

# ACT No. 439

2016 Regular Session

HOUSE BILL NO. 670

BY REPRESENTATIVE HENSGENS

1 AN ACT

2 To enact R.S. 33:3887.7 and R.S. 40:1281.26, relative to sewerage systems and districts; to  
3 provide for consolidation and mergers; to provide for a temporary waiver of sanitary  
4 code requirements for individual sewerage systems in certain jurisdictions; to  
5 authorize enforcement by the jurisdiction; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 33:3887.7 is hereby enacted to read as follows:

8 §3887.7. Individual sewerage districts; consolidation and merger.

9 A sewerage district located wholly within the boundaries of a parish with a  
10 population between one hundred twenty thousand and one hundred sixty thousand  
11 according to the latest federal decennial census shall be able to merge or consolidate  
12 itself into another sewerage district wholly located within the same parish according  
13 to the procedure provided for in Article VI, Section 16 of the Constitution of  
14 Louisiana.

15 Section 2. R.S. 40:1281.26 is hereby enacted to read as follows:

16 §1281.26. Individual sewerage systems; temporary waiver; enforcement

17 A. The Department of Health and Hospitals, office of public health, shall  
18 temporarily waive applicable requirements of LAC 51:XIII.101 et seq. regarding  
19 individual sewerage systems during the construction of a community sewerage  
20 system for properties located within the boundaries of any parish with a population  
21 between six thousand eight hundred and six thousand nine hundred according to the  
22 latest federal decennial census.

1           B. The temporary waiver of individual sewerage system regulations for  
2           properties within a qualifying jurisdiction pursuant to Subsection A of this Section  
3           shall be granted only under the following conditions:

4           (1) All permits and authorizations issued by the Department of Health and  
5           Hospitals, office of public health, for new or existing onsite sewerage treatment shall  
6           become invalid upon completion of a community sewerage treatment system.

7           (2) The property owner or designated agent shall sign an agreement  
8           acknowledging that the waiver is temporary and that the owner shall be required to  
9           connect to the community sewerage system upon its availability.

10          (3) Each waiver shall require five thousand feet of contiguous property, with  
11          a current property survey by a Louisiana registered land surveyor, and a minimum  
12          of four property corners that are visibly staked.

13          (4) Only one habitable structure shall be authorized for parcels of property  
14          meeting the requirements set forth in Paragraph (3) of this Subsection.

15          (5) Permits for new individual sewerage treatment systems shall be  
16          contingent upon adherence to Paragraphs (3) and (4) of this Subsection, and shall  
17          require the installation of an aerobic treatment unit that includes the appropriate  
18          required effluent reduction field.

19          (6) Authorization or approvals to use permitted existing individual sewerage  
20          treatment systems shall be contingent upon the owner's providing the Department of  
21          Health and Hospitals, office of public health, with written and signed documentation  
22          from a Louisiana licensed sewerage installer or maintenance provider which declares  
23          the system is operable and will function as designed.

24          (7) Individual sewerage systems that produce a discharge shall be required  
25          to provide appropriate effluent disinfection prior to effluent reduction field.

26          C. The parish or any municipality within the parish may provide appropriate  
27          enforcement mechanisms to discourage citizens owning property within the  
28          boundaries of the parish from doing any of the following:

29          (1) Connecting multiple habitable structures to an individual sewerage  
30          system.

- 1
- (2) Allowing an individual sewerage system to cause or create a nuisance or
- 2
- public hazard.
- 3
- (3) Refusing to connect to the community sewerage system after its
- 4
- availability.
- 5
- (4) Refusing to properly abandon an individual sewerage system upon
- 6
- connection to the new completed community sewer system.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_