

CHAPTER 10

HEALTH AND SANITATION*

Sub-Chapter A -- In General

Sub-Chapter B -- Wastewater Disposal Regulations

Sub-Chapter A

In General

SECTION 10:1. ADOPTION OF STATE SANITARY CODE; PENALTIES FOR VIOLATION

A. The Sanitary Code of the State of Louisiana adopted pursuant to Act No. 70 of 1921, as same may be amended from time to time in accordance with duly authorized authority, shall be and the same is hereby adopted by reference by the governing authority of this parish and shall constitute the rules and regulations of this parish for the improvement and amelioration of hygienic and sanitary conditions.

B. Any person, firm or corporation who violates any portion of the State Sanitary Code shall be guilty of a violation of this Section, and upon being convicted, may be fined not more than one hundred dollars (\$100.00), or imprisoned for not more than thirty (30) days, or suffer both such fine and imprisonment at the discretion of the court.

Comment --The above provisions, included herein at the direction of the Police Jury constitutes a revision to the Jury's prior health and sanitation ordinances.

SECTION 10:2. -10:19. RESERVED

SECTION 10:20. DISPOSITION OF HUMAN EXCRETA, GENERAL REGULATIONS ESTABLISHED

A. It shall be unlawful for any person, persons, firm or corporation, to throw out, deposit, or bury, within the Parish of Lafourche, any excreta from human bodies, solid or liquid, or to dispose of such excreta in any manner other than in a properly constructed and maintained privy, a properly constructed septic tank, or other sanitary toilet device approved by the health officer and the state board of health.

B. It shall be unlawful to either maintain or use any method of excreta disposal other than is herein specified by any person, persons, firm or corporation, or their agent or assigns.

(Ord. No. 818, 3/12/47)

***Comment**--For creation of hospital districts, see Section 24:300 et seq. For regulations governing the disposal of garbage and trash, see Chapter 9.

§ 10:21

SECTION 10:21. SANITARY FACILITIES REQUIRED FOR RESIDENCES, BUSINESSES AND PLACES OF PUBLIC ASSEMBLY

All places in the Parish of Lafourche, where people reside, are employed or congregate, shall be provided with a sanitary method for the disposal of human excreta. It shall be the duty of the property owner to provide said sanitary method of excreta disposal. (Ord. No. 818, 3/12/47)

SECTION 10:22. SANITARY FACILITIES TO BE APPROVED BY HEALTH OFFICER

All methods of disposal of human excreta installed or maintained in the Parish of Lafourche shall be subject to the approval of the health officer of his duly authorized representative. (Ord. No. 818, 2/12/47)

SECTION 10:23. APPLICATIONS FOR APPROVAL TO INSTALL OR ALTER SANITARY FACILITIES; HEALTH OFFICER TO INSPECT PROPERTY AND ADVISE OWNER OF PROPER REQUIREMENTS

Any person, persons, firm or corporation intending to alter or install a method of excreta disposal on any property, shall apply to the health officer for a certificate of approval for such alterations or installations and the health officer shall cause an inspection to be made of said property to determine which one of the methods of excreta disposal as herein described shall be employed, and shall issue to the property owner a certificate of approval for the alteration or installation stating herein the method of excreta disposal to be employed and specifying therein the details of construction of said methods of excreta disposal; and, it shall be the duty of the property owners to comply with the provisions of said certificate. (Ord. No. 818, 3/12/47)

SECTION 10:24. LIMITATIONS ON USE OF CERTAIN TYPES OF SANITARY FACILITIES NEAR WATER WELLS AND DRAINAGE CANALS

It shall be unlawful for any person, persons, firm or corporation within the Parish of Lafourche, to maintain a privy, or septic tank, or other toilet device of a type where the deposits may come in contact with the soil in allocation being within twenty-five feet (25') of a well, used as a source of water supply or be discharged directly into a canal or bayou, or any ditch or drainage structure which might lead into such streams or wells. (Ord. No. 818, 3/12/47)

SECTION 10:25. MAINTENANCE OF SANITARY FACILITIES BY OWNERS AND OCCUPANTS

It shall be the duty of the occupants of the premises to see that the privy, septic tank, or other toilet device is kept in a sanitary condition at all times, and it shall be unlawful for anyone to abuse or misuse said property. (Ord. No. 818, 3/12/47)

**SECTION 10:26. AUTHORITY OF HEALTH OFFICER TO INSPECT
SANITARY FACILITIES**

The health officer or his duly authorized representative shall personally inspect all privies, septic tanks, or other toilet devices in the Parish of Lafourche, and the health officer or his duly authorized representative is hereby empowered to enter all premises in the discharge of his duty at any reasonable hour. (Ord. No. 818, 3/12/47)

**SECTION 10:27. HEALTH OFFICER TO NOTIFY PROPERTY OWNERS OF
UNSATISFACTORY CONDITIONS; OWNERS REQUIRED
TO COMPLY**

On premises where in the opinion of the health officer or his duly authorized representative, a sanitary pit privy, or septic tank, or other sanitary toilet device, is not satisfactorily operated, or there is located a box and can, or open back privy or other type of privy, septic tank, or other toilet device not properly constructed, located, maintained, or operated, it shall be the duty of the health officer or his duly authorized representative to notify in writing the owner of said property to so alter or reconstruct or move the location of said privy, or other toilet device, so that it will comply with the specifications provided by the health officer, and it shall be the duty of the owner of the property to comply with said written notice and specification. (Ord. No. 818, 3/12/47)

SECTION 10:28. VIOLATIONS, PENALTIES

Any violation of any provision of the above Sections of this Sub-Chapter shall constitute a misdemeanor and, upon conviction in a court of competent jurisdiction, the offender shall be fined not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) or imprisoned for not more than twenty (20) days, or both, in the discretion of the court for the first offense; and for the second offense he shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) or be imprisoned for not less than twenty (20) days nor more than sixty (60) days, or suffer both fine and imprisonment in the discretion of the court; and for the third offense he shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), or be imprisoned for not less than sixty (60) days nor more than six (6) months, or suffer both fine and imprisonment, in the discretion of the court. (Ord. No. 818, 3/12/47)

SECTIONS 10:29-10:39. RESERVED

**SECTION 10:40. DISCHARGE OF UNTREATED SEWERAGE OR SEPTIC TANK
EFFLUENT INTO BAYOU LAFOURCHE PROHIBITED;
VIOLATIONS, PENALTIES**

A. It shall be unlawful for any person or persons, firm or corporation, to discharge, or to permit the discharge of human excreta or untreated sewage, or septic tank effluent into Bayou Lafourche within the limits of the Parish of Lafourche.

B. Any violation of any provision of this Section shall constitute a misdemeanor and, upon conviction in a court of competent jurisdiction, the offender shall be fined not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) or be imprisoned for not more than twenty (20) days, or both, in the discretion of the court, for the first offense; and for the second offense he

§ 10:40

shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) or be imprisoned for not less than twenty (20) days nor for more than sixty (60) days, or suffer both fine and imprisonment, in the discretion of the court; and for the third offense he shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) or be imprisoned for not less than sixty (60) days nor more than six (6) months, or suffer both fine and imprisonment, in the discretion of the court. (Ord. No. 819, 3/12/47)

SECTION 10:41. RESTRICTIONS FOR TREATMENT PLANT DISCHARGE LINES/PIPES

A. Upon installation of any residential or commercial treatment plant it shall be unlawful for discharge lines/pipes designed to drain into parish maintained right of ways, servitudes, canals, waterways or ditches to extend beyond flush with the high bank on the residential or commercial side of the right of way, servitude, canal, waterway or ditch.

B. Any existing treatment plants currently discharging into parish maintained right of ways, servitudes, canals, waterways, or ditches shall be cut by the owner to the appropriate length mentioned in paragraph A of this section.

C. Any current or future treatment plant discharge lines/pipes designed to drain into parish maintained right of ways, servitudes, canals, waterways or ditches shall be maintained by the owner by means of grass cutting and/or spraying to ensure the visibility.

D. Any current or future treatment plant discharge lines/pipes designed to drain into parish maintained right of ways, servitudes, canals, waterways or ditches requiring parish grass cutting equipment maintenance shall be clearly marked and identified.

E. Any current or future treatment plant discharge lines/pipes designed to drain into parish maintain right of ways, servitudes, canals, waterways or ditches are not clearly marked and identified incur damage, repairs will be of the sole expense of the owner.

(Ord. No. 4302, 05/13/08)

SECTIONS 10:42-10:74. RESERVED

SECTION 10:75. REPEALED.

Section 10:75 originally set forth prohibitions against discharging trees, junk or other substances into Bayou Lafourche, derived from Ordinance No. 793, adopted November 8, 1944. The Section was repealed by Ord. No. 1334 (November 12, 1980) as part of a general revision of this Code.

SECTION 10:76. REPEALED

Section 10:76 originally set forth provisions prohibiting the discharge of skimmings, filtrates or other polluting materials from sugar refineries into surface waters, derived from Ord. No. 628, adopted October 12, 1928. The section was repealed by Ord. No. 1334 (November 12, 1980) as part of a general revision of this Code. For new related provision, see Section 15:7.

SECTIONS 10:77 - 10:99. RESERVED

Sub-Chapter B

Wastewater Disposal Regulations

SECTION 10:100. STATEMENT OF POLICY AND PURPOSE

A. It is the intention of the Parish Council to provide safe and sanitary wastewater disposal to all residents of Lafourche Parish.

B. It is determined and declared necessary and conducive to the protection of the public health, safety, welfare and convenience of the public to collect charges from all users who contribute wastewater to the parish-operated wastewater collection and treatment works. The proceeds of such charges so derived shall be used for the purpose of operating and maintaining said public wastewater systems(s) and complying with all applicable environmental quality standards.

(Ord. No. 2202, 1/12/94)

SECTION 10:101. AUTHORITY

A. Under and by virtue of the authority conferred by Article IV, Sect. A 6. of the Home Rule Charter of the Parish of Lafourche, wastewater user fees are hereby established for all publicly owned and operated wastewater systems. (Ord. No. 2202, 1/12/94)

SECTION 10:102. WASTEWATER USER FEES

A. *Residential, Commercial, and Industrial Users.*

1. The rate for the use of wastewater collection, treatment, and disposal services of the Parish, for each and every residence or commercial/industrial user now or hereafter connected to the Parish treatment facilities, is hereby established at twenty dollars (\$20.00) per month per dwelling or commercial/industrial unit. The fees herein established shall be increased annually by \$1.00, beginning January 1st, 2011. The fees shall attain a maximum rate of twenty-five dollars (\$25.00) for the calendar year beginning January 1st, 2015. Any subsequent annual adjustments of the fees shall be subject to administrative review and reassessment of the costs of the operations and maintenance of the Parish facilities.

2. The rate for the use of wastewater collection, treatment, and disposal services of the Parish, for each and every residence or commercial/industrial user now or hereafter connected to the Parish treatment facility for Sewerage District No. 1, is hereby established to have no limit per month per dwelling or commercial/industrial unit. The individual user rates charged by the Parish and/or Parish Sewerage Districts shall be levied to cover the actual costs of maintenance and operation of the facilities. Therefore, the Parish Sewerage District No. 1 shall establish user rates utilizing acceptable accounting practices and the user rates shall be subject to review and approval by the Parish Administration and the Parish Council.

Individual user rates may vary according to usage and/or the establishment of user rates as described above.

§ 10:102

B. The Parish shall assess a one-time connection fee for each user who connects into the parish wastewater system.

1. The connection fee shall be determined by the Parish at the time of connection, and shall be based upon the actual costs incurred by the Parish for engineering and construction to connect the wastewater line from the wastewater main to the property line, or to upgrade the system in accordance with Section 13:001-1 of the State Sanitary Code.

2. Every user of public wastewater systems shall also be required to connect the wastewater line from their residence or structure to their property line and incur the costs of doing so. This connection must be inspected and approved by a plumber licensed by the State of Louisiana and such approval shall be presented to the Parish at the time of connection.

C. *Exemptions.*

1. No free services shall be provided by the Parish to any building, place of residence, business, facility or other premises, and all contributors shall be obligated to pay the User Fee provided for herein, without exception or discrimination.

2. The rate established herein shall be reviewed annually by the Parish and shall be revised to reflect, at a minimum, the actual cost of administration, operation, maintenance, extension, development and improvement of said system(s).

(Ord. No. 2202, 1/12/94; as amended by Ord. No. 2291, 3/8/95; Ord. No. 2641, 7/14/98; Ord. No. 2741, 4/13/99; Ord. No. 3381, 12/29/03; Ord. No. 4682, 12/08/09)

SECTION 10:103. DEFINITIONS

A. Lafourche Parish Water District No. 1 is hereby empowered on behalf of the Parish Council to serve as the collecting agent for all wastewater service charges levied to public wastewater systems. The Water District is also hereby empowered to terminate the service of the supply of water to any premises delinquent in the payment of wastewater service charges in accordance with the policies of the District, and to levy delinquent charges therein.

1. An intergovernmental agreement, signed by the Lafourche Parish Council and Water District No. 1, shall set forth the terms of collection and the amount of consideration paid to the Water District for said service.

B. All revenues derived by the Parish from collection of the User Fee shall be deposited into a special dedicated fund. These monies shall be used solely for the making of payments for the cost of administration, operation, maintenance, depreciation, replacement, extension and improvement of the public wastewater system(s).

(Ord. No. 1/12/94)