BILL 2016-17

****** Second Reading ******

Agenda Item

TO: Mayor and City Council

FROM: Zachary Johnson, Utility Director

DATE: April 4, 2016

RE: Lead Ban Ordinance

Issues

During our most recent MoDNR inspection it was discovered the allowable limits for lead base materials designated by the City did not match state regulations. State regulations have decreased the allowable limits to 0.2% and 0.25% for fittings.

Discussion

The City currently abides by the 2009 International Code Council Codes which does have lead base material limits. This ordinance would establish a lead ban policy in our Municipal Code with stricter limits matching current state requirements.

Recommendation

Staff recommends passing the following ordinance and creating a lead ban ordinance for the City of Cameron.

Bill 2016-17

AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI ESTABLISHING DIVISION 9. LEAD BAN CONTROLS, ARTICLE II. WATER, CHAPTER 12 WATER, SEWAGE AND ELECTRICITY IN THE CODE OF THE CITY OF CAMERON MISSOURI FOR PUBLIC AND PRIVATE DRINKING WATER

WHEREAS, the City of Cameron owns and operates a water distribution and treatment system to serve the citizens of Cameron; and

WHEREAS, lead in public and private drinking water can be detrimental to the health and safety of those ingesting it; and

WHEREAS, the health and safety of the residents of the City of Cameron, Missouri is of primary concern; and

WHEREAS, the City of Cameron desires to amend Article II of Chapter 12 as reflected below regarding the regulation of lead in public and private drinking water systems.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI AS FOLLOWS:

Section 1. Division 9. LEAD BAN CONTROLS of Article II in Chapter 12 shall be established and reads as follows:

Sec. 12-170. – Purpose

The purpose of this division is:

(a) To ban the use of lead materials in the public drinking water system and private plumbing connected to the public drinking water system; and

(b) To protect the City's residents from lead contamination in the City's public drinking water system and their own private plumbing systems.

Sec. 12-171. – Application of Division

This division shall apply to all premises served by the public drinking water system of the City of Cameron.

Sec. 12-172. – Definitions

Definitions.

(a) *Customer*, shall mean the owner or person in control of any premises supplied by or in any manner connected to a public water system.

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(b) *Lead based materials*, shall mean any material containing lead in excess of the quantities specified in Sec. 12-172 (c).

(c) *Lead free*, shall mean:

a. When used with respect to solder and flux, refers to solders and flux containing not more than 0.2 percent (0.2%) lead; and

b. When used with respect to pipes and pipe fittings, refers to pipes and pipe fittings containing not more than 0.25 percent (0.25%) lead.

(d) *Public drinking water system*, shall mean any publicly or privately owned water system supplying water to the general public which is satisfactory for drinking, culinary, and domestic purposes and meets the requirements of the Missouri Department of Natural Resources.

(e) *Water purveyor*, shall mean the owner, operator, or individual in responsible charge of a public water system.

Sec. 12-173. – Policy

This division will be reasonable interpreted by the water purveyor. It is the purveyor's intent to ban the use of lead based material in the construction or modification of the City's drinking water system or private plumbing connected to the City system. The cooperation of all consumers is required to implement the lead ban. If, in the judgment of the water purveyor or his authorized representative, lead based materials have been used in new construction or modifications after January 1, 1989, due notice shall be given to the consumer. The consumer shall immediately comply by having the lead base materials removed from the plumbing system and replaced with lead free materials. If the lead base materials are not removed from the plumbing system, the water purveyor shall have the right to discontinue water service to the premises.

Sec. 12-174. - Lead Banned from Drinking Water Plumbing

(a) No water service connection shall be installed or maintained to any premises where lead base materials were used in new construction or modifications of the drinking water plumbing after January 1, 1989.

(b) If a premises is found to be in violation of this section, water service shall be discontinued until such time the drinking water plumbing is lead free.

<u>Section 3.</u> This ordinance hereby repeals all other ordinances pertaining to lead bans and acceptable lead limits in the City of Cameron, Missouri, and any and all other ordinances inconsistent herewith. This ordinance shall take effect and be in full after final passage and approval.

<u>Section 4.</u> The Mayor is authorized to sign this ordinance approving it on behalf of the City.

<u>Section 5.</u> The City Clerk is hereby directed to attest to the Mayor's signature.

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Passed and approved on first reading this 4th day of April 2016.
Passed and approved on second reading this 18th day of April 2016.
Passed and approved on third and final reading this _____ day of _____ 2016.

_____
Mayor Jerri Ann Eddins

ATTEST:

_____
City Clerk/Finance Clerk

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