

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 58-64 TO ADJUST NAVY GENERATED SOLID WASTE RATES; AMENDING SECTION 58-65 TO ADJUST RESIDENTIAL RATES; AMENDING SECTION 58-66 TO ADJUST COMMERCIAL SOLID WASTE RATES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission finds that an adjustment to solid waste rates would promote the health, safety and welfare of the citizens of Key West.

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

Section 1: That Section 58-64 of the Code of Ordinances is hereby amended as follows*

Sec. 58-64. Dumping fee for navy-generated solid waste.

The dumping fee at the landfill site shall be ~~\$142.10~~ \$165.97 per ton for U.S. Navy-generated solid waste. Charges shall be verified by the weight scales ticket. Weight tickets for commercial hauling accounts will be collected and forwarded to the revenue department for monthly billing and collection.

* (Coding: Added language is underlined; deleted language is ~~struck through~~.)

Section 2: That Section 58-65 of the Code of Ordinances is hereby amended as follows:

Sec. 58-65. Residential Rates.

The annual solid waste charge levied upon residential units in the city for solid waste collection, transfer, and disposal service shall be ~~\$300.31~~ \$319.17 per year. The rate shall be based upon pickup of three bags or cans of a maximum capacity of 32 gallons each. This rate may be adjusted each October 1, by Resolution of the city commission, by up to 100 of the percentage increase in the CPI-(U), U.S. City Averages (as of June). The city commission shall enact an ordinance amendment to this section in order to increase the rate in excess of the CPI.

Section 3: That Section 58-66 of the Code of Ordinances is hereby amended as follows:

Sec. 58-66. Dumping fee for commercial establishments, and licensed businesses.

Each commercial establishment and/or licensed business shall pay a solid waste dumping or tipping fee of ~~\$155.83~~ \$165.97 per ton, which fee shall supercede the fee provided at section 58-64.

Section 4: 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

there from and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 5: 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 6: 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 _____, 2010.

Read and passed on final reading at a regular meeting held this _____ day of _____, 2010.

Authenticated by the presiding officer and Clerk of the Commission on _____ day of _____, 2010.

Filed with the Clerk _____, 2010.

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK