

SENATE BILL NO. 192

BY SENATOR HENSGENS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 40:1281.26(A), (B)(3), and (C)(introductory paragraph) and (1) and to enact R.S. 40:1281.26(D), relative to individual sewerage systems; to provide for a temporary waiver of sanitary code requirements for individual sewerage systems in certain jurisdictions; to authorize enforcement by the jurisdiction; to provide for exceptions; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1281.26(A), (B)(3), and (C)(introductory paragraph) and (1) are hereby amended and reenacted and R.S. 40:1281.26(D) is hereby enacted to read as follows:

§1281.26. Individual sewerage systems; temporary waiver; enforcement

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

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

* * *

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

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1 C. The parish or any municipality within the parish may provide appropriate
2 enforcement mechanisms to ~~discourage citizens owning~~ **prohibit persons who own**
3 property within the boundaries of the parish from doing any of the following:

4 (1) Connecting multiple habitable structures to an individual sewerage
5 system. **However, two recreational vehicles, as defined in Subsection D of this**
6 **Section, may connect to one individual sewerage system if the system is**
7 **permitted by the Louisiana Department of Health and the rated capacity of the**
8 **system is not exceeded.**

9 * * *

10 **D.(1) For purposes of this Section, "recreational vehicle" means a**
11 **motorized or towable vehicle that combines transportation and temporary**
12 **living quarters.**

13 **(2) For purposes of this Section, the term "recreational vehicle" shall**
14 **not include a mobile home, a dwelling known commonly as a "Katrina cottage",**
15 **a dwelling known commonly as a "tiny house", a movable house, or any other**
16 **living quarters designed or intended to have the wheels removed in connection**
17 **with placement on a lot or parcel of land.**

18 Section 2. This Act shall become effective upon signature by the governor or, if not
19 signed by the governor, upon expiration of the time for bills to become law without signature
20 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
21 vetoed by the governor and subsequently approved by the legislature, this Act shall become
22 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____