

Chapter 17

UTILITIES*

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ARTICLE I. IN GENERAL

Sec. 17-1. Bills to be consolidated; place of payment.

Sewerage and water charges shall be incorporated in the monthly bills issued by the town and shall be paid at the town hall.

(Code 1964, § 19-1)

Sec. 17-2. Due date of bills.

All charges owed by all customers to the town for water and sewerage services shall be paid on or before the tenth day of each month succeeding the month in which the services have been furnished the customers.

(Code 1964, § 19-2)

Sec. 17-3. Delinquency penalty for late payment of bills.

If customers of water or sewerage services do not pay their bills for the purchase of such services by the tenth day of the succeeding month, as specified in section 17-2, the customers shall then owe as a penalty an additional charge which shall be set from time to time by the mayor and selectmen and which charge is on file in the town clerk's office.

(Code 1964, § 19-3)

***Charter references**—Authority of town to purchase land for waterworks, electric lights and sewers, § 16(1); to regulate and prohibit privy vaults and cesspools and to regulate the connection of all property with sewers and drains, § 16(3); to grant to any person the use of the streets for laying gas, water and sewer pipes, § 16(6); to exercise full jurisdiction in the matter of sewers, § 16(12); to erect, maintain and operate waterworks, etc., § 16(13).

Cross references—Administration, Ch. 2; buildings and building regulations, Ch. 5; planning, Ch. 13; streets and sidewalks, Ch. 14; zoning, App. A; subdivision regulations, App. C.

State law reference—Public utilities, R.S. 33:4161 et seq.

Sec. 17-4. Discontinuance of service for nonpayment.

If customers of water or sewerage services do not pay their bills, plus the penalty as set forth in section 17-3, for the purchase of water and sewerage on or before the fifteenth day of each month, the water department, through its duly authorized personnel, may immediately discontinue the water and sewerage service to those delinquent customers.

(Code 1964, § 19-4)

Sec. 17-5. Resumption of service after discontinuance for nonpayment.

If a customer's water or sewerage service has been discontinued because of his failure to promptly pay his obligations, as set forth in this article, the sewerage and water service shall remain discontinued until the obligation has been fully paid, including the delinquency penalty, together with a service charge which shall be set from time to time by the mayor and selectmen and is on file in the town clerk's office. This service charge shall be paid prior to the resumption of such services.

(Code 1964, § 19-5)

Secs. 17-6—17-20. Reserved.**ARTICLE II. WATER*****Sec. 17-21. Application for service required.**

Formal application for water service must be made to the proper authorities or person designated by the mayor and board of selectmen in writing, such application plainly setting forth the purpose for which water is to be used and where connections are to be made.

(Code 1964, § 19-18)

Sec. 17-22. Right reserved to refuse service.

The mayor and board of selectmen reserve the right to refuse service to any applicant for water service when, in their judgment, such action is for the general good of the waterworks system or for the town or the citizens thereof.

(Code 1964, § 19-19)

Sec. 17-23. Right reserved to discontinue service.

The mayor and board of selectmen shall have the power to discontinue water service to any customer when such service shall be found to be a detriment to the water system, or the citizens of the town. The town, the governing authorities of the town and their representatives shall not be held liable, either collectively or individually for such action.

(Code 1964, § 19-20)

*Cross reference—Plumbing code, § 5-156 et seq.

State law reference—Water supply, R.S. 33:3811 et seq.

Sec. 17-24. Plumbing to be supervised and approved before water connected.

All plumbing and piping of all kinds and description must be done under the supervision of the superintendent of the water department or some other person designated by the mayor and board of selectmen, and approved by him before water service connection is made.

(Code 1964, § 19-21)

Sec. 17-25. Meters required; meter deposits.

The town shall install water meters on all services. The mayor and board of selectmen through their duly authorized employees will collect the meter deposit. When application is made to the mayor and board of selectmen, the customer shall pay to the superintendent, town clerk, or whoever may be designated as the proper authority to collect all money in connection with the waterworks system, a deposit fee, which shall be set from time to time by the mayor and selectmen and is on file in the town clerk's office.

(Code 1964, § 19-22)

Sec. 17-26. Authority to inspect meters; right of entry.

The town, through its representatives, shall have the right at any time to test any and all water meters. Service is rendered to consumers with the understanding that representatives of the town shall have access on, over and across any property owned or occupied by the consumer to all plumbing and piping, and to do any work in connection with or incidental to the service rendered.

(Code 1964, § 19-23)

Sec. 17-27. Authority to order plumbing repairs; disconnection for failure to repair; reconnection charge.

If a water customer's plumbing or piping is found defective, the superintendent of the water department shall have the right to order the customer to have the necessary repairs made promptly; and the town shall have the right to discontinue service until the repairs ordered have been made. If service has been discontinued because the customer did not make the ordered repairs, and the customer requests reconnection after the repairs are made, a charge shall be made and collected in advance for the reconnection. The reconnection fee shall be set from time to time by the mayor and selectmen and such fee is on file in the town clerk's office.

(Code 1964, § 19-24)

Sec. 17-28. Superintendent to do all tapping; responsibility for tapping costs.

The tapping of all water mains shall be made by the superintendent of the water department or some other designated officer or employee, and the town shall furnish material and labor necessary to install the service to the applicant's curblin nearest to the town main.

(Code 1964, § 19-25)

Sec. 17-29. Tapping and installation charge.

A charge shall be made for tapping water mains and setting water meters. This charge shall be set from time to time by the mayor and selectmen, and such charge is on file in the town clerk's office. In addition to this charge there will be an additional charge for all materials and labor used, with the exception of the meter itself.

(Code 1964, § 19-26)

Sec. 17-30. Town not liable for interrupted services.

The town, the governing authorities of the town, or their representatives shall not be held liable, either collectively or individually for any damage alleged to have been sustained, or any claim which might be alleged to be due on account of interrupted water service.

(Code 1964, § 19-28)

Sec. 17-31. Extensions of mains generally.

All extensions of existing water mains to any subdivision, or elsewhere, when requested, will be paid for by the owner of the subdivision or the property. All extensions of water mains shall meet the requirements of the ordinances of the town.

(Code 1964, § 19-16)

Sec. 17-32. Extension of mains for sprinkler systems and related uses.

Any person desiring the extension of an existing water main for the purpose of connecting a sprinkler system, or for any other related use, shall pay the town for the actual cost of labor and materials used in making the extension.

(Code 1964, § 19-17)

Sec. 17-33. Rates established.

The rates to be charged for water and related services furnished by the town shall be set from time to time by the mayor and selectmen, and a schedule of such rates is on file in the town clerk's office.

(Code 1964, § 19-27)

Secs. 17-34—17-50. Reserved.

ARTICLE III. SEWERS, SEWERAGE AND SANITARY FACILITIES***DIVISION 1. GENERALLY****Sec. 17-51. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commercial building means a building or premises used to house the operation of any business, profession, or trade.

Residential building means a building or house used exclusively as a dwelling house.
(Code 1964, § 19-39)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 17-52. Sewerage district.

(a) *Created.* By virtue of the authority conferred by article XIV, section 14 of the state constitution and R.S. 33:3911 and other constitutional and statutory authority supplemental thereto, a sewerage district is hereby created within the corporate limits of the town, which sewerage district shall comprise and embrace all of that territory within the corporate limits of the town, and the boundaries of which shall be coextensive with the boundaries of the town as they presently exist.

(b) *Title; powers.* The sewerage district hereby created shall be and is hereby designated as "Sewerage District No. 1 of the Town of Homer, State of Louisiana," and shall have all the rights, powers and privileges granted and conferred by the constitution and statutes of the state including the authority to incur debt, issue bonds and levy taxes and assessments.

(c) *Seal.* An official seal is hereby adopted for said sewerage district, which seal shall be of the following description: Around the edge of the die the words "Sewerage District No. 1 of the Town of Homer, Louisiana," and in the center the word, "Seal."
(Code 1964, § 19-45)

Secs. 17-53—17-70. Reserved.

DIVISION 2. SANITARY FACILITIES**Sec. 17-71. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

***Cross reference**—Buildings and building regulations, Ch. 5.
State law reference—Sewage disposal, R.S. 33:3881 et seq.

Commercial building means any building housing a business wherein five (5) or more persons are customarily employed, or housing a business that is customarily operated for twenty-four (24) hours daily; or any building wherein a restaurant, gasoline service station, or barbershop is operated.

Dwelling shall mean any house, residence, apartment, dwelling unit or other building having sleeping facilities.

Sewer main means the public sanitary sewer mains or lateral lines of the town.
(Code 1964, § 11-18)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 17-72. Sewer connections required.

Each dwelling and each commercial building located in the town and situated within three hundred (300) feet of a sewer main shall be connected, separately, individually and directly, to a sewer main on or before May 12, 1959, provided the ground elevation at the site of the dwelling or commercial building is high enough to permit gravity flow of sewage to the sewer main.

(Code 1964, § 11-19)

State law reference—Municipal authority to compel connection with sewerage system, R.S. 33:4004.

Sec. 17-73. Sewer connection not required if previously constructed building has septic tank and tile disposal system.

Nothing in this article shall be construed as requiring the connection to a sewer main of a dwelling or other building constructed before March 27, 1956 that utilizes a septic tank and tile disposal system complying with the requirements of the state department of health and human resources.

(Code 1964, § 11-20)

Sec. 17-74. Disposal system if sewer not available.

Each dwelling and each commercial building in the town not located within three hundred (300) feet of a sewer main or which cannot be connected to a sewer main because the ground elevation at the site is such that gravity flow of sewage to the sewer main within the proximity is not possible shall, on or before August 12, 1956, be connected to a septic tank and tile disposal system that complies with the requirements and standards provided by the state department of health and human resources.

(Code 1964, § 11-21)

Sec. 17-75. New building to have sewer connection or proper private disposal system.

Except as specifically provided otherwise in this article no new dwelling or commercial building shall be constructed in the town within three hundred (300) feet of a sewer main unless it is connected to a sewer main. No new dwelling or commercial building shall be

constructed more than three hundred (300) feet from a sewer main unless it is connected to a septic tank and tile disposal system meeting the requirements of the state department of health and human resources.

(Code 1964, § 11-22)

Sec. 17-76. Pit privy if soil or premises not suitable for field tile drainage system.

Where the provisions of this article require the connection of a dwelling or a commercial or other building to a septic tank and a field tile disposal system, and the dwelling, commercial or other building is situated or is proposed to be constructed upon premises having soil not suitable for a field tile disposal system or upon premises too small for such system, upon first securing from the sanitarian of the Claiborne Parish Health Unit consent therefor, the owner of such premises may, in lieu of installing a septic tank and field tile disposal system and the minimum plumbing facilities provided for in sections 17-74 and 17-75, install and use upon such premises a sanitary pit privy, provided it complies with all of the requirements of the state department of health and human resources.

(Code 1964, § 11-23)

Sec. 17-77. Sanitary facilities required in dwellings.

The owner or occupant of each dwelling situated in the town shall have installed in such dwelling and functioning properly on or before August 12, 1956, a commode or water closet and a kitchen sink, and shall have installed therein and functioning properly on or before August 12, 1957, a lavatory and a bathtub or shower.

(Code 1964, § 11-24)

Sec. 17-78. Sanitary facilities required in commercial buildings.

The owner or occupant of each commercial building situated in the town shall have installed in such commercial building and functioning properly on or before August 12, 1956, a commode or water closet and a lavatory.

(Code 1964, § 11-25)

Sec. 17-79. Occupying or permitting occupancy of noncomplying premises prohibited.

It shall be unlawful for any person to occupy a dwelling or a commercial building or to use a commercial building for business purposes after the date specified for connection to a sewer main or for installation of the plumbing facilities required by this article. It shall likewise be unlawful for the owner of any dwelling, or any commercial or other building to permit any person to occupy or use the building in violation of any provision of this article.

(Code 1964, § 11-27)

Sec. 17-80. Destruction of abandoned privies and disposal systems.

All abandoned privies or other excreta disposal systems shall be destroyed and rendered sanitary in a manner in accordance with the state sanitary code.

(Code 1964, § 11-28)

Sec. 17-81. Throwing out, depositing, burying excreta.

It shall be unlawful for any person to throw out, deposit, or bury any excreta from human bodies, solid or liquid, or to dispose of such excreta in any manner other than as is provided in this article.

(Code 1964, § 11-29)

Sec. 17-82. Occupant to maintain disposal system and sanitary devices; abusing, misusing prohibited.

It shall be the duty of the occupant of the premises to see that the sewage disposal system and sanitary devices on his premises are kept in a sanitary condition at all times and it shall be unlawful for anyone to abuse or misuse such system or devices.

(Code 1964, § 11-30)

Sec. 17-83. Acute unsanitary conditions.

(a) For the purposes of this section "acute unsanitary condition" means the presence of human waste material that has been permitted to be exposed to insects or animals or that has been permitted to be on the surface of the ground as a result of faulty, inadequate or non-existent sewerage facilities at a dwelling or a commercial or other building.

(b) In any case where an acute unsanitary condition is found to exist at the premises where any dwelling, commercial or other building whatsoever is located, the owner of the premises shall immediately correct such acute unsanitary condition; provided, in any event, it shall be corrected within the period provided by the state sanitary code.

(c) It shall be unlawful for any person to occupy such a dwelling or to use such a commercial or other building after the expiration of such period without first having corrected such acute unsanitary condition in a manner meeting the requirements of the state department of health and human resources and of this division.

(Code 1964, § 11-26)

Secs. 17-84—17-100. Reserved.

DIVISION 3. CHARGES*

Sec. 17-101. Sewerage service charges.

(a) The mayor and selectmen may establish and revise from time to time a schedule of service charges for sewerage services provided to residential buildings, to commercial buildings, and to any other buildings having sewerage connections. The schedule as so established and revised shall be kept on file in the office of the town clerk.

(b) Such schedule may also include the charge to be made by the town for an extension for a lateral from the existing sewer main to the edge of the street line.

(Code 1964, §§ 19-40—19-42, 19-44; Ord. No. 660, 7-18-78)

Sec. 17-102. Extension of mains.

All extensions of existing sewerage mains to any subdivision, or elsewhere, when requested, will be paid for by the owner of the subdivision or the property owner. All extensions shall meet the requirements of the town.

(Code 1964, § 19-43)

*State law reference—Municipal authority to charge for use of sewerage system, R.S. 33:4002.