

ORDINANCE NO. 2021-025

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 12, "GARBAGE AND REFUSE," ARTICLE III, "RECYCLABLE WASTE," DIVISION 1, "RESIDENTIALLY ZONED AREAS," BY REPEALING SECTIONS 12-51, "SEGREGATION OF RESIDENTIAL RECYCLABLE WASTE," AND 12-52, "COLLECTION OF RESIDENTIAL RECYCLABLE WASTE," IN THEIR ENTIRETY TO REFLECT CHANGES IN RECYCLING PROCESSES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City is desirous of repealing Sections 12-51 and 12-52 that provide for the segregation and collection of residential recyclable waste due to recent changes to market conditions that make recycling in the traditional sense impractical at this time; and

WHEREAS, the City has entered into Amendment No. 1 to the exclusive Franchise Agreement for the collection of solid waste and recyclable materials with Republic Services of Florida, Limited Partnership that provides a new plan for handling recyclable materials that includes recycling to be collected and transported with garbage or rubbish to be burned at the South County Waste-to-Energy Plant; and

WHEREAS, Sections 12-51 and 12-52 are obsolete and do not adequately contemplate the current changes related to recycling based on recent changes to market conditions; and

WHEREAS, the City Commission finds and determines that Sections 12-51 and 12-52 of the City's Code of Ordinances are obsolete, and repealing same is in the best interest of the residents of Coconut Creek.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:

Section 1: Ratification. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance.

Section 2: Amendment. That the Code of Ordinances of the City of Coconut Creek, Florida, shall be amended by amending Chapter 12, "Garbage and Refuse," Article III, "Recyclable Waste," Division 1, "Residentially Zoned Areas," by repealing Sections 12-51, "Segregation of residential recyclable waste," and 12-52, "Collection of residential recyclable waste," in their entirety to read as follows:

~~Sec. 12-51. -- Segregation of residential recyclable waste.~~

~~(a) -- Newspaper or newsprint. Newspapers shall be segregated from all other solid waste material by all residences. Newspapers shall be securely bundled with string or twine or placed in a paper grocery bag or like disposable container and placed out for collection according to a scheduled date established by the city along with all other refuse at curbside or next to the refuse container used by such solid waste customers, or in the bin provided for newspapers, if any. Newspaper shall not be placed in plastic bags. Adequate precaution shall be made to prevent newspapers from being scattered by the elements. It shall be a violation of this section to fail to segregate newspapers from all other solid waste material or to fail to properly secure said newspapers.~~

~~(b) -- Metal cans, clear, green and brown glass containers, plastic containers #1, #2 or #3, aseptic/gable top containers. All residences shall segregate these items of any size from all other refuse. Said items shall be rinsed with plain water to discourage the accumulation of insects and rodents. Said items shall be placed in the receptacle provided for recycling. Reserved.~~

~~Sec. 12-52. -- Collection of residential recyclable waste.~~

~~(a) -- Newspaper and newsprint. All residences shall place newspapers or newsprint, segregated as provided in section 12-51, out for collection according to a scheduled date established by the city along with all other refuse at curbside or next to the refuse container used by such solid waste customer, or in the bin provided for newspapers, if any.~~

~~(b) -- Metal cans, clear, green and brown glass containers, plastic containers #1, #2 or #3, aseptic/gable top containers. All residences shall place these items, segregated as provided in section 12-51, out for collection according to a scheduled date as established by the city along with all other refuse at curbside or next to refuse container used by such solid waste customer in the bin provided for recycling. Reserved.~~

CODING: Words in ~~strike through~~ type are deletions from existing text.
Words in underline type are additions to existing text.
Asterisks (***) indicate existing text not shown.

Section 3: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4: Severability. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause 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 hereof other than the part declared invalid.

Section 5: Codification. That the provisions of this ordinance shall be codified within the Code of Ordinances of the City of Coconut Creek, Florida, and any paragraph or section may be renumbered to conform with the Code of Ordinances.

Section 6: Effective Date. That this ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 23RD DAY OF SEPTEMBER, 2021.

PASSED SECOND READING THIS 14TH DAY OF OCTOBER, 2021.

Rebecca A. Tooley, Mayor

Attest:

Marianne Bowers, Interim City Clerk

| | <u>1st</u> | <u>2nd</u> |
|---------|------------|------------|
| Tooley | <u>Aye</u> | <u>Aye</u> |
| Rydell | <u>Aye</u> | <u>Aye</u> |
| Sarbone | <u>Aye</u> | <u>Aye</u> |
| Welch | <u>Aye</u> | <u>Aye</u> |
| Railey | <u>Aye</u> | <u>Aye</u> |

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