

ORDINANCE NO. 15-2058

AN ORDINANCE OF THE CITY OF LONGWOOD, FLORIDA, APPROVING THE EXTENSION OF THE NON-EXCLUSIVE FRANCHISES FOR THE COLLECTION OF COMMERCIAL SOLID WASTE AND/OR RECOVERED MATERIALS FOR AN ADDITIONAL SIX (6) MONTHS TO CONTAINER RENTAL COMPANY, INC.; ORLANDO WASTE PAPER COMPANY, INC.; REPUBLIC SERVICES OF FLORIDA, LIMITED PARTNERSHIP; ADVANCED DISPOSAL SERVICES SOLID WASTE SOUTHEAST, INC.; WASTE MANAGEMENT INC. OF FLORIDA; WASTE PRO OF FLORIDA, INC.; AND PROGRESSIVE WASTE SOLUTIONS OF FLORIDA, INC.; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

Whereas, there is an immediate and continuing need for the collection and disposal of garbage, industrial waste, refuse, rubbish, trash and other solid waste materials from organizations, firms, or entities within the City of Longwood; and

Whereas, the City Commission adopted the Non-Exclusive Franchise Ordinances for each of the Franchisees on September 17, 2007; and

Whereas, any franchisee that accepts the non-exclusive franchise granted by this Ordinance agrees that the provisions of Section 403.70605(3), Florida Statutes do not apply, and that if such provisions are ever deemed to apply then to the fullest extent allowed by law franchisees by accepting this non-exclusive franchise thereby waive and release the City of Longwood from the requirements of Section 403.70605(3), Florida Statutes concerning this franchise or any previously granted franchise. A franchisee shall be deemed to have accepted this franchise and the provisions of this Ordinance by operating within the City of Longwood during any portion of the term of the non-exclusive franchise granted herein; and

Whereas, the terms of each respective Ordinance provides that on March 31st, the Franchise will be automatically extended for an additional six (6) months expiring the following September 30th, provided the Franchisee shall make application for said extension within sixty (60) days prior to its termination and upon approval of the Commission; and

Whereas, Container Rental Company, Inc.; Orlando Waste Paper Company, Inc.; Republic Services of Florida, Limited Partnership; Advanced Disposal Services Solid Waste Southeast, Inc.; Progressive Waste Solutions of Florida Inc.; Waste Management Inc. of Florida; and Waste Pro of Florida, Inc. have met the terms and conditions of their Franchises; and

Whereas, the City Charter provides for the granting, renewing or extending a franchise must be approved by Ordinance; and

Whereas, the City Manager recommends the City Commission approve the extension of the Non-Exclusive Franchises.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
CITY OF LONGWOOD, FLORIDA, AS FOLLOWS:**

Section 1: The City Commission approve the extensions of the Non-Exclusive Franchises for the collection of commercial solid waste and/or recovered materials for an additional six (6) months running from March 31, 2015 to September 30, 2015 to Container Rental Company, Inc.; Orlando Waste Paper Company, Inc.; Republic Services of Florida, Limited Partnership; Advanced Disposal Services Solid Waste Southeast, Inc.; Waste Management Inc. of Florida; Waste Pro of Florida, Inc.; and Progressive Waste Solutions of Florida, Inc.

Section 2: Any franchisee that accepts the non-exclusive franchise granted by this Ordinance agrees that the provisions of Section 403.70605(3), Florida Statutes do not

apply, and that if such provisions are ever deemed to apply then to the fullest extent allowed by law franchisees by accepting this non-exclusive franchise thereby waive and release the City of Longwood from the requirements of Section 403.70605(3), Florida Statutes concerning this franchise or any previously granted franchise. A franchisee shall be deemed to have accepted this franchisee and the provisions of this Ordinance by operating within the City of Longwood during any portion of the term of the non-exclusive franchise granted herein

Section 3: CONFLICTS. If any ordinance or part thereof is in conflict herewith, this Ordinance shall control to the extent of the conflict.

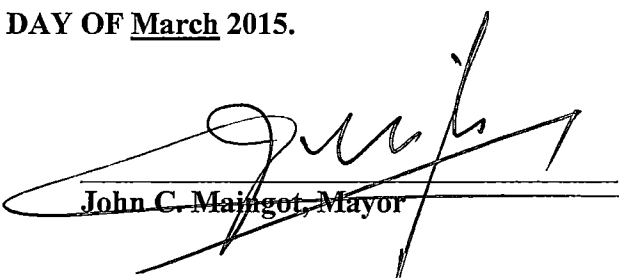
Section 4: SEVERABILITY. If any section, paragraph, sentence or word of this Ordinance or the application thereof to any person or circumstances are held to be invalid, that invalidity shall not effect other sections or applications of this Ordinance.

Section 5: EFFECTIVE DATE. This Ordinance shall become effective immediately upon adoption.

FIRST READING: March 2, 2015

SECOND READING: March 16, 2015

PASSED AND ADOPTED THIS 16 DAY OF March 2015.



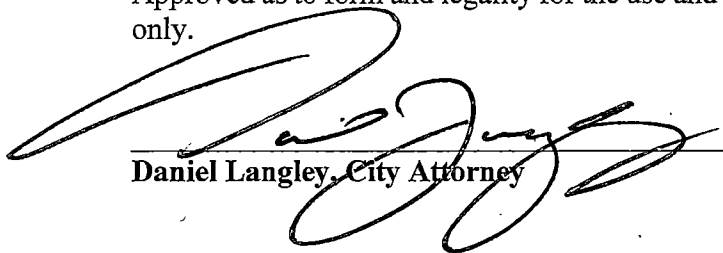
John C. Maingot, Mayor

ATTEST:



Michelle Longo, City Clerk

Approved as to form and legality for the use and reliance of the City of Longwood, Florida only.



Daniel Langley, City Attorney

