

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 or 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.

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)]

HB 670 Engrossed

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)