

AN ORDINANCE REGULATING THE DISPOSAL OF WASTEWATER AND SEWAGE IN SCOTT COUNTY, MISSISSIPPI, FOR PROPERTIES LOCATED OUTSIDE OF THE CORPORATE LIMITS OF ANY MUNICIPALITY

WHEREAS, the Board of Supervisors of Scott County, Mississippi, has become aware of the fact that many residences, commercial sites, and establishments within the County and located outside of the corporate limits of any municipality do not have adequate provision for the proper disposal of wastewater and sewage treatment and disposal systems, and

WHEREAS, any such residence or establishment that does not have adequate provisions for the proper disposal of wastewater and sewage constitutes a public health hazard; and

WHEREAS, it is in the best interest of the County to eliminate such public health hazards by regulating future installation of on-site sewage treatment and disposal facilities; and

WHEREAS, Miss. Code Ann. Sec. 41-67-15 grants the Board authority to adopt ordinances for the regulation of individual on-site wastewater disposal systems.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Scott County, Mississippi, that for the reasons set forth above and, pursuant to authority granted, the following ordinance shall be enacted:

Section 1. Short Title. This ordinance shall be known as the Scott County Individual On-Site Wastewater Disposal Ordinance.

Section 2. Intent. It is the express intent of the Board of Supervisors that this ordinance require new residential and commercial sites that generate wastewater to be connected to adequate wastewater treatment and disposal systems and to comply with all regulations.

Section 3. Applicability. The ordinance shall apply to and be enforced within the unincorporated boundaries of Scott County, Mississippi, for all places where persons reside, are employed, and/or congregate, within new residential sites, commercial sites, and establishments which are constructed, moved, or located in Scott County, Mississippi, after the effective date of this ordinance.

Any structure, lot, improvement, development, use, or other condition regulated by this ordinance that was lawfully established prior to the effective date of this ordinance or any amendment hereto, but which does not conform to current requirements, may continue as a lawful nonconformity.

Section 4. Utility Connection Permit Required

- a. It shall be unlawful for any new connection to any utility to be established for any new residential or new commercial site built, located, or otherwise established after

the effective date of this ordinance for temporary or permanent occupancy or human habitation, without first having obtained a utility connection permit from the Scott County Department of Community Development or the Board of Supervisors.

- b. Temporary connections of such utilities may be authorized during construction, for a period not to exceed 6 months, provided the Mississippi Department of Public Health has approved a plan for a sewage treatment and disposal system acceptable to that Department or a municipal or community sewer service has provided a letter certifying that sanitary sewer service will be made available. The owner(s) of such properties shall agree to have such system operational prior to the permanent use or occupancy of the property. Owners shall provide evidence of final approval of the individual on-site wastewater system by the Mississippi Department of Public Health or proof of a connection to a public or community sewer prior to permanent connection of such utilities.
- c. No permanent connections of such utilities shall be authorized until the County has evidence of the following:
 1. A completed Utility Connection Permit Application
 2. The site applied for and received a valid 911 Address
 3. Any residential site has established a Solid Waste Account
 4. Evidence of final approval of the individual on-site wastewater system by the Mississippi Department of Public Health or proof of a connection to a public or community sewer prior to permanent connection of such utilities, such as:
 - i. A completed final approval Form 910, or its successor, approved by the Mississippi Department of Health's On-site Wastewater Division, or
 - ii. Evidence of a valid account demonstrating connection to a public or community sewer service.

Section 5. Unlawful to Circumvent

It shall be unlawful to circumvent the requirements of this ordinance by any means, including, but not limited to:

- a. The use of extension cords or other means to gain access to electricity from another residence or commercial site,
- b. The use of water by any means provided by a water meter established for any other residence or commercial site,
- c. Any other means of providing utilities to any residence or commercial site that does not require the installation of an individual meter for the site at which the utilities are being accessed and used.

Section 6. Penalties. To enforce this ordinance, the following penalties shall apply:

- a. If utility service is connected to a property without the required approval under this ordinance, the utility provider must disconnect the service at its own expense within fifteen (15) days after receiving written notice from the County.

The notice will be sent by certified mail, return receipt requested, and will identify the property by parcel number, 911 address, or another clear description.

- b. Any property owner or responsible person who fails to comply with this ordinance may be fined up to One Hundred Dollars (\$100.00), plus court costs. Each day a violation continues shall constitute a separate offense.
- c. Any person who violates this ordinance is responsible for paying all costs related to enforcement, including court costs and reasonable attorney's fees.

Section 7. Exceptions/Exclusions. The requirements of this ordinance shall not apply to accessory buildings and/or buildings used for agricultural purposes so long as such buildings do not require plumbing and are not converted for use as an inhabited structure.

Section 8. Conflict. Where this ordinance conflicts with other ordinances of Scott County or other duly authorized entities, the more restrictive provision shall control unless otherwise provided by law.

Section 9. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is held invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions.

Section 10. Cumulative Effect. This ordinance and each section herein shall be cumulative and in addition to any other ordinance or applicable law.

Section 11. Effective Date. This ordinance shall take effect sixty (60) days after first publication as required by law.

The above and foregoing Ordinance was first reduced to writing, and offered by Supervisor Crotwell, who moved its adoption, which motion was seconded by Supervisor Harrison, and which Ordinance was duly considered and adopted with the vote on the final passage thereof as follows:

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| District 1 Supervisor, Michael Robinson voted: | Aye |
| District 2 Supervisor, Joe McGee voted: | Aye |
| District 3 Supervisor, Steven Crotwell voted: | Aye |
| District 4 Supervisor, Johnny Harrell voted: | Aye |
| District 5 Supervisor, Tommy Harrison voted: | Aye |

WHEREUPON, the President declared the motion as having been passed and the Ordinance approved as adopted this the 4th day of May, 2026.

BOARD OF SUPERVISORS OF SCOTT COUNTY

By: *Michael Robinson*

Michael Robinson, President



Attest:

Tom Miles

Tom Miles, Chancery Clerk

TOM MILES, CHANCERY CLERK
SCOTT COUNTY, MISSISSIPPI
MY COMMISSION EXPIRES
JANUARY 3, 2028