

**ORDINANCE NO. 2002-1**

**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, PROVIDING FOR THE TOWN'S CONSENT TO ITS INCLUSION WITHIN THE MUNICIPAL SERVICE TAXING AND BENEFIT UNIT OF BROWARD COUNTY TO PROVIDE GARBAGE AND SOLID WASTE DISPOSAL; PROVIDING FOR THE TOWN'S CONSENT TO ITS INCLUSION WITHIN THE MUNICIPAL SERVICE TAXING AND BENEFIT UNIT FOR THE PROVISION OF GARBAGE AND SOLID WASTE DISPOSAL SERVICES; PROVIDING FOR THE METHOD OF TERMINATION OF TOWN'S CONSENT FOR INCLUSION IN THE MUNICIPAL SERVICE TAXING AND BENEFIT UNITS; APPROVING THE FORM AND EXECUTION OF INTERLOCAL AGREEMENTS BETWEEN THE GOVERNING BODY OF THE MUNICIPAL SERVICE TAXING AND BENEFIT UNITS AND THE TOWN; PROVIDING FOR THE FILING OF THIS ORDINANCE WITH THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Broward County, Florida, has established, pursuant to Broward County Code of Ordinances, Sec. 30-456, a Municipal Service Taxing and Benefit Unit created for the unincorporated area of Broward County, Florida, by Sec. 30-451 of the Broward County Code to levy a special assessment for the purpose of collecting and disposing of garbage and trash in said District; and

**WHEREAS**, the Broward County Code of Ordinances allows for a municipality to choose whether to provide and tax its citizens for its own garbage and solid waste disposal service or to join the Municipal Service Taxing Benefit Unit; and

**WHEREAS**, the Town Council of Southwest Ranches has determined it is in the best interests of all the citizens of the Town of Southwest Ranches to join the Municipal Service Taxing Benefit Unit of Broward County to finance and provide garbage and solid waste disposal services and facilities within the incorporated areas of Broward County and within the municipal boundaries of the Town of Southwest Ranches.

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

**Section 1. Consent of Town to be included within the boundaries of the Municipal Service Taxing and Benefit Unit of Broward County for Garbage and Solid Waste Disposal Services.**

The Town hereby consents to its inclusion within the boundaries of the Municipal Service Taxing and Benefit Unit of Broward County for Garbage and Solid Waste Disposal Services. The boundaries

of the Municipal Service Taxing and Benefit Unit of Broward County Garbage and Solid Waste Disposal Services shall include all the incorporated areas of the Town of Southwest Ranches and any extension of the corporate limits of the Town of Southwest Ranches by way of annexation or otherwise. The term of this consent shall commence on October 1, 2001 and shall continue automatically.

**Section 2. Method of Termination of Consent.**

This ordinance shall automatically continue, unless specific action is approved by the Town Council.

**Section 3. Approval of an Interlocal Agreement between the Governing body of the Municipal Service Taxing and Benefit Unit and the City.**

The Town, prior to its inclusion within the Municipal Service Taxing and Benefit Units of Broward County for Garbage and Solid Waste Disposal Services, has entered into interlocal agreements which are acceptable to the governing body of the Municipal Service Taxing and Benefit Units for Garbage and Solid Waste Disposal Services, which will set forth how such garbage and solid waste disposal services will be provided.

**Section 4. Filing of this Ordinance with the Board of County Commissioners of Broward County, Florida.**

As a condition precedent to the inclusion of the Town within the boundaries of the Municipal Service Taxing and Benefit Units of Broward County for Garbage and Solid Waste Disposal Services, a certified copy of this Ordinance shall be filed no later than November 30, 2001 with the Board of County Commissioners of Broward County, Florida.

**Section 5. Severability.**

If any section, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**Section 6. Effective Date.**

This Ordinance shall become effective upon passage, as provided by law.

**PASSED ON FIRST READING** this 11<sup>th</sup> day of October, 2001.

**\*PASSED AND ADOPTED ON SECOND READING** this 8<sup>th</sup> day of November, 2001.

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Mecca Fink, Mayor

Attest:

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Arielle Haze Tyner, Town Clerk

Approved as to Form and Correctness:

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Gary A. Poliakoff, J.D., Town Attorney