

MEMORANDUM

MSC
Agenda Item No. 1(G)3

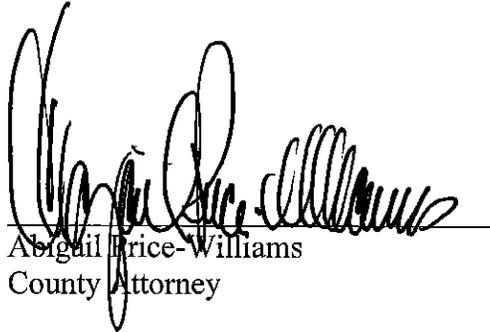
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: July 13, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance related to Solid Waste
Management; amending section
15-16 of the Code to limit the
amount of time that bulky waste
may be left curbside

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.



Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 7, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 4(P)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(P)
6-7-16

ORDINANCE NO. _____

ORDINANCE RELATED TO SOLID WASTE MANAGEMENT;
AMENDING SECTION 15-16 OF THE CODE OF
MIAMI-DADE COUNTY TO LIMIT THE AMOUNT OF TIME
THAT BULKY WASTE MAY BE LEFT CURBSIDE;
PROVIDING SEVERABILITY, INCLUSION IN THE CODE,
AND AN EFFECTIVE DATE

WHEREAS, Section 15-16 of the Code of Miami-Dade County provides that bulky waste may not be placed curbside until advance arrangements have been made for its removal with the Department of Solid Waste Management (the "Department"); and

WHEREAS, currently the Code does not provide for a time limit as to how long bulky waste may be left curbside before it is removed by the Department; and

WHEREAS, bulky waste left curbside for an extended period of time can create an unsightly appearance in neighborhoods throughout the County; and

WHEREAS, bulky waste left curbside for an extended period of time during the rainy season in South Florida can be a cause for the breeding of mosquitoes; and

WHEREAS, the Governor of Florida has declared a state of emergency in four counties in the State of Florida, including Miami-Dade County, where people have been diagnosed with the Zika virus; and

WHEREAS, this Board would like to minimize the unsightly appearance and the potential for creating mosquito breeding sites that results from bulky waste being left curbside for extended periods of time,

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Section 15-16 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 15-16. - Responsibility for removal of industrial waste, hazardous waste and noncombustible solid waste, collection and disposal of bulky waste.

Industrial waste, hazardous waste, and noncombustible solid waste shall be disposed of in the manner and at such locations as are consistent with all federal, state and local laws, rules, regulations, and ordinances. Removal of industrial waste, hazardous waste, and noncombustible solid waste shall be the responsibility of the owner, occupant, operator or contractor creating or causing the accumulation of such material. The Department shall not be responsible for collecting or hauling discarded building material, construction and demolition debris, dirt or rock, nor shall it be responsible for collecting or hauling trees, bushes or other vegetation cut on private property before a certificate of occupancy is issued.

Bulky waste shall not be permitted at curbside until advance arrangements have been made with the Department for its removal. >>Bulky waste shall not be left curbside more than 72 hours between time of placement curbside and removal by the Department.<<

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

ADW
DF

Prepared by:

Daniel Frastai

Prime Sponsor: Sen. Javier D. Souto