

ORDINANCE NO. 92-10

AN ORDINANCE OF THE CITY OF WEST MIAMI, FLORIDA, AMENDING SECTION 8-26 OF ARTICLE II, CHAPTER 8, OF THE CODE OF WEST MIAMI, FLORIDA, PROVIDING DEFINITIONS; SCHEDULE OF FEES FOR COLLECTION AND DISPOSAL PER WEEK OF GARBAGE, TRASH AND GARDEN TRASH; PROVIDING SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith; PROVIDING FOR CODIFICATION AND, AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WEST MIAMI, FLORIDA,

Section 1. Sec. 8-26 of Article II, of the West Miami Code be and is hereby amended as follows:

Sec. 8-26. Schedule of fees, definitions:

(1) **Definitions.** As used in this section:

Residential property shall mean uses by single family homes and two family homes (duplexes).

Commercial property shall mean any and all other real property uses except single family homes and two family homes (duplexes).

(2) **Fees.** Fees due and payable to the City for services rendered in the collection and disposal of garbage, trash and garden trash shall be as follows:

a. **Residential property.** Where additional garbage, or trash, or garbage and trash is accumulated, requiring containers in excess of two (2), the following charge per pickup shall be levied for each additional container or the equivalent in quantity:

\$1.00 per 30-gallon container.

\$7.00 per cubic yard.

b. **Commercial property.** The owners, operators, tenants and occupants of commercial property as defined herein, shall pay to the City Two Hundred and Fifty Dollars (\$250.00) per year or a portion thereof, on September 1st of each and every year for the collection by the City, of garbage, trash and garden trash for up to four (4) thirty-gallon containers once per week and \$1.00 per thirty-gallon container in excess thereof or the equivalent in quantity. Notwithstanding any provisions to the contrary in this Chapter, garbage shall be required to be collected twice per week for commercial properties as defined here. There shall be levied and paid an additional service charge for the second pickup of garbage of Fifteen Dollars (\$15.00) per week.

In addition, where more than one (1) pickup per week is required or requested for pickup of trash and garden trash, there should be levied and charged for the additional pickups of trash and garden trash the sum of Fifteen Dollars (\$15.00) per pickup.

Section 2. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 3. If any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

Section 4. It is the intention of the City Commission that the provisions of this ordinance shall become and be made a part of the West Miami Code; 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. This ordinance shall be effective on passage.

APPROVED:

11-18-92

MAYOR

ATTEST:

Blanca Aguilar

CITY CLERK

Approved as to form and sufficiency

Roll Call Vote:

Mayor Reboredo

Vice Mayor Diaz-Padron

Commissioner Herbert

Commissioner Sosa

Commissioner Trigo

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