

ORDINANCE 2024-15509

AN ORDINANCE OF THE CITY OF NAPLES, FLORIDA AMENDING THE CODE OF ORDINANCES TO REMOVE PARAGRAPH (d), FLUORIDATION, OF SECTION 30-31 – GENERAL WATER SERVICE REGULATIONS OF CHAPTER 30 – UTILITIES, ARTICLE II – WATER, DIVISION 1 – GENERALLY; PRIVATE WATER SYSTEMS; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER’S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

WHEREAS, on October 6, 1950, the Naples City Council adopted Ordinance No. 260, which provided direction to the Water Department of the City of Naples to provide the means and to proceed with introducing fluoride to the water supply as directed by the State Board of Health; and

WHEREAS, in February 2024, the Collier County Board of Commissioners approved to discontinue fluoridation of the public water supply, citing reasons such as adherence to the Collier County Health Freedom Bill of Rights and the elimination of unnecessary costs in maintaining water fluoridation systems; and

WHEREAS, the City Council of the City of Naples has determined that the fluoridation of the city water supply is no longer required to meet the public health objectives for its citizens; and

WHEREAS, the City Council of the City of Naples desires to amend Chapter 30 of the City’s Code of Ordinances to reflect this policy change in the water service regulations; and

WHEREAS, the City Council of the City of Naples finds that the amendments to Chapter 30, Section 30-31, as more particularly set forth herein, are in the public interest and necessary to promote the health, safety, and welfare of the citizens of the City of Naples, Florida;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That the above recitals (“WHEREAS” clauses) are true and correct and adopted hereby as findings, purpose, and intent of the City Council.

Section 2. That Paragraph (d), Fluoridation, of Section 30-31 – General Water Service Regulations of Chapter 30-31 – General Water Service Regulations of Chapter 30 – Utilities, Article II – Water, Division I – Generally; private water systems of the Code of Ordinances, City of Naples, is hereby amended as follows (with ~~strikethrough~~–indicating deletions):

ARTICLE II. WATER

DIVISION I. GENERALLY

Sec. 30-31. General water service regulations; private water systems.

~~(d) Fluoridation. The city manager is herewith directed to proceed with the fluoridation of the water supply as directed by the county health department.~~

Section 3. This Ordinance shall be codified in the Code of Ordinances of the City of Naples, Florida.

Section 4. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 5. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. The City Attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

Section 7. This Ordinance is to be liberally construed to accomplish its objectives.

Section 8. This Ordinance shall be published in accordance with the requirements of law.

Section 9. This Ordinance shall take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING AND PUBLIC HEARING THE 6TH DAY OF NOVEMBER, 2024.

PASSED AND ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA THIS 4TH DAY OF DECEMBER, 2024.



Attest

Patricia L. Rambosk
Patricia L. Rambosk, City Clerk

Teresa Lee Heitmann
Teresa Lee Heitmann, Mayor

Approved as to form and legal sufficiency:

Matthew McConnell

Matthew McConnell, City Attorney
Date filed with City Clerk: 12-5-24