

ORDINANCE NO. 2014-01

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 30, "HEALTH AND SANITATION," ARTICLE III, "SOLID WASTE," TO INCLUDE COLLECTION OF RECYCLED HOUSEHOLD ITEMS IN THE PROHIBITION ON COLLECTION OF REFUSE AND GARBAGE WITHOUT A FRANCHISE AGREEMENT; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Code of Ordinances currently prohibits any person from engaging in the collection of garbage and refuse within the City unless such collection is performed pursuant to a franchise agreement with the City; and

WHEREAS, the City Council of the City of Edgewood, Florida desires to include in the such prohibition to collection of household recyclable materials; and

WHEREAS, the City Council of the City of Edgewood, Florida finds that adoption of this Ordinance is in the best interest of the health, safety and welfare of the public.

SECTION 1. Recitals Adopted. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. Chapter 30, "Health and Sanitation," Article III, "Solid Waste," of the City of Edgewood Code of Ordinances, is hereby amended as follows (Note, Underlined words constitute the additions to the existing text of the Code of Ordinances, ~~strikethroughs~~ constitute deletions to the existing text and plain text is text that remains unchanged by this Ordinance):

Sec. 30-48. –Disposal of Refuse, ~~and~~ Garbage and Recyclable Household Items

(a) It is unlawful for any person to collect refuse, ~~or~~ garbage or recyclable household items, including textile donations, within the city unless such collection is pursuant to a franchise agreement with the city. No person, business or other entity shall place an outdoor bin or other outdoor collection point for recycled textile donations within the city except as in accordance with this section. Textile donation points located entirely within an occupied building are not subject to the paragraph.

(b) Every owner or lessee of improved property within the city, except those having an exemption as provided above, must pay the garbage fees for the opportunity of refuse and garbage collection whether or not the owner avails himself of such collection services.

(c) All garbage and recycling containers shall be placed out for collection no earlier than 5:00 p.m. of the day preceding the day designated for collection and shall be removed not later than 7:00 p.m. on the day designated for collection. Dumpsters and roll-off containers may remain in their permanent location.

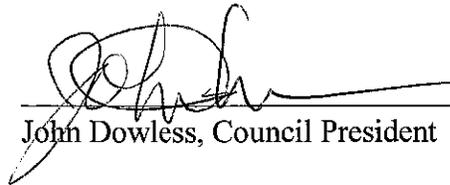
SECTION 3: Codification: Section 2 of this Ordinance shall be codified and made part of the City of Edgewood Code of Ordinances.

SECTION 4: Control: In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance controls.

SECTION 5: Severability: It is the intent of the City Council of the City of Edgewood, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

SECTION 6: Effective Date: This Ordinance shall become effective upon final passage and adoption.

ADOPTED by the City Council of the City of Edgewood, Florida, this **20th** day of **May**, 2014.



John Dowless, Council President

ATTEST:



Bea Meeks, MMC
City Clerk

First Reading: April 23, 2014

Advertised: May 9, 2014