



## MEMORANDUM

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Date: January 6, 2026

To: Honorable Mayor and Commissioners

Via: Brian L. Barroso  
City Manager

From: Matt Willman  
Utilities Director

Subject: **An Ordinance of The City of Key West, FL, Amending Chapter 58 of The Code of Ordinances, Entitled, “Solid Waste”, Article I Entitled “In General,” By Amending Section 58-1 “Definitions.” , Article II Entitled “Collection and Disposal” Section 58-31 Container and receptacle requirements and Section 58-35 “Requirements for Bulk and Excess Yard Waste Pick-up”, and Section 58-36 “Penalty”. And Article III “Service Rate and Charges” Section 58-68 “Commercial Solid Waste Accounts” Providing For Severability; Providing for Repeal of Inconsistent Provisions; Providing for an Effective Date. (file id 25-4678)**

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### **Introduction**

An Ordinance of The City of Key West, FL, Amending Chapter 58 of The Code of Ordinances, Entitled, “Solid Waste”, Article I Entitled “In General,” By Amending Section 58-1 “Definitions.” , Article II Entitled “Collection and Disposal” Section 58-31 Container and receptacle requirements and Section 58-35 “Requirements for Bulk and Excess Yard Waste Pick-up”, and Section 58-36 “Penalty”. And Article III “Service Rate and Charges” Section 58-68 “Commercial Solid Waste Accounts” Providing for Severability; Providing for Repeal of Inconsistent Provisions; Providing for an Effective Date.

### **Background**

The proposed amendments are intended to provide clarity to members of the community and code enforcement regarding definitions utilized throughout Chapter 58 of the Code of

Ordinances, residential receptacle requirements, bulk household waste and bulk yard waste scheduling requirements and commercial solid waste account establishments. Definitions and industry best management practices evolve necessitating ordinances amendments to meet sustainability goals of the community and ensuring fiscal responsibility to rate payers. Bulk household and bulk yard waste create unpleasant aesthetics and public safety concerns that impede pedestrian and vehicular traffic for extended periods of time when not appropriately scheduled by the generator. Properties that generate excessive bulk wastes need to be financially accountable and follow scheduling guidelines to limit the impact on the community. Commercial business accountability for proper handling of solid waste begins with the establishment of clear and standardized guidelines for commercial waste generators. With nearly fifty percent (50%) of the properties in Key West being used for commercial purposes either as storefront businesses or income generating rental properties, it is necessary for such entities to obtain and directly finance adequate waste management services.

### **Procurement**

Expenses incurred are expected to be minimal. Existing City Code Enforcement Staff shall continue to provide enforcement of the proposed amended ordinance.

#### **Strategic Plan:**

PRIORITY 5: CLEANLINESS

IMPROVE THE CLEANLINESS OF STREETS, BUILDINGS, AND PUBLIC SPACE

GOAL 2: ACCOUNTABILITY

5. Increase Littering Fines: Re-evaluate current littering fines and ensure that the Code Enforcement and Police are following through to hold individuals accountable (As per the Environmental Protection priority)

### **Recommendation**

The City Manager's Office recommends the Mayor and Commission approve the first reading of the Ordinance; Amending Chapter 58 Solid Waste, Article I In General, Section 58-1, Article II Collections and Disposal, Section 58-31 and Section 58-35, and Section 58-36 "Penalty". Also, Article III Service Rate and Charges, Section 58-68 as proposed, authorizing the City Manager to execute all documents upon the review and consent of the City Attorney.