

BILL NO. 17-013

ORDINANCE NO. _____

FIRST READING _____

SECOND READING _____

**AN ORDINANCE REVISING CHAPTER 13 - HEALTH AND SANITATION, BY
ADDING A NEW SECTION 13.3 PURSUANT TO THE VOTE OF THE PEOPLE**

WHEREAS, the City of Hannibal held a general election on Tuesday, April 4, 2017, and

WHEREAS, pursuant to Section 18.06 of the Charter of the City of Hannibal there was placed on ballot for consideration by the voters Proposition One, which was in regard to a proposed Ordinance restricting the use of Ammonia in the treatment of water, and

WHEREAS, as required by Section 18.07 of the Charter of the City of Hannibal, a majority of the qualified electors voting thereon voted to approve the said proposed ordinance..

NOW THEREFORE, pursuant to the vote of the people, be it ordained by the City Council of the City of Hannibal:

SECTION ONE: CHAPTER 13 - HEALTH AND SANITATION, is hereby revised by adding a new section 13.03 as follows:

Sec. 13.03. - Regarding Water Treatment

1. Definitions: The following words and phrases, whenever used in this Ordinance, shall be construed as defined in this Section:

AMMONIA: Ammonia is a compound of nitrogen and hydrogen with the formula NH_3 . It is a colorless gas with a characteristic pungent smell. Ammonia is not listed as a disinfectant by the USEPA.

CHLORAMINE: Chloramines are derivatives of ammonia by substitution of one, two or three hydrogen atoms with chlorine atoms: monochloramine (chloramine, NH_2Cl), dichloramine ($NHCl_2$) and nitrogen trichloride (NCl_3). Monochloramine (chloramine) is an inorganic compound with the formula NH_2Cl which is sometimes used as a secondary disinfectant in the form of a dilute aqueous solution.

DISINFECTION: Water disinfection means the removal, deactivation or killing of pathogenic microorganisms. Microorganisms are destroyed or deactivated, resulting in termination of growth and reproduction. When microorganisms are not removed from drinking water, drinking water usage will cause people to fall ill. Chloramine is a much weaker disinfectant than chlorine.

DISINFECTION BYPRODUCTS: Disinfection byproducts result from reactions between organic and inorganic matter in water with chemical treatment agents during the water disinfection process. DBPs are present in most drinking water supplies that have been subject to chlorination, chloramination, ozonation or treatment with chlorine dioxide. Many hundreds of DBPs exist in treated drinking water and at least 600 have been identified.

PUBLIC DRINKING WATER SYSTEMS: A public water system provides treated water for human consumption through pipes or other constructed conveyances to at least 15 service connections or serves an average of at least 25 people for at least 60 days a year.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY: The United States Environmental Protection Agency (EPA or sometimes USEPA) is an agency of the United States federal government which was created for the purpose of protecting human health and the environment by writing and enforcing regulations based on laws passed by Congress. The USEPA administers the Safe Drinking Water Act.

2. PROHIBITION OF THE USE OF AMMONIA IN THE PUBLIC DRINKING WATER SYSTEM

The administration, dosing, feeding or use of ammonia in the Public Drinking Water System shall be prohibited.

3. ENFORCEMENT

- A. This Ordinance shall be enforced by the City Manager or an authorized designee.
- B. Notice of the provisions of this Ordinance shall be given to all licensed Water Treatment Operators assigned to operate the Hannibal Public Water System.
- C. Any citizen who desires to register a complaint under this Ordinance may initiate enforcement with the City Manager or authorized designee.
- D. In addition to the remedies provided by the provisions of this Section, any person aggrieved by failure of the City Manager or his/her designee in control to enforce any provisions of this Ordinance may apply for injunctive relief to enforce those provisions in any court of competent jurisdiction.

4. VIOLATIONS, CONVICTIONS AND PENALTIES

A person who causes the administration, dosing, feeding or use of ammonia in the Public Drinking Water System prohibited by the provisions of this Ordinance shall be guilty of an infraction, punishable by:

- A. A fine not to exceed one hundred dollars (\$100) for a first violation.
- B. A fine not to exceed two hundred fifty dollars (\$250) for a second violation within one (1) year.
- C. A fine not to exceed five hundred dollars (\$500) for each additional violation within one (1) year. Each day on which a violation of this Ordinance occurs shall be considered a separate and distinct violation.

5. OTHER APPLICABLE LAWS

This Ordinance shall not be interpreted or construed to permit the use of ammonia where it is otherwise restricted by other applicable laws. The use of ammonia to form chloramine as a secondary disinfectant is not prescribed, ordered, or recommended by any regulatory agency with responsibility for administration of the Safe Drinking Water Act or the Missouri Safe Drinking Water Act.

6. LIBERAL CONSTRUCTION

This Ordinance shall be liberally construed so as to further its purposes.

SECTION TWO: This ordinance shall take effect ninety (90) days from the final approval of the council of this ordinance.

SECTION THREE: It hereby is declared to be the intention of the City Council that each and every part, portion and sub-portion of this Ordinance shall be separate and severable from each and every other part, portion or sub-portion hereof and that the City Council intends to adopt each said part, portion or sub-portion separately and independently of any other part, portion or sub-portion. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, portions and sub-portions shall be and remain in full force and effect.

SECTION FOUR: All ordinances and parts of ordinances in conflict with this ordinance, in so far as they conflict, are hereby repealed.

SECTION FIVE: That this Ordinance shall be in full force and effect 90 days from and after its passage and approval.

Adopted this _____ day of _____, 2017.

Approved this _____ day of _____, 2017.

ATTEST:

James R. Hark, Mayor

Angelica N. Zerbonia, MRCC - City Clerk