

**DRAFT ~~HOME RULE~~ CHARTER AMENDMENT**  
**(Rev 8/~~2022~~/2019 J. Fauth)**

**Text of the Amendment:**

**Sec. 704.1 The Right to Clean Water**

*A. Rights of People and Aquatic Ecosystems*

1. The citizens of Orange County possess the right to clean water and a healthy environment, to protect human health; support recreational, cultural and economic activities; and provide healthy habitat for plants, animals and other wild life.

2. The Wekiva River, Econlockhatchee River, and all other aquatic ecosystems, lakes, waterways, springs, and aquifers in Orange County possess the right to exist, thrive, regenerate, and to be restored;

~~1. and the right to have Orange County residents defend and enforce those rights in a court of competent jurisprudence.~~

3. The rights of people and aquatic ecosystems secured by this section shall include the right to be free from practices or activities of governmental or non-natural persons that interfere with those rights.

4. Notwithstanding the above provisions, because wetlands built to treat municipal or industrial wastewater, graywater or stormwater runoff are designed to remove pollutants, Orange County may exempt by ordinance such constructed wetlands from the rights secured by this section.

~~2.5. The citizens of Orange County have the right to defend and enforce these rights in a court of competent jurisprudence.~~

*B. Enforcement and Implementation*

1. Orange County shall take all necessary actions to implement, defend, and enforce the provisions of this section under its Constitutional duty to protect the health, safety and welfare of its citizens.

2. Orange County shall not issue any permit, license, contract, or any other agreement that decreases the chemical, physical, or biological condition of Orange County's surface waters or ground waters, or that reduces the ecosystem services provided by Orange County waters.

~~1. Orange County shall encourage efforts to restore wetlands, implement best management practices, limit runoff from impervious surfaces, and decrease nutrient and pollutant loads into Orange County waters.~~

3.

~~2.~~

~~3.~~ For the purposes of this Section, "clean water" shall mean water that does not exceed Florida's Numeric Nutrient Criteria and which is of sufficient quality to protect recreation, fish consumption, and the maintenance of a healthy, well-balanced ecosystem of plants, animals and other wild life. ~~that is free of all toxins, pollutants and carcinogens.~~

~~4.~~

*C. Effective Date*

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This amendment to the Orange County Charter is self-enacting and takes effect on passage.

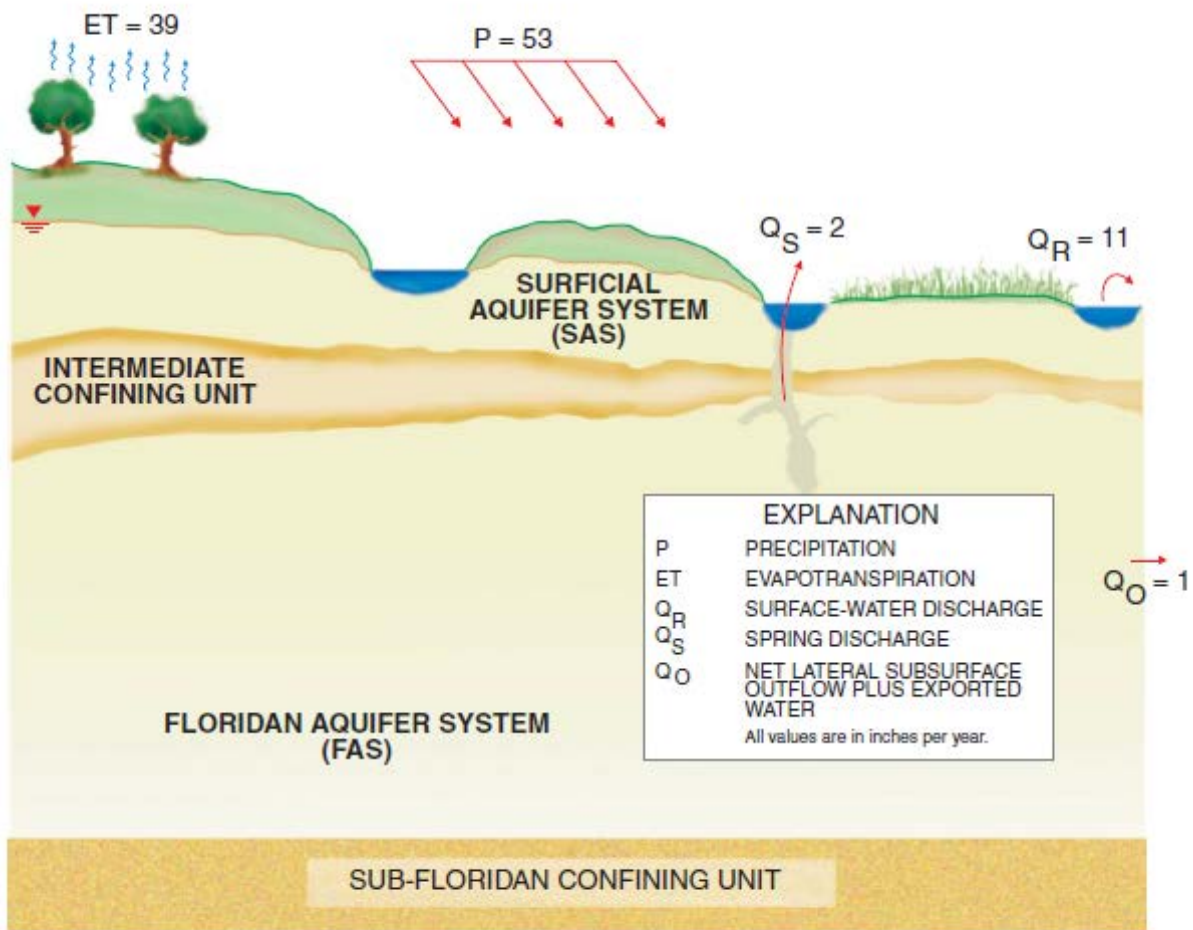


Figure 36. Water budget for Orange County, Florida, 1991-2000.