

414-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG AMENDING SECTION 27-505 OF THE CITY CODE RELATED TO BRUSH DISPOSAL SITES; CODIFYING POLICIES RELATED TO ACCEPTANCE OF AFFIDAVITS OF QUALIFIED PROPERTY OWNERS; CREATING PENALTIES FOR VIOLATIONS THEREOF; PROVIDING IN SECTION 27-465 THAT THE FINE FOR ILLEGAL DUMPING IS \$500.00; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

SECTION ONE. Section 27-505 of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-505. - Use of brush disposal sites.

- (a) Only material generated on qualified properties is permitted to be deposited at the brush disposal sites. Qualified properties are those which pay sanitation collection charges or special service charges for privately collected roll off containers to the City. There is no limit to the amount an individual may deposit. The POD may verify that materials being deposited came from and were generated at a qualified property in the City and that any required tree permits or arborist certifications were obtained by the owner/resident. ~~Disposal of material by operators of lawn services and services for hire are permitted if the deposits are from qualified properties and the owner/resident of the qualified property accompanies the service person to the brush sites.~~
- (b) Disposal of material by operators of lawn services and services for hire are permitted if the deposits are from qualified properties and:
 - 1. the owner/resident of the qualified property accompanies the service person to the brush sites; or
 - 2. the service person presents to City officials at the brush site a signed affidavit, on a form provided by the POD, by the owner/resident of the qualified property attesting that the deposits are from the owner/resident's property, that any required tree permits or arborist certifications have been acquired, and authorizing their disposal at the brush site.

- (a) ~~(b)~~ Deposits from construction-sites, operators of lawn services, except as provided in subsection ~~(a)~~ of this section, or other services for hire are not permitted.
- (d) Any person or operator of lawn services or other services for hire who is found to have violated any provision of this section, including but not limited to the forgery or otherwise fraudulent production of an owner/resident affidavit for disposal, may be subject to the penalties listed in Section 1-7. Such violations may also result in the suspension of privileges to use any or all City brush disposal sites for a period of up to one year, or a trespass notice being issued to the operator, or both. Repeated violations may result in permanent revocation of brush site privileges.
- ~~(e)~~ Materials acceptable in the brush sites are grass clippings, brush, cuttings and trimmings from any vegetation, mixed metals, and appliances.
- ~~(f)~~ To be considered generated on a qualified property, the clippings, brush, cuttings and trimmings must be from vegetation growing on the qualified property.
- ~~(g)~~ The term "mixed metals and appliances" includes refrigerators, water tanks, washing machines, stoves.
- ~~(h)~~ Unacceptable materials shall include furniture, electronic goods, mattresses and springs, concrete, brick, dirt, building materials, roofing materials, hazardous and infectious materials, and logs exceeding five feet in length, 34 inches in diameter, or 300 lbs.
- ~~(i)~~ Materials deposited in the site become the property of the City. Scavenging of materials of any kind is prohibited without the express written consent of the POD.
- ~~(j)~~ All materials deposited at the brush site must be deposited in areas designated for such deposit within the site area designated by the POD.
- (k) Loads from multiple addresses are prohibited.

SECTION TWO. Section 27-465 of the St. Petersburg City Code is hereby amended to add a new subsection (c) to read as follows:

Sec. 27-465. - Unlawful disposal of garbage, recyclable materials, or rubbish.

It is unlawful to deposit garbage, recyclable materials, industrial waste, garden trash, tree trimmings, noncombustibles or rubbish upon the premises of another or upon any street, alley, park or other public property, or in any canal, water, waterway, rock pit, pool or lake within the City, or in any garbage or rubbish container upon which any other person shall have paid the collection fee as provided by this article; however, tenants of multiple-

dwelling, commercial businesses or institutional establishments may deposit garbage or rubbish in containers upon which the owner or manager of the multiple-dwellings, commercial businesses or institutional establishments shall have paid the collection fee provided in this article and authorized the tenants to use such garbage or rubbish containers.

- (b) Notwithstanding the foregoing, garbage or rubbish from residences serviced by alley collections sharing containers with other residences may be deposited in other residential containers located in the same City block provided that the container is a multiuse container and the collection fee shall have been paid on such containers by the residence generating such garbage or rubbish.
- (c) Any person who violates any provision of this section may have a penalty enforced against said person as provided in section 1-7. The fine for each violation shall be \$500.00.

SECTION THREE. Coding: As used in this ordinance, language appearing in struck-through type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise. Sections of this ordinance that amend the City Code to add new sections or subsections are generally not underlined.

SECTION FOUR. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is determined unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this ordinance.

SECTION FIVE. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto this Ordinance, in which case this Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

First reading conducted on 9th day of January 2020.

Adopted by St. Petersburg City Council on second and final reading on the 23rd day of January 2020.

Ed Montanari, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: _____
Chan Srinivasa, City Clerk

Title Published: Times 1-t 1/11/20

Not vetoed. Effective date January 30, 2019 at 5:00 p.m.