

ORDINANCE NO. 06-19

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 58 OF THE CODE OF ORDINANCES ENTITLED "SOLID WASTE" BY AMENDING SECTIONS 58-65 AND 58-66 TO ADJUST RESIDENTIAL AND COMMERCIAL SOLID WASTE RATES, RESPECTIVELY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission finds that an adjustment to solid waste rates would promote the health, safety and welfare of the citizens of Key West.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST, FLORIDA:

Section 1: That Section 58-65 of the Code of Ordinances is hereby amended as follows*:

Sec. 58-65. Residential Rates.

The annual solid waste charge levied upon residential units in the city for solid waste collection, transfer, and disposal service shall be ~~\$274.05~~ \$291.00 per year. The rate shall be based upon pickup of three bags or cans of a maximum capacity of 32 gallons each. This rate may be adjusted each October 1, by Resolution of the city commission, by up to 100 percent ~~seventy five percent (75%)~~ of the percentage increase in the CPI-(U), U.S.

*(Coding: Added language is underlined; deleted language is ~~struck~~ through.)

City Averages (as of June). The city commission shall enact an ordinance amendment to this section in order to increase the rate in excess of the CPI. ~~There shall be an annual cap of five percent (5%) on any CPI increase. A CPI increase shall be approved by the city commission by Resolution.~~

Section 2: That Section 58-66 of the Code of Ordinances is hereby amended as follows:

Sec. 58-66. Dumping fee for commercial establishments and licensed businesses.

Each commercial establishment and/or licensed business shall pay a solid waste dumping or tipping fee of ~~\$142.10~~ \$151.00 per ton, which fee shall supersede the fee provided at section 58-64. ~~This rate may be adjusted each October 1, by seventy five percent (75%) of the percentage increase in the CPI (U), U.S. City Averages (as of June). There shall be an annual cap of five percent (5%) on any CPI increase. A CPI increase shall be approved by the city commission by Resolution.~~

Section 3. If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable

therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 4. All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 5. This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this 19 day of September, 2006.

Read and passed on final reading at a regular meeting held this 3 day of October, 2006.

Authenticated by the presiding officer and Clerk of the Commission on 4 day of October, 2006.

Filed with the Clerk October 4, 2006.



HARRY BETHEL, VICE MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK