

2016 Regular Session

HOUSE BILL NO. 670

BY REPRESENTATIVE HENSGENS

SEWERAGE: Provides for a temporary waiver for individual sewerage systems in parishes of a certain size

1 AN ACT

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

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1281.26 is hereby enacted to read as follows:

8 §1281.26. Individual sewerage systems; temporary waiver; enforcement

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

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

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

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

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

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

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

13          (6) Authorization or approvals to use permitted existing individual sewerage  
14          treatment systems shall be contingent upon the owner providing the Department of  
15          Health and Hospitals, office of public health, with written and signed documentation  
16          from a Louisiana licensed sewerage installer/maintenance provider which declares  
17          the system is operable and will function as designed.

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

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

23               (1) Connecting multiple habitable structures to an individual sewerage  
24               system.

25               (2) Allowing an individual sewerage system to cause or create a nuisance or  
26               public hazard.

27               (3) Refusing to connect to the community sewerage system after its  
28               availability.

- 1                    (4) Refusing to properly abandon an individual sewerage system upon  
2                    connection to the new completed community sewer system.
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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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HB 670 Original

2016 Regular Session

Hensgens

**Abstract:** Exempts certain individual sewerage systems from the provisions of the state sanitary code during the construction of a community sewerage system.

Proposed law requires the Dept. of Health and Hospitals, office of public health, to temporarily waive applicable requirements of the state sanitary code regarding individual sewerage systems during the construction of a community sewerage system for properties located within the boundaries of any parish with a population between 6,800 and 6,900 according to the latest federal decennial census.

Proposed law authorizes the temporary waiver to be granted only if certain conditions are met.

Proposed law authorizes the parish or any municipality within the parish to provide appropriate enforcement mechanisms to discourage citizens owning property within the boundaries of the parish from doing certain actions.

(Adds R.S. 40:1281.26)