

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 58 OF THE CODE OF ORDINANCES, ENTITLED "SOLID WASTE" BY AMENDING SECTION 58-66, TO AMEND THE DUMPING FEE OR TIPPING FEE FOR KEY WEST RESIDENTS, COMMERCIAL ESTABLISHMENTS AND LICENSED BUSINESS, AND TO ADD FEES FOR RECYCLING AND TIRE DISPOSAL; AMENDING SECTION 58-67 TO PROVIDE THAT FEES MAY BE ANNUALLY ADJUSTED ADMINISTRATIVELY BY A PERCENTAGE UP TO OR EQUAL TO THE ANNUAL CPI; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key West finds that it is necessary to amend Chapter 58, Section 58-66 to add a tire waste disposal fee, as the demand for disposal of tires has increased substantially in both volume and cost in recent years; and

WHEREAS, the City of Key West finds that it is also necessary to create a nominal Recycling Disposal fee, due to increased Transfer Station Operating costs; and

WHEREAS, amendments to section 58-66 and 58-67 of the Code of Ordinances will promote the health, safety and welfare of the citizens and visitors of the City of Key West.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST, FLORIDA:

Section 1: That Section 58-66 of the Code of Ordinances is hereby amended as follows*:

Sec. 58-66. - Dumping fee, tire disposal fee and recyclable materials fee for Key West residents, commercial establishments and licensed businesses.

(a) Each Key West resident, commercial establishment and/or licensed business shall pay a maximum solid waste dumping or tipping fee of ~~\$168.11~~ \$177.55 per ton based on a conversion rate of 163 pounds per cubic yard for non-compaction containers.

(b) Each Key West resident, commercial establishment and/or licensed business shall pay a maximum tire waste disposal fee of \$381.00 per ton, to become effective October 1, 2024 (or such date as this ordinance is enacted).

(c) Each Key West resident, commercial establishment and/or licensed business shall pay a maximum Recyclable Materials Tipping Fee of \$18.90 per ton, to become effective October 1, 2024 (or such date as this ordinance is enacted).

*(Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

Section 2: That Section 58-67 of the Code of Ordinances is hereby amended as follows*:

**Sec. 58-67. - Annual adjustment of dumping
or tipping fees.**

All solid waste collection and dumping/tipping fees provided or referenced in this article, including without limitation those provided at sections 58-64 through 58-66, shall annually be administratively adjusted by a percentage up to or equal to the change in the Consumer Price Index published by the Bureau of Labor Statistics of the United States Department of Labor for June of the current year of adjustment, compared with the index for June of the preceding year. The annual adjustment shall take effect October 1 of each calendar year and shall be implemented by the city manager.

Section 3: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 4: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 5: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this _____ day of _____, 2024.

Read and passed on final reading at a regular meeting held this _____ day of _____, 2024.

Authenticated by the presiding officer and Clerk of the Commission on _____ day of _____, 2024.

Filed with the Clerk _____, 2024.

Mayor Danise Henriquez _____
Vice Mayor Sam Kaufman _____
Commissioner Lissette Carey _____
Commissioner Monica Haskell _____
Commissioner Mary Lou Hoover _____
Commissioner Donald "Donie" Lee _____
Commissioner Clayton Lopez _____

DANISE HENRIQUEZ, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK