

BILL NO. 017-05
ORDINANCE NO. 50.20

TO BE CODIFIED AS SECTION 50.20

AN ORDINANCE ADDING SECTION 50.20 OF THE CODE OF HAWK POINT,
MISSOURI, REGARDING LEAD BAN

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF HAWK
POINT, MISSOURI, THAT SECTION 50.20 SHALL BE ADDED TO READ AS FOLLOWS:

I. Purpose and Application

A. Purpose. The purpose of this ordinance is: 1. To ban the use of lead materials in the public drinking water system and private plumbing connected to the public drinking water system; and 2. To protect city residents from lead contamination in the city's public drinking water system and their own private plumbing systems.

B. Application. This ordinance shall apply to all premises served by the public drinking water system of the City of Hawk Point.

C. Policy. This ordinance will be reasonably interpreted by the City of Hawk Point. It is the City'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 judgement of the City or its 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-based materials removed from the plumbing system and replaced with lead-free materials. If the lead-based materials are not removed from the plumbing system, the City shall have the right to discontinue water service to the premises.

II. Definitions- The following definitions shall apply in the interpretation and enforcement of this ordinance. 1. "Consumer" means the owner or person in control of any premises supplied by or in any manner connected to a public water system. 2. "Lead-based materials" means any material containing lead in excess of the quantities specified in this ordinance. 3. "Lead free" means: 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 8 percent (8.0%) lead. 4. "Public drinking water system" means 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. 5. "City of Hawk Point" means the owner, operator, or individual in responsible charge of a public water system.

III. Lead Banned from Drinking Water Plumbing A. No water service connection shall be installed or maintained to any premises where lead- based 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 ordinance, water service shall be discontinued until such time that the drinking water plumbing is lead-free.

Savings Clause.

Except as expressly set forth herein, nothing contained in this ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant, or otherwise nullify any other ordinance of the city, or the requirements thereof, whether or not relating to or in any manner connected with the subject matter hereof.

Severability Clause.

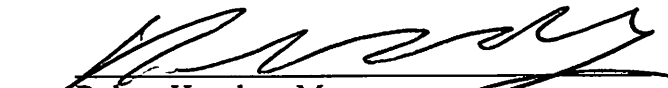
If any term, condition, or provision of this ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provisions which had been held invalid is no longer invalid, said provisions shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Effective Date.

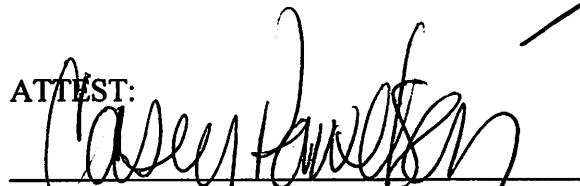
This ordinance shall be in full force and effect from and after the date of its passage and approval.

Passed and approved by the Board of Aldermen of the City of Hawk Point, Missouri, on this 11th day of July, 2017.

CITY OF HAWK POINT


Robert Henebry, Mayor

ATTEST:


Casey Powelson, Deputy City Clerk