

Legislation

LEGISLATION

State Legislature Senate

Senate Concurrent Resolution No. 42
of the 2006 Regular Session by Senators Hines,
Mount and Theunissen and Representative Frith

Holly Beach Sewerage—Requirements Waiver

To direct the Department of Health and Hospitals, office of public health to allow a waiver of certain requirements of the sanitary code, LAC 51:XII.101 et seq., regarding sewerage treatment for properties within the boundaries of Holly Beach Sewerage Board District Ten of Cameron Parish, under certain conditions.

WHEREAS, the residents of Holly Beach were displaced by Hurricane Rita and most of the structures and sewerage treatment systems were swept away or rendered inoperable; and

WHEREAS, the residents of Holly Beach desire to return and rebuild their community; and

WHEREAS, Holly Beach Sewerage Board District Ten of Cameron Parish has had a grant application approved for the purpose of building a community sewerage system, but cannot do so without the area being repopulated. Such repopulation will be dependent, in part, on whether the installation and operation of individual sewerage systems can be easily facilitated by the state.

THEREFORE, BE IT FURTHER RESOLVED that the Legislature of Louisiana directs the Department of Health and Hospitals, office of public health, to waive applicable requirements of LAC 51:XIII.101 et seq., regarding individual sewerage systems for properties within the boundaries of Holly Beach Sewerage Board District Ten of Cameron Parish.

BE IT FURTHER RESOLVED that such waiver shall be a temporary or interim solution pending the construction and approval of a community sewerage system in Holly Beach Sewerage Board District Ten of Cameron Parish.

BE IT FURTHER RESOLVED that such waiver of individual sewerage system regulations for properties within the boundaries of Holly Beach Sewerage Board District Ten shall be granted under the following conditions:

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

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

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

4. Only one habitable structure shall be authorized for parcels of property meeting the requirements set forth in Item 3 above.

5. Permits for new individual sewerage treatment systems shall be contingent upon adherence to Items 3 and 4 above, and shall require the installation of an aerobic treatment unit that includes the appropriate required effluent reduction field.

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

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

BE IT FURTHER RESOLVED that the Cameron Parish Police Jury will be authorized to provide appropriate enforcement mechanisms to discourage citizens owning property within the boundaries of Holly Beach Sewerage Board District Ten from all of the following:

1. Connecting multiple habitable structures to an individual sewerage system.

2. Allowing an individual sewerage system to cause or create a nuisance or public hazard.

3. Refusing to connect to the community sewerage system after its availability.

4. Refusing to properly abandon an individual sewerage system upon connection to the new completed community sewer system.

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

Joe R. Salter
Speaker of the House
and
Donald E. Hines
President of the Senate

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