

ORDINANCE NO. 20-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING SECTION 24-41 OF THE CITY CODE TO AUTHORIZE DUMPSTER OR ROLL-OFF CONTAINER SERVICES WITHIN THE CITY UPON EXECUTION OF A NON-EXCLUSIVE FRANCHISE AGREEMENT WITH THE CITY; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City wishes to allow providers of roll-off dumpster and solid waste container services to operate within the City upon execution of a non-exclusive franchise agreement with the City, in accordance with Ordinance No. 20-05; and

WHEREAS, in addition to the amendments to the City Code provided in Ordinance No. 20-05 related to this matter, the City wishes to amend Section 24-41 of the City Code to clarify that a provider of dumpster or roll-off container services must enter into a non-exclusive, instead of an exclusive, franchise agreement with the City.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA:

SECTION 1. Recitals. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

SECTION 2. City Code Amendment. Subsection 24-41(a) of the Belle Isle City Code is hereby amended as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions).

Sec. 24-41. - Temporary construction dumpsters.

(a) No person shall place or service a dumpster or roll-off container on residential or commercial property for the collection and removal of demolition, construction, or remodeling refuse within the city unless granted the authority and non-exclusive franchise by the city as memorialized in a non-exclusive franchise agreement executed by both parties.

SECTION 3. Codification. This Ordinance shall be incorporated into the Belle Isle City Code. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance and the City Code may be freely made.

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held invalid or unconstitutional by any court of

competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. Conflicts. In the event of a conflict or conflicts between this Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of the conflict, as allowable under the law.

SECTION 6. Effective date. This ordinance shall become effective immediately upon adoption by the City Council of the City of Belle Isle, Florida.

FIRST READING: MAY 19, 2020

SECOND READING: JUNE 2, 2020

ADOPTED this ____ day of _____, 2020, by the City Council of the City of Belle Isle, Florida.

CITY COUNCIL
CITY OF BELLE ISLE

Nick Fouraker, Mayor

ATTEST:

Yolanda Quiceno, City Clerk

	YES	NO	ABSENT
Ed Gold	_____	_____	_____
Anthony Carugno	_____	_____	_____
Karl Shuck	_____	_____	_____
Mike Sims	_____	_____	_____
Harvey Readey	_____	_____	_____
Jim Partin	_____	_____	_____
Sue Nielsen	_____	_____	_____

ATTEST: _____

Yolanda Quiceno, CMC
City Clerk

Nicholas Fouraker, Mayor

Approved as to form and legality for use and
reliance by the City Kurt Ardaman, City Attorney

STATE OF FLORIDA

COUNTY OF ORANGE

I, Yolanda Quiceno, City Clerk of the City of Belle Isle do hereby certify that the above and foregoing document ORDINANCE 20-05 was duly and legally passed by the Belle Isle City Council, in session assembled on the ____ day of _____, 20____, at which session a quorum of its members were present.

Yolanda Quiceno, CMC-City Clerk

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