

**ORDINANCE NO. 2550**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING CHAPTER 66, "SOLID WASTE," ARTICLE II, "MUNICIPAL REFUSE COLLECTION SERVICE," DIVISION 2, "RESIDENTIAL ESTABLISHMENTS," SECTION 66-68. "FEE SCHEDULE – RESIDENTIAL"; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Apopka, Orange County, Florida, is an incorporated municipality pursuant to the laws of the State of Florida (hereinafter "City") and, as such, is both required and authorized under the laws of Florida to adopt ordinances; and

**WHEREAS**, Section 166.021 of the Florida Statutes empowers the City to adopt municipal legislation relative to the provision of municipal services; and

**WHEREAS**, Florida Statute §166.201 authorizes a municipality to raise fees an amount of money which is necessary for the conduct of municipal government; and

**WHEREAS**, due to rising costs, the City Council recognizes the need for existing fees to be revised.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA**, as follows:

Section 1. That Article II. "Municipal Refuse Collection Service," Division 2. "Residential Establishments," Section 66-68. "Fee schedule – Residential," of Chapter 66 of the Code of Ordinances shall be amended as follows:

[Note: Additions are indicated by underline; deletions are indicated by ~~strikethrough~~]

Sec. 66-68. - Fee schedule—Residential.

(a) *Single-family units.* Any single-family living unit with kitchen facilities shall be charged a minimum monthly fee for curbside collection as follows:

Residential Fee Schedule

Number of Household Trash Containers	Minimum Monthly Fee
1	<del>\$16.00</del> <u>17.00</u>
2	<del>\$24.00</del> <u>25.00</u>

**ORDINANCE NO. 2550**

Page 2 of 3

- (b) *Multifamily dwellings; mobile home parks.* The following minimum monthly fees shall be charged as service is available, unless computed at nonresidential rates, whether service is used or not:
- (1) Apartment house: ~~\$16.00~~ 17.00 per apartment.
  - (2) Condominium, townhouse, etc: ~~\$16.00~~ 17.00 per condominium, townhouse, etc.
  - (3) Mobile home park: ~~\$16.00~~ 17.00 per residential unit for each water bill (minimum or otherwise) charged.
- (c) Each residence shall be issued one city-approved household trash container and one city-approved recycling container. An additional container shall be available upon request and payment of a \$60.00 fee per container. Director approval is required for requests of more than two household trash containers.
- (d) Rates for residential sanitation services may be adjusted annually, effective each October 1, consistent with the Refuse Rate Index (RRI), the Consumer Price Index (CPI), or three percent, whichever is less. Any rate adjustments shall be established by the city council as part of its approval of the annual budget. The city council shall have the authority to set a rate adjustment that differs from the RRI or CPI, however, any rate adjustment that exceeds three percent must be adopted by ordinance.
- (e) *Senior citizen discount and/or permanently disabled.* Anyone who is over 65 years of age or permanently disabled satisfying the requirements set by city council resolution, and having on file an application at the city utility billing division prior to May 19, 2010 for a \$5.30 per month reduction in fees will continue to receive the discounted rate. No new discounted or reduced rates will be provided after May 19, 2010.
- (f) *Backyard service.* The occupant must request backyard service, and shall pay to the city the sum of \$28.58 for such service. Rates shall not be reduced for six months after backyard service is initiated. Backyard service may be discontinued if the director determines backyard pickup would cause undue problems for the sanitation division crews.
- (g) *Bulky waste/yard waste/white goods.* This fee shall include materials that are too large for normal collection. Each residential dwelling receiving curbside collection services may receive a bulky waste, yard waste or a combination thereof, pickup of up to four cubic yards per week at no additional cost. Individual collections in excess of this criteria shall incur a fee of \$10.00 for every additional cubic yard. Non-bundled yard waste will be charged at a rate of \$10.00 for the first four cubic yards and \$10.00 for every additional cubic yard thereafter. An additional \$10.00 per item charge for extraordinary handling which includes Freon containing items such as refrigerators and air conditioners is required.
- (h) *Deposit.* For each customer requesting service under this division, a utility deposit of \$30.00 shall be paid by each customer unless otherwise provided in this chapter.
- (i) *Deposit for newly annexed property.* The city will waive the deposit requirement for any residential customer who begins receiving city service within 24 months of annexing into the city and who maintains a good payment history with the city.

**ORDINANCE NO. 2550**

Page 3 of 3

- (j) *Container return.* City-approved containers that have been collected due to non-payment will be assessed a \$20.00 return fee. Containers will be returned the same day if pass due balance and return fees are paid prior to noon. Payments received after noon will result in the containers being returned on the next city business day.
- (k) *Roll-back.* City-approved and provided containers as well as customer owned yard waste containers, that are not removed by 7:00 p.m. on the day of scheduled collection, may be assessed a \$20.00 roll-back fee for the removal of said containers from city right-of-way.

Section II. Conflicts

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section III. Severability

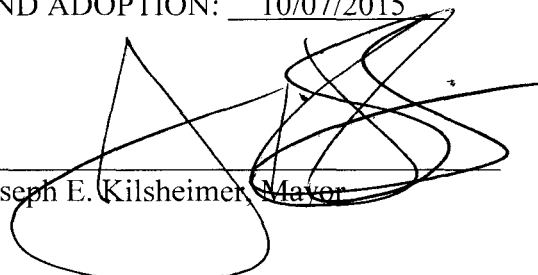
If any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or portion of a section or subsection or part of this Ordinance.

Section IV. Effective Date.

This Ordinance shall take effect immediately upon adoption.

FIRST READING: 9/16/2015

SECOND READING  
AND ADOPTION: 10/07/2015

  
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Joseph E. Kilsheimer, Mayor

ATTEST:

  
Linda F. Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: September 25, 2015