

Chapter 705

WATER REGULATIONS

ARTICLE I

Pollution of Ground Water

Section 705.010. Definition of Terms. [CC 1979 §74.010]

As used in this Article, the following terms mean:

DIVISION OF HEALTH — The Division of Health of the State Department of Public Health and Welfare of Missouri or its authorized representative.

GROUND WATER — The water in the zone of saturation found in voids and interstices below the ground surface.

POLLUTION — The addition of sewage, industrial wastes or other harmful or objectionable materials to water.

SEWAGE — The water-carried waste products or discharges from human beings or animals, or chemicals or other wastes from residences, public or private buildings, swimming pools or industrial establishments, together with such ground, surface or stormwater as may be present.

Section 705.020. Activities Prohibited. [CC 1979 §74.020]

It shall be unlawful for any person, persons, firm, association or corporation to pollute ground water sources by discharging sewage into any well, cistern, spring, sinkhole, cave, minishaft, tunnel, pit, quarry or other excavation, or into any fissure or crevice leading to underground water-bearing strata.

Section 705.030. Inspections. [CC 1979 §74.030]

It shall be the duty of the Board of Aldermen to appoint the Chief of Police or its authorized representative to make such inspections as are necessary to properly carry out the provisions of this Article. Written notification of any violation of this Article shall be given by the Chief of Police, or authorized representative, to the owner and occupant of the property upon which the violation occurs. If the provisions of this Article have not been complied with within the period of ten (10) days following date of notice of violation, the City shall have the right to make or have made such alterations in the method of disposal of sewage that are deemed necessary for approval by the Division of Health of Missouri, and all the costs thereof shall be provided for and defrayed by a special tax bill to be assessed in favor of the City against the property on which said improvements are made, and such special tax bill shall become a lien on said property.

ARTICLE II
Lead Ban Policy

Section 705.040. Lead Ban—General Policy.

- A. *Purpose.* The purpose of this Article 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 system.
- B. *Application.* This Article shall apply to all premises served by the public drinking water system of the City of Diamond, Newton County, Missouri.
- C. *Policy.* This Article will be reasonably interpreted by the water purveyor. It is the purveyors 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.
- C. If, in the judgment of the water purveyor or his/her authorized representative, lead base 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 705.050. Definitions.

The following definitions shall apply in the interpretation and enforcement of this Article:

CONSUMER — The owner or person in control of any premises supplied by or in any manner connected to a public water system.

CUSTOMER — Any person who receives water from a public water system, except those persons receiving water for resale.

LEAD BASE MATERIALS — Any material containing lead in excess of the quantities specified in the definition of "lead-free".

LEAD-FREE —

1. When used with respect to solder and flux, refers to solders and flux containing not more than two-tenths percent (0.2%) lead; and
2. When used with respect to pipes and pipe fittings, refers to pipes and pipe fitting containing not more than eight percent (8%).

PUBLIC DRINKING WATER SYSTEM — 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.

WATER PURVEYOR — The owner, operator, or individual in responsible charge of a public water system.

Section 705.060. 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 Subsection (A) of this Section, water service shall be discontinued until such time that the drinking water plumbing is lead-free.