

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO.: 7648AA

ORDINANCE COUNCIL SERIES NO.: 24-_____

COUNCIL SPONSOR: COUGLE/IMPASTATO

PROVIDED BY: CIVIL DIVISION/ENVIRO. SERVICES

INTRODUCED BY: MR. IMPASTATO

SECONDED BY: MR. COUGLE

ON THE 11TH DAY OF JULY, 2024

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF ST. TAMMANY PARISH, LOUISIANA, PART I, CHAPTER 40 - UTILITIES, ARTICLE II – MONITORING OF SEWERAGE AND WATER SYSTEMS, TO ADD SECTION 40-41 - ISSUANCE OF BOIL WATER ADVISORIES AND CUSTOMER NOTIFICATION.

WHEREAS, it is not uncommon for Public Water Systems, from time to time, to lose water pressure and/or disinfection capabilities throughout some or all of their distribution system, and necessitate the issuance of a Boil Water Advisory in accordance with Louisiana Department of Health ASOP 12.24; and

WHEREAS, failure to make a good faith effort to notify their customers of a Boil Water Advisory poses a significant risk to public safety; and

WHEREAS, it is the priority of St. Tammany Parish Government to protect and preserve the health, safety, and welfare of its residents; and

WHEREAS, it is necessary to establish minimum notification standards for the issuance of Boil Water Advisories to protect the health, safety and welfare of St. Tammany Parish residents.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the St. Tammany Parish Code of Ordinances, Part I, Chapter 40 – Utilities, Article II – Monitoring of Sewerage and Water Systems, be amended to add Section 40-41 – Issuance of Boil Water Advisories and Customer Notification, to provide as follows:

Sec. 40-41. Issuance of Boil Water Advisories and Customer Notification

- A. Governed water systems shall issue Boil Water Advisories (BWA) in accordance with Louisiana Department of Health (LDH) ASOP 12.24 or the most recent procedures set forth by LDH.
- B. The St. Tammany Parish Department of Environmental Services shall be notified immediately upon the issuance and rescission of BWAs and provided with the circumstances leading to its issuance.
- C. It is the responsibility of the governed water system to notify their customers in a timely manner when a Boil Water Advisory (BWA) is issued and when the BWA is rescinded.
- D. Customer Notification Requirements:
 - (1) Areas with 100 affected connections or less shall utilize the following minimum notification methods as directed below. If the utility utilizes automated calls or text messages to directly notify affected customers, those methods shall satisfy the notification requirement of this section.
 - a. Roadside Signs shall be used when the area of the BWA is a well-defined geographic area and their use will not cause confusion among customers who are not affected by the BWA.
 - i. Required for issuing BWAs and for rescinding BWAs;

- ii. Must measure no less than 24" x 32";
- iii. Must be placed in conspicuous locations that are easily seen and read by affected customers; and
- iv. Must be legible and at a minimum, provide the following information:
 - 1. "Boil Water Advisory" for the issuance of BWAs or "Boil Water Advisory Lifted" for the rescission of BWAs;
 - 2. Name of utility; and
 - 3. Contact number for utility.
- b. Door Hangers shall be placed on each affected residence or business in conspicuous locations easily seen by the affected customer
 - i. Required for issuing BWAs and rescinding BWAs; and
- ii. Must be legible and provide the following information:
 - 1. "Boil Water Advisory" for the issuance of BWAs;
 - 2. Name of utility;
 - 3. Contact number for utility;
 - 4. Date; and
 - 5. Indicate the method that will be used to notify the customer when the BWA is rescinded.
 - c. Social Media / Webpage shall be updated immediately upon the issuance and subsequent rescission of BWAs

(2) Areas with more than 100 affected connections shall utilize each of the following notification methods:

- a. Roadside Signs shall be used when the area of the BWA is a well-defined geographic area and their use will not cause confusion among customers who are not affected by the BWA.
 - i. Required for issuing BWAs and for rescinding BWAs;
 - ii. Must measure no less than 24" x 32";
 - iii. Must be placed in conspicuous locations that are easily seen and read by affected customers;
 - iv. Must be legible and at a minimum, provide the following information:
 - 1. "Boil Water Advisory" for the issuance of BWAs or "Boil Water Advisory Lifted" for the rescission of BWAs;
 - 2. Name of utility; and
 - 3. Contact number for utility;
- b. Automated calls, text messages and/or emails shall be utilized if the utility has the ability to do so
 - i. Required for issuing BWAs and for rescinding BWAs;
 - ii. Must provide the following information:
 - 1. Name of utility;
 - 2. Contact number for utility; and
 - 3. Indicate the method that will be used to notify the customer when the BWA is rescinded.
- c. Social Media / Webpage shall be updated immediately upon the issuance and subsequent rescission of BWAs

E. Enforcement

- (1) The requirements of this section shall be enforced by the St. Tammany Parish Department of Environmental Services (DES).
- (2) Failure to provide notice as required in this section shall result in a notice of violation by DES, and is subject to a penalty not to exceed \$500.00 per day for areas with less than 100 affected connections, and a penalty not to exceed \$1,000.00 per day for areas with 100 or more affected connections. In no event shall the cumulative total of such penalty exceed \$10,000.00.

- (3) A governed water system may appeal the imposition of the penalty to the parish council within 30 days of notice of the violation. The council shall thereafter hear the appeal in an open and public session at its next regular meeting. An appeal from the council's decision shall be to the 22nd Judicial District Court for the parish within 30 days of the council's decision.
- (4) The director of DES shall be authorized to recommend or prescribe additional procedures or practices he deems necessary and advisable to affect the provisions of this section.
- (5) As further provided by applicable law, DES shall be authorized to enforce the collection of an imposed penalty, such to include the filing of an affidavit of lien on the subject property or any property found or within the parish which is owned by the responsible party.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 1ST DAY OF AUGUST, 2024; AND BECOMES ORDINANCE COUNCIL SERIES NO. 24-.

ARTHUR A. LAUGHLIN, COUNCIL CHAIR

ATTEST:

KATRINA BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published introduction: JUNE 26, 2024

Published adoption on: _____, 2024

Delivered to Parish President: _____, 2024 @ _____

Returned to Council Clerk: _____, 2024 @ _____