

ORDINANCE NO. 2026-O-04

AN ORDINANCE OF THE CITY OF EDGEWATER, FLORIDA, PROPOSING AN AMENDMENT TO THE CITY CHARTER TO PROHIBIT THE CITY FROM APPROVING THE USE BY THE CITY'S WATER UTILITY OF RECLAIMED BLACKWATER AS A DIRECT SOURCE WATER FOR INTRODUCTION INTO THE CITY'S POTABLE WATER SYSTEM; PROVIDING FOR BALLOT TITLE AND SUMMARY; PROVIDING FOR REFERENDUM; PROVIDING FOR SEVERABILITY AND APPLICABILITY; PROVIDING FOR CODIFICATION, AN EFFECTIVE DATE AND FOR ADOPTION.

WHEREAS, the City Council of the City of Edgewater, Florida, has made the following determinations:

1. Section 166.031, Florida Statutes, provides for the adoption of an ordinance submitting proposed amendments to a municipal charter to the municipality's electors for approval.
2. The City Council of the City of Edgewater desires to submit to the City's electors a proposed amendment to the City Charter to prohibit the City's water utility from approving the use of reclaimed blackwater as a direct source for introduction into the City's potable public water system.
3. The City Council finds that protecting the City's potable water system serves the public health, safety, and welfare.

NOW THEREFORE, BE IT ENACTED by the City Council of the City of Edgewater, Florida:

PART A. CHARTER AMENDMENT

Charter Amendment. Article I of the City Charter, entitled "Powers," specifically Section 1.01, is hereby amended to add a new subsection (f) entitled "Limitation on Reclaimed Blackwater Use,"

which shall become effective upon approval by the qualified electors of the City of Edgewater, to read as follows:

Sec. 1.01(f). Limitation on Reclaimed Blackwater Use. Notwithstanding any other provision of this Charter, the City shall not approve the use by the City’s water utility of reclaimed blackwater as a direct source water for introduction into the City’s potable public water system. The terms “blackwater,” “public water system,” and “source water” shall have the meanings provided in applicable state law or rule. The City Council shall implement this subsection by ordinance.

PART B. BALLOT TITLE AND SUMMARY

The ballot title and summary for the charter amendment set forth in Part A of this Ordinance, followed by the words “Yes” and “No,” shall be placed on the ballot at the November 3, 2026 election for consideration by the qualified voters of the City of Edgewater, Florida, as follows:

PART C. TITLE:

LIMITATION ON RECLAIMED BLACKWATER USE

BY THE CITY OF EDGEWATER’S WATER UTILITY SUMMARY

Shall the Charter of the City of Edgewater be amended to prohibit the City from approving the use by its water utility of reclaimed blackwater as a direct source of water for introduction into the City’s potable public water system?

___ Yes ___ No

PART D. REFERENDUM

A referendum election is hereby authorized to be held on November 3, 2026, in conjunction with the general election held pursuant to Section 100.031, Florida Statutes, and other applicable laws, at

which the foregoing charter amendment and ballot question shall be submitted to the electorate of the City of Edgewater.

PART E. NOTICE OF REFERENDUM; DIRECTIONS TO CITY CLERK

The City Clerk is authorized and directed to publish notice of the referendum authorized by this Ordinance in accordance with Section 100.342, Florida Statutes, and to take all actions necessary to place the ballot title and summary on the ballot.

PART F. CODIFICATION; FILING WITH THE DEPARTMENT OF STATE

In the event the charter amendment is approved by an affirmative vote of a majority of the qualified electors voting on the question at the November 3, 2026 election: (1) the approved amendment shall be incorporated into the City Charter; and (2) the City Clerk is directed to file the revised Charter with the Florida Department of State.

PART G. SEVERABILITY AND APPLICABILITY

If any portion of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance. If this Ordinance or any provision thereof is held inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any other person, property, or circumstance.

PART H. CONFLICTING PROVISIONS

All ordinances and resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed to the extent of such conflict.

PART I. EFFECTIVE DATE OF CHARTER AMENDMENT

The charter amendment proposed in this Ordinance shall become effective immediately upon certification of an affirmative majority vote of the qualified electors of the City of Edgewater at the referendum election.

PART J. EFFECTIVE DATE

This Ordinance shall take effect immediately upon its adoption.

PASSED AND DULY ADOPTED this _____ day of _____, 2026.

Diezel DePew, Mayor

ATTEST:

Monique Toupin, Interim City Clerk

REVIEWED AND APPROVED: _____
Anthony Sabatini, City Attorney

