SLS 20RS-528 ORIGINAL

2020 Regular Session

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SENATE BILL NO. 228

BY SENATOR HENSGENS

WATER/SEWER OPERATORS. Provides relative to sewerage systems and districts. (8/1/20)

AN ACT

2 To amend and reenact R.S. 33:3887.7 and R.S. 40:1281.26, relative to sewerage systems and districts; to provide for individual sewerage district consolidation and merger; to 3 provide for individual sewerage systems; and to provide for related matters. 4 5 Be it enacted by the Legislature of Louisiana: Section 1. R.S. 33:3887.7 is hereby amended and reenacted to read as follows: 6 7 §3887.7. Individual sewerage districts; consolidation and merger 8 A sewerage district located wholly entirely within the boundaries of a parish 9 with a population between one hundred twenty thousand and one hundred sixty 10 thousand according to the latest federal decennial census shall be able have the 11 **ability** to merge or consolidate itself into another sewerage district wholly **entirely** located within the same parish according to the procedure provided for in Article VI, 12 13 Section 16 of the Constitution of Louisiana. Section 2. R.S. 40:1281.26 is hereby amended and reenacted to read as follows: 14 §1281.26. Individual sewerage systems; temporary waiver; enforcement 15 A. The Louisiana Department of Health, office of public health, shall 16 17 temporarily waive applicable requirements of LAC 51:XIII.101 et seq. regarding

1	individual sewerage systems during the construction of a community sewerage
2	system for properties located within the boundaries of any parish with a population
3	between six thousand eight hundred and six thousand nine hundred according to the
4	latest federal decennial census.
5	B. The temporary waiver of individual sewerage system regulations for
6	properties within a qualifying jurisdiction pursuant to Subsection A of this Section
7	shall <u>only</u> be granted only under the following conditions:
8	(1) All permits and authorizations issued by the Louisiana Department of
9	Health, office of public health, for new or existing onsite sewerage treatment shall
10	become invalid upon at completion of a community sewerage treatment system.
11	(2) The property owner or designated agent shall sign an agreement
12	acknowledging that the waiver is temporary and that the owner shall be required to
13	connect to the community sewerage system upon its availability.
14	(3) Each waiver shall require five thousand feet of contiguous property, with
15	a current property survey by a Louisiana registered land surveyor, and a minimum
16	of four property corners that are visibly staked.
17	(4) Only one habitable structure shall be authorized for parcels of property
18	meeting the requirements set forth in Paragraph (3) of this Subsection.
19	(5) Permits for new individual sewerage treatment systems shall be
20	contingent upon adherence to Paragraphs (3) and (4) of this Subsection, and shall
21	require the installation of an aerobic treatment unit that includes the appropriate
22	required effluent reduction field.
23	(6) Authorization or approvals to use permitted existing individual sewerage
24	treatment systems shall be contingent upon the owner's providing the Louisiana
25	Department of Health, office of public health, with written and signed documentation
26	from a Louisiana licensed sewerage installer or maintenance provider which declares
27	the system is operable and will function as designed.
28	(7) Individual sewerage systems that produce a discharge shall be required
29	to provide appropriate effluent disinfection prior to effluent reduction field.

1	C. The parish or any municipality within the parish may provide appropriate
2	enforcement mechanisms to discourage citizens owning property within the
3	boundaries of the parish from doing any of the following:
4	(1) Connecting multiple more than one habitable structures to an individual
5	sewerage system.
6	(2) Allowing an individual sewerage system to cause or create a public
7	nuisance or public hazard.
8	(3) Refusing to connect to the $\underline{\mathbf{a}}$ community sewerage system after its
9	availability.
10	(4) Refusing to properly abandon an individual sewerage system upon
11	connection to the new completed community sewer system.
	The original instrument and the following digest, which constitutes no part

of the legislative instrument, were prepared by Christine Arbo Peck.

DIGEST 2020 Regular Session

Hensgens

<u>Present law</u> provides for the consolidation and merger of certain individual sewerage districts. <u>Proposed law</u> retains <u>present law</u> and makes technical changes.

<u>Present law</u> provides for individual sewerage systems to be exempt from certain regulations on a temporary basis and provides that a parish or municipality may provide appropriate enforcement mechanisms to prohibit individual behaviors regarding connection to a community water system. <u>Proposed law</u> retains <u>present law</u> and makes technical changes.

Effective August 1, 2020.

SB 228 Original

(Amends R.S. 33:3887.7 and R.S. 40:1281.26)