

MEMORANDUM

Agenda Item No. 7(E)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners


DATE: (Second Reading: 3-7-23)
January 17, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to solid waste management; amending sections 15-1, 15-2, 15-17, 15-17.1, 15-17.8, and 15-17.9 of the Code; revising definitions; establishing guidelines for the placement of appliances for collection; prohibiting the discarding of certain appliances with attached doors; creating a small hauler permit category and establishing guidelines for small haulers that collect, transport, and dispose of solid waste or recyclable material in Miami-Dade County; amending section 8CC-10 of the Code; providing for enforcement by civil penalty

Ordinance No. 23-17

The accompanying ordinance was prepared by the Solid Waste Management Department and placed on the agenda at the request of Prime Sponsor Vice Chairman Anthony Rodríguez and Co-Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney


GBK/jp

Memorandum



Date: March 7, 2023

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor 

Subject: Ordinance Amending Sections 15-1, 15-2, 15-17, and 8CC-10 of the Code of Miami-Dade County, Florida; Establishing Guidelines for the Placement of Appliances for Collection, and Establishing a Small Hauler Permit Category for the Collection, Transport, and Disposal of Solid Waste or Recyclable Material in Miami-Dade County

Executive Summary

The purpose of this item is to amend Sections 15-1, 15-2, 15-17, and 8CC-10 of the Code of Miami-Dade County to: (i) establish guidelines for the placement of appliances for collection; (ii) incorporate the prohibition against discarding large appliances like iceboxes, refrigerators, and deep-freeze lockers with the doors attached, contained in Florida Statutes section 823.07; and (iii) create a small hauler permit category, and establish guidelines for small haulers that collect, transport, and dispose of solid waste or recyclable material in Miami-Dade County. A small hauler is defined as any person with one small vehicle, or one small vehicle (vehicle weighing less than 26,000 pounds gross vehicle weight) and trailer engaged in the business of: (1) solid waste collection, removal, or transport; and/or (2) recyclable materials collection, removal, or transport.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached ordinance amending Chapter 15 of the Code of Miami-Dade County, Florida (the "Code"), and corresponding amendments to Chapter 8CC of the Code. The proposed ordinance amendment adds (i) small hauler definition, (ii) language that regulates small hauler activity while making it economically feasible to obtain such permit, and (iii) language enforcing, and prohibiting the placement of appliances for collection without first removing the doors, thus eliminating the potential hazard.

Scope

The small hauler portion of the ordinance has a countywide impact that requires compliance for municipalities incorporated prior to the creation of the original ordinance. Chapter 15 currently allows the placement of appliances for collection via the Bulky Trash Collection process but does not provide guidelines such as the removal of doors from the appliance prior to staging the item for collection.

Delegation of Authority

The proposed ordinance does not confer any delegated authority.

Fiscal Impact/Funding Source

Approval of this item is not anticipated to create a fiscal impact on the County as revenue generated from the permit fee will offset the staff-related expenses.

Social Equity

This change to the Code establishes an affordable, and legal means for small businesses to operate while complying with the provisions of Chapter 15. The initiative establishes a program that bridges the

gap between the safety and welfare of the general public, and the professional, affordable, and compliant operation of small hauler businesses in Miami-Dade County.

Track Record/Monitor

Olga Espinosa-Anderson, Assistant Director, Disposal Operations, Department of Solid Waste Management (“DSWM”), will be responsible for monitoring this ordinance.

Background

In accordance with Chapter 15-17 of the Code, all haulers transporting solid waste or recyclable material in Miami-Dade County must obtain a Hauler’s Permit from the DSWM. DSWM is responsible for the issuance and enforcement of permits for persons/businesses engaged in general hauler, landscaper and waste tire generator, and waste tire hauler activities. In its oversight and enforcement of the provisions of Chapter 15 of the Code, DSWM has identified a number of unpermitted, small owner-operators engaged in the transport of trash, scrap metal, and cardboard. Key concerns include:

- Loads being transported by unpermitted haulers traveling on the main thoroughfares of Miami-Dade County.
- Vehicles (pick-up trucks, vans, and trailers) used to transport the material are overloaded, the loads are unsecured, and many of the modified vehicles and trailers are poorly built and pose a safety issue to our community.
- Operators engaged in unauthorized removal and scavenging, which is prohibited by the Code.

In the past, the DSWM Enforcement Division has issued several warning notices, and citations to small owner-operators for hauling solid waste, including recyclable materials, without a permit. Under the current regulations, small owner-operated waste haulers must obtain a General Hauler Permit from DSWM to be in compliance with the Code; this includes obtaining General Liability insurance in an amount not less than \$300,000 and Automobile Liability insurance in an amount not less than \$1 million. While the referenced insurance requirements are appropriate for the general hauler, they are cost-prohibitive for the small business hauler.

This change to the Code establishes an affordable, and legal means for small businesses to operate while complying with the provisions of Chapter 15 of the Code. The initiative establishes a program that bridges the gap between the safety and welfare of the general public, and the professional, affordable, and compliant operation of small hauler businesses in Miami-Dade County.

The Code amendment also modifies the process for the collection of solid waste through the Bulky Trash Request; this process allows DSWM customers to stage items such as furniture, tree cuttings, household trash, and appliances, among other similar items, for collection. However, Chapter 15 of the Code, as currently written, does not require the removal of doors from appliances before staging the appliance for collection. This gap in the Code allows the customer to potentially create a hazard for children in the neighborhood or near the bulky waste pickup site. To prevent the safety hazard, this amendment also codifies the state statutory prohibition in section 15-2 and 8CC-10 of the Code.

The Miami-Dade County 311 Contact Center has a process for responding to a call involving a refrigerator with attached doors. The process includes creating two service requests. The first step consists of creating a request to remove the doors, and the second step creates an illegal dumping service request. Once the service requests are completed, a call is placed to the Miami-Dade County Transportation and Public Works Department, Road, and Bridge and Canal Maintenance Division to

respond and remove the doors. Calls received after operating hours are routed to the Alarm Office at 786-336-6634. Once the doors are removed, DSWM collects the trash pile.

Florida Statutes section 823.07 was created to address this issue. It states that it is “unlawful for any person to knowingly abandon or discard on premises under his control any icebox, refrigerator, deep-freeze locker, clothes washer, clothes dryer, or similar airtight unit having an interior storage capacity of 1 ½ cubic feet or more from which the door has not been removed.” This section intends to prevent the suffocation of children who can accidentally get trapped inside an improperly discarded appliance.

The proposed amendment streamlines the process, eliminates a potential safety hazard, and aligns Chapter 15 with State Statues.



Jimmy Morales
Chief Operations Officer



MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: March 7, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 7(E)

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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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. 7(E)
3-7-23

ORDINANCE NO. _____ 23-17

ORDINANCE RELATING TO SOLID WASTE MANAGEMENT; AMENDING SECTIONS 15-1, 15-2, 15-17, 15-17.1, 15-17.8, AND 15-17.9 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING DEFINITIONS; ESTABLISHING GUIDELINES FOR THE PLACEMENT OF APPLIANCES FOR COLLECTION; PROHIBITING THE DISCARDING OF CERTAIN APPLIANCES WITH ATTACHED DOORS; CREATING A SMALL HAULER PERMIT CATEGORY AND ESTABLISHING GUIDELINES FOR SMALL HAULERS THAT COLLECT, TRANSPORT, AND DISPOSE OF SOLID WASTE OR RECYCLABLE MATERIAL IN MIAMI-DADE COUNTY; AMENDING SECTION 8CC-10 OF THE CODE; PROVIDING FOR ENFORCEMENT BY CIVIL PENALTY; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, this Board desires to accomplish the purposes set forth in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, the placement of appliances for collection that have attached doors creates a safety hazard for our community; and

WHEREAS, the County will benefit from incorporating the prohibitions contained in section 823.07, Florida Statutes, in section 15-2 of the Code of Miami-Dade County, Florida (the “Code”); and

WHEREAS, small businesses that operate a single vehicle with a gross vehicle weight of less than 26,000 pounds to collect solid waste and recyclable material, can obtain a lower cost permit to perform service legally; and

WHEREAS, the County will benefit from the creation of a small hauler permit category for small business operators collecting solid waste and recyclable materials,

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

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

Sec. 15-1. Definitions.

The following words and phrases when used in this chapter shall have the meanings ascribed to them in this section.

- (a) *Board*: The Miami-Dade County Board of County Commissioners.
- (b) *Bulky waste*: Less than one (1) cubic yard of construction and demolition debris, large, discarded items or large accumulations of trash. Bulky waste shall include, without limitation, appliances >>without doors or covers attached<<, furniture, yard trash, crates, corrugated cardboard, and other similar items. Bulky waste shall not include tires or other solid waste requiring special handling.

* * *

- (tt) *Service unit*: An area located in any commercial establishment which provides four (4) sleeping rooms or a fraction thereof, where no cooking facilities are provided.

>>(uu) *Small Hauler*: Applies to any person with one Small Vehicle or one Small Vehicle and trailer engaged in the business of: (1) solid waste collection, removal, or transport; and/or (2) recyclable materials collection, removal or transport.

(vv) *Small Vehicle*: A vehicle having a gross vehicle weight ("GVW") of 26,000 pounds or less.<<

[[~~(uu)~~]]>>(ww)<<*Solid waste*: Garbage, trash, litter, yard trash, hazardous waste, construction and demolition debris, industrial waste, or other discarded material, including solid or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations.

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.

[[~~(vv)~~]]>>(xx)<<*Solid waste collection service area*: That portion or entirety of the county-wide solid waste service area to which the department provides curbside garbage and trash collection service.

[[~~(ww)~~]]>>(yy)<< *Solid waste disposal*: Disposition of solid waste by means of combustion, landfilling or other final method of discard.

[[~~(xx)~~]]>>(zz)<< *Solid waste management facility*: Any solid waste disposal area, volume reduction plant, transfer station or other facility, the purpose of which is resource recovery or the disposal, recycling, processing, transfer or storage of solid waste.

[[~~(yy)~~]]>>(aaa)<< *Solid waste management master plan*: A document which shall set forth (a) goal(s), objectives and policies for solid waste management in Miami-Dade County, and shall include a comprehensive evaluation of solid waste management alternatives and recommended actions.

[[~~(zz)~~]]>>(bbb)<< *Solid Waste Management System Costs*: Costs incurred to provide solid waste management services, including, without limitation, (a) costs for construction, reconstruction, or completion, of any facility, (b) the costs of acquisition or purchase of any facility, (c) the cost of labor, materials, machinery and equipment, (d) the cost of fuel, parts, supplies, maintenance, repairs and utilities, (e) the cost of computer services, data processing and communications, (f) the cost of all lands and interest therein, leases, property rights, easements and franchises of any nature whatsoever, (g) the cost of any indemnity or surety bonds and premiums for insurance, (h) the cost of salaries, workers compensation insurance or other employment benefits, (i) the cost of uniforms, training, travel and per diem, (j) amounts necessary to pay redemption premiums or other costs associated with the early retirement of obligations, (k) the creation of reserve or debt service funds, (l) costs and expenses related to the issuance of obligations, all financing charges and any expenses related to the issuance of obligations, all financing charges and any expenses related to any liquidity facility or credit facility, (m) the cost of construction plans and specifications, surveys and estimates of costs, (n) the cost of engineering, financial, legal and other professional services and, (o) all other costs and expenses properly attributable to providing solid waste management capacity by the County.

[[~~(aaa)~~]]>>(ccc)<< *Solid waste requiring special handling*: Solid waste materials which, because of their quantity, concentration, composition

or physical, chemical or infectious characteristics require transportation or disposal in a manner not typical of other solid waste.

[(~~bbb~~)]>>(ddd)<< *Tire*: A continuous covering for the wheel of a motor vehicle usually made of rubber reinforced with cords of nylon, fiberglass or other material and filled with compressed air.

[(~~eee~~)]>>(eee)<< *Trailer*: An accessory vehicle that is towed by the permitted vehicle. Trailer bed shall not be larger than 6 feet high, 6 feet wide by 10 feet long. Any trailer which does not exceed 6 cubic yards carrying capacity shall be charged for disposal at neighborhood trash and recycling centers at the same rate as pickup trucks and vans.

[(~~ddd~~)]>>(fff)<< *Trash*: Any accumulation of paper, packing material, rags or wooden or paper boxes or containers, sweepings and all other accumulations of a nature other than garbage, which are usual to housekeeping and to the operation of commercial establishments.

[(~~eee~~)]>>(ggg)<< *Unincorporated Miami-Dade County*: Any part of Miami-Dade County not lying within the boundaries of a duly incorporated village, town, or municipality.

[(~~fff~~)]>>(hhh)<< *Used tire*: A tire that is suitable for vehicular use or is suitable for retreading and is intended by the holder thereof to be for vehicular use or retreading.

[(~~ggg~~)]>>(iii)<< *Van*: A fully enclosed vehicle which is manufactured and marketed by a major automobile manufacturer as a van and which has a gross vehicle weight of not more than 11,000 pounds.

[(~~hhh~~)]>>(jjj)<< *Vegetative food waste*: Discarded edible fruit and vegetable matter which is capable of biological decomposition.

[(~~iii~~)]>>(kkk)<< *Waste tire*: A tire from a motorized vehicle, that is no longer suitable for its originally intended purpose because of wear, damage or defect, or which is no longer intended by the holder thereof for vehicular use.

[(~~jjj~~)]>>(lll)<< *Waste tire generator*: Any person that is either principally or partially engaged in the selling, trading or otherwise transferring of new, used or waste tires, whether such transactions are for cash, barter or without consideration.

[(~~kkk~~)]>>(mmm)<< *Waste tire transporter*: Any person transporting five (5) or more waste tires for hire.

[[~~(H)~~]]>>(nnn)<< *Yard trash:* Vegetative matter resulting from landscaping and land clearing operations.

Section 2. Section 15-2 of the Code of Miami Dade County, Florida, is hereby amended to read as follows:

Sec. 15-2. - Solid waste collection services, container usage, condition and location.

* * *

(f) It shall be unlawful for any person to place or cause, let, allow, permit, or suffer the placement of any mattress at curbside without first bagging the mattress in a plastic mattress bag or plastic mattress sleeve capable of fully encasing all sides of the entire mattress. The bag shall be taped closed with packing, shipping or duct tape, or other similar weather resistant adhesive tape. Each mattress in violation shall be considered a separate violation, punishable as set forth in Chapter 8CC of the Code. For the first year after enactment, which shall be deemed an educational period, violators shall be issued a warning by the department. Thereafter, each violation of this subsection shall be subject to enforcement in accordance with section 8CC-10.

>>(g) Pursuant to section 823.07 of Florida Statutes, it shall be unlawful for any person to place or cause, let, allow, permit or suffer the placement of any icebox, refrigerator, deep-freeze locker, clothes washer, clothes dryer, or similar airtight unit or appliance having an interior storage capacity of 1.5 cubic feet or more, at curbside without removing the doors or covers from the unit or appliance. A violation of this subsection shall be subject to enforcement in accordance with section 8CC-10.<<

Section 3. Section 15-17 of the Code of Miami Dade County, Florida, is hereby amended to read as follows:

Sec. 15-17. - Permits required by the Department of Solid Waste Management.

(1) It shall be unlawful for any person to remove, collect or transport ~~[[for hire or salvage]]~~ any solid waste or recyclable material over the streets or public right-of-way within any unincorporated, incorporated, ~~[[and]]~~ >>or<< any unincorporated area annexed by an existing municipality

~~[[area]] of the County, [[any unincorporated area that is incorporated subsequent to the effective date of this ordinance, and any unincorporated area that is annexed to an existing municipality subsequent to the effective date of this ordinance,]] without first applying for and receiving the appropriate solid waste permit from the Department to carry on such a business.~~

- (2) It shall be unlawful for any person to remove, collect or transport within Miami-Dade County five (5) or more waste tires for hire without a Waste Tire Transporter Permit from the Department of Solid Waste Management.
- (3) It shall be unlawful for any person to sell, trade or otherwise transfer new, used, or waste tires within Miami-Dade County without a Waste Tire Generator Permit from the Department of Solid Waste Management.

Permits issued by the Department are as follows:

(a) *General*: Applies to any person engaged in the business of solid waste collection, removal, or transport ~~[[for hire or salvage]]~~, or any person engaged in the business of recyclable materials collection, removal, or transport ~~[[for hire or salvage]]~~.

(b) *Landscaping business*: Applies to landscaping businesses as a requirement to enable them to use neighborhood trash and recycling centers, and (a) use County-owned solid waste management facility(ies) designated by the Director, for disposal of clean yard trash only.

(c) *Waste tire generator*: Applies to any person that is either principally or partially engaged in the selling, trading or otherwise transferring of new, used or waste tires, whether such transactions are for cash, barter or without consideration.

(d) *Waste tire transporter*: Applies to any person transporting five (5) or more waste tires for hire.

>>(e) *Small Hauler*: Applies to any person with one Small Vehicle or one Small Vehicle and trailer engaged in the business of: (1) solid waste collection, removal, or transport; and/or (2) recyclable materials collection, removal or transport.<<

Permits required by this section shall be in addition to any other permits, registration or occupational license which may be required by Federal, State or Local law.

* * *

Section 4. Section 15-17.1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 15-17.1. - Application for permit.

* * *

(f) *Insurance requirements.* The applicant for a permit shall maintain insurance as specified herein and shall furnish a public liability policy to the Department and also file with the Department a certificate of insurance for all policies written in the applicant's name. This certificate shall provide that the policies contain an endorsement requiring that the Department shall be furnished with ten (10) days' written notice by registered mail prior to cancellation or material changes in the policies.

(1) *Comprehensive general liability.* The applicant shall carry in his own name a policy covering his operations in an amount not less than three hundred thousand dollars (\$300,000.00) per occurrence for bodily injury and fifty thousand dollars (\$50,000.00) per occurrence for property damage liability. Landscaping businesses applying to use (a) neighborhood trash and recycling center(s) and/or County-owned solid waste management facilities for the disposal of clean yard trash shall not, as a condition of the permit to use a neighborhood trash and recycling center(s) and/or County-owned solid waste management facilities be required to maintain comprehensive general liability insurance. Persons applying for a Waste Tire Generator permit or Waste Tire Transporter permit shall not, as a condition of the permit be required to maintain comprehensive general liability insurance.

(2) *Vehicle liability insurance.* Applicants for a General permit shall maintain vehicle liability insurance covering each vehicle utilized in the business of solid waste collection and disposal in an amount not less than one million dollars (\$1,000,000.00) combined single limit per occurrence. All other permittees are required to maintain vehicle liability insurance covering each vehicle in an amount not less than the minimum required by Florida law for the type of vehicle insured.

(3) *Liability of the County and the Department.* The above insurance requirements shall not be construed as imposing upon the County or the Department or any official or employee thereof any liability or responsibility for injury to any person or property by the insured, his agents, or employees.

(g) *Application fee.* The department shall charge and collect permit application fees at the rates established by separate administrative order, which shall not become effective until approved by the Board of County Commissioners. Separate fees shall be established for permits according to the type of permit issued, as follows:

(1) General.

(2) Small owner-operator landscaping business.

(3) Waste Tire Generator.

(4) Waste Tire Transporter.

>>(5) Small Hauler.<<

The completed application shall be submitted to the Department. Upon receipt of a completed application, the Director or his designated representative shall review said application and, if satisfactory in all respects, and after payment of required fees pursuant to Sections 15-17.4 and 15-17.6 shall issue the required permit.

Section 5. Section 15-17.8 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 15-17.8. – Identification of equipment.

All equipment delivering waste to a Miami-Dade County solid waste management facility must be identified in the manner described in this section: All permit decals for any vehicle permitted under this Chapter shall be permanently affixed to the passenger side windshield of the vehicle. Failure to permanently affix said decal shall be unlawful and may be enforced as prescribed in Section 15-32 of this Chapter. All markings must be in letters and numerals at least two (2) inches in height.

(a) General hauler permittees: Equipment must be conspicuously and permanently marked-on both sides of the automotive unit with the name

of the hauler, Miami-Dade County permit number, vehicle number, tare weight and cubic yard capacity. Identical information must also be marked on all trailer and container units.

(b) Landscaping businesses having a valid permit issued by the Department to dispose at other than neighborhood trash and recycling centers: Equipment must be conspicuously and permanently marked-on both sides of the automotive unit with the name of the company and vehicle number.

(c) Landscaping businesses having a valid permit issued by the Department to dispose at the neighborhood trash and recycling centers: Equipment must be conspicuously and permanently marked-on both sides of the automotive unit with the name of the company.

>>(d) Small Hauler permittees: Equipment must be conspicuously and permanently marked on both sides of the automotive unit with the name and telephone number of the hauler and the Department permit number. Identical information must also be marked on the trailer unit.<<

Section 6. Section 15-17.9 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 15-17.9. - Information required of permittees.

On an annual renewal basis, each permittee shall supply the following information on a form and in the manner prescribed by the Director:

(a) A listing, which is organized as prescribed by the Director, as of the reporting date, of the names and addresses of customers, and the addresses of each location served. For each customer on the list, the private hauler will indicate the following: (1) whether the customer served is (i) a multi-family residential establishment, (ii) commercial establishment, (iii) subject to the Disposal Facility Fee pursuant to Section 15-25.2 of this Chapter; and (2) whether the service provided is solid waste collection, recycling, or a combination of both; and, if the service is recycling, (3) a listing of those materials being recycled at each customer location; and (4) the name of a customer contact person who can provide additional information regarding the recycling program.

(b) A summary of the number of tons of solid waste collected quarterly based on scheduled service, as of the reporting date.

(c) A summary of the number of tons of recyclable material collected and marketed quarterly, on a schedule and format prescribed by the Department.

(d) ~~[[businesses]]~~>>Businesses<< that receive permits to use neighborhood trash and recycling centers and/or a County-owned solid waste management facility(ies) for disposal of clean yard trash shall be exempt from (a) and (b) above and shall instead supply the following information in a manner prescribed by the Director:

(1) Miami-Dade County Occupational license as proof of a business location in Miami-Dade County.

(e) Waste tire generators shall supply the following information in lieu of the information required by sections (a), (b), (c) and (d) herein, on a form and in a manner prescribed by the ~~[[director]]~~>>Director<<:

(1) An accounting of the number of new, used, and recapped tires received from suppliers.

(2) The number of new, used, and recapped tires transferred to others.

(3) The number of waste tires removed from the premises, and corresponding removal dates.

(4) The name and permit number of the waste tire transporter(s) employed to remove waste tires.

(f) Waste tire transporter shall supply the following information in lieu of the information required by sections (a), (b), (c) and (d) herein, on a form and in a manner prescribed by the Director~~[[;]]~~>>:;<<

(1) An accounting of the number of waste tires collected from each waste tire generator and corresponding collection date(s).

(2) The name and permit number of the waste tire generator from which waste tires were collected.

(3) Copies of the scalehouse receipts for waste tires delivered to a waste tire processing facility(ies). Receipts must show the volume in cubic yards or weight in tons of waste tires delivered, the delivery date and location in or out of Miami-Dade County.

>>(g) Small Haulers shall supply the following information in lieu of the information required by sections (a), (b), (c) and (d) herein, in a manner prescribed by the Director:

(1) An accounting of the amount of solid waste collected on a yearly basis based on the permit anniversary date.

(2) An accounting of the amount of recyclable material, by material type collected and marketed on a yearly basis based on the permit anniversary date.

(3) Copies of scalehouse receipts for solid waste delivered to a County permitted disposal facility.

(4) Copies of scalehouse receipts for recyclable materials delivered to a County permitted recycling facility. <<

Section 7. Section 8CC-10 of the Code of Miami-Dade County, Florida is hereby amended to read as follows:

Sec. 8CC-10. - Schedule of Civil Penalties.

The following table shows the sections of this Code as they may be amended from time to time, which may be enforced pursuant to the provisions of this chapter, and the dollar amount of the civil penalty for the violation of these sections as they may be amended.

The "descriptions of violations" below are for informational purposes only and are not meant to limit or define the nature of the violations or the subject matter of the listed Code sections, except to the extent that different types of violations of the same Code section listed in the schedule of civil penalties may carry different civil penalties. For each Code section listed in the schedule of, the entirety of that section may be enforced by the mechanism provided in this Chapter 8CC, regardless of whether all activities proscribed or required within that particular section are described in the "Description of Violation" column. To determine the exact nature of any activity proscribed or required by this Code, the relevant Code section must be examined.

CODE SECTION	DESCRIPTION OF VIOLATION	CIVIL PENALTY
2-8.1	Disclosing false information	\$ 500.00
	* * *	
15-2(a)	Utilizing the waste collection services of an unauthorized waste collection agency by a commercial establishment	600.00
15-2(f)	Failure to fully encase mattress in sealed bag for curbside pickup	100.00
>>15-2(g)	<u>Failure to remove doors or covers from icebox, refrigerator, deep freeze locker, clothes washer, clothes dryer, or other similar airtight unit or appliance at curbside</u>	<u>200.00</u> <<
	* * *	

Section 8. 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.

Section 9. 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 10. 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: March 7, 2023

Approved by County Attorney as to form and legal sufficiency:

EWJ for

Prepared by:

dsh

David Stephen Hope