

ORDINANCE NO. 2007 - 06

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING ORDINANCE NO. 2006-20, BY ENABLING THE BULK TRASH PICK UP ZONE AND PICK UP SCHEDULE TO BE SET BY RESOLUTION INSTEAD OF ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 10, 2003, the Town Council adopted Resolution No. 2003-071, which approved an assignment of the Collection and Disposal Waste Assessment Ordinance to Waste Management, Inc; and

WHEREAS, part of the Town's agreement with Waste Management, Inc. provides for bulk trash pickup; and

WHEREAS, on July 6th, 2006, the Town adopted Ordinance No. 2006-20 to assist Waste Management, Inc. in controlling the prolific placement of bulk trash items around the Town every day of the week; and

WHEREAS, Ordinance No. 2006-20, in part, divides the Town into zones and establishes a routine bulk trash pick up schedule; and

WHEREAS, certain zone lines may need to be altered to ensure that both sides of the street are picked up the same day; and

WHEREAS, to give the Town greater flexibility to amend its bulk trash pick up zones and pick up schedule, the Town desires to set its bulk trash pick up zones and pick up schedule by Resolution instead of by Ordinance; and

WHEREAS, the Town Council believes that this modification is in the best interest of the health, safety, and welfare of its residents.

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

Section 1. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

Section 2. The Town Council hereby amends Ordinance No. 2006-20, which amends Section 14-65 "Removal of garbage, construction debris, rubbish and refuse require", of the Town's Code of Ordinance, as follows:

(g.) Bulk Trash Pick Up. To help ensure the routine pick up of bulk trash items, the Town shall be divided into bulk trash pick up zones. These zones and the days bulk trash shall be picked up within these zones shall be set by Resolution of the Town Council. as follows:

<u>Zone</u>	<u>Pick Up Day</u>
Zone 1: East of I-75 and North of Stirling Road	Monday
Zone 2: West of I-75 and East of 172nd Avenue	Tuesday
Zone 3: West of I-75 and East of 193rd Lane and West of 185th Way and 186th Avenue	Wednesday
Zone 4: East of I-75 and South of Stirling Road	Thursday
Zone 5: West of I-75 and East of 185th Way and 186th Avenue and West of 172nd Avenue	Friday
Zone 6: West of I-75 and West of 193rd Lane	Saturday

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

Section 4. Inclusion. It is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Town of Southwest Code of Ordinances; and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. Severability. If any portion of this Ordinance is determined by any Court to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remainder of this Ordinance. If any Court determines that this Ordinance, or any portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies), or circumstance(s), such determination shall not

affect the applicability hereof to any other individual, group, entity, property or circumstance.

Section 6. Effective Date. This Ordinance shall be effective immediately upon its adoption.

PASSED ON FIRST READING this 7TH day of June, 2007 on a motion made by Council Member Aster Knight and seconded by Council Member Steve Breitkreuz.

PASSED AND ADOPTED ON SECOND READING this 12th day of July, 2007, on a motion made by Council Member Steve Breitkreuz and seconded by Vice Mayor Don Maines.

Fink	<u>Y</u>
Maines	<u>Y</u>
Breitkreuz	<u>Y</u>
Knight	<u>ABSENT</u>
Nelson	<u>Y</u>

Ayes	<u>4</u>
Nays	<u>0</u>
Absent	<u>1</u>
Abstaining	<u>0</u>



Mecca Fink, Mayor

Attest:



Susan A. Owens, Town Clerk

Approved as to Form and Correctness:



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

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