

ORDINANCE NO. 2011-03

AN ORDINANCE OF THE CITY COMMISSION OF DADE CITY, FLORIDA, AMENDING PORTIONS OF SECTION 74-38 OF THE MUNICIPAL CODE OF DADE CITY, FLORIDA, RELATING TO RATES FOR SOLID WASTE COLLECTION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the costs paid to the contract hauler have increased as allowed under the agreement; and

WHEREAS, the rates for residential solid waste collection have remained unchanged since 2002; and

WHEREAS, the City Commission voted to increase those rates to help offset the rise in costs; and

WHEREAS, Section 74-38 of the Dade City Code should be amended to reflect the increase in residential solid waste collection charges.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the City Commission of Dade City, Florida, as follows:

Section 1. Section 74-38(1) of the Dade City Code of Ordinances is hereby amended to read as follows:

- (1) All residential developments, except those with active accounts for receiving mechanical dumpster service, shall pay the rates and charges for service as follows:
 - a. Single-family, duplexes, triplexes, roominghouses, bed and breakfast establishments, etc., shall pay \$10.91 ~~10.50~~ per month per structure for twice weekly collection of garbage and yard trash, and one weekly collection of recyclable materials.
 - b. Apartments, townhouses, condominiums, and other multifamily residential units that have curbside service available shall pay \$8.91 ~~8.50~~ per month for each apartment or living unit for twice weekly collection of garbage and yard trash.
 - c. Yard trash service shall be provided under the terms of the agreement with the contract hauler ~~include collection of up to four 30-gallon containers per collection. Collection of extra yard trash in excess of the amounts stated above shall be \$5.00 per cubic yard.~~
 - d. Tree and lawn maintenance contractors and/or companies that provide a service for a fee to citizens within the city, shall remove all materials associated with that service from the city; materials shall not be placed on parkways and shall be removed from the property within 24 hours after

- completion of the project.
- e. For residential accounts billed by the city, a deposit of \$15.00 must be paid in full prior to the initiation of garbage service. Such deposit shall be held by the City in a non-interest-bearing reserve account. Deposits must be brought up to current levels when a user transfers to a different account.
 - f. Deposits of single-family residential accounts in the name of the property owner may be refunded, without interest, after 24 billing periods provided that there have been no late payments, no returned payments, and no disconnections on the account during that time period. Otherwise, upon final settlement of the user's account, any unused balance of the deposit will be refunded without interest to the account name as listed on the deposit receipt. Deposits cannot be changed and are not transferable to another user except in situations where appropriate legal documentation is provided.

Section 2. These rate changes shall be charged on bills for solid waste collection issued on or after the first day of the month following the effective date of this ordinance.

Section 3. All ordinances and parts of ordinances in conflict herewith be, and the same are hereby repealed.

Section 4. Should any portion of this ordinance be held unconstitutional or inoperative, such holding shall not affect the validity of any portion thereof not dependent thereon for meaning.

Section 5. This ordinance shall become effective as provided by law.

This ordinance was introduced at the regular City Commission meeting on the 24th day of May, 2011, and was adopted after a public hearing at the regular City Commission meeting on the 28th day of June, 2011.

City of Dade City, Florida

Mayor

Attest:

James D. Class
City Clerk

Approved as to form:

Karl H. Cross
City Attorney