

## **ORDINANCE NO. O-14-2025**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, AMENDING CITY CODE CHAPTER 66, SOLID WASTE, SECTION 66-1 “DEFINITIONS” (RESIDENTIAL SERVICE), AND SECTION 66-3 “RECYCLING”, AND SECTION 66-6 (3) “RULES FOR PUBLIC PLACEMENT FOR CONTAINERS”, AND SECTION 66-7 (5) “COLLECTION RATE AND CHARGES”; PROVIDING FOR TRANSITIONAL PROVISIONS, REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 66, Solid Waste, Section 66-3 currently requires all garbage, yard trash, and recyclables to be kept separate for pickup; and

**WHEREAS**, the City Council has determined that mandating curbside recycling separation is no longer viable due to economic, logistical, or operational considerations; and

**WHEREAS**, the City Council desires to amend the Code to remove mandatory recycling requirements; and

**WHEREAS**, in order to enact the repeal, the City Council has proposed this Ordinance.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF GREEN COVE SPRINGS, FLORIDA AS FOLLOWS:**

**SECTION 1.** The City Council declares that changes are necessary to implement policy recommendations on Solid Waste - Recycling. City Code Chapter 66, Solid Waste is hereby amended as follows:

**SECTION 2. AMENDMENT TO SECTION 66-1 OF THE GREEN COVE SPRINGS CITY CODE.** The definition of Residential service of Chapter 66, Section 66-1 of the Green Cove Springs City Code is hereby amended and restated as follows:

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning or as such words, terms and phrases are defined otherwise in the franchise agreement authorized in this chapter:

*Applicant* means a person applying to the city for a franchise required to provide containerized commercial service within the city for hire, remuneration or other consideration.

*Commercial customer* means any person who receives commercial service.

*Commercial establishments* means improved real property utilized by a for-profit or not-for-profit business enterprise, including, but not limited to, residential and commercial uses combined in one living unit, motels, hotels, trailer camps, stores, office buildings, public buildings, churches, restaurants, service stations and garages, laundries and cleaning establishments, manufacturing and other industrial establishments.

*Commercial service* means the collection of solid waste, other than hazardous waste and biomedical waste provided to persons and establishments not receiving residential service.

*Commercial service container* means an industry-standard container constructed of nonabsorbent material, with a cover, made for mechanized pick-up and ranging in size from two cubic yards to eight cubic yards, that is used for industrial waste and non-putrescible materials.

*Construction and demolition (C&D) service* means refuse collection service provided on a temporary basis for construction debris or demolition debris utilizing roll-off containers.

*Construction debris* means sand, dirt, stone, wood, brick, cement, flooring, concrete, roofing and other refuse building materials which could be used for the construction, alteration, repair, modification, refurbishment or demolition of buildings or other structures.

*Containerized commercial service* means refuse collection service provided to a commercial customer by a franchisee which generates more than two 95-gallon garbage cans or the equivalent quantity of garbage per pickup utilizing a commercial service container or roll-off container.

*Franchisee* means a person who has filed an application with, and received a franchise from, the city to provide containerized commercial service.

*Garbage* means all commercial-type waste, whether solid or semi-solid, rubbish, debris, refuse, paper, rags, cloth, cans, bottles, boxes, cartons, accumulation of animal, fruit or vegetable matter that attends the use, cooking and dealing in meats, fish, fowl, fruit, vegetables and any other matter which is subject to decay, putrefaction and the generation of noxious and offensive gases or odors. Also, the term "garbage" means every refuse accumulation of paper, rags, wooden or paper boxes or containers, or sweepings which are usual to housekeeping and to the operation of stores, offices, and other business places. For noncontainerized service, such items must be able to fit within approved garbage cans and not exceed 50 pounds per can.

*Garbage can* means a 65- or 95-gallon commercial grade Otto can (or similar brand approved by the city). Said cans will have the city logo, serial number, and the public works department phone number displayed thereon.

*Hazardous waste* means any solid waste (even though it may be part of a delivered load of waste) which:

- (1) Is required to be accompanied by a written manifest or shipping document describing the waste as hazardous waste, pursuant to any state or federal law, including, but not limited to, the Resource Conservation and Recovery Act, 42 USC 7901 et seq., as amended, and the regulations promulgated thereunder;
- (2) Contained polychlorinated biphenyls or any other substance the storage, treatment or disposal of which is subject to regulation under the Toxic Substances Control Act, 15 USC 2601 et seq., as amended, and the regulations promulgated thereunder;
- (3) Contains a reportable quantity of one or more hazardous substances, as defined in the Comprehensive Environmental Response, Compensation and Liability Act, 42 USC 9601 et seq., as amended, and the regulations promulgated thereunder or as defined under F.A.C. 17-7.020(24) and regulations promulgated thereunder; or
- (4) Contains a radioactive material the storage or disposal of which is subject to state or federal regulation.

*Noncontainerized commercial service* means refuse collection service provided by the city to a commercial customer which, in the sole opinion of the city, does not generate sufficient garbage to require the use of a container, provided the customer does not generate more than two 95-gallon garbage cans or the equivalent quantity of garbage per pickup.

*Owner* means the owner, lessee, tenant or occupant of any premises coming under the terms of this chapter.

*Person* means an individual, group of persons, firm, corporation, association, organization, syndicate, or business trust.

*Recyclable materials* means materials, such as newspaper, cardboard, glass and aluminum which can be removed from the waste stream and reused in manufacturing, power production or other processes or markets.

*Recycling/recovered materials* means any process by which solid waste, or materials which would otherwise become solid waste, are collected, separated, or processed and reused or returned to use in the form of raw materials or products.

*Residential service* means the refuse collection service provided by the city to persons occupying residential dwelling units in buildings with ~~four~~ three or fewer dwelling units within the city.

*Roll-off container* means an industry-standard container constructed of nonabsorbent material, without a cover, made for mechanized pick-up and ranging in sizes from ten

cubic yards to 40 cubic yards, that is used for industrial waste and non-putrescible materials.

*Roll-off service* means refuse collection service provided to a commercial customer whose normal waste stream requires the use of a roll-off container.

*White goods* means discarded refrigerators, freezers, air conditioners, dryers, washing machines, water heaters and other items defined as such in F.A.C. ch. 17-7.

*Yard waste* means all accumulations of grass, weeds, leaves, flowers, shrubs, vines, tree limbs and other similar accumulations incidental to household, business and yard keeping, excluding, however, waste, debris, garbage, and material accumulated from land clearings, tree removals, materials of a weighty or bulky nature, discarded tires, discarded lead acid batteries, and white goods.

(Code 1983, § 10-1; Code 2001, § 58-1; Ord. No. O-12-2007, § 1, 6-19-2007; Ord. No. O-06-2013, § 1, 4-9-2013)

**SECTION 3. AMENDMENT TO SECTION 66-3 OF THE GREEN COVE SPRINGS CITY CODE.** Chapter 66, Section 66-3 of the Green Cove Springs City Code is hereby amended as follows:

**~~Sec. 66-3. Recycling~~**

~~The city hereby establishes a policy of urging all residents and noncontainerized businesses to participate in recycling. The city reserves the right to make recycling mandatory if participation or volume recycling is less than state or federal guidelines. The following procedures shall apply:~~

~~(1) Paper waste:~~

- ~~a. Newspapers with inserts, clean and dry. Preferably bundled or placed in brown paper grocery bags.~~
- ~~b. Cardboard, clean and dry. Must be flattened and cut to a size no larger than three feet by three feet.~~
- ~~c. Magazines and catalogues, clean and dry.~~

~~(2) Rigid containers:~~

- ~~a. Steel (tin) cans, empty and no lids.~~
- ~~b. Aluminum beverage cans, empty.~~
- ~~c. Aluminum foil and pie pans, clean.~~
- ~~d. All #1 and #2 recyclable containers with screw or pop tops, no lids. The numbers may be found on the containers, usually on the bottom, accompanied by a recycling symbol.~~

~~e. Glass containers, empty and clean, brown, green or clear, with no lids. Glass containers may not be broken.~~

~~1. All containers should be rinsed prior to recycling.~~

~~2. A bin is provided by the city and should be placed at curbside, not later than 7:00 a.m., on the designated collection day. Additional recyclables may be placed in brown paper bags and placed beside the bin for pick up.~~

~~(3) Other recycling opportunities~~

~~a. Plastic grocery bags. Area grocery stores provide recycling bins at their store entrances.~~

~~b. Clothing. The First Baptist Church has a clothing collection box at the corner of Springs Street and Cypress Street which supports missing children efforts.~~

~~c. Lead batteries. City Fire Station #2 on Oakridge Avenue.~~

~~d. Copper, steel, aluminum, wire, cast iron, cars and trucks are recycled by the city fire department.~~

(Code 1983, § 10-2.1; Code 2001, § 58-3)

**SECTION 4. AMENDMENT TO SECTION 66-6 (3) OF THE GREEN COVE SPRINGS CITY CODE.** Chapter 66, Section 66-6 (3) of the Green Cove Springs City Code is hereby amended as follows:

No garbage can shall be kept or maintained upon or adjacent to any street, sidewalk, parkway, front yard, side yard, or any other place within the view of persons using the city's streets or sidewalks, except that:

(1) Not earlier than 6:00 p.m. of the day preceding that upon which garbage collections are customarily made from such premises, but not later than 7:00 a.m. on pickup day, such garbage cans may and shall be placed within five feet of the street or alley for the purpose of permitting the collections of garbage and such garbage cans shall be permitted to remain in such places only for and during the period on the day upon which such collections were made and in no event beyond 6:00 p.m. on the date of pickup.

(2) Yard waste shall be deposited upon the city right-of-way immediately adjacent to the premises of the person by whom such accumulations are made and shall remain separate and apart from garbage and all other types of waste and, where such premises are located upon a used alley, at a point easily accessible to and readily noticeable from such alley, within three days prior to the dates specified from time to time by the city for the collection of such yard waste from such premises. Maximum yard waste per pickup shall be 20 plastic bags plus a pile of limbs no larger than three feet by three feet by six feet. It shall be unlawful for any person to deposit any yard waste upon or in front of any adjoining lot or premises, whether vacant or improved, occupied or unoccupied, or upon any

other lot or premises, or street, alley or park, or in any canal or waterway, lake or pool within the city.

- ~~(3) Recycling bins shall be deposited as described above not earlier than 6:00 p.m. of the day preceding the date to be collected by the city and not later than 7:00 a.m. of the collection date. The bins shall be removed by the customer and stored out of view from persons using the city right of way no later than 6:00 p.m. on the collection date. Each recipient of a recycling bin shall be responsible for keeping such bins clean and sanitary, and they shall not damage or dispose or allow others to damage or dispose of such bins. Should such bin be lost, destroyed, damaged beyond repair or disposed of, then the recipient shall immediately notify the city for a replacement at a cost of \$10.00 to be paid to the city upon replacement.~~

(Code 1983, § 10-6; Code 2001, § 58-6)

**SECTION 5. AMENDMENT TO SECTION 66-7 (5) OF THE GREEN COVE SPRINGS CITY CODE.** The removal of the word recyclables in line four of Chapter 66, Section 66-7 (5) of the Green Cove Springs City Code is hereby amended as follows:

The following rates and charges shall be paid to the city for its garbage and trash collection service:

- (1) For residential, one garbage can (unless otherwise approved by the city) with two pickups per week for each family unit, residence or apartment and one yard waste, not to exceed 20 plastic bags plus a three-foot by three-foot by six-foot stack of tree limbs per pickup per week, monthly charge: \$21.95.
- (2) For noncontainerized commercial, industrial, governmental, and the like, up to two garbage cans, with two pickups per week as approved by the director of public works in section 66-2, monthly charge: \$29.75.
- (3) Unless imposed and collected as an assessment in accordance with Ordinance No. O-04-2016, such charges shall be added to, and shall become a part of, all electric and water utility bills rendered by the city, where the recipient of garbage service is a customer of city utilities, and such charges shall be paid at the same time and place as such electric and water accounts are paid. Delinquency in payment of the garbage service charge or any penalties assessed hereunder shall be cause for discontinuance of electric and water service and wastewater service. As an alternative and supplemental means of collection, the city council may elect to collect such charges through the imposition of assessments in accordance with Ordinance No. O-04-2016, which assessments may be collected pursuant to the Uniform Assessment Collection Act, as such term is defined in Ordinance No. O-04-2016.
- (4) Primary obligation for payment shall be upon the owner of the premises, who shall be deemed to be the guarantor of any tenant or person occupying premises.

- (5) Residential pickup of white goods and bulky items such as mattresses, carpet pads, beds, box springs and the like that cannot be picked up with normal garbage, which do not constitute garbage, yard waste, construction debris, ~~recyclables~~, hazardous waste, and the like. The city may, by resolution, establish a maximum number of such items it will collect per pickup and may require prior reservation with the city to pick up such items. The items shall not be placed on the city right-of-way for collection earlier than 7:00 p.m. on the day before collection or later than 7:00 a.m. on the scheduled pickup day. Cost: \$0.00.
- (6) The city shall not pick up white goods or bulky items as described in subsection (5) of this section from other than residential customers.
- (7) Construction debris will not be picked up or collected by the city, but it shall be the responsibility of the owner to dispose of such items.

(Code 1983, § 10-7; Code 2001, § 58-7; Ord. No. O-08-2000, art. 1, § 10-7, 6-6-2000; Ord. No. O-25-2006, § 1, 9-19-2006; Ord. No. O-12-2007, § 3, 6-19-2007; Ord. No. O-27-2008, § 1, 12-16-2008; Ord. No. O-06-2013, § 3, 4-9-2013; Ord. No. O-07-2014, § 1, 10-21-2014; Ord. No. O-12-2016, § 2, 9-20-2016; Ord. No. O-05-2018, § 1, 9-18-2018; Ord. No. O-18-2023, §§ 1, 2, 6-20-2023; Ord. No. O-25-2024, §§ 1, 2, 9-17-2024)

#### **SECTION 6. TRANSITIONAL PROVISIONS**

- A. Curbside pickup of recyclables will continue through September 26, 2025.
- B. The City shall notify all residents before the end date via the City's website and official social media.

**SECTION 7. REPEALER** Any Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 8. SEVERABILITY** The various parts, sections, and clauses of this Ordinance are hereby declared severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**SECTION 9. EFFECTIVE DATE** This ordinance shall become effective upon passage.

**INTRODUCED AND APPROVED AS TO FORM ONLY ON THE FIRST  
READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE  
SPRINGS, FLORIDA, ON THIS 19TH DAY OF AUGUST, 2025.**

**CITY OF GREEN COVE SPRINGS, FLORIDA**

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Daniel M. Johnson, Mayor

ATTEST:

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Erin West, City Clerk

**PASSED ON SECOND AND FINAL READING BY THE CITY COUNCIL OF  
THE CITY OF GREEN COVE SPRINGS, FLORIDA, THIS 2ND DAY OF  
SEPTEMBER, 2025.**

**CITY OF GREEN COVE SPRINGS, FLORIDA**

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Daniel M. Johnson, Mayor

ATTEST:

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Erin West, City Clerk

APPROVED AS TO FORM:

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L. J. Arnold, III, City Attorney