ORDINANCE NO. 2026-O-05

AN ORDINANCE OF THE CITY OF EDGEWATER, FLORIDA, PROHIBITING THE CITY'S WATER UTILITY FROM USING RECLAIMED BLACKWATER AS DIRECT SOURCE WATER FOR INTRODUCTION INTO THE CITY'S POTABLE WATER SYSTEM; 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. The City of Edgewater operates and regulates a public potable water system for the benefit of its residents; and

2. The protection of the public drinking water supply is essential to the public health, safety, and welfare; and

3. Advances in wastewater treatment technology have led to proposals commonly referred to as "direct potable reuse" or "toilet to tap," involving the treatment and reuse of blackwater for introduction into potable water systems; and

4. The City Council finds that prohibiting the use of reclaimed blackwater as a direct source of potable water is a reasonable and necessary safeguard to maintain public confidence in the municipal water supply; and

5. The City Council has the authority to regulate utilities and protect public health pursuant to its home rule powers under Chapter 166, Florida Statutes.

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

PART A. PROHIBITION ON DIRECT POTABLE REUSE OF BLACKWATER

The City of Edgewater shall not approve, authorize, construct, permit, or otherwise allow the use by

the City's water utility, or any other entity operating within the City, of reclaimed blackwater as a direct source water for introduction into the City's potable public water system. "Blackwater" means wastewater containing human waste, including wastewater from toilets and sanitary fixtures. "Direct potable reuse" means the introduction of treated wastewater directly into a potable water supply system without an environmental buffer. "Potable public water system" shall have the meaning provided under applicable Florida law and regulations.

Nothing herein shall prohibit the use of reclaimed water for non-potable purposes, including irrigation, industrial use, or other uses permitted by law.

PART B. CONFLICTING PROVISIONS

All conflicting ordinances and resolutions, or parts thereof in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

PART C. SEVERABILITY AND APPLICABILITY

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any other person, property or circumstance.

PART D. CODIFICATION

Provisions of this ordinance shall be incorporated in the Code of Ordinances of the City of Edgewater, Florida, and the word "ordinance" may be changed to "section", "article", or other appropriate word, and the sections of this ordinance may be renumbered or re-lettered to accomplish such intention; provided, however, that Parts B through E shall not be codified.

PART E. 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