

Regular Session, 2014

## HOUSE CONCURRENT RESOLUTION NO. 195

BY REPRESENTATIVE THIBAUT

SANITARY CODE: Requests the Department of Health and Hospitals to study and make changes to Sanitary Code regulations providing minimum lot size restrictions to address the negative impact of those provisions on economic development

## 1 A CONCURRENT RESOLUTION

2 To urge and request the Department of Health and Hospitals to study and make changes to  
3 the provisions of the state Sanitary Code which provide for minimum lot size  
4 restrictions, including but not limited to those provisions relative to sewerage  
5 systems, to address the negative impact of those provisions on economic  
6 development within the state of Louisiana, with a specific focus on the prohibitive  
7 effect of the provisions on the development of land surrounding False River in Pointe  
8 Coupee Parish.

9 WHEREAS, R.S. 40:4 requires the state health officer, acting through the office of  
10 public health of the Department of Health and Hospitals, to prepare, promulgate, and enforce  
11 rules and regulations embodied within the state Sanitary Code in conformity with a set of  
12 guidelines and directives set forth in the statute; and

13 WHEREAS, the public policy of Louisiana is to maintain reasonable standards of  
14 construction in the state in order to protect the public health, safety, and welfare of its  
15 citizens; and

16 WHEREAS, numerous public and private interests are affected by the promulgation  
17 of construction standards, including minimum lot size restrictions relative to sewerage  
18 systems; and

1           WHEREAS, the legislature recognizes that construction standards and restrictions  
2 must balance the needs of affordability of construction and the protection of the public health  
3 and welfare; and

4           WHEREAS, there are provisions within the state Sanitary Code which provide for  
5 minimum lot sizes when land is subdivided; and

6           WHEREAS, provisions for minimum lot sizes can have a significant impact on the  
7 feasibility and desirability of the purchasing or subdividing of a parcel of land with the intent  
8 to construct a residential dwelling or commercial building; and

9           WHEREAS, ease of construction plays a pivotal role in the economic growth and  
10 development of this state; and

11           WHEREAS, especially during an economic downturn, it is incumbent upon the  
12 leadership of this state to assist its citizens by ensuring that the laws, rules, and regulations  
13 of this state meet the goal of providing a reasonable degree of public health, safety,  
14 affordability, and welfare.

15           THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
16 urge and request the Department of Health and Hospitals to study and make changes to the  
17 provisions of the state Sanitary Code which provide for minimum lot size restrictions,  
18 including but not limited to those provisions relative to sewerage systems, to address the  
19 negative impact of those provisions on economic development within the state of Louisiana.

20           BE IT FURTHER RESOLVED that the department shall include in its study a  
21 specific and focused review of the prohibitive effect of the minimum lot size provisions on  
22 the development of land surrounding False River in Pointe Coupee Parish.

23           BE IT FURTHER RESOLVED that the department shall submit a written report of  
24 its findings and conclusions, including any recommendations for legislation relative to the  
25 issue, and any Sanitary Code changes proposed by the department to the legislature not later  
26 than sixty days prior to the beginning of the 2015 Regular Session of the Legislature of  
27 Louisiana.

28           BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
29 secretary of the Department of Health and Hospitals.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Thibaut

HCR No. 195

Requests the Dept. of Health and Hospitals to study and make changes to the provisions of the state Sanitary Code which provide for minimum lot size restrictions to address the negative impact of those provisions on economic development within the state of La., with a specific focus on the prohibitive effect of the provisions on the development of land surrounding False River in Pointe Coupee Parish.