

ORDINANCE NO. 1068-2014

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 93-05, GARBAGE, GARDEN TRASH, AND RUBBISH; PLACEMENT IN RECEPTACLES FOR COLLECTION AND REMOVAL; BY PROVIDING ADDITIONAL REGULATIONS FOR THE PLACEMENT OF TRASH AND RECYCLING MATERIALS BY MULTI-FAMILY RESIDENTIAL AND COMMERCIAL SITES ADJACENT TO CITY STREETS AND FOR THE RETRIEVAL OF TRASH AND RECYCLING RECEPTACLES; ESTABLISHING INAPPLICABILITY TO ALLEY PICKUPS AND SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS OF CITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE

WHEREAS, the Code Compliance Department has advised that it has received numerous complaints regarding the untimely placement of trash on City swales; and,

WHEREAS, complaints are also received regarding the failure of multi-family and commercial properties to timely retrieve trash and recycling receptacles from City swales; and,

WHEREAS, the current code does not provide timeframes for the placement of trash or recycling materials for pickup or for the retrieval of trash or recycling receptacles; and,

WHEREAS, the City Council has considered the various City complaints and discussed whether any new regulations should be City wide in application or limited to multi-family and commercial sites; and,

WHEREAS, the City Council has determined that it is both proper and appropriate and in the best interests of the City and its citizens to provide regulations for the placement of trash and recycling for pickup and for the retrieval of trash and recycling receptacles in the multi-family and commercial zoning districts of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS:

Section 1: That Code of Ordinance Section 93-05, Garbage, garden trash, and rubbish; placement in receptacles for collection and removal, is hereby amended as follows:

Sec. 93-05. Garbage, garden trash, and rubbish; placement in receptacles for collection and removal; placement for pick-up and retrieval of containers.

(A)

(B)

(C)

(D) Loose trash, including bagged materials, white goods, furniture, and any other non-containerized or containerized trash materials may not be placed for pick up by any multi-family residential or commercial site adjacent to any City street earlier than 24 hours prior to any scheduled pick up. Any receptacles used for the disposal of these materials must be retrieved and returned to the interior of the site within 24 hours of pick up.

(E) In addition to the provision of Section (D) above, all recycling containers may not be placed for pick up by any multi-family residential or commercial site adjacent to any City street earlier than 24 hours prior to any scheduled pick up. All recycling containers must be retrieved and returned to the interior of the property site within 24 hours of pick up.

(F) The provisions of subsections (D) and (E) above shall not be applicable to any pick ups performed in City alleys and in the single family residentially zoned districts of the City.

Section 2: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

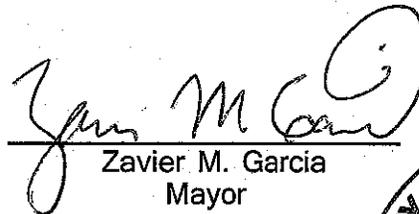
Section 3: That this Ordinance shall take effect immediately upon adoption.

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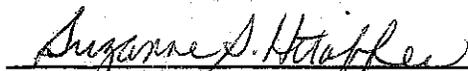
PASSED AND ADOPTED by the City Council of the City of Miami Springs, Florida this 10th day of March, 2014.

The motion to adopt the foregoing ordinance was offered on second reading by Councilman Lob, seconded by Councilman Windrem, and on roll call the following vote ensued:

Vice Mayor Bain	"aye"
Councilman Windrem	"aye"
Councilman Lob	"aye"
Councilman Petralanda	"aye"
Mayor Garcia	"aye"

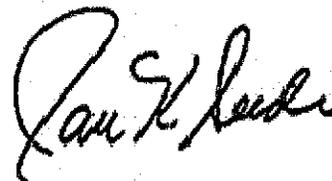

Zavier M. Garcia
Mayor

ATTEST:


Suzanne S. Hitaffer, CMC
Acting City Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY



Jan K. Seiden, Esquire
City Attorney

First reading: 02-10-2014
Second reading: 02-24-2014
2nd Second reading: 03-10-2014

Words ~~stricken through~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.