

Regular Session, 2014

HOUSE CONCURRENT RESOLUTION NO. 195

BY REPRESENTATIVE THIBAUT

A CONCURRENT RESOLUTION

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

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

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

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

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

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

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

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

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

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

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

BE IT FURTHER RESOLVED that the department shall submit a written report of its findings and conclusions, including any recommendations for legislation relative to the issue, and any Sanitary Code changes proposed by the department to the House Committee on Health and Welfare and the Senate Committee on Health and Welfare not later than sixty days prior to the beginning of the 2015 Regular Session of the Legislature of Louisiana.

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE