

ORDINANCE NO.: 7-99A

REGULATION OF SEWER SYSTEMS WITHIN THE VILLAGE OF ELIZABETH.

BE IT ORDAINED, by the Board of Aldermen of the Village of Elizabeth who in regular session convened, elected to amend Ordinance No. 7-99 to include definitions, to set forth regulations as it pertains to the disposal of sewage waste, to set forth the duties of property owners to install and/or maintain sewage disposal systems, to establish enforcement procedures for property owners who fail to install and/or maintain sewage disposal systems, and to clarify the provisions of Ordinance 7-99. Said amended ordinance to become Ordinance No. 7-99A is hereby enacted to read as follows:

Section 1: Definitions

- A. **Sewage Discharge**-The release of wastewater, which includes a mixture of water and various contaminants such as human waste, pollutants, and/or chemicals.
- B. **Responsible Parties/Property Owner**-A person who owns, operates, manages, or otherwise controls any premises.
- C. **Onsite Sewage Treatment System/Septic Tank**-Any system used to collect, transport, pump, treat, and/or dispose of sewage discharge that is located on the property where the sewage originates.

Section 2: Sewage Waste Regulations

- A. A person shall not directly or indirectly discharge, or allow to be discharged, the contents or effluent from any plumbing fixtures, vault, privy, portable toilet, or septic tank, onto any road, street, gutter, ditch, water course, body of water, or the surface of the ground.
- B. Water Utility Services to any home, building or property from which a person directly or indirectly discharges or allows to be discharged the contents or effluent from any plumbing fixtures, vault, privy, portable toilet or septic tank, onto any road, street, gutter, ditch, water course, body of water or surface of the ground shall be disconnected until such time as the violation is corrected.

Section 3: Duty of Property Owners to Install Sewage Disposal Systems

- A. The owner of any existing house, building or property used for human occupancy, employment, recreation or other purpose, situated within the Village of Elizabeth is hereby required at his/her expense to install suitable toilet facilities therein, and to connect such facilities directly to the public or district sanitary sewer system provided that said public or district sewer system is within three hundred (300) feet of the building or structure.
- B. Where a community or municipal sewage treatment facility is located in excess of three hundred (300) feet of the building or structure, the toilet facilities of the existing house, building or property used for human occupancy, employment, recreation or other purpose,

situated within the Village of Elizabeth shall be connected to an onsite sewage treatment system.

1. Before commencement of construction of an onsite sewage treatment system, the owner shall first obtain all required permits from the Village of Elizabeth and the Allen Parish Public Health Department of Louisiana. The application for such a permit shall be made on a form furnished by the Village of Elizabeth at the Elizabeth Town Hall, which the applicant shall supplement with any plans, specifications and other information as deemed necessary by the Village of Elizabeth and the Rapides Parish Planning Commission.
 2. A permit for an onsite sewage treatment system/septic tank shall not become effective until the installation is completed to the satisfaction of all local and state inspectors. Local and state inspectors shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the local and state inspectors of when the work is ready for final inspection, and before any underground portions are covered.
 3. The type, capacities, location and layout of an onsite sewage treatment system/septic tank shall comply with all recommendations of the state department of health and human resources. No permit shall be issued for any onsite sewage treatment system employing subsurface soil absorption facilities where the soil is unsuitable for such purposes and/or the area of the lot is of insufficient size to accommodate an onsite sewage treatment system as determined by local and state inspectors as well as the state health department. No sewage discharge or cesspool shall be permitted to discharge to any natural outlet.
 4. The applicant for a permit to utilize an onsite sewage treatment/septic tank shall forward to Elizabeth Town Hall a true copy of any permit issued by the State of Louisiana within ten (10) days after issuance. Additionally, the applicant for a permit to utilize an onsite sewage treatment system/septic tank shall forward to Elizabeth Town Hall a true copy of all documents reflecting that the sewage discharge system has passed its final inspection performed by local and state inspectors.
- C. In regard to a newly constructed house, building or property intended to be used for human occupancy, employment, recreation or other purpose, which is situated within the Village of Elizabeth, no unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any sewage discharge system owned and/or operated and/or maintained by the Village of Elizabeth or appurtenances thereof without first paying a tap fee(s) set forth in Ordinance 06-17G, *et seq.*
1. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Village of Elizabeth from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer system.

2. The size, slope, alignment, materials or construction of a building sewer system, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the Village of Elizabeth and State of Louisiana.
3. The owner shall notify all local and state officials of when the building sewer system is ready for inspection and connection to any sewage discharge system owned and/or operated and/or maintained by the Village of Elizabeth. Once the building sewer system has passed all required local and state inspections, the connection shall be made under the supervision of the mayor or his/her representative.
4. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be in accordance with ordinance or ordinances governing excavations in and under such and in the absence of an ordinance any damage or disturbance to streets, sidewalks, parkways and other public property shall be restored in a manner satisfactory to the Mayor or his/her representative.

Section 4: Duty of Property Owners to Maintain Sewage Disposal Systems

- A. All sewage discharge systems owned and/or operated and/or maintained by the Village of Elizabeth as well as all sewage discharge systems that are connected to systems owned and/or operated and/or maintained by the Village of Elizabeth are subject to routine inspections by local and/or state officials to ensure they are properly functioning and performing in accordance with all local and state laws, rules and regulations.
- B. Property owners and/or responsible parties of all onsite sewage treatment systems/septic tanks shall inspect these sewage disposal systems every six (6) years as well as retain, at the property owner's own expense, a licensed sewage hauler to pump these sewage disposal systems at least every eight (8) years in accordance with Louisiana Administrative Code Title 51 Part XIII entitled Sewage Disposal Regulations. Property owners and/or responsible parties shall provide the Village of Elizabeth with proof that they have complied with the required six-year (6) annual inspection as well as the eight-year (8) pumping requirement within ten (10) days of the respective anniversary dates.
- C. Upon inspection, should it be determined that an individual's sewage discharge system or appurtenance thereof is out of compliance with local and/or state laws, rules, and/or regulations, the responsible parties and/or property owner is responsible for initiating all repairs to bring the portion(s) of the sewage discharge system, required to be maintain by the property owner, into compliance with local and/or state laws, rules, and/or regulations and is responsible for all costs and expenses that may be associated with doing so.

Section 5: Enforcement Procedures

- A. **New Construction:** The Village of Elizabeth shall not connect any utility services to any newly constructed house, building, or property used for human occupancy, employment, recreation or other purpose, situated within the Village of Elizabeth until such time as (1) the Village of Elizabeth has received the required sewer permit documents (2) the Village of Elizabeth has inspected and approved the sewage system for compliance with the provisions of this ordinance, and (3) the owner has provided the Village of Elizabeth with the required tap fee set forth in Ordinance 06-17G, *et seq.*
- B. **Existing Construction:** In regard to any house, building, or property used for human occupancy, employment, recreation or other purpose, situated within the Village of Elizabeth that at the time of the passing of this amended ordinance is currently connected to Water Utility Services yet does not have suitable toilet facilities installed therein and/or has not connected the toilet facilities directly to the community or municipal sanitary sewer system and/or has not installed a suitable onsite sewage treatment/septic tank in accordance with the provisions set forth herein, the following procedure shall be followed from the effective date of this Amended Ordinance:
1. Owners shall be served by certified mail, return receipt requested, a written notice from the Village of Elizabeth advising that their property is out of compliance with the provisions set forth herein and advised that he/she has thirty (30) days to bring his/her building and/or structure into compliance.
 2. Failure to bring his/her building and/or structure into compliance within the thirty (30) day time period provided for in a written notice shall result in a disconnection of the building and/or structure from Water Utility Services until such time that the owner of the building and/or structure provides the Mayor and/or a representative of the Mayor with satisfactory evidence that the building and/or structure has been brought into compliance with the provisions of this ordinance.
 - a. Notwithstanding the provisions of Section 5(B)(2) set forth above, the Mayor, at his/her discretion, may extend additional time for an owner to bring his/her building and/or structure into compliance on a case-by-case basis as the Mayor sees fit. However, failure by the owner to bring the building and/or structure into compliance within the additional extension of time granted by the Mayor shall result in a disconnection of the building and/or structure from Water Utility Services until such time that the owner of the building and/or structure provides the Mayor and/or a representative of the Mayor with satisfactory evidence that the building and/or structure has been brought into compliance with the provisions of this ordinance.
- C. In the event that there is any house, building, or property used for human occupancy, employment, recreation or other purpose, situated within the Village of Elizabeth, that at the time of the passing of this amended ordinance is not currently connected to Water Utility

Services and does not have suitable toilet facilities installed therein and/or has not connected the toilet facilities directly to the community or municipal sanitary sewer system and/or has not installed a suitable onsite sewage treatment/septic tank in accordance with the provisions set forth herein, said structure shall not be connected to Water Utility Services until such time as (1) the Village has received the required sewer permit documents and (2) the owner has provided the Village of Elizabeth with the required tap fee set forth in Ordinance 06-17G, *et seq.*

- D. Upon inspection, should it be determined that a sewage system or appurtenance thereof is out of compliance with local and/or state laws, rules, and/or regulations, a responsible party and/or property owner shall be served by certified mail, return receipt requested, a written notice from the Village of Elizabeth in conjunction with any local health authority to correct the identified system failure, malfunction, or non-compliance within a thirty (30) day period of time. In the event that the system failure or malfunction is not corrected within the thirty (30) day period of time set forth in the written notice, the building or structure associated with the malfunctioning sewage system shall be disconnected from Water Utility Service until such time as the sewage system failure or malfunction is corrected.
- E. In the event that a building or structure is disconnected from Water Utility Service for failure to comply with the terms set forth herein, the owner of the building or structure shall pay the applicable utility deposit and/or connection fee set forth in Ordinance 06-17G, *et seq.* prior to Water Utility Services being restored to the building.

Section 6: Severability

- A. If any provision of this ordinance is determined to be invalid or contrary to the laws of the State of Louisiana, then it shall not invalidate the entirety of this ordinance but only that provision found to be not in compliance with the laws of the State of Louisiana. Furthermore, any other ordinance and/or provisions found to be in conflict with the provisions of this ordinance herein are hereby repealed.

Section 7: Effective Date

- A. The amendment herein shall become effective on March 10, 2025.

THIS ORDINANCE was introduced on the 10th day of February, 2025. After Public Hearing having been held on March 10, 2025, title having been read and ordinance considered, on motion by Councilman Ken Kelly and seconded by Councilwoman Mea Dillehay to adopt said Ordinance 7-99A:

A record vote was taken and the following result was had:

Mea Dillehay: Yea Ken Kelly: Yea Stacy Weldon: Yea

APPROVED by:/s/Mandy Green, Mayor 3.13.25

ATTEST by:/s/Denise Lee, LCMClerk 3.13.25