

1 and has issued its recommendation to the Town Council, finding that the Ordinance is
2 consistent with the adopted comprehensive plan;

3 **WHEREAS**, the Town Council finds that the Ordinance is consistent with the
4 adopted comprehensive plan and is in the best interest of the health, safety, and welfare,
5 of the Town 's residents.

6 **NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE**
7 **TOWN OF SOUTHWEST RANCHES, FLORIDA:**

8 **Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed
9 as being true and correct, and are hereby incorporated herein and made a part hereof.

10 **Section 2.** Section 010-030 "Terms defined" is hereby amended as
11 follows:

12 * * * *

13 Composting or mulching operation. The term, "composting or mulching
14 operation" means the processing of any organic, plant, or tree material into
15 compost, or the processing of any organic, plant, tree, or other material, into
16 small chips or pieces consistent with that of mulch (hereinafter referenced as
17 "mulch" regardless of intended use), typically through grinding or cutting, when:
18 (1) any of the source materials are obtained from offsite; or (2) any of the
19 compost or mulch is removed from the property where processed; or (3)
20 deposition of compost or mulch alters the grade of any portion of the land on the
21 plot where the activity is occurring, including deposition into a water body or
22 excavated area. Composting or mulching operations are industrial uses, and are
23 expressly not agricultural uses.

24 * * * *

25 **Section 3.** Article 55, M Manufacturing and Industrial District, Section 055-
26 040, Permitted and prohibited uses is hereby amended to read as follows:

27 * * * *

28 **Master Business List**

Ordinance No. 2017-014

New text is underlined and deleted text is ~~stricken~~

P =	C = Conditional	A = Accessory use only	NP = Not Permitted
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1 Conditional use regulations are found in article 35, "Conditional Uses."

Use	
* * * * *	
Fertilizer, compost and mulch compounding , and <u>composting or mulching operations, including storage and distribution of fertilizer, compost and/or mulch</u>	P
* * * * *	
Recycling facility (see section 055-080(I))	P
* * * * *	
Sanitation companies and waste haulers (see section 055-080(I K))	P
* * * * *	
Trash, <u>garbage and debris processing</u> ; <u>transfer station</u> (see sec. 055-080(I))	P

2 **Section 4.** Section 055-080, Limitations of uses, is hereby amended to read as
3 follows:

4 * * * *

5 (I) Recycling facilities; trash, garbage and debris processing; transfer station;
6 sanitation companies and waste haulers.;

7 Includes, but is not limited to, collection, processing (but not disposal or
8 incineration), and transfer of trash, garbage, construction debris, and
9 demolition debris. All materials stored, handled or repackaged on the
10 premises shall either be in containers or stored within a building.

11 * * * *

12 (K) ~~Reserved. Sanitation companies. All dumpsters, waste containers and~~
13 ~~sanitation vehicles shall be emptied prior to storage on the plot.~~

14 * * * *

Ordinance No. 2017-014

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1 **Section 5: Codification.** The Town Clerk shall cause this ordinance to
2 be codified as a part of the ULDC during the next codification update cycle.

3 **Section 6: Conflicts.** All Ordinances or parts of Ordinances, Resolutions or
4 parts of Resolutions in conflict herewith, be and the same are hereby repealed to the
5 extent of such conflict.

6 **Section 7: Severability.** If any word, phrase, clause, sentence or section of
7 this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof
8 shall not affect the validity of any remaining portions of this Ordinance.

9 **Section 8: Effective Date.** This Ordinance shall take effect immediately upon
10 passage and adoption.

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[Signatures on Following Page]

Ordinance No. 2017-014
New text is underlined and deleted text is ~~stricken~~

1 **PASSED ON FIRST READING** this 13th day of September, 2017 on a motion made
2 by Vm Breitkreuz and seconded by Cm Jablonski.

3 **PASSED AND ADOPTED ON SECOND READING** this 28th day of September
4 2017, on a motion made by Cm Schroeder and seconded by
5 Cm Fisikelli

6	McKay	<u>Ayer</u>	Ayes	<u>5</u>
7	Breitkreuz	<u>Ayer</u>	Nays	<u>0</u>
8	Fisikelli	<u>Ayer</u>	Absent	<u>0</u>
9	Jablonski	<u>Ayer</u>	Abstaining	<u>0</u>
10	Schroeder	<u>Ayer</u>		

11
12
13 
Doug McKay, Mayor

14 ATTEST:
15 
16 Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

17
18 Approved as to Form and Correctness:

19 
20 Keith Poliakoff, J.D., Town Attorney

21 114370284.1

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