

# MODEL ORDINANCE FOR A LEAD BAN IN PUBLIC AND PRIVATE DRINKING WATER PLUMBING

Ordinance No. 2023-04

Be it ordained by the governing body of the city of Osborn, state of Missouri:

## Section I. Lead Ban – General Policy

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 Osborn.

C. Policy. This ordinance will be reasonably 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 judgement 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.

## Section II. Definitions

A. 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 base materials" means any material containing lead in excess of the quantities specified in Section II. A. 3.
- 3) "Lead free" means:

A. In General.

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

- 2) When used with respect to pipes and pipe fittings, refers to pipes and pipe fittings containing a weighted average of not more than 0.25 percent (0.25%) lead with respect to the wetted surfaces of pipes, pipe fittings, plumbing fittings, and fixtures.

B. Calculation

The weighted average lead content of a pipe, pipe fitting, plumbing fitting, or fixture shall be calculated by using the following formula: For each wetted component, the percentage of lead in the component shall be multiplied by the ratio of the wetted surface area of that component to the total wetted surface area of the entire product to arrive at the weighted percentage of lead of the component. The weighted percentage of lead of each wetted component shall be added together, and the sum of these weighted percentages shall constitute the weighted average lead content of the product. The lead content of the material used to produce wetted components shall be used to determine compliance with paragraph (A)(2). For lead content of materials that are provided as a range, the maximum content of the range shall be used.

- 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; and
- 5) "Water purveyor" means the owner, operator, or individual in responsible charge of a public water system.
- 6) "Exemptions"
- (A) pipes, pipe fittings, plumbing fittings, or fixtures, including backflow preventers, which are used exclusively for non-potable services such as manufacturing, industrial processing, irrigation, outdoor watering, or any other uses where the water is not anticipated to be used for human consumption; or
  - (B) toilets, bidets, urinals, fill valves, flush-o-meter valves, tub fillers, shower valves, service saddles, or water distribution main gate valves that are 2 inches in diameter or larger.

Section III. 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 Section III. A., water service shall be discontinued until such time that the drinking water plumbing is lead free.

Date of Adoption: October 11, 2023

Signature/Official Title: \_\_\_\_\_ Date Signed: \_\_\_\_\_

Signature/Official Title: \_\_\_\_\_ Date Signed: \_\_\_\_\_