

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

717N0322

HOUSE BILL NO. 1125

Introduced by: Representatives Nelson and Halverson and Senators Greenfield, Bartling, and Hansen (Tom)

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the adoption of
2 municipal sewer utility charges.

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

4 Section 1. That § 9-48-26 be amended to read as follows:

5 9-48-26. Any municipality which has installed or ~~shall plans to~~ install ~~sanitary and storm~~
6 ~~sewerage, a system of sewerage, sewerage pumping stations, or sewage treatment or purification~~
7 ~~works, any and all of which are hereinafter termed~~ sewer utilities; for public use may by
8 ordinance or resolution establish ~~just and equitable rates of charges or rentals~~ to be paid to ~~such~~
9 the municipality for the use of ~~such~~ the sewer utilities by every user whose premises are served
10 by a connection to ~~such~~ the sewer utilities, directly or indirectly. A municipality may also submit
11 to the voters of ~~such~~ the municipality at any general election or any special election called for
12 such purpose the question of whether or not the municipality shall ~~be authorized to~~ establish
13 charges ~~or rentals~~ for the use of sewer utilities. If a majority of the voters voting upon ~~such~~ the
14 question ~~shall~~ vote in favor ~~thereof~~ of the question, then ~~such~~ the municipality may by ordinance
15 or resolution establish ~~just and equitable rates of charges or rentals~~ to be paid to ~~such~~ the



1 municipality for the use of ~~such~~ the sewer utilities by every user whose premises are served by
2 a connection to ~~such~~ the sewer utilities, directly or indirectly. For the purposes of this section
3 the term, sewer utilities, means any main, trunk, and service sewers; sanitary and storm sewers;
4 and septic or sewage treatment plants, drains, and manholes.