

ORDINANCE NO. 2088

AN ORDINANCE AMENDING TITLE V OF THE NEWPORT MUNICIPAL CODE BY THE ADDITION OF SECTION 5.10.015 WHICH DIRECTS AND AUTHORIZES THE CITY OF NEWPORT STAFF, UNDER THE DIRECTION OF THE CITY MANAGER, TO RESUME FLUORIDATION OF THE WATER SUPPLY OF THE CITY OF NEWPORT

A. Findings: The Newport City Council finds:

1. That on August 23, 1960, the Council adopted Resolution No. 1154 calling for the submission to voters of the City of Newport the question of introducing fluoride into the city water supply; and
2. That on November 8, 1960, the electors of the City of Newport voted on the following ballot question: "FLUORIDATION OF NEWPORT'S WATER SUPPLY. Shall the Common Council of the City of Newport add fluorine to the public water supply, under the supervision of the Oregon State Board of Health?" The measure passed with a vote of 1,070 yes; 1,049 no; and
3. That on December 5, 1960, the Council adopted Resolution No. 1165 providing for the fluoride supplementation of the city water supply; and
4. That on May 18, 1962, the electors of the City of Newport voted on the following ballot question: "Shall the Charter of the City of Newport be amended to prohibit fluoridation of the City's public water supply by adding fluorine or fluoride compound thereto?" The measure failed by a vote of 704 - yes; and 789 - no; and
5. That on June 25, 1962, the Council readopted Resolution No. 1165 calling the readopted resolution, Resolution No. 1165-A providing for fluoride supplementation of the city water supply ; and
6. That during the week of August 26 - 31, 2005, fluoridation was suspended due to the overflow of the recycle pond into Big Creek. Thereafter, because of physical limitations of the chemical room, staff suspended fluoridation of the city water supply until such time as appropriate changes could be made to the chemical room. When the new water treatment plant was designed, and budgetary constraints were encountered, the fluoridation equipment was eliminated without any specific action being taken by Council; and
7. That on January 28, 2015, members of the Lincoln County Public Health Advisory Committee met with members of the city staff regarding concerns about fluoridation of the city water supply not being fluoridated as provided for

by Resolution No. 1165-A. By resolution of the Lincoln County Public Health Advisory Committee adopted on July 7, 2015, the Committee urged the City Council to resume fluoridation of the city water supply; and

8. That the City Council determined to solicit public comment concerning the possible resumption of fluoridation of the city water supply; and
9. That on September 8, 2015, the City Council held a public hearing on the issue of fluoridation of the city water supply, and at the October 19, 2015 City Council meeting the Council received a report from the City Manager, and additional documentation was received from interested parties; and
10. That after receipt of public testimony and written comments, the City Council finds that it is in the best interests of the City of Newport and its electors that the resumption of fluoridation of the city water supply be directed by ordinance and that such ordinance be referred to the electors of the City of Newport at the election of May 17, 2016.

THE CITY OF NEWPORT ORDAINS AS FOLLOWS:

Section 1. Amendment. The Newport Municipal Code shall be amended to include the addition of the following:

5.10.015 Fluoridation of City Water Supply

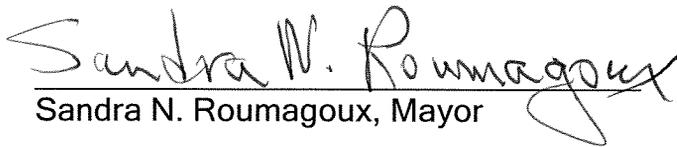
- A. City staff shall keep an accurate record of the type and amount of fluoridation introduced into the city water supply, and the quantities of water treated. City staff shall conduct and keep records of tests of the fluoridation in the city water supply in accordance with state and federal standards. City staff shall document and monitor the costs for implementing fluoridation of the city water supply.
- B. Funds necessary for fluoridation of the city water supply shall be paid as provided in the city budget and consistent with local budget law.
- C. Fluoridation statistics shall be included in the annual Water Quality Report in accordance with state and federal requirements.
- D. **Implementation Provisions.**
 1. **Date.** The City Council shall establish, by resolution, a date to resume fluoridation of the city water supply.
 2. **Design.** City staff is directed and authorized to design and implement a fluoridation program of the city water supply to the recommended levels to reduce tooth decay and promote good oral health as recommended by state and federal authorities. Any fluoridation products used for this purpose shall

be certified by NSF International (formerly known as the National Sanitation Foundation).

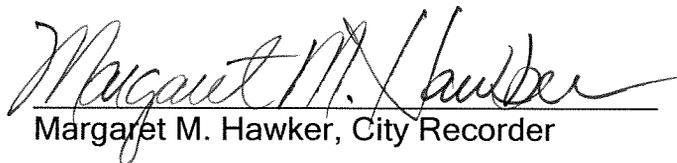
3. **Report.** City staff shall prepare a report and recommendation to the City Council prior to the resumption of fluoridation of the city water supply. The report and recommendation shall include a general outline of a fluoridation program; a preliminary estimate of the financial resources required to design and implement the fluoridation program; and a recommended date to resume fluoridation of the city water supply.

Section 2. Effective Date. This ordinance shall be effective immediately upon certification of the election results if approved by the electors of the City of Newport at the election of May 17, 2016.

Adopted by the Newport City Council on February 1, 2016.


Sandra N. Roumagoux, Mayor

ATTEST:


Margaret M. Hawker, City Recorder

APPROVED AS TO FORM:


Steven Rich, City Attorney