

# RIGHT TO CLEAN WATER

## CHARTER AMENDMENT PETITION FORM, TITUSVILLE, FLORIDA

All information on this form, including your signature, becomes a public record upon receipt by the Supervisor of Elections. Under Florida law, it is a first-degree misdemeanor, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes, to knowingly sign more than one petition for a candidate, a minor political party, or an issue. [Sect. 104.185, Florida Statutes]

*I am registered to vote in the City of Titusville, Brevard County, Florida, and I hereby petition the City of Titusville to place the following proposed amendment to the City of Titusville Charter on the ballot for the 2022 general election:*

**Ballot Title:** RIGHT TO CLEAN WATER CHARTER AMENDMENT

**Ballot Summary:** Shall the Charter of the City of Titusville be amended to recognize a right to clean water and prohibit actions which interfere with this right? (Y/N)

**Full Text:** The Charter of the City of Titusville is amended to add Section 11.1, as follows:

**1. Right to Clean Water.** Residents of the City of Titusville possess the right to clean water, which shall include the right to Waters of Titusville which flow, exist in their natural form, are free of pollution, and which maintain a healthy ecosystem.

**2. Violations.** Governmental or corporate entities shall not engage in any alleged, proposed or continuing activity which violates the rights secured by this Charter.

**3. Remedies.** Any resident of Titusville may bring a legal action, in the name of the resident or in the name of the Waters of Titusville, in a court of appropriate jurisdiction to enjoin violations of the right to clean water. Remedies shall include injunctive relief to enjoin the violation and monetary damages to restore the waters to their pre-damaged state.

#### **4. Definitions**

(a) "Clean Water" shall mean Waters that are free from Pollution.

(b) "Pollution" means the non-natural presence in the Waters of the City of Titusville of any one or more substances, contaminants, or pollutants in quantities potentially harmful or injurious to human health, native wildlife dependent on clean Waters (not to include mosquitos or other blood-feeding flies) or water quality which may unreasonably interfere with the enjoyment of life, liberty or property, including outdoor recreation, business interests and property values within the City of Titusville.

(c) "Waters" include, but are not limited to, portions of the Indian River Lagoon, tributaries, lakes, ponds, wetlands, and all other naturally-occurring waters and water bodies within the political boundaries of the City of Titusville, including fresh, brackish, saline, surface or underground waters. Waters do not include constructed swimming pools or artificial wetlands which use natural processes for water retention and treatment to improve water quality. Waters may include, however, constructed water bodies that amount to being a tributary, having a physical outlet or overflow into the Waters of the City of Titusville.

**5. Severability.** To the extent any provision of this Section impermissibly conflicts with any superior state or federal law governing the same conduct, such provision shall be severable and all other provisions shall remain fully enforceable.

**Voter's Full Name (as registered):** \_\_\_\_\_

**Residential Address:** \_\_\_\_\_

**Date of Birth (or Voter Registration Number):** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date Signed:** \_\_\_\_\_

**Email (optional, to receive updates on this initiative):** \_\_\_\_\_

**Please mail your completed, signed petition to:** Speak Up Titusville  
P.O. Box 1882  
Titusville, FL 32781

This petition is only valid if all fields have been correctly entered and match voter registration data.