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3 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY
4 OF OAKLAND PARK, FLORIDA, AMENDING CHAPTER 13,
5 ENTITLED "SOLID WASTE" IN THE CODE OF ORDINANCES
6 OF THE CITY OF OAKLAND PARK; SPECIFICALLY
7 PROVIDING FOR AN AMENDMENT TO SECTION 13-8
8 ENTITLED "PLACEMENT FOR COLLECTION AND REMOVAL
9 AFTER COLLECTION"; PROVIDING FOR HOURS OF
10 PLACEMENT AND REMOVAL; PROVIDING FOR
11 SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING
12 FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission deems it appropriate and in the best interests of the residents of Oakland Park to amend provisions in Chapter 13 of the Code of Ordinances specifically Section 13-8 entitled “Placement for collection and removal after collection” to provide for hours and placement and removal.

19 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION**
20 **OF THE CITY OF OAKLAND PARK, FLORIDA, THAT:**

22 **SECTION 1.** The foregoing “Whereas” clauses are hereby ratified and
23 confirmed as being true and correct and are hereby made a part of the Ordinance.

SECTION 2. Section 13-8 of the Code of Ordinances entitled “Placement for collection and removal after collection” is amended as follows:

- (a) All solid waste carts and recycling containers to be emptied by the public works department or private hauler shall be placed at the locations designated by the city before 7:00 a.m., and no earlier than twenty-four (24) hours prior to the next scheduled pick-up and shall be removed no later than 11:00 p.m. on the collection days designated by the department. Solid waste carts and recycling containers may be placed in public rights-of-way for collection in a manner which does not impede the safe flow of vehicular or pedestrian traffic. All solid waste carts and recycling containers, if visible from the right-of-way, shall be stored behind the front, or side of the building provided service, where lot conditions allow for such storage. Containers which are not removed from the

1 collection locations by the time allowed in this section are subject to removal
2 and proper placement by the service provider and/or subject to Section (c)
3 below. The customer will be charged for the service provider's removal service.
4 A service fee, on file in the city clerk's office, for each such removal service
5 provided by the service provider shall be assessed against the owner or
6 occupant of the property and shall be collected in the manner provided
7 by Section 13-11.5. The fee shall be supplemental to any other penalties
8 provided for violation of this section.
9

10 (b) Special solid waste collections or services may be arranged with the public
11 works department whereby solid waste will be collected from locations at
12 variance with this section. The type of special collections, services and charges
13 are subject to approval by the director.
14

15 (c) **Enforcement.** Violations of the provisions of the Code of Ordinances shall be
16 enforced in accordance with the provisions of Chapter 24 Article XVII Section 234 of
17 the Code of Ordinances, and through fines in accordance with ordinances and
18 resolutions adopted by the City Commission.

19 **SECTION 3.** If any clause, section or other part of the Ordinance shall be held
20 by any Court of competent jurisdiction to be unconstitutional or invalid, such
21 unconstitutional or invalid part shall be considered as eliminated and in no way affecting
22 the validity of the other provisions of this Ordinance.

23 **SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith are
24 hereby repealed to the extent of such conflicts.

25 **SECTION 5.** This Ordinance shall be effective upon its passage and adoption by
26 the City Commission of the City of Oakland Park.
27

28 **PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK,**
29 **FLORIDA, ON FIRST READING, THIS _____, DAY OF _____, 2019.**
30

31 M. SPARKS _____
32 J. BOLIN _____
33 M. CARN _____
34 T. LONERGAN _____
35 S. GUEVREKIAN _____
36

1 **PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF**
2 **OAKLAND PARK, FLORIDA, ON SECOND READING, THIS _____ DAY OF**
3 **_____ 2019.**
4

5
6 CITY OF OAKLAND PARK, FLORIDA
7

8
9
10 _____
11 MAYOR SARA GUEVREKIAN

12 M. SPARKS _____

13 J. BOLIN _____

14 M. CARN _____

15 T. LONERGAN _____

16 S. GUEVREKIAN _____
17

18
19 ATTEST:
20

21
22 _____
23 RENEE M. SHROUT, CMC
24 CITY CLERK
25

26 LEGAL NOTE:
27

28
29 I hereby certify that I have approved the form of this Ordinance. (O-2019-XXX)
30

31
32 _____
33 DONALD J. DOODY, CITY ATTORNEY