

ORDINANCE NO. C-13-30

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 24-69 OF ARTICLE III, ENTITLED "PRIVATE COLLECTION SERVICES" OF CHAPTER 24 OF THE CODE OF ORDINANCES, ENTITLED "SOLID WASTE," PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Chapter 24 of the Code of Ordinances of the City of Fort Lauderdale establishes the procedures and regulation for solid waste and recycling management within the City; and

WHEREAS, the Public Works Department has reviewed the current franchise fee relating to the collection of solid waste by private collectors within the City and has determined that the fee needs to be changed; and

WHEREAS, the City Commission desires to provide for the adoption of the franchise fee for private collection of solid waste by resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 24-69 entitled "Licensed private collector franchise fee and payment methodology" of Article III entitled "Private Collection Services" of Division 1 entitled "Generally" of Chapter 24 entitled "Solid Waste," is hereby amended as follows:

Sec. 24-69. - Licensed private collector franchise fee and payment methodology.

(a) The license for essential municipal service required pursuant to section 24-86 shall give each licensed private collector a franchise to collect solid waste within the city. The franchise fee shall be established by resolution of the City Commission. ~~A franchise fee shall be payable to the city equal to seventeen (17) percent of the gross receipts or equivalent value received by each private collector for collection services within the city.~~

CAM #13-1140
Exhibit 1

~~Gross receipts shall not include taxes or payments from commercial enterprises for source separated recycling services and the amount of the city franchise fee when such are separately and accurately delineated on the billing statement to a customer.~~ Franchise fees shall be based upon the gross receipts methodology and are due and payable to the city by the twentieth calendar day of the month following the month within which such services were provided. Gross receipts shall not include taxes or payments from commercial enterprises for source separated recycling services and the amount of the city franchise fee when such are separately and accurately delineated on the billing statement to a customer. Each payment shall be calculated in accordance with the provisions of the resolution adopted by the city commission.

...

SECTION 3. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 4. That this Ordinance shall be in full force and effect immediately upon and after its final passage.

PASSED FIRST READING this the 20th day of August, 2013.

PASSED SECOND READING this the ____ day of _____, 2013.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH