

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 90, ENTITLED "SOLID WASTE," BY AMENDING ARTICLE IV, ENTITLED "PRIVATE WASTE CONTRACTORS," BY AMENDING DIVISION 4, ENTITLED "SPECIALTY CONTRACTORS," BY AMENDING SUBDIVISION II, ENTITLED "ROLLOFF/PORTABLE WASTE CONTAINER CONTRACTORS," BY AMENDING SECTION 90-276 THEREOF, TO PROVIDE FOR AN ANNUAL ADJUSTMENT FOR ANNUAL ROLLOFF PERMIT FEES TO REFLECT INCREASES IN THE CONSUMER PRICE INDEX; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**WHEREAS**, on December 8, 2021, the Mayor and City Commission adopted Ordinance No. 2021-4456, establishing an annual Rolloff permit fee in the amount of \$1,000.00 to offset the City's administrative and processing costs; and

**WHEREAS**, the City Administration recommends amending the language in Section 90-276(2) to provide for annual administrative adjustment to the fees to reflect increases in the Consumer Price Index for the Miami- Fort Lauderdale-West Palm Beach, Florida area, pursuant to Section 1-15(b) of the City Code.

**WHEREAS**, the amendments set forth below are necessary to accomplish the above objectives.

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

**SECTION 1.** That Sections 90-276 through 90-278 of Article IV, entitled "Private Waste Contractors," of Chapter 90 entitled "Solid Waste," of the Code of the City Miami Beach are 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. 90-276. Permit required.**

Except as provided elsewhere in this chapter, no person shall engage in the business of removing or disposing of construction and demolition debris or large quantities of trash from any premises within the city limits without first securing a permit for such activities from the city by:

- (1) paying the business tax receipt amount as set forth in chapter 18. However, franchise waste contractors shall not be required to obtain a separate business tax receipt to service rolloffs or portable containers within the city.
- (2) Paying an annual permit fee in the amount of \$1,000 to cover the City's annual administrative and processing costs. The rate in appendix A pertaining to this subsection will be administratively adjusted annually by the city manager, effective October 1st of each year, to reflect increases in the Consumer Price Index for the Miami- Fort Lauderdale-West Palm Beach, Florida area, pursuant to Section 1-15(b) of the City Code. ~~to reflect increase(s) or decrease(s) in the Consumer Price Index for all urban consumers, CPI-U; and~~
- (1) Showing proof of insurance, as required in section 90-196.

**Sec. 90-277. Permits required.**

\* \* \*

**SECTION 2.** Attached to this Ordinance is amended Appendix A, establishing an annual Rolloff permit fee.

**SECTION 3. REPEALER**

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.

**SECTION 4. CODIFICATION.**

It is the intention of the City Commission, 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 as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

**SECTION 5. SEVERABILITY.**

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

**SECTION 6. EFFECTIVE DATE.**

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST:


\_\_\_\_\_  
Rafael E. Granado, City Clerk

\_\_\_\_\_  
Dan Gelber, Mayor

Underlines denote additions  
~~Strike through~~ denotes deletions

(sponsored by Commissioner Mark Samuelian)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

4-26-22  
\_\_\_\_\_  
Date