ORDINANCE NO. 8
(As Amended October 7, 2026)
REGULATION OF SEWER USE

AN ORDINANCE OF THE SPRING CREEK/COW CREEK SANITARY DISTRICT OF HUGHES COUNTY AND SULLY COUNTY, SOUTH DAKOTA, ESTABLISHING REGULATIONS RELATING TO PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE WASTEWATER DISPOSAL, DISCHARGE OF WATERS AND WASTES, PROVIDING USER RATES, AND FOR VIOLATIONS THEREOF.

BE IT ORDAINED AND ENACTED by the Board of Trustees of the Spring Creek/Cow Creek Sanitary District (hereinafter the "Board") of Hughes County and Sully County, State of South Dakota, as follows:

ARTICLE I
GENERAL PROVISIONS

Section 1. Under the Authority of the State of South Dakota, pursuant to SDCL 34A-5-14, the District is organized as a governmental subdivision of the State and a public body, corporate and politic.

Section 2. The District is hereby authorized and directed to administer, implement, and enforce the provisions of this Ordinance and adopts by reference herein, in whole or in part, all other Ordinances of the District which remain in full force and effect, in order to protect the public health, safety, and welfare of residents within the District's boundaries.

Section 3. Spring Creek/Cow Creek Sanitary District water distribution and wastewater collection and treatment systems (hereinafter the "System(s)") shall be operated as a public utility and the rates, fees, charges, rentals, regulations and provisions of this ordinance shall be and remain applicable thereto until duly amended. The District reserves the right to amend this Ordinance, provided that as amended, the Systems' receipts shall be sufficient each year to pay all costs of operation and maintenance, depreciation, principal and interest on indebtedness of the same, and reserves which may be required. The District is authorized to hire a Superintendent to oversee the operations of the District Systems.

ARTICLE II
DEFINITIONS

Section 1. Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

A. "Biochemical Oxygen Demand (BOD)" shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees Centigrade, expressed in milligrams per liter.
B. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.
C. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal, also called service pipe.
D. "Combined Sewer" shall mean a sewer intended to receive both wastewater and storm or surface water.
E. "Easement" shall mean an acquired legal right for the specific use of land owned by others.
F. "Floatable Oil" is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be

considered free of floatable fat if it is property pretreated, and the wastewater does not interfere with the collection system.

G. "Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.
H. "Industrial Wastes" shall mean the wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes.
I. "Natural Outlet" shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
J. "May" is permissive.
K. "Person" shall mean any individual, firm, company, association, society, corporation, or group.
L. "pH" shall mean the logarithm of the reciprocal of the hydrogen-ion concentrations. The concentration is the weight of the hydrogen-ions, in grams, per liter of solution.
M. "Sanitary Sewer" shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.
N. "Service Connection" shall mean the point at which the water main or sewer main is tapped to provide a connection for an individual user.
O. "Service Pipe" shall mean the piping between the individual user's first point of use and the water or sewer main.
P. "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.
Q. "Sewer Main" shall mean the piping to which individual service connections are connected (tapped).
R. "Shall" is mandatory.
S. "Superintendent" shall mean the superintendent of the water distribution system and/or wastewater collection and treatment systems or an authorized deputy, agent, or representative.
T. "Unpolluted Water" shall mean water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.
U. "User" shall mean any person with a service connection.
V. "Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and storm water that may be present.
W. "Wastewater Facilities" shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.
X. "Watercourse" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

ARTICLE III
USE OF PUBLIC SEWERS REQUIRED

Section 1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the District any human or animal excrement, garbage, or other objectionable waste.

Section 2. It shall be unlawful to discharge to any natural outlet within the District any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Section 3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater where the user has been provided notice to connect any such system to the public sanitary system.

Section 4. Owners or occupants may maintain and replace in kind any privy, privy vault, or septic tank existing prior to January 1, 2021, with approval from the Board of Trustees. Owners or occupants shall provide a complete list of any privy(s), privy vault(s), or septic tank(s) within the boundaries of the District to the Superintendent within 30 days of receiving written notice to do so. The listing shall include an aerial photo or plan sheet documenting the location, type, and capacity of each system.

Section 5. The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the District shall connect the same directly with the proper sewer main in accordance with the provisions of this ordinance, within 30 days after the date of official notice to do so, or after 30 days as provided by the Board where extension of the public system is required to make such connection. All proposed improvements, modifications and/or additions of sanitary significance planned within the boundaries of the District must be submitted for approval to the Superintendent, and also according to Administrative Rules, set forth by the South Dakota Department of Agriculture and Natural Resources. The property referred to may be planned lots, platted lots, leased areas, or other areas where the above-mentioned buildings exist.

ARTICLE IV
PRIVATE WASTEWATER DISPOSAL

Section 1. New private wastewater disposal systems may only be approved by a majority vote of the Board. Where approved, the installation shall comply with the adopted design criteria of the District. For the purposes of private wastewater disposal, only holding tanks, pit privies, or similar sealed systems will be considered for lots less than one acre in size. New or replacement soil absorption or evaporative systems may be approved where the lot exceeds one acre in size. Subsequent subdivision of lots may require abandonment of soil absorption or evaporative systems if such subdivision decreases the lot size to less than one acre.

Section 2. Private wastewater disposal systems within the boundaries of the District shall obtain approval from the South Dakota Department of Agriculture and Natural Resources. A copy of the plans approved by DANR and the approval letter shall be provided to the Superintendent as part of the application for approval by the Board. Where applicable, a copy of the building permit issued by Hughes County or Sully County shall be provided to the Superintendent prior to beginning construction. For the purposes of this section, building permit includes any permit necessary to be issued by the respective counties for the construction of the private wastewater disposal system.

Section 3. Upon completion of construction, as-built plans of the private wastewater disposal system shall be provided to the Superintendent. Where required, the as-built plans shall be submitted for review and approval by DANR with a copy of said approval being provided to the Superintendent. The Superintendent may require the Board approve of as-built plans prior to placing the private wastewater disposal system into service.

Section 4. The type, capacities, locations, and layout of a private wastewater disposal system shall comply with all DANR requirements. No septic tank or cesspool shall be permitted to discharge to any natural outlet. Any fees attributed to required inspections of a private wastewater disposal system shall be assessed to the property owner or developer.

Section 5. Private wastewater disposal systems within the jurisdictional bounds of the District may be required by the Board to be properly abandoned and the premises be connected to the public wastewater system.
Section 6. Private wastewater disposal facilities within the boundaries of the District shall be operated and maintained in a sanitary manner at all times and at no expense to the District.
Section 7. Any approval of new or existing private wastewater disposals may be rescinded by a majority vote of the Board. Where rescinded, the private wastewater system shall be abandoned and a direct connection shall be made to the District in accordance with this Article.
Section 8. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by other governmental agencies or subdivisions.

ARTICLE V
SANITARY SEWERS, BUILDING SEWERS, AND CONNECTIONS

Section 1. No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.
Section 2. All users shall be considered a single class unless the service is for a user producing industrial waste. Users producing industrial waste shall be considered a separate class. In each case, the owner(s) or owner's agent shall make application on a form furnished by the District. The connection application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. Connection fees for industrial waste generators shall be set by the Board of Trustees on an as needed basis based upon the estimated costs required to collect, transport, and treat such industrial wastes. The Board may deny any application from any applicant that generates industrial waste. Denial of such application is a final action.
Section 3. All costs and expenses incidental to the installation and connection of the building sewer to the sewer main, where such connection has not been installed by the original developer or installer of the sewer main, shall be borne by the user. The costs of any upkeep and maintenance of the building sewer to the sewer main shall also be borne by the user. The user shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation, upkeep or maintenance of the building sewer.
Section 4. A separate and independent service connection shall be made to the public sewer for every premises. If a separate and independent connection cannot be provided, the user shall provide written documentation to the Superintendent detailing the circumstances preventing a separate and independent service connection from being made. With the approval of the Superintendent, a combined connection servicing more than one premises may be made. The District does not and will not assume any obligation or responsibility for damage caused by or resulting from any such connection.
Section 5. Where an existing service connection is located, the existing connection may be used for a new building only when found, on examination and test by the Superintendent, to meet all requirements of this ordinance.
Section 6. The size, slope, alignment, construction materials of all sanitary sewers including building sewers, and the methods to be used in excavating, placing of pipe, jointing, testing, and backfilling of the trench, shall all conform to the requirements of the adopted design criteria of the District. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. Any such lifts will be

submitted to the Superintendent for approval. The Superintendent may require review by an engineer licensed in the state of South Dakota.

Section 7. Where private wastewater collection systems are connected to the public sewer, all connections shall be made at a manhole in accordance with the adopted design criteria of the District. The owner of a private wastewater collection system utilizing a lift station to convey wastewater to the District shall provide the Superintendent with information including the wet well capacity, pump size and flow rating, and the estimated peak daily flows within 30 days of receiving written notice. If any portion of the above information is unavailable, the owner of the private system shall notify the Superintendent and District Engineer and provide a schedule for obtaining and supplying such information.

Section 8. Private wastewater collection systems utilizing a lift station to convey wastewater to the District shall have working flow meters or hour meters that can be utilized to determine the volume reporting to the public sewer. The Superintendent shall have access to such meters at all reasonable times to record meter readings. The Superintendent may waive the meter requirement for connections where a single point of use lift station or connection is installed. Examples of single point of use connections include camper dump stations, fish cleaning stations, or other small capacity connections as determined by the Superintendent.

Section 9. No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the District for purposes of disposal of polluted surface drainage.

Section 10. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code of Hughes County and the adopted design criteria of the District. All such connections shall be made gas tight and watertight and shall be verified by proper testing. Any deviation from the prescribed procedures and/or materials must be approved by the Superintendent before installation.

Section 11. Prior to connecting a building sewer to the District an application shall be made to the District using a form supplied by the Superintendent. After the application has been filed and all necessary fees paid in full, the applicant shall notify the Superintendent when the building sewer is ready for inspection and connection to the District. The connection and testing shall be made under the supervision of the Superintendent. Backfilling or covering the building sewer connection to the public sewer prior to inspection by the Superintendent shall be considered a failed inspection requiring reinspection and testing once uncovered.

Section 12. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District.

ARTICLE VI
USE OF THE PUBLIC SEWERS

Section 1. No person(s) shall discharge or cause to be discharged any unpolluted waters such as storm water, surface water, groundwater, roof runoff, subsurface drainage, or cooling water to any sanitary sewer within the boundaries of the District. Storm water, which may be polluted at times, may be discharged to the sanitary sewer with written permission from the Superintendent.

Section 2. Storm water, other than that exempted under this section, and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent and other regulatory agencies.

Section 3. No person(s) shall discharge or cause to be discharged, any of the following described water or wastes to any public sewers:

a. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid solid or gas;
b. Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or crate a public nuisance;
c. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the District; or
d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

Section 4. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics which in the judgment of the Superintendent may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitutes a public nuisance, the Superintendent may:

a. Reject the wastes;
b. Require pretreatment to an acceptable condition for discharge to the public sewers and/or a pretreatment permit;
c. Require control over the quantities and rates of discharge; and/or
d. Require payment to cover the added cost of handling, treatment, and testing of the wastes.

Section 5. If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent.

Section 6. Grease, oil, and sand interceptors shall be provided when, in the Superintendent's opinion, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified herein, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the user shall be responsible for the proper removal and disposal by appropriate means of the collected material and shall maintain records of the dates and means of the disposal which are subject to review by the Superintendent. Any removal and hauling of the collected materials not performed by the user must be performed by currently licensed waste disposal firms.

Section 7. Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the user at the user's expense.

Section 8. When required by the Superintendent, the owner(s) of any property serviced by a building sewer carrying industrial wastes, shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation,

sampling, and measurement of the wastes. Such structures, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The structure shall be installed by the owner at the owner's expense and shall be maintained by the owner so as to be safe and accessible at all times.

Section 9. The Superintendent may require a user of sewer services to provide information needed to determine compliance with this ordinance. These requirements may include, but are not limited to:

a. Wastewater discharge peak rate and volume over a specified time period;
b. Chemical analyses of wastewater;
c. Information on raw materials, processes, and products affecting wastewater volume and quality;
d. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control;
e. A plot plan of sewers of the user's property showing sewer and pretreatment facility location;
f. Details of wastewater pretreatment facilities; and
g. Details of systems to prevent and control the losses of materials through spills to the District.

Section 10. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis subject to approval by the Superintendent.

Section 11. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment.

ARTICLE VII
USER COMPLIANCE WITH REGULATIONS

Section 1. Every user receiving sewer services from the District, and every owner of property situated within the District shall be deemed at the time of connection to the District, to have consented to all the rules, regulations, rates, fees, charges, and rentals contained in the resolutions and ordinances passed by the District, including any modifications thereto, and to all new rules, regulations, rates, fees, charges, and rentals adopted by the District.

Section 2. It shall be unlawful for any person to place wastes into any sewer inlet without the prior consent of the user, or to use any manhole or the like to place wastes into the District system unless authorized by the District. No person except the Superintendent of the District shall turn on or off, or tamper with any sewer service connection.

Section 3. It shall be unlawful for any person to place waste into the wastewater collection and treatment system of the District from any private water source.

ARTICLE VIII
WASTEWATER FACILITY- INTENTIONAL DAMAGE

Section 1. No person(s) shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, occupy, or tamper with any structure, appurtenance or equipment that is part of the system.

ARTICLE IX
POWERS AND AUTHORITY OF SUPERINTENDENT

Section 1. The Superintendent and other duly authorized employees or agents of the District bearing proper credential and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, or testing pertinent to the discharge to the public sewer system. This section shall include the right of entry to read and inspect meters at any reasonable time.
Section 2. The Superintendent and other duly authorized employees of the District bearing proper credential and identification shall be authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question will result in advantage to competitors.
Section 3. No excavation may be initiated in the vicinity of infrastructure owned or operated by the District without advance notice to the Superintendent and the subsequent receipt of approval. Any person found to be conducting unapproved excavation shall be subject to a fine of up to $100.
Section 5. The Superintendent and other duly authorized employees of the District bearing proper credential and identification shall be permitted to enter all private properties through which the District holds an easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the easement pertaining to the private property involved.

ARTICLE X
SEWER RATES AND REGULATIONS

Section 1. All sewer users shall be considered one class of user unless designated as an industrial user and shall be assessed a hookup fee as set forth in Appendix A.
Section 2. Industrial users shall be assessed a hookup fee as set by the District on an as-needed basis. The hookup fee shall be reasonable based on the nature of the wastewater to be placed into the System.
Section 3. Sewer users shall pay a minimum sewer fee as set forth in Appendix A. The minimum sewer fee includes no usage. Sewer usage shall be billed at the sewer rate per 1,000 gallons of metered water usage. Fees for industrial users shall be set by the District Board on an as-needed basis based upon the estimated costs required to collect, transport, and treat such industrial wastes. Where no sewer connection exists, or where a water connection is used solely for irrigation, base sewer and usage fees will not be assessed.

ARTICLE XI
USER FEES

Section 1. A transfer fee, as set forth in Appendix A, will be required when one user transfers to another. A deposit will be required of all users, as set forth in Appendix A. this deposit shall be refundable upon proper clearing of the account upon departure.
Section 2. Users with seasonal residences may arrange to pay their minimum monthly fees in advance. Any user may arrange to automatically pay their bill.
Section 3. If at any time the user desires to have an installed sewer meter tested for accuracy, the same shall be done by the District. A meter testing fee, as set forth in Appendix A, shall be charged to the user if the meter registers a ninety-eight percent or more accuracy rate. If the meter registers less than a ninety-eight percent rate, it shall be replaced, and no meter testing fee charged. In the event a meter is damaged due to neglect, carelessness or some fault of the user, such meter shall be repaired or replaced at the expense of the user, and such cost shall be added

to the next bill rendered to the user. Upon request to test a meter for accuracy, the Superintendent may replace the meter, at a cost to the District, in lieu of testing. Testing shall be performed by the Superintendent with the exception of third-party testing.

Section 4. A user may request a third party test the water meter. Testing performed by a third party will be billed to the user at the prevailing cost regardless of the outcome of the testing.

Section 5. Special charges or surcharges shall be assessed pursuant to SDCL 9-40-15 for the services provided by Project by Revenue Bonds. The special charges or surcharges shall be segregated from other revenues of the System and shall be used for the payment of the Revenue Bonds. The special charges or surcharges shall be set and then periodically reviewed by the Board, not less than yearly, and shall be modified in order to produce such funds as are necessary and required to comply with all Loan Agreement rate covenants, and to pay principal of, interest and Administrative Surcharges on the Revenue Bonds when due. The special charges or surcharges shall be set according to the rate shown in Appendix A. The District reserves the right to add surcharges to be used for payment of Revenue Bonds. For the purposes of this section, all owners of real property within the jurisdictional boundaries of the District may be considered users and assessed the special charge or surcharge as applicable.

Section 6. All bills are due and payable on or before the end of the month after mailing of the bill. If the account should become over 30 days delinquent, the user will be notified by mail that the water service will be disconnected if the account, including a late payment penalty of 10%, is not paid in full within 10 days. If the service is disconnected, there will be a $100.00 re-connect fee due and payable along with the past due account. When the account has been paid in full, including the reconnect fee, service will be re-connected. In addition, if the previous deposit has been used up or reduced, the user must provide sufficient money to upgrade the deposit to the prevailing amount noted in Appendix A prior to re-connection.

Section 7. Users shall be billed monthly with the amount calculated using the minimum fee plus metered water usage as provided herein.

ARTICLE XII
NON-USER FEES

Section 1. The District shall charge prevailing sewer rates on a per 1,000-gallon basis as shown in Appendix A for any non-user of the system that wishes to dispose of domestic strength wastewater by placing the wastewater into the District's collection and treatment system. Domestic strength wastewater does not include septage, any industrial waste, waste from grease traps or similar devices, or the contents of any settling tank or similar device.

Section 2. The minimum charge for any use of water from the system or placement of domestic waste into the collection and treatment system shall be set in Appendix A.

Section 3. The District reserves the right to limit or refuse service to non-users of the system under this Article. Billing under this Article shall be determined on a monthly basis with payment due within 15 days of the billing date.

Section 4. The minimum bill for non-user fees shall be $250.00.

ARTICLE XIII
RATE ADJUSTMENTS

Section 1. The District has the authority to adjust rates, including increasing rates.

ARTICLE XIV
RESERVE FUND

Section 1. A reserve fund may be established as an interest-bearing account. Excess funds will be transferred between District accounts in accordance with decisions made by the District with its designated accountant.

ARTICLE XV

ENFORCEMENT

Section 1. Any person found to be in violation of any provision of this Ordinance shall be formally served with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The District reserves the right to commence legal action against any person who fails to comply.

Section 2. Any person found to be in violation of this Ordinance shall be liable to the District for any expense, loss or damage incurred by the District because of said violation.

ARTICLE XVI
WAIVER OF REGULATIONS

Section 1. When strict interpretation of the regulations set forth in this Ordinance would result in extreme hardship, the Board may waive such regulation or part thereof, provided that the waiver is consistent with the intent of these regulations, and that no imminent danger to public health or safety or to the environment exists. Any waiver granted must be in writing, include the reasons for granting the waiver and the notarized signature of the Superintendent. A copy of the waiver shall be filed with the District.

ARTICLE XVII
LIABILITY

Section 1. This Ordinance shall not be construed as imposing upon the District any liability or responsibility resulting from any defective portion of an on-site domestic wastewater disposal system, or the installation thereof. Nor shall the District or their employees be held as assuming any liability or responsibility by reason of authorized inspection.

ARTICLE XVIII
CONFLICT

Section 1. In any case where a provision of these regulations is in conflict with the provisions of any zoning, building, fire, safety, or health regulations, law, or ordinance effective within the jurisdictional boundaries of these regulations, the provisions that establish a higher standard or specification, or are more stringent in their requirements, shall control.

ARTICLE XIX
VALIDITY

Section 1. This ordinance shall be in full force and effect from and after its passage, approval, record, and publication as provided by law.

Section 2. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part(s).

Section 3. Nothing in this Article or Ordinance shall prohibit or otherwise limit the District from commencing a separate civil action, whether equitable or legal, to remedy a violation of this ordinance.

ARTICLE XX
ORDINANCE IN FORCE

Section 1. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

Section 2. Passed and adopted by the Board of Trustees of Spring Creek/Cow Creek Sanitary District on the 11th day of November, 2026, by the following vote:

Ayes: 4, Namely: Forsch, Kopman, Russell, Konda
Nays: 1, Namely: Griffin
Passed First Reading: October 7, 2026
Passed Second Reading: November 11, 2026

Published:

Neal Konda, President,
Spring Creek/Cow Creek Sanitary District

ATTEST:
JJ Linn, Clerk, Spring Creek/Cow Creek Sanitary District
Published once at the approximate cost of

Ordinance 8, Appendix A - Sewer Rates, Surcharges, and Fees

Monthly Base Charges
Minimum Sewer (includes no usage) $38.00
Usage Charges
Sewer per 1000 gallons (as recorded by the water meter) $6.00
Monthly Surcharges
Sewer Surcharge CW-01 (All metered users. Irrigation Only Meters are Excluded) $11.00
Sewer Surcharge CW-02 (All metered users and those owners that have paid a connection fee are included in the surcharge for CW-02. Irrigation Only Meters are Excluded)
CW-02 Base Charge Includes the first 5,000 gallons per month. $41.00
CW-02 Usage Charge Surcharge per 1,000 gallons after 5,000 gallons (as recorded by the water meter). $17.00
Utility Deposit
Fixed deposit, refundable at close of account ($275.00 total for water and sewer or any part thereof) $275.00
Transfer, Reconnect, and New Account Fees
Transfer, Reconnect, and New Account Fee ($25.00 total for water and sewer or any part thereof) $25.00
Seasonal Disconnect - Turn off and turn on at the curbstop (all monthly fees remain payable) $100.00
Closed accounts reactivated in less than 12 months will accrue all back base charges and monthly surcharges as though service remained active. After 12 months, only a new account fee is assessed.
Sewer Hookup (based on sewer service size and type)
All Connections (Gravity connections larger than 4 inches and forcemains larger than 2 inches to be made at manhole) $4,000.00
Meter Testing Fee
Testing Performed by the District $100.00
Testing Performed by Third Party Actual Cost
Non-User Usage Fees
Water and sewer fees for non-users shall be a minimum of $250.00 plus usage fees. Usage fees shall be as noted above per 1,000 gallons.