonabsorbent container that is kept covered with a tight-fitting lid~~  
22 ~~when filled, stored, or not in continuous use. Accessibility by insects, rodents, and other animals~~  
23 ~~shall be minimized. No disposal of garbage and rubbish may create a health hazard. Disposal~~  
24 ~~of rubbish shall be done as frequently as needed to minimize the development of objectionable~~

1 ~~odors and other conditions that attract or harbor insects and rodents.~~

2 Section 85. That ARSD 44:02:11:20 be repealed.

3 ~~—44:02:11:20. Vermin control. Each building and area of the campground shall be~~  
4 ~~constructed, equipped, and maintained to prevent the entrance, harborage, or breeding of flies,~~  
5 ~~roaches, rats, mice, and all other insects and vermin. If there is an infestation, the department~~  
6 ~~may require the owner of the campground to clean, renovate, or fumigate the campground to~~  
7 ~~eliminate and to prevent the pests. The department may require the campground to hire a~~  
8 ~~professional exterminator to exterminate pests under the following conditions:~~

9 ~~—(1) The infestation is so extensive that it is unlikely that a nonprofessional can eradicate the~~  
10 ~~pests effectively;~~

11 ~~—(2) The method of extermination of choice can only be carried out by a professional~~  
12 ~~exterminator; or~~

13 ~~—(3) The department finds that a campground has not been brought into compliance with a~~  
14 ~~prior order to rid the establishment of pests:~~

15 ~~—The department shall require regularly scheduled professional extermination services~~  
16 ~~following the determination of an excessive pest infestation.~~

17 Section 86. That ARSD 44:02:11:21 be repealed.

18 ~~—44:02:11:21. Fuel supply and storage. Fuel supply and storage within a campground shall~~  
19 ~~comply with requirements for fire safety standards, chapter 61:15:01; underground storage~~  
20 ~~tanks, chapter 74:56:01; and aboveground stationary storage tanks, chapter 74:56:03.~~

21 Section 87. That ARSD 44:02:11:22 be repealed.

22 ~~—44:02:11:22. Fire protection. Portable fire extinguishers shall be provided in accessible~~  
23 ~~areas for use and shall be maintained in an operable condition. Each fire extinguisher shall be~~  
24 ~~conveniently located at a distance of not more than 400 feet from any campsite or any area~~

1 where camping activities occur. Each fire extinguisher shall be accessible to the public at all  
2 times.

3 Section 88. That ARSD 44:02:11:23 be repealed.

4 ~~44:02:11:23. Reporting communicable disease. Each owner, operator, attendant, or other~~  
5 ~~person operating a campground shall notify the department immediately of any suspected~~  
6 ~~communicable or contagious disease within the campground.~~

7 Section 89. That ARSD 44:02:11:24 be repealed.

8 ~~44:02:11:24. Pet kennels and control of animals. Any pet kennel or compound, if provided,~~  
9 ~~shall be operated and maintained in a clean and sanitary manner. No owner or person in charge~~  
10 ~~of a dog, cat, or other pet animal may permit it to run at large or to become a nuisance within~~  
11 ~~the limits of a campground or the adjacent property.~~

12 Section 90. That ARSD 44:02:11:25 be repealed.

13 ~~44:02:11:25. Limited-service campground. A limited-service campground shall offer~~  
14 ~~camping to only a camping unit equipped with separate potable water and sewage holding tanks~~  
15 ~~on each unit. The campground shall have an approved water supply and an approved waste~~  
16 ~~collection system.~~

17 Section 91. That ARSD 44:02:11:26 be repealed.

18 ~~44:02:11:26. Swimming pools and spas. Each swimming pool, spa, or other similar~~  
19 ~~recreational facility must comply with requirements in the "Recommended Standards for~~  
20 ~~Swimming Pool Design and Operation," 1996 edition, Great Lakes-Upper Mississippi River~~  
21 ~~Board of State and Provincial Public Health and Environmental Managers. The owner or~~  
22 ~~operator of a swimming pool, spa, or other water recreational facility shall collect and submit~~  
23 ~~at least one water sample weekly for each swimming pool, spa, or other water recreational~~  
24 ~~facility under the owner's or operator's control to an EPA-certified laboratory for bacteriological~~

1 analysis. A copy of the daily log and weekly water sample results taken shall be kept onsite of  
2 the facility and available for inspection at all times. The owner or operator shall report any  
3 unsafe water sample test results to the department within three days after receipt of the test  
4 results. Upon the receipt of a positive water sample the owner or operator of the facility shall  
5 submit two consecutive negative samples to the department to confirm treatment procedures  
6 have eliminated the contamination. If a resample test is positive, the owner or operator of the  
7 facility shall close the affected water recreational facility and submit two consecutive negative  
8 samples prior to allowing guest use of the affected water recreational facility. A colorimetric test  
9 kit shall be used for the monitoring and adjusting of disinfectant levels and pH in swimming  
10 pool, spa, or any other water recreational facility. The owner or operator of the facility shall  
11 maintain a daily log of disinfectant levels and pH.

12 Section 92. That ARSD 44:02:12:00 be repealed.

13 ~~44:02:12:00. Definitions. Words defined by SDCL 34-18-1 have the same meaning when~~  
14 ~~used in this chapter. In addition, the terms used in this chapter mean:~~

15 ~~—(1) "Campground," a plot of ground for public use upon which two or more campsites are~~  
16 ~~located, established, maintained, advertised, or held out to the public to be a place where~~  
17 ~~camping units can be located and occupied as temporary living quarters for children or adults,~~  
18 ~~or both;~~

19 ~~—(2) "Camping cabin," any structure or building that is used to accommodate overnight~~  
20 ~~sleeping guests and is dependent on a service building for restroom fixtures;~~

21 ~~—(3) "Camping unit," any trailer, tent camper, camper, camping cabin, tent, recreational park~~  
22 ~~trailer, or other equipment that may be used by the traveling public at individual campsites~~  
23 ~~located at campgrounds or areas used by the public as campgrounds;~~

24 ~~—(4) "Campsite," a specific parcel of land in a campground intended for occupancy and use~~

- 1 by a single camping unit;
- 2 ~~—(5) "Communicable disease," as defined in § 44:20:01:01;~~
- 3 ~~—(6) "Community water system," a system that is regulated by the Department of~~  
4 ~~Environment and Natural Resources that meets the definition requirements set forth in §~~  
5 ~~74:04:12:01;~~
- 6 ~~—(7) "Dependent camping unit," a camping vehicle that is dependent upon a service building~~  
7 ~~for toilet, lavatory, and bathing facilities;~~
- 8 ~~—(8) "Designated agent," a municipal, county, or district health department that has been~~  
9 ~~organized under SDCL chapter 34-3 and SDCL 9-32-1 and has been designated as an agent of~~  
10 ~~the secretary as provided in SDCL 34-18-7;~~
- 11 ~~—(9) "Egress window," a window of sufficient size to meet the requirements of § 44:02:12:28~~  
12 ~~so that an occupant of a guest room can escape through the window in an emergency;~~
- 13 ~~—(10) "EPA-certified laboratory," a laboratory that meets the requirements outlined in chapter~~  
14 ~~74:04:07;~~
- 15 ~~—(11) "Gray water," the liquid waste from any lavatory, utensil washing area, and bathing~~  
16 ~~facility;~~
- 17 ~~—(12) "Independent camping unit," a camping unit that contains a fresh water storage holding~~  
18 ~~tank and a wastewater facility with holding tanks that is an integral part of the unit or to a~~  
19 ~~sewage disposal system;~~
- 20 ~~—(13) "Individual sewer connection," the connection consisting of any pipe, fitting, and~~  
21 ~~appurtenance from the drain outlet of the camping unit to the inlet of the corresponding sewer~~  
22 ~~riser pipe of the wastewater disposal system serving the campground;~~
- 23 ~~—(14) "Individual water connection," the connection consisting of any pipe, fitting, and~~  
24 ~~appurtenance from the water riser pipe to the water inlet pipe of the distribution system within~~

1 ~~the camping unit;~~

2 ~~— (15) "Inspection," an objective examination of a campground by the department to review~~  
3 ~~the employee practices, sanitary conditions, and health standards in accordance with SDCL~~  
4 ~~chapter 34-18 and this chapter;~~

5 ~~— (16) "Limited waste collection system," a system to collect human excreta that is not~~  
6 ~~equipped with a water source. The system shall be designed, constructed, and maintained in~~  
7 ~~accordance with specifications for individual and small on-site wastewater systems pursuant to~~  
8 ~~chapter 74:53:01;~~

9 ~~— (17) "Nontransient noncommunity public water system," "NTNC," a public water system~~  
10 ~~that is not a community water system and that regularly serves at least 25 of the same persons~~  
11 ~~at such places as work places, offices, and schools for a least six months a year;~~

12 ~~— (18) "Private water system," a water system that serves a campground, food service~~  
13 ~~establishment, or lodging establishment that is not a public water system regulated by the~~  
14 ~~Department of Environment and Natural Resources;~~

15 ~~— (19) "Public water system," a system that is regulated by the Department of Environment~~  
16 ~~and Natural Resources that meets the definition requirements set forth in § 74:04:12:01;~~

17 ~~— (20) "Recreational vehicle," a vehicular portable structure built on a chassis designed to be~~  
18 ~~used as a temporary dwelling for travel, recreational, vacation, or seasonal uses and permanently~~  
19 ~~identified as a travel trailer or a recreational park trailer by the manufacturer of the trailer;~~

20 ~~— (21) "Sanitary dump station," a facility used for the removal and disposal of wastes from~~  
21 ~~a camping unit holding tank and that has a water connection for the necessary flushing of the~~  
22 ~~area;~~

23 ~~— (22) "Service building," a structure housing toilet, lavatory, and bathing facilities;~~

24 ~~— (23) "Sewer riser pipe," the portion of the sewer lateral that extends vertically to the ground~~

1 ~~elevation and terminates at each campsite;~~

2 ~~—(24) "Transient noncommunity water system," a system that is regulated by the Department~~  
3 ~~of Environment and Natural Resources that meets the definition requirements set forth in §~~  
4 ~~74:04:12:01;~~

5 ~~—(25) "Temporary campground," a campground that is operated for a single event such as a~~  
6 ~~fair, rally, or festival involving the gathering of camping units and is licensed for a maximum~~  
7 ~~of 14 consecutive days or less;~~

8 ~~—(26) "Unimproved camping area," a designated parcel of land within a campground that~~  
9 ~~does not have any individual water or sewer connection and is intended for occupancy by~~  
10 ~~camping units;~~

11 ~~—(27) "Watering station," a facility that supplies potable water for camping units;~~

12 ~~—(28) "Water riser pipe," the portion of the water supply system serving the campground that~~  
13 ~~extends vertically from the ground elevation and terminates at a designated point at each~~  
14 ~~campsite.~~

15 Section 93. That ARSD 44:02:12:01 be repealed.

16 ~~—44:02:12:01. Condition of grounds. The department shall approve the location of the~~  
17 ~~campground and any modifications to the campground prior to construction. The owner of the~~  
18 ~~campground shall provide that the condition of the soil, groundwater level, drainage, and~~  
19 ~~topography does not create any hazard to the property or endanger the health or safety of any~~  
20 ~~occupant or surrounding resident. The owner shall provide that the grounds are kept free of~~  
21 ~~rubbish, trash, or debris that is or could become a health or safety hazard to any occupant or~~  
22 ~~surrounding resident.~~

23 Section 94. That ARSD 44:02:12:02 be repealed.

24 ~~—44:02:12:02. Soil and ground cover requirements. The owner of the campground shall~~

1 control the growth of brush, weeds, and grass to prevent harborage of ticks, chiggers, and other  
2 noxious insects. The owner shall prevent the growth of ragweed, poison ivy, poison oak, poison  
3 sumac, and other noxious weeds within the campground.

4 Section 95. That ARSD 44:02:12:03 be repealed.

5 ~~44:02:12:03. Density requirement. No camping area may exceed 40 camping units per acre~~  
6 ~~excluding any road, building, and other common use site.~~

7 Section 96. That ARSD 44:02:12:04 be repealed.

8 ~~44:02:12:04. Setback from public streets. Each camping unit and building shall be located~~  
9 ~~at least 20 feet from any campground boundary line abutting a public street or highway.~~

10 Section 97. That ARSD 44:02:12:05 be repealed.

11 ~~44:02:12:05. Off-street parking and maneuvering space. Each campground shall provide~~  
12 ~~sufficient parking and maneuvering space so that the parking, loading, or maneuvering of any~~  
13 ~~camping unit incidental to parking does not necessitate the use of any public street, sidewalk,~~  
14 ~~or right-of-way or any private grounds not part of the campground.~~

15 Section 98. That ARSD 44:02:12:06 be repealed.

16 ~~44:02:12:06. Water supply. The owner shall provide an accessible, adequate, and safe~~  
17 ~~supply of water to each campground facility. If a public water system of the quantity, quality,~~  
18 ~~and pressure approved by the Department of Environment and Natural Resources is available,~~  
19 ~~the owner shall provide that a connection is made to the system and the system's water supply~~  
20 ~~is used exclusively. A safe water sample shall be submitted within 30 days prior to operating~~  
21 ~~the temporary campground. Documentation shall be kept on file in the campground. The owner~~  
22 ~~of a private water system shall submit water samples to an EPA-certified laboratory for~~  
23 ~~bacteriological analysis while the campground is in operation. The owner shall submit a nitrate~~  
24 ~~test of the water supply system yearly. The owner of a private water system shall report any~~

1 ~~unsafe water sample to the department within three days. If an unsafe drinking water sample is~~  
2 ~~reported, the campground shall provide two consecutive safe water samples prior to allowing~~  
3 ~~the public to use the private water supply. The water supply shall be of sufficient quantity to~~  
4 ~~meet the maximum daily demand. An adequate water supply shall be capable of supplying at~~  
5 ~~least 50 gallons for each campsite each day for all campsites lacking water riser pipes and at~~  
6 ~~least 75 gallons for each campsite each day for all campsites provided with water riser pipes.~~  
7 ~~No wellhead or well casing opening may be in a pit, room, or space that is below ground~~  
8 ~~surface.~~

9 Section 99. That ARSD 44:02:12:07 be repealed.

10 ~~—44:02:12:07. Water storage and distribution facilities. Each water storage reservoir shall be~~  
11 ~~covered, watertight, and constructed of impervious material. Each water storage and distribution~~  
12 ~~facility shall be sanitized and cleaned prior to use each year. Each overflow and vent of a~~  
13 ~~reservoir shall be effectively screened. Each manhole shall be constructed with a raised lip and~~  
14 ~~overlapping cover to prevent the entrance of contaminated material. No water piping system~~  
15 ~~may be connected with any nonpotable or unapproved water supply. The system shall be~~  
16 ~~protected against any hazard of backflow or backsiphonage. The system shall be designed and~~  
17 ~~maintained to provide a pressure of not less than 20 pounds per square inch under normal~~  
18 ~~operating conditions at each outlet and fixture requiring potable water. If a water-hauling~~  
19 ~~transport is used, each transport storage tank shall be constructed of an impervious material that~~  
20 ~~is watertight and can be easily sanitized. Each tank load of water shall be chlorinated at the~~  
21 ~~filling location to provide at least three parts per million available chlorine. Each water-hauling~~  
22 ~~transport shall keep a daily log indicating the amount of disinfectant added and the amount of~~  
23 ~~water for each tank load.~~

24 Section 100. That ARSD 44:02:12:08 be repealed.

1 ~~— 44:02:12:08. Wastewater disposal. Each campground shall have a wastewater collection and~~  
2 ~~treatment system to convey and dispose of all wastewater. The system shall be designed,~~  
3 ~~constructed, and maintained in accordance with specifications for individual and small on-site~~  
4 ~~wastewater systems pursuant to chapter 74:53:01. If a sanitary dump station is provided, a~~  
5 ~~sanitary dump station shall be provided at a rate of one for each 100 campsites. If a campground~~  
6 ~~does not supply a sewer connection system or dump station, the services of a septage hauler for~~  
7 ~~the disposal of sewage or gray water shall be provided. A service agreement shall be kept on file~~  
8 ~~by the campground operator on premise. If a septage hauler service is utilized, the service shall~~  
9 ~~be available for the duration of the license or the event.~~

10 Section 101. That ARSD 44:02:12:09 be repealed.

11 ~~— 44:02:12:09. Sanitary dump station. Each temporary campground shall provide sanitary~~  
12 ~~dump stations at a ratio of at least one sanitary dump station per one hundred campsites.~~  
13 ~~However, any campsite equipped with individual water and sewer hookups shall not be counted~~  
14 ~~towards the sanitary dump station ratio requirements. Any campground with less than one~~  
15 ~~hundred campsites that are not equipped with individual water and sewer hookups shall have~~  
16 ~~at least one sanitary dump station. For temporary campgrounds where every campsite is~~  
17 ~~equipped with individual water and sewer hookups, no sanitary dump station is required. Each~~  
18 ~~sanitary dump station shall meet the following requirements:~~

19 ~~— (1) Have at least a four-inch sewer riser pipe connected to the campground wastewater~~  
20 ~~collection system;~~

21 ~~— (2) Be surrounded at the inlet end by an approved concrete apron that is at least 16 square~~  
22 ~~feet in area or sloped to the drain;~~

23 ~~— (3) Have a tight-fitting cover that prevents contamination of the hands when activated;~~

24 ~~— (4) Have a water outlet provided with a hose that is mounted on a reel or tower to ensure~~

1 ~~that the nozzle does not touch the ground when not in use and connected to the campground~~  
2 ~~water supply system to permit periodic wash down of the immediate adjacent areas. This water~~  
3 ~~outlet may not be used for potable water purposes and shall be clearly identified with a sign not~~  
4 ~~less than two foot by two foot square at the water source as "UNSAFE WATER FACILITY."~~  
5 ~~The water outlet must be protected from backflow and backsiphonage; and~~

6 ~~—(5) Be located to permit easy access by a service road for any camping vehicle.~~

7 ~~—(See Appendix A at the end of this chapter for an illustration of the required sanitary dump~~  
8 ~~station apron.)~~

9 Section 102. That ARSD 44:02:12:10 be repealed.

10 ~~—44:02:12:10. Gray water. No gray water may be discharged onto or allowed to accumulate~~  
11 ~~on the ground surface.~~

12 Section 103. That ARSD 44:02:12:11 be repealed.

13 ~~—44:02:12:11. Plumbing. Any plumbing shall be in accordance with the state plumbing code,~~  
14 ~~article 20:54.~~

15 Section 104. That ARSD 44:02:12:12 be repealed.

16 ~~—44:02:12:12. Electrical system. Any electrical wiring shall comply with the rules of the~~  
17 ~~State Electrical Commission, article 20:44.~~

18 Section 105. That ARSD 44:02:12:13 be repealed.

19 ~~—44:02:12:13. Swimming pools and spas. Each swimming pool, spa, or similar recreational~~  
20 ~~facility must comply with requirements in the "Recommended Standards for Swimming Pool~~  
21 ~~Design and Operation," 1996 edition, Great Lakes-Upper Mississippi River Board of State and~~  
22 ~~Provincial Public Health and Environmental Managers. The owner or operator of a swimming~~  
23 ~~pool, spa, or other water recreational facility shall collect and submit at least one water sample~~  
24 ~~weekly for each swimming pool, spa, or other water recreational facility under the owner's or~~

1 operator's control to an EPA-certified laboratory for bacteriological analysis. A copy of the daily  
2 log and weekly water sample results taken shall be kept onsite of the facility and available for  
3 inspection at all times. The owner or operator shall report any unsafe water sample test results  
4 to the department within three days after receipt of the test results. Upon the receipt of a positive  
5 water sample the owner or operator of the facility shall submit two consecutive negative  
6 samples to the department to confirm treatment procedures have eliminated the contamination.  
7 If a resample test is positive, the owner or operator of the facility shall close the affected water  
8 recreational facility and submit two consecutive negative samples prior to allowing guest use  
9 of affected water recreational facility. A colorimetric test kit shall be used for the monitoring  
10 and adjusting of disinfectant levels and pH in swimming pool, spa, or any other water  
11 recreational facility. The owner or operator of the facility shall maintain a daily log of  
12 disinfectant levels and pH.

13 Section 106. That ARSD 44:02:12:14 be repealed.

14 ~~44:02:12:14. Service building. Each campground shall have at least one service building~~  
15 ~~containing the necessary toilet and other plumbing fixtures specified in § 44:02:12:15. Each~~  
16 ~~service building shall be conveniently located in one or more central locations throughout the~~  
17 ~~campground. Each entrance to the service building shall be designed so that the plumbing~~  
18 ~~fixtures are not visible from the outside.~~

19 Section 107. That ARSD 44:02:12:15 be repealed.

20 ~~44:02:12:15. Toilet and bathing facilities. The campground shall provide toilets, showers,~~  
21 ~~and lavatories in each service building for patron use. The service building can consist of men's~~  
22 ~~or women's, or unisex facilities, as long as the campground meets the total number of toilet,~~  
23 ~~lavatory, and shower ratio specified in the rule. Each campground shall provide the following~~  
24 ~~facilities;~~

Number of Campsites	Toilets		Urinals	Lavatories		Showers	
	Men	Women	Men	Men	Women	Men	Women
1-25	1	1	=	1	1	1	1
26-50	1	2	1	2	2	1	1
51-75	2	3	1	3	3	2	2
76-100	3	4	1	4	4	3	3
101-125	3	5	2	5	5	3	3
126-150	4	6	2	6	6	4	4
151-175	5	7	2	6	6	5	5
176-200	6	8	2	7	7	6	6
201-225	6	9	3	7	7	6	6
226-250	7	10	3	8	8	7	7
251-275	8	11	3	8	8	7	7
276-300	8	12	4	9	9	8	8

(For each additional 1-50 campsites, add one of each fixture for toilets. For each additional 1-100 campsites, add one of each fixture for lavatories and showers.)

— Each toilet shall be located in a separate compartment equipped with a self-closing door. Each toilet and bathing facility required for a temporary campground shall be separate from any facility required for any other business, such as a gasoline station or restaurant, operated in connection with or adjacent to the campground. A portable lavatory and shower facility may be used as a temporary fixture. A limited waste collection system may be used as a temporary toilet fixture.

— Shower stalls shall be individual. If a lavatory or shower is permanently plumbed, the lavatory or shower shall have hot and cold running water. The hot water shall be at least 110 degrees Fahrenheit and not more than 120 degrees Fahrenheit at the tap. Each bathing or shower facility shall have a nonslip floor surface, such as a manufactured nonslip bathtub or shower

1 ~~unit, a rubberized throw mat, or adhesive-backed nonslip strips. Any self-closing, slow-closing,~~  
2 ~~or metered faucet shall be designed to provide a flow of water for at least fifteen seconds~~  
3 ~~without the need to reactivate the faucet.~~

4 Section 108. That ARSD 44:02:12:16 be repealed.

5 ~~— 44:02:12:16. Structure and cleanliness of service buildings. Each room containing a sanitary~~  
6 ~~or laundry facility shall have sound-resistant walls extending to the ceiling between male and~~  
7 ~~female sanitary facilities. Each floor, wall, and ceiling shall be constructed of light-colored,~~  
8 ~~smooth, nonabsorbent, durable, and easily cleanable material. Each concrete, brick, or pumice~~  
9 ~~block shall be finished and sealed to provide a smooth, flat, easily cleanable surface. Each floor,~~  
10 ~~wall, and ceiling in the service building shall be kept clean and in good repair. Each toilet,~~  
11 ~~lavatory, and bathing fixture shall be kept clean, sanitary, and in good repair. Each restroom~~  
12 ~~fixture shall be cleaned and sanitized daily or more often as needed. Each cleaner, sanitizer, and~~  
13 ~~disinfectant shall comply with 40 C.F.R. § 180.940, June 23, 2004. Each room shall have at~~  
14 ~~least one screened window that can be easily opened or a mechanical device that ventilates the~~  
15 ~~room. Each fixture shall be maintained in good repair. Each opening for ventilation or entrance~~  
16 ~~shall be kept screened at all times to prevent the entrance of insects and vermin into the facility.~~

17 Section 109. That ARSD 44:02:12:17 be repealed.

18 ~~— 44:02:12:17. Cooking shelters, barbecue pits, fireplaces, stoves, and incinerators. Each~~  
19 ~~cooking shelter, barbecue pit, fireplace, wood burning stove, and incinerator shall be located,~~  
20 ~~constructed, maintained, and used to minimize fire hazard and smoke nuisance both in the~~  
21 ~~campground and on adjacent property. No open fire is permitted except in the fire apparatus~~  
22 ~~provided. No open fire may be left unattended. No fuel may be used and no material may be~~  
23 ~~burned that emits dense smoke or objectionable odors.~~

24 Section 110. That ARSD 44:02:12:18 be repealed.

1 ~~44:02:12:18. Garbage and rubbish storage and disposal. Any stored garbage and rubbish~~  
2 ~~shall be kept in a leak proof, nonabsorbent container that is kept covered with a tight-fitting lid~~  
3 ~~when filled, stored, or not in continuous use. Accessibility by insects, rodents, and other animals~~  
4 ~~shall be minimized. No disposal of garbage and rubbish may create a health hazard. Disposal~~  
5 ~~of rubbish shall be done as frequently as needed to minimize the development of objectionable~~  
6 ~~odors and other conditions that attract or harbor insects and rodents.~~

7 Section 111. That ARSD 44:02:12:19 be repealed.

8 ~~44:02:12:19. Vermin control. Each building and area of the campground shall be~~  
9 ~~constructed, equipped, and maintained to prevent the entrance, harborage, or breeding of flies,~~  
10 ~~roaches, rats, mice, and all other insects and vermin. If there is an infestation, the department~~  
11 ~~may require the owner of the campground to clean, renovate, or fumigate the campground to~~  
12 ~~eliminate and to prevent the pests. The department may require the campground to hire a~~  
13 ~~professional exterminator to exterminate pests under the following conditions:~~

14 ~~(1) The infestation is so extensive that it is unlikely that a nonprofessional can eradicate the~~  
15 ~~pests effectively;~~

16 ~~(2) The method of extermination of choice can only be carried out by a professional~~  
17 ~~exterminator; or~~

18 ~~(3) The department shall require regularly scheduled professional extermination services~~  
19 ~~following the determination of an excessive pest infestation:~~

20 ~~The department shall require regularly scheduled professional extermination services~~  
21 ~~following the determination of an excessive pest infestation:~~

22 Section 112. That ARSD 44:02:12:20 be repealed.

23 ~~44:02:12:20. Fuel supply and storage. Fuel supply and storage within a campground shall~~  
24 ~~comply with requirements for fire safety standards, chapter 61:15:01; underground storage~~

1 ~~tanks, chapter 74:56:01; and aboveground stationary storage tanks, chapter 74:56:03.~~

2 Section 113. That ARSD 44:02:12:21 be repealed.

3 ~~—44:02:12:21. Fire protection. Portable fire extinguishers shall be provided in accessible~~  
4 ~~areas for use and shall be maintained in an operable condition. Each fire extinguisher shall be~~  
5 ~~conveniently located at a distance of not more than 400 feet from any campsite or any area~~  
6 ~~where camping activities occur. Each fire extinguisher shall be accessible to the public at all~~  
7 ~~times.~~

8 Section 114. That ARSD 44:02:12:22 be repealed.

9 ~~—44:02:12:22. Reporting communicable disease. Each owner, operator, attendant, or other~~  
10 ~~person operating a campground shall notify the department immediately of any suspected~~  
11 ~~communicable or contagious disease within the campground.~~

12 Section 115. That ARSD 44:02:12:23 be repealed.

13 ~~—44:02:12:23. Pet kennels and control of animals. Any pet kennel or compound shall be~~  
14 ~~operated and maintained in a clean and sanitary manner. No owner or person in charge of a dog,~~  
15 ~~cat, or other pet animal may permit it to run at large or to become a nuisance within the limits~~  
16 ~~of a campground or the adjacent property.~~

17 Section 116. That ARSD 44:02:12:24 be repealed.

18 ~~—44:02:12:24. Camping cabins. Any structure that is provided for use by overnight guests~~  
19 ~~shall meet the following requirements:~~

20 ~~—(1) Each camping cabin shall have no more than two rooms. Each sleeping room shall either~~  
21 ~~directly exit to the outside or be equipped with an operable egress window;~~

22 ~~—(2) Each floor, wall, and ceiling shall be constructed of durable, nonabsorbent, easily~~  
23 ~~cleanable materials and cleaned and sanitized between guests;~~

24 ~~—(3) Each mattress provided shall be protected or covered with an impermeable cover to~~

1 prevent the infestation of pests and filth;

2 ~~— (4) A hard-wired or battery-operated smoke detector shall be provided in each camping~~  
3 ~~cabin;~~

4 ~~— (5) No bathroom facility may be provided in the camping cabin. Each camping cabin shall~~  
5 ~~be figured into the fixture count when determining the bathing facility ratio requirements~~  
6 ~~contained in § 44:02:12:15;~~

7 ~~— (6) Each window and opening to the outside that is not a door shall be screened to prevent~~  
8 ~~the entrance of vermin and insects; and~~

9 ~~— (7) Any fuel fired heating equipment located inside the camping cabin shall be inspected~~  
10 ~~at least once a year by a person in the business of heating system maintenance. A written~~  
11 ~~verification of the inspection shall be kept on file in the campground with the date of the~~  
12 ~~inspection, a written statement by the person making the inspection, and that person's signature.~~

13 Section 117. That ARSD 44:02:12:25 be repealed.

14 ~~— 44:02:12:25. Temporary campgrounds -- Closure order -- Refunds. If a temporary~~  
15 ~~campground licensed under this chapter is not in compliance with this chapter and compliance~~  
16 ~~during the period of operation is not considered feasible, the department, subject to the~~  
17 ~~requirements of SDCL 1-26-29, may issue a closure order to the owner of the temporary~~  
18 ~~campground. Continued operation after notice of closure by the department is in direct violation~~  
19 ~~of the licensing requirements of SDCL chapter 34-18. The department shall refund any license~~  
20 ~~fees paid unless the temporary campground has operated for more than one day.~~

21 Section 118. That ARSD 44:02:12:26 be repealed.

22 ~~— 44:02:12:26. Bedding and linen. When a campground owner or operator furnishes linens~~  
23 ~~for use by a guest using the camping cabin, the owner or operator shall furnish each guest with~~  
24 ~~clean sheets and pillow cases for the bed, bunk, or cot to be occupied by the guest. Sheets shall~~

1 ~~be of sufficient width and length to cover the mattress completely. Any bath linen, sheets, and~~  
2 ~~pillow cases used by one guest shall be washed and mechanically dried before being furnished~~  
3 ~~to another guest. Any bedding, including mattress, mattress pad, quilt, blanket, pillows, sheets,~~  
4 ~~and spreads, and all bath linen shall be kept clean, in good repair, and stored in a sanitary~~  
5 ~~manner. A separate laundry container shall be provided for clean and soiled laundry. Any soiled~~  
6 ~~linen, uniform, and other garment shall be kept separate from clean linen to prevent~~  
7 ~~cross-contamination. Any clean linen shall be stored on smooth, nonabsorbent, cleanable~~  
8 ~~surfaces located a minimum of six inches above the floor.~~

9 Section 119. That ARSD 44:02:12:27 be repealed.

10 ~~—44:02:12:27. Campsite. Each campsite shall maintain a linear distance of ten feet between~~  
11 ~~any adjoining camping unit and the camping unit's attachment or any fixed building.~~

12 Section 120. That ARSD 44:02:12:28 be repealed.

13 ~~—44:02:12:28. Egress windows. Each egress window shall have at least a net clear opening~~  
14 ~~of 5.7 square feet. The net clear opening shall be at least 24 inches high and at least 20 inches~~  
15 ~~wide. The egress window shall open from the inside of the guest room without the use of any~~  
16 ~~special tool or knowledge. The egress window shall have a finished sill height of not more than~~  
17 ~~48 inches above the floor.~~

18 Section 121. That ARSD 44:02:12:29 be repealed.

19 ~~—44:02:12:29. Egress window exception. For camping cabins constructed before July 1,~~  
20 ~~2009, each grade level egress window shall have at least a net clear opening of five square feet~~  
21 ~~and shall be at least 24 inches high and at least 20 inches wide.~~