

CHAPTER 10

HEALTH AND SANITATION*

Sub-Chapter A -- In General

Sub-Chapter B -- Parish Health Unit

Sub-Chapter A

In General

SECTION 10:1. ADOPTION OF STATE SANITARY CODE; PENALTY FOR VIOLATIONS

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.

SECTIONS 10:2 - 10:19. RESERVED

***Comment** -- For creation of hospital districts, see Chapter 24; For regulations governing disposal of garbage and trash, see Chapter 9.

[RESERVED]

[The next page is Sub-Chapter B, "Parish Health Unit*", page 10-7.]

Sub-Chapter B

Parish Health Unit*

SECTION 10:20. PARISH HEALTH UNITS

Each parish of the state shall provide a health unit or department. These units or departments shall be known as parish health units. (LRS 40:12)

SECTION 10:21. EXPENSES OF PARISH HEALTH UNITS

A. The governing body of each parish shall provide ample means for the maintenance and operation of its parish health unit or department and for the promotion and conservation of public health. For the purposes of this Title, they shall be known as parish health units.

B. If a municipality encompasses an entire parish, the municipal authorities shall, for the purposes of this Part, be known as parish authorities. (LRS 40:13)

SECTION 10:22. PARISH HEALTH UNITS; JURISDICTION

Parish health units may, through the parish governing authority, control and administer all matters of local sanitation not generally affecting other portions of the State. They may pass local health and sanitary ordinances and define and abate nuisances dangerous to the public health of that parish only. They may also regulate drainage and ventilation with reference to human habitation and places of business and public resort; provide for the disposition of fecal matter and garbage and waste subject to provisions of state law and the sanitary code; regulate the erection of buildings, with due regard to the filling and grading of lots, and the arrangement of buildings; provide for the vacation and demolishing of buildings when necessary for the protection of public health; and generally enforce all health and sanitary ordinances so adopted. However, these rules, ordinances and regulations shall not conflict with the rules and regulations of the sanitary code and shall not be less restrictive than the state sanitary code and may provide and regulate with respect to health matters not covered by the sanitary code. (LRS 40:14)

SECTION 10:23. QUARANTINE BY PARISH HEALTH OFFICER

No parish health officer may establish quarantines without the approval of the state health officer, previously obtained, and the cooperation of the parish legislative body. The state health officer has supervisory power over all local quarantines so established. (LRS 40:15)

***Comment** -- The provisions of this Sub-Chapter were derived from the Louisiana Revised Statutes (see source note at the end of each section) and not from any local ordinance. Because they are self operative and vest the Jury with certain powers, duties and responsibilities, they were included herein for the convenience of the user.

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**SECTION 10:24. PARISH HEALTH UNITS AND DEPARTMENTS TO ACT
IN HARMONY WITH STATE HEALTH OFFICER**

All parish health units shall act under the supervision and advice of the state health officer and state division of health. (LRS 40:16)

SECTION 10:25. DOMICILE OF PARISH HEALTH UNIT

All parish health units shall have their legal domicile in the parish seat of its particular parish. (LRS 40:19)

**SECTION 10:26. APPOINTMENT OF PARISH HEALTH OFFICER;
QUALIFICATIONS**

The state health officer, after consultation with the parish governing authority with the approval of the commissioner, Louisiana Health and Human Resources Administration, and the parish governing authority, shall appoint a parish health officer. The parish health officer shall be a full-time licensed physician, if possible, and if a physician is not available the parish health officer shall be a full-time employee experienced in the administration and enforcement of public health programs. Such health officer shall be domiciled in the parish in which he is appointed unless he serves more than one parish as hereinafter provided. If the parish health officer is unclassified or under contract, he may be removed by the state health officer with the approval of the parish governing authority and a replacement named as herein provided. If the parish health officer is in the classified service, he shall be a member of the state classified service and shall be appointed or removed by the state health officer in accordance with existing state civil service provisions of law and regulations. (LRS 40:20)

**SECTION 10:27. ESTABLISHMENT OF HEALTH DISTRICT; DISTRICT HEALTH
OFFICER**

Two (2) or more parishes may, with the approval of the state health officer and the governing bodies of the parishes, organize a health district composed of the health units of their respective parishes. In lieu of one health officer in each of the parishes, the parishes may, in that case, jointly use the services of and appropriate funds for the payment of the compensation of a single health officer. The jurisdiction, powers and duties of the district health officer in the health district and the manner in which he may be appointed and removed from office are the same as those of a parish health officer. (LRS 40:21)

SECTION 10:28. REMOVAL OF PARISH OR DISTRICT HEALTH OFFICER

A parish or district health officer who is not in the classified service of the state may be removed from office, after thirty (30) days written notice by either the state health officer or the governing body of the parish, with the consent of the commissioner, Louisiana Health and Human Resources Administration. (LRS 40:22)

**SECTION 10:29. SALARIES OF PARISH OR DISTRICT HEALTH OFFICER;
UNCLASSIFIED**

A. Each parish shall determine the salary of its health officer and the necessary expenses for the conduct of their official duties if said health officer is in the unclassified service or serving on a contractual basis. In the case of unclassified or contractual district health officers, the parishes which jointly employ him shall fix his salary and expenses and the proportionate share of each parish.

B. The above salaries and expenses shall be paid by the governing bodies of the parish or parishes for which the health officer was appointed, except as herein provided.

C. Where a parish or group of parishes appoint a full-time health officer whose entire time is devoted to health work as such, exclusive of any private practice, the state may appropriate and assist in paying the salary of that health officer not to exceed twenty percent (20%) of the salary if the parish or parishes contract with the State Division of Health for the establishment and maintenance of a health unit as hereafter provided.

(LRS 40:23)

**SECTION 10:30. CONTRACTUAL AGREEMENT ON ESTABLISHMENT AND
MAINTENANCE OF PARISH HEALTH UNIT**

A. The governing body of a parish may contract, or mutually agree on an annual basis, with the State Division of Health, on or before November 1 of any calendar year, for the establishment and/or partial maintenance of the parish health unit and a full-time health officer. In such case the parish shall provide housing for said health unit. The governing body of the parish may appropriate and disburse funds for the support of the unit jointly with state and/or federal funds as furnished by the State Division of Health within the terms of a state fiscal year budget having the approval of both the parish and state.

B. The parish health officer shall be appointed in accordance with the provisions of this Chapter and shall, if classified, be in the ' state classified service. As a prerequisite of said contract, the parish health officer shall be subject to all state laws and regulations and orders of the state health officer and state division of health. Notwithstanding any provisions of this Act, the employees of the parish health unit, including the parish health officer, may, at the option of the parish, be employed as parish or municipal employees in which case their salaries and all benefits shall be paid in full by the parish, and they shall be under the direction and control of the parish but subject to the general supervision of the state health officer through the parish health officer. In all other respects they shall be parish or municipal employees.

(LRS 40:26)

[RESERVED]

[The next page is CHAPTER 11, "HOUSING AND HOUSING REGULATIONS", page 11-1.]