

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 90 OF THE CITY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING ARTICLE IV, ENTITLED "PRIVATE WASTE CONTRACTORS," BY AMENDING DIVISION 4, ENTITLED "SPECIALTY CONTRACTORS," BY AMENDING SUBDIVISION II, ENTITLED "ROLL OFF/PORTABLE WASTE CONTAINER CONTRACTORS," BY AMENDING SECTION 90-278 THEREOF, ENTITLED "FEES AND REQUIREMENTS; PENALTIES FOR NON-PAYMENT," TO INCREASE THE ON-STREET PERMIT FEE AND OFF-STREET PERMIT FEE FOR ROLLOFF CONTAINERS FROM EIGHTEEN PERCENT (18%) TO TWENTY PERCENT (20%); AND PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE, WHICH SUCH RAISE TO BECOME EFFECTIVE ON OCTOBER 5, 2019

WHEREAS, the City's on-street permit fee and off-street permit fee for rolloff containers is set forth in Section 90-278 of the Miami Beach City Code, and requires payment to the City in the amount of eighteen percent (18%) of the contractor's total monthly gross receipts for the month in which the permit was issued, and for every month thereafter that the permit is valid; and

WHEREAS, historically, the City's permit fees for rolloff containers have been the same as the franchise fee charged to the City's solid waste franchisees; and

WHEREAS, the City's current permit fees for rolloff containers have not been increased in over ten (10) years; and

WHEREAS, at the July 26, 2019 Finance and Citywide Projects Committee ("FCWPC") meeting, the FCWPC recommended increasing the rolloff container permit fees from eighteen percent (18%) to twenty percent (20%); and

WHEREAS, the additional revenue collected of approximately \$20,000, will assist the City in offsetting the Sanitation Division's operational deficits.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. That Chapter 90, Section 90-278 of the Miami Beach City Code is hereby amended as follows:

CHAPTER 90

SOLID WASTE

* * *

ARTICLE IV. PRIVATE WASTE CONTRACTORS

* * *

DIVISION 4. SPECIALTY CONTRACTORS

* * *

SUBDIVISION II. Rolloff/Portable Waste Container Contractors

Sec. 90-278. - Fees and requirements; penalties for non-payment.

The permit fees and requirements for rolloff container and grapple service contractors shall be as follows:

- (1) *On-street permit fee.* When the rolloff container is to be located on the street, the permit fee shall be 4820 percent of the contractor's total monthly gross receipts for the month in which the permit was issued and every month thereafter that the permit is valid. Four barricades with flashing lights shall be posted. In addition, when the rolloff container is to be located in parking meter spaces, an additional fee shall be due, as set forth in appendix A, per meter, per day.
- (2) *Off-street permit fee.* When the rolloff container is to be located on private property, the permit fee shall be 4820 percent of the contractor's total monthly gross receipts for the month in which the permit was issued and every month thereafter that the permit is valid.

* * *

SECTION 3. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. CODIFICATION.

It is the intention of the Mayor and City Commission of the city of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the city of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and, the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect on the _____ day of _____, 2019.

PASSED and ADOPTED this ____ day of _____, 2019.

ATTEST:

Dan Gelber, Mayor

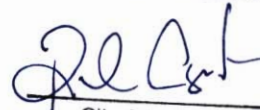
Rafael E. Granado, City Clerk


First Reading: September 11, 2019
Second Reading: September 25, 2019

Underline denotes additions
~~Strikethrough~~ denotes deletions
~~Double Strikethrough~~ denotes deletions at Second Reading

(Sponsor: Commissioner Arriola)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

 8/29/19

City Attorney  Date