

ORDINANCE 2025-02

AN ORDINANCE OF THE CITY OF WAUCHULA, FLORIDA, RELATING TO SOLID WASTE COLLECTION AND DISPOSAL; AMENDING THE CITY OF WAUCHULA CODE OF ORDINANCES (THE "CITY CODE"); AMENDING CHAPTER 22 IN THE WAUCHULA CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the authority of Chapter 166, Florida Statutes, and for the health and welfare of its citizens, the City of Wauchula, Florida (the "City") provides solid waste collection and disposal services to all the residents and businesses of the City: and

WHEREAS, the City has recently completed a comprehensive solid waste collection and disposal rate study dated October 5, 2024; and

WHEREAS, the rate study recommends that the City adopt revisions to all solid waste rates in order to support a fleet replacement schedule necessary for the City to sustain the level of solid waste collection and disposal service it provides to residents and businesses; and

WHEREAS, with the support of the rate study, City staff has calculated a rate schedule over the next 5 years to ensure equitable pricing among all solid waste customer classes; and

WHEREAS, the City has scheduled and conducted the necessary public hearing and followed the other procedures set forth in section 166.041(3), Fla. Stat., in order to consider public comment, the rate study, and other competent, substantial evidence; and

WHEREAS, in the exercise of its authority the Commission has determined that it is in the best interests of the City to adopt the recommendations from the solid waste collection and disposal rate study, including changes to both the level of rates and the rate structure; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF WAUCHULA, FLORIDA THAT:

SECTION 1. PURPOSE. The provisions set forth in the recitals to this Ordinance (whereas clauses) are true and correct and are hereby adopted by the Commission as the legislative findings and intent pertaining to this Ordinance.

SECTION 2. AMENDMENT TO SEC. 22-87, CITY CODE. Section 22-87 of the Code of Ordinances, City of Wauchula, Florida, is hereby amended to read as follows

Sec. 22-87. Solid waste rates.

- (1) ~~Beginning October 1, 2019, the residential solid waste collection fee shall be \$25.39 per month, and the residential solid waste disposal fee shall be \$9.19 per month. These collection and disposal fees shall apply to all those residential units where the City provides curbside pickup service. Customary home occupation customers shall pay residential solid waste rates. Beginning October 1, 2019, for a second City-issued cart, the residential solid waste collection fee shall be \$15.30 and the disposal fee shall be \$5.54 per month. The monthly fees for residential City solid waste services shall be as follows:~~

<u>Residential:</u>	<u>04/01/2025</u>	<u>10/01/2025</u>	<u>10/01/2026</u>	<u>10/01/2027</u>	<u>10/01/2028</u>
<u>Collection</u>	<u>\$20.07</u>	<u>\$18.77</u>	<u>\$17.47</u>	<u>\$16.16</u>	<u>\$14.86</u>
<u>Disposal</u>	<u>\$27.62</u>	<u>\$25.82</u>	<u>\$24.02</u>	<u>\$22.23</u>	<u>\$20.43</u>
<u>Additional Cart Collection</u>	<u>\$10.04</u>	<u>\$9.38</u>	<u>\$8.73</u>	<u>\$8.08</u>	<u>\$7.43</u>
<u>Additional Cart Disposal</u>	<u>\$13.81</u>	<u>\$12.91</u>	<u>\$12.01</u>	<u>\$11.11</u>	<u>\$10.21</u>

These collection and disposal fees shall apply to all those residential units where the City provides curbside pickup service. Customary home occupation customers shall pay residential solid waste rates.

- (2) ~~Beginning October 1, 2013, the commercial solid waste collection fee shall be \$25.39 per month. The monthly fees for commercial City solid waste services shall be as follows:~~

<u>Commercial:</u>	<u>04/01/2025</u>	<u>10/01/2025</u>	<u>10/01/2026</u>	<u>10/01/2027</u>	<u>10/01/2028</u>
<u>Collection</u>	<u>\$20.07</u>	<u>\$18.77</u>	<u>\$17.47</u>	<u>\$16.16</u>	<u>\$14.86</u>
<u>Disposal</u>	<u>\$33.95</u>	<u>\$33.29</u>	<u>\$32.64</u>	<u>\$31.98</u>	<u>\$31.33</u>
<u>Additional Cart Collection</u>	<u>\$10.04</u>	<u>\$9.38</u>	<u>\$8.73</u>	<u>\$8.08</u>	<u>\$7.43</u>
<u>Additional Cart Disposal</u>	<u>\$16.97</u>	<u>\$16.65</u>	<u>\$16.32</u>	<u>\$15.99</u>	<u>\$15.66</u>

- (3) ~~Beginning October 1, 2013, the commercial solid waste disposal fee shall be as follows:~~

~~_____ C-1 (0—3,000 sq. ft.) _____ \$12.16~~
~~_____ C-2 (3,000—10,000 sq. ft.) \$42.55~~
~~_____ C-3 (10,001—20,000 sq. ft.) _____ \$91.17~~
~~_____ C-4 (20,001 sq. ft. and up) \$182.34~~

- (3) (4) ~~Beginning October 1, 2013, t~~The monthly collection fee for dumpster-type containers shall be as follows:

<u>All Size Containers:</u>	<u>04/01/2025</u>	<u>10/01/2025</u>	<u>10/01/2026</u>	<u>10/01/2027</u>	<u>10/01/2028</u>
Any size container cCollected 1 time each week	\$ 34.87 <u>\$43.21</u>	<u>\$48.20</u>	<u>\$53.18</u>	<u>\$58.17</u>	<u>\$63.15</u>
Any size container cCollected 2 times each week	\$ 69.74 <u>\$86.42</u>	<u>\$96.39</u>	<u>\$106.36</u>	<u>\$116.34</u>	<u>\$126.31</u>
Any size container cCollected 3 times each week	\$ 104.61 <u>\$129.63</u>	<u>\$144.59</u>	<u>\$159.55</u>	<u>\$174.50</u>	<u>\$189.46</u>
Any size container cCollected 4 times each week	\$ 139.48 <u>\$172.84</u>	<u>\$192.78</u>	<u>\$212.73</u>	<u>\$232.67</u>	<u>\$252.62</u>
Any size container cCollected 5 times each week	\$ 174.35 <u>\$216.05</u>	<u>\$240.97</u>	<u>\$265.90</u>	<u>\$290.82</u>	<u>\$315.75</u>
Any size container cCollected 6 times each week	\$ 209.22 <u>\$259.26</u>	<u>\$289.17</u>	<u>\$319.08</u>	<u>\$348.99</u>	<u>\$378.90</u>

(4) ~~Beginning October 1, 2013, t~~The monthly solid waste disposal fee for dumpster-type containers shall be as follows:

	<u>04/01/2025</u>	<u>10/01/2025</u>	<u>10/01/2026</u>	<u>10/01/2027</u>	<u>10/01/2028</u>
2 yard container collected 1 time each week	\$ 8.51 <u>\$28.81</u>	<u>\$32.13</u>	<u>\$35.45</u>	<u>\$38.77</u>	<u>\$42.09</u>
2 yard container collected 2 times each week	\$17.03 <u>\$57.59</u>	<u>\$64.23</u>	<u>\$70.88</u>	<u>\$77.52</u>	<u>\$84.16</u>
2 yard container collected 3 times each week	\$25.54 <u>\$86.35</u>	<u>\$96.32</u>	<u>\$106.29</u>	<u>\$116.26</u>	<u>\$126.23</u>
2 yard container collected 4 times each week	\$ 34.05 <u>\$115.13</u>	<u>\$128.42</u>	<u>\$141.72</u>	<u>\$155.01</u>	<u>\$168.31</u>
2 yard container collected 5 times each week	\$ 42.57 <u>\$143.93</u>	<u>\$160.55</u>	<u>\$177.17</u>	<u>\$193.79</u>	<u>\$210.41</u>
2 yard container collected 6 times each week	\$ 51.08 <u>\$172.72</u>	<u>\$192.66</u>	<u>\$212.61</u>	<u>\$232.55</u>	<u>\$252.49</u>
4 yard container collected 1 time each week	\$ 17.03 <u>\$46.66</u>	<u>\$55.32</u>	<u>\$63.97</u>	<u>\$72.63</u>	<u>\$81.28</u>
4 yard container collected 2 times each week	\$ 34.05 <u>\$93.23</u>	<u>\$110.56</u>	<u>\$127.89</u>	<u>\$145.22</u>	<u>\$162.55</u>
4 yard container collected 3 times each week	\$ 51.08 <u>\$139.88</u>	<u>\$165.87</u>	<u>\$191.86</u>	<u>\$217.84</u>	<u>\$243.83</u>
4 yard container collected 4 times each week	\$ 68.11 <u>\$186.48</u>	<u>\$221.13</u>	<u>\$255.79</u>	<u>\$290.44</u>	<u>\$325.10</u>
4 yard container collected 5 times each week	\$ 85.13 <u>\$233.09</u>	<u>\$276.42</u>	<u>\$319.74</u>	<u>\$363.07</u>	<u>\$406.39</u>

4 yard container collected 6 times each week	\$ 102.16 <u>\$279.73</u>	<u>\$331.72</u>	<u>\$383.70</u>	<u>\$435.69</u>	<u>\$487.68</u>
6 yard container collected 1 time each week	\$ 25.54 <u>\$64.48</u>	<u>\$78.48</u>	<u>\$92.48</u>	<u>\$106.48</u>	<u>\$120.48</u>
6 yard container collected 2 times each week	\$ 51.08 <u>\$128.93</u>	<u>\$156.93</u>	<u>\$184.94</u>	<u>\$212.94</u>	<u>\$240.95</u>
6 yard container collected 3 times each week	\$ 76.62 <u>\$193.37</u>	<u>\$235.38</u>	<u>\$277.39</u>	<u>\$319.40</u>	<u>\$361.41</u>
6 yard container collected 4 times each week	\$ 102.16 <u>\$257.83</u>	<u>\$313.84</u>	<u>\$369.86</u>	<u>\$425.87</u>	<u>\$481.89</u>
6 yard container collected 5 times each week	\$ 127.70 <u>\$322.29</u>	<u>\$392.31</u>	<u>\$462.34</u>	<u>\$532.36</u>	<u>\$602.38</u>
6 yard container collected 6 times each week	\$ 153.24 <u>\$386.77</u>	<u>\$470.79</u>	<u>\$554.81</u>	<u>\$638.84</u>	<u>\$722.86</u>
8 yard container collected 1 time each week	\$ 34.05 <u>\$82.31</u>	<u>\$101.65</u>	<u>\$120.99</u>	<u>\$140.33</u>	<u>\$159.67</u>
8 yard container collected 2 times each week	\$ 68.11 <u>\$164.58</u>	<u>\$203.27</u>	<u>\$241.96</u>	<u>\$280.65</u>	<u>\$319.33</u>
8 yard container collected 3 times each week	\$ 102.16 <u>\$246.88</u>	<u>\$304.91</u>	<u>\$362.94</u>	<u>\$420.97</u>	<u>\$479.00</u>
8 yard container collected 4 times each week	\$ 136.21 <u>\$329.19</u>	<u>\$406.56</u>	<u>\$483.93</u>	<u>\$561.30</u>	<u>\$638.67</u>
8 yard container collected 5 times each week	\$ 170.27 <u>\$411.48</u>	<u>\$508.20</u>	<u>\$604.93</u>	<u>\$701.65</u>	<u>\$798.37</u>
8 yard container collected 6 times each week	\$ 204.32 <u>\$493.77</u>	<u>\$609.84</u>	<u>\$725.90</u>	<u>\$841.97</u>	<u>\$958.04</u>

(5)Beginning ~~October 1, 2013~~, the monthly solid waste disposal fee for dumpster type containers shall be as follows:

~~2 yard container collected 1 time each week — \$ 8.51~~
~~2 yard container collected 2 times each week — \$ 17.03~~
~~2 yard container collected 3 times each week — \$ 25.54~~
~~2 yard container collected 4 times each week — \$ 34.05~~
~~2 yard container collected 5 times each week — \$ 42.57~~
~~2 yard container collected 6 times each week — \$ 51.08~~
~~4 yard container collected 1 time each week — \$ 17.03~~
~~4 yard container collected 2 times each week — \$ 34.05~~
~~4 yard container collected 3 times each week — \$ 51.08~~
~~4 yard container collected 4 times each week — \$ 68.11~~
~~4 yard container collected 5 times each week — \$ 85.13~~
~~4 yard container collected 6 times each week — \$ 102.16~~
~~6 yard container collected 1 time each week — \$ 25.54~~

~~6 yard container collected 2 times each week \$ 51.08~~
~~6 yard container collected 3 times each week \$ 76.62~~
~~6 yard container collected 4 times each week \$ 102.16~~
~~6 yard container collected 5 times each week \$ 127.70~~
~~6 yard container collected 6 times each week \$ 153.24~~
~~8 yard container collected 1 time each week \$ 34.05~~
~~8 yard container collected 2 times each week \$ 68.11~~
~~8 yard container collected 3 times each week \$ 102.16~~
~~8 yard container collected 4 times each week \$ 136.21~~
~~8 yard container collected 5 times each week \$ 170.27~~
~~8 yard container collected 6 times each week \$ 204.32~~

~~(5)(6)~~ Any Every customer who shares a dumpster shall pay either the monthly fees a minimum charge per month for collection and disposal, per Sections 22-87 (1) (2) and (2) (3) respectively, or shall pay the customer's proportionate share of the total monthly charges for the dumpster based on the number of users of the shared dumpster, whichever sum is greater if more than this amount, each.

~~(6)(7)~~ The use of solid waste collection services, including dumpster or other garbage and trash collection receptacles, shall be limited to the person(s) paying the monthly fee for the garbage collection service for such dumpster or receptacle. Any person, resident or nonresident, who disposes of solid waste by placing it in a dumpster or other receptacle at a location within the municipal limits for which that person does not pay the appropriate periodic fee for the garbage collection services shall be guilty of a violation of this Code. The City can install dumpster locks, upon customer request, for \$150.00 per lock.

SECTION 3. AMENDMENT TO SEC. 22-88, CITY CODE. Section 22-88 of the Code of Ordinances, City of Wauchula, Florida, is hereby amended to read as follows

Sec 22-88. - Indexing of City solid waste rates.

Effective October 1 of each year, beginning October 1, 2014~~29~~, the solid waste disposal and collection charges identified herein shall be increased by the greater of 3.0 percent or the annual change in the US Consumer Price Index - Garbage and Trash Collection Series (Series ID CUUR0000SEHG02, or any such successor series) as measured during the month of May.

SECTION 4. SEVERABILITY. If any provision of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such provision and such holding shall not affect the validity of any other provision, and to that end the provision of this ordinance are hereby declared severable.

SECTION 5. CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. CODIFICATION. The provisions of this Ordinance shall be included and incorporated within the Code of Ordinances of the City of Wauchula.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect April 1, 2025.

This ordinance was moved for approval by Commissioner _____ . The motion was seconded by Commissioner _____ , and upon being put to a vote, the vote was as follows:

Commissioner Richard Keith Nadaskay, Jr.	_____ insert yes or no
Commissioner Russell Graylin Smith	_____ insert yes or no
Commissioner Gary D. Smith	_____ insert yes or no
Commissioner Sherri Albritton	_____ insert yes or no
Commissioner Anne Miller	_____ insert yes or no

(SEAL)

ATTEST:

CITY OF WAUCHULA, FLORIDA

Stephanie Camacho, City Clerk

By: _____
Richard Keith Nadaskay, Jr., Mayor

APPROVED AS TO FORM:

Kristie Hatcher-Bolin, City Attorney

I HEREBY CERTIFY that notices of the public hearings on this ordinance were published in the Herald Advocate as required by Florida Statutes; that the foregoing ordinance was duly passed and adopted on the 10th day of March, 2025; that the first reading of said ordinance was held on the 10th day of February, 2025; that the public hearings were held on the 10th day of February, 2025; and on the 10th day of March, 2025; and that the second and final reading of said ordinances was held on the 10th day of March, 2025.

Stephanie Camacho, City Clerk