

CITY OF MARGATE, FLORIDA

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF MARGATE, FLORIDA
AMENDING CHAPTER 19 OF THE CITY CODE, LAND
CLEARANCE, AMENDING CHAPTER 19 - SOLID WASTE
AND RECYCLABLES COLLECTION, PROCESSING AND
DISPOSAL, SECTION 19-8 - COLLECTION OF BULKY
WASTE AND YARD WASTE FOR RESIDENTIAL DWELLING
UNITS, SECTION 19-11. - REQUIRED SUBSCRIPTION
AND COMPULSORY SERVICE, AND SECTION 19-16 -
REMOVAL OF UNAUTHORIZED DEBRIS; REMOVAL BY
CITY; DEPOSIT; PROVIDING FOR AN EMERGENCY
AFFECTING HEALTH, SAFETY AND WELFARE; PROVIDING
FOR EMERGENCY ABATEMENT; PROVIDING FOR NOTICE;
CHARGES FOR CITY ABATEMENT AND AUTHORITY TO
LIEN; PROVIDING FOR REPEAL; PROVIDING FOR
CODIFICATION; PROVIDING FOR SEVERABILITY;
PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF
MARGATE, FLORIDA:

SECTION 1: The Code of Ordinances of the City of
Margate, Florida, Chapter 19 - Solid Waste and Recyclables
Collection, Processing and Disposal, Section 19-8 shall be
amended to read as follows¹:

**Sec. 19-8. - Collection of bulky waste and yard waste for
residential dwelling units.**

- (a) For single-family dwelling units, all bulky waste
that cannot be placed properly, whether due to
size or weight, in garbage carts shall be placed
curbside, where it will be easily accessible to
the contractor's bulky waste collection vehicles.
Single-family dwelling units shall place their
bulky waste curbside by 7:00 a.m. on their

¹CODING: Words in ~~struck-through~~ text are deletions from existing
text, words in underscored text are additions to existing text,
and **shaded** text are changes between First and Second Readings.

1
2
3 scheduled collection day but not earlier than ~~the~~
4 three (3) days prior to their scheduled collection
5 day. Bulky waste shall be collected once per
6 ~~month~~week on a scheduled collection day. The
7 contractor may offer supplemental bulky waste
8 collection at an additional cost, which can be
9 arranged directly with the contractor. Single-
10 family dwelling units may place yard waste with
11 bulky waste but shall not place garbage, trash,
12 construction waste, tires, ~~yard waste,~~ or
13 unacceptable waste with this waste stream.
14

15 (b) For multifamily dwelling units receiving mechanical
16 container service, all bulky waste shall be placed
17 in an area as determined by the property manager
18 that shall reach a mutual agreement with the
19 contractor on a location where bulky waste shall
20 be placed for collection. Bulky waste shall be
21 collected once per ~~month~~week on a scheduled
22 collection day but shall not be placed out earlier
23 than ~~the~~ three (3) days prior to the scheduled
24 collection day. The contractor may offer
25 supplemental bulky waste collection at an
26 additional cost, which can be arranged directly
27 with the contractor. Holiday trees must be free
28 from any lights, wiring, ornaments, etc.
29 ~~Residential~~Multifamily dwelling units shall not
30 place garbage, trash, construction waste, tires,
31 yard waste, or unacceptable waste with this waste
32 stream.

33 (c) For single-family dwelling units, all yard waste
34 shall be placed curbside, where it will be easily
35 accessible to the contractor's yard waste
36 collection vehicles. Single-family dwelling units
37 shall place their yard waste curbside by 7:00 a.m.
38 on their scheduled collection day but not earlier
39 than three (3) days prior to their scheduled
40 collection day. Yard waste shall be no larger than
41 eight (8) inches in diameter and no longer than
42 six (6) feet in length at its longest point.
43 Bundling of large yard waste items is not
44 required; however, small yard waste items shall be
45 placed in a garbage can or clear plastic bag. Yard
46 waste shall be collected once per week on a
47 scheduled collection day. Residential dwelling

units may place bulky waste with yard waste but shall not place garbage, trash, construction waste, tires, bulky waste, or unacceptable waste with this waste stream.

(d) Bulky waste and yard waste abatement by City.

1. The City shall provide a one-day notice to any owner, occupant, lessee, or person in control of any residential property who places bulky waste curbside more than three days prior to their scheduled collection day.

2. The City shall provide a one-day notice to any owner, occupant, lessee, or person in control of any residential property who places yard waste curbside more than three days prior to their scheduled collection day.

3. If the owner, occupant, lessee, or person in control of the residential property fails to abate the bulky waste or yard waste after notice, the City shall abate the bulky waste or yard waste as provided for in Section 19-16 of the City Code.

SECTION 2: The Code of Ordinances of the City of Margate, Florida, Chapter 19 - Solid Waste and Recyclables Collection, Processing and Disposal, Section 19-11 shall be amended to read as follows:

Sec. 19-11. - Required subscription and compulsory service.

(a) Every owner, tenant, or resident of a residential dwelling unit shall use the services of the contractor, and it shall be the responsibility of the owner to pay for such services. Such compulsory service shall include a minimum of two (2) pickups per week for garbage, one (1) pickup per week of source separated recyclable materials, regularly scheduled pickup of ~~monthly~~ bulky waste, and regularly scheduled pickup of ~~weekly~~ yard trash, as designated in the city's exclusive franchise agreement. It is not the intent of this section to prohibit any nonprofit organization from soliciting recyclable materials for the purpose of resource recovery and recycling.

1 SECTION 3: The Code of Ordinances of the City of
2 Margate, Florida, Chapter 19 - Solid Waste and Recyclables
3 Collection, Processing and Disposal, Section 19-16 shall be
4 amended to read as follows:
5

6 **Sec. 19-16. - Removal of unauthorized debris; removal by city;**
7 **deposit.**
8

9 (a) All trash and rubbish not contained in approved
10 containers shall be declared a potential fire
11 hazard and shall be removed at the expense of the
12 owner. To this end, the owner will be served with
13 a written notice to remove said trash or rubbish
14 within ~~three (3)~~ one (1) days, or to deposit with
15 the city manager an amount of money therein
16 stated by the city manager as sufficient to cover
17 the cost of such trash or rubbish removal if
18 removed by the city, either with its own
19 facilities or those of others specifically
20 employed for this purpose. If failure to
21 adequately provide for garbage collection in
22 accordance with this article shall result in an
23 unsanitary condition or create a nuisance, the
24 city shall have the right to enter upon the
25 premises, remove garbage, trash or construction
26 waste and charge the owner the cost to the city
27 for such services. Billing for collection shall
28 be on a per pickup basis. The city shall forward
29 to the owner at his last known address a copy of
30 the charges for such collection, including any
31 delinquency charges, and, if same is not paid
32 within thirty (30) days after such notice is
33 mailed, the same shall be and constitutes a lien
34 upon the property, which may be collected and
35 enforced as permitted by law ~~the same shall be~~
36 ~~and constitutes a lien upon the property in~~
37 ~~question.~~

38 (b) Removal of unauthorized residential bulky waste
39 and yard waste - All bulky waste and yard waste
40 left curbside after expiration of the notice
41 period provided for in Section 19-8, shall be
42 deemed an emergency condition necessitating
43 immediate action to preserve the health, safety,
44 or welfare of the surrounding citizens of the
45 City. If the owner, occupant, lessee, or person
46 in control of a residential property fails to

1 abate unauthorized bulky waste or yard waste after
2 notice and as provided for in Section 19-8, the
3 City shall abate the bulky waste or yard waste
4 through its appropriate personnel or private
5 contractor. Billing for this collection shall be
6 on a per pickup basis. The city shall forward to
7 the owner at his last known address a copy of the
8 charges for such collection, including any
9 delinquency charges, and, if same is not paid
10 within thirty (30) days after such notice is
11 mailed, the same shall be and constitutes a lien
12 upon the property, which may be collected and
13 enforced as permitted by law.

14
15 SECTION 4: All ordinances or parts of ordinances in
16 conflict herewith are and the same is hereby repealed to the
17 extent of such conflict.
18

19 SECTION 5: If any section, sentence, clause, or
20 phrase of this ordinance is held to be invalid or
21 unconstitutional by a court of competent jurisdiction, then
22 said holding shall in no way affect the validity of the
23 remaining portions of this ordinance.
24

25 SECTION 6: It is the intention of the City Commission
26 that the provisions of this ordinance shall become and be made
27 a part of the City of Margate Code, and that the sections of
28 this ordinance may be renumbered or relettered and the word
29 "ordinance" may be changed to "section", "article" or such
30 other appropriate word or phrase in order to accomplish such
31 intentions.
32

33 SECTION 7: This ordinance shall become effective
34 immediately upon adoption.
35

36 PASSED ON FIRST READING THIS 5TH day of DECEMBER, 2018.

37 PASSED ON SECOND READING THIS 12TH day of DECEMBER, 2018.

38 ATTEST:

39
40
41 _____
42 JOSEPH J. KAVANAGH
43 CITY CLERK
44
45

MAYOR ANTHONY N. CAGGIANO

	RECORD OF VOTE - 1ST READING	RECORD OF VOTE - 2ND READING
1		
2		
3	Simone <u>NO</u>	Simone <u> </u>
4	Arserio <u>YES</u>	Arserio <u> </u>
5	Schwartz <u>NO</u>	Schwartz <u> </u>
6	Ruzzano <u>YES</u>	Ruzzano <u> </u>
7	Caggiano <u>YES</u>	Caggiano <u> </u>
8		