

ORDINANCE NO. 36-13

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 51, "GARBAGE AND TRASH", OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, BY AMENDING SECTION 51.70, "REGULAR CHARGES LEVIED", TO PROVIDE FOR DECREASED RESIDENTIAL COLLECTION SERVICE RATES FOR THE REMAINING FISCAL YEAR 2014; PROVIDING A GENERAL REPEALER CLAUSE, A SAVING CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission finds it necessary and appropriate to decrease collection rates for residential sanitation services.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the recitations set forth above are incorporated herein.

Section 2. That Title V, "Public Works", Chapter 51, "Garbage and Trash", Section 51.70, "Regular Charges Levied", of the Code of Ordinances of the City of Delray Beach, Florida, is hereby amended to read as follows:

Section 51.70 REGULAR CHARGES LEVIED.

The following service charges or fees are levied for collection service, unless the City has approved a different type of service and then each unit/development shall be billed in accordance with the type of service that it is receiving:

Charges for the below-described collection service shall be as follows and shall commence when a certificate of occupancy is issued by the City for any residential or commercial units, and shall continue monthly thereafter unless service is discontinued in accordance with Section 51.73:

(A) Residential Service (Single Family Homes, Duplexes, Triplexes, Quadplexes and Mobile Homes):

Curbside Roll-Out Carts

Monthly Service	Cost Per Unit
Garbage Collection	\$6.61
Recycling	\$2.68
Yard Trash	\$2.68
Total Fees--Contractor	\$11.97

Cart Replacement	-90.00
Administrative Fee	.35
Franchise Fee (10%) (5%)	\$1.20 <u>0.60</u>
Less C & D Credit	-0.20
Total Fees	\$14.22 <u>\$12.72</u>

Rear-Door Owner Container	
Monthly Service	Cost Per Unit
Garbage Collection	\$17.38
Recycling	\$2.68
Yard Trash	\$2.68
Total Fees--Contractor	\$22.74
Administrative Fee	0.35
Franchise Fee (10%) (5%)	\$2.27 <u>\$1.14</u>
Less C & D Credit	-0.20
Total Fees	\$25.16 <u>\$24.03</u>

Curbside Disposable Bags With Vegetative Waste and Bulk Trash Pickup	
Monthly Service	Cost Per Unit
Garbage/Trash Collection	\$4.47
Recycling	\$2.68
Yard Trash	\$2.68

Total Fees--Contractor	\$9.83
Administrative Fee	.35
Franchise Fee (10%) (5%)	\$0.98 \$0.49
Less C & D Credit	-0.20
Total Fees	\$11.16 \$10.47

(B) Multi-Family Service

Multiple-family dwelling units containing five (5) units or more shall use containers emptied by mechanical means, except as otherwise approved by the City because of lack of suitable space for a mechanical container or other good reason. Multiple-family monthly fees shall be based on a per-unit charge. These monthly rates assume two (2) pickups per week. If the amount of refuse generated requires more than two (2) pickups per week, then the third and all subsequent collections shall be charged by the Contractor at the commercial collection rate only. If using roll out carts located within enclosures for multi-family collection service, in addition to the monthly total fee (based on the number of units) paid to the City, the Contractor is permitted to charge a roll-out rate that shall be the same as rollout cart service for commercial customers listed in Exhibit 1, Special Services, of the franchise agreement. If the Contractor furnishes the roll-out carts, as approved by the City, then a monthly fee of \$1.00 per cart may be charged by the Contractor directly to the customer.

**Collection & Hauling
Rate Per Unit**

Monthly Service	Monthly Cost Per Unit
Refuse Collection	\$ 3.33
Recycling	\$2.68
Total Per-Unit Fee--Contractor	\$6.01
Administrative Fee	0.35

Franchise Fee (40%) (<u>5%</u>)	\$0.60 <u>\$0.30</u>
Less C & D Credit	-0.10
Total Monthly Fees Per Unit	\$6.86 <u>\$6.56</u>

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

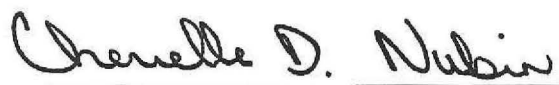
Section 4. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 5. This ordinance shall become effective the day following the City Commission meeting at which it is passed and adopted by the City Commission on second and final reading.

PASSED AND ADOPTED in regular session on second and final reading on this 7th day of January, 2014.


MAYOR

ATTEST:



City Clerk

First Reading December 10, 2013
Second Reading January 7th 2014