

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2023-_____

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, AMENDING CHAPTER 54 – “SOLID WASTE” TO PROHIBIT PLACING CLEAN YARD WASTE IN TRASH BAGS AND DEPOSITING TRASH BAGS IN TRASH PILES BEFORE 6:00 P.M.; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Coral Gables wishes to improve the general cleanliness of the City and to ensure the safety of its citizens and visitors; and

WHEREAS, as an environmental leader among local governments in the State of Florida, a goal of the City is to facilitate the proper disposal of clean yard waste and appropriate recycling of materials such as cardboard; and

WHEREAS, there has been an increasing amount of trash bags being placed in trash piles throughout the City, which not only has an effect on the general aesthetics and visual beauty of the City, but it also inhibits proper disposal of garbage and household refuse while promoting the improper recycling of recyclable materials; and

WHEREAS, the City Commission desires to eliminate the placement of clean yard waste into trash bags, which is not only aesthetically unpleasing but poses a safety risk to the City’s solid waste workers, to reduce the proliferation of trash bags throughout trash piles in the City; and

WHEREAS, the City Commission finds that this Ordinance is necessary for the preservation of our environment and the public health, safety, and welfare of City residents and visitors.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. That Chapter 54 “Solid Waste,” Article III. “Collection and Disposal,” Division 3 “Collection Requirements,” Section 54-146 “Permitted areas of disposition of household refuse and clean yard waste; weekly city collection; sizing of tree limbs and trunks; limitations on

time of deposits; special pick-up for white goods" of the Code of the City of Coral Gables, Florida is amended as follows¹:

CHAPTER 54

ARTICLE III. – COLLECTION AND DISPOSAL

DIVISION 3. COLLECTION REQUIREMENTS

Sec. 54-146. – Permitted areas of disposition of household refuse and clean yard waste; weekly city collection; sizing of tree limbs and trunks; limitations on time of deposits; special pick-up for white goods. -

(a)Violations of this section are punishable as provided in section 1-7.

(b)All residents and occupants of property within the city shall deposit accumulations of household refuse and clean yard waste upon the parkway immediately abutting the property of the person by whom such accumulation is made. Where such premises are located upon a used alley, accumulations shall be placed at a point easily accessible from and readily noticeable from such alley, in a manner that does not block access through the alley. Residents are permitted to have only one trash deposit location per residence. All aforementioned accumulations shall be removed and disposed of by the employees of the city (or the city's solid waste franchisee), except that such residents and occupants may arrange for the private removal and transportation of such trash and clean yard waste to points approved and designated by the city, provided a permit has been previously issued by the city and that no reduction in the solid waste collection fee is applicable. Lawn maintenance, landscaping and tree trimming companies working for any property owner within the city limits are exempt from these permit requirements only with respect to the debris created by their work within the city. These same service providers are only permitted to use right-of-way trash deposit locations for debris generated by their work on the properties directly adjacent to the trash deposit locations.

(1)Owners of properties may share the use of a single trash pickup location on the public right-of-way, which overlaps the projection of the shared property line as it would cross the right-of-way. In so doing, each property owner is made responsible for the proper management of said shared location. Each property owner will be jointly and severally responsible for compliance with all applicable Code requirements associated with the shared trash pickup location.

(2)Distinct trash pile areas fully within the right-of-way adjacent to one property may also be shared. The property owner directly adjacent to that right-of-way may agree to share the location with a neighbor, and in so doing does accept responsibility for the trash deposited in the shared trash pile as if it were generated from the property of that

¹ Deletions indicated in ~~strike through~~ and additions indicated in underline

owner. Any Code violations associated with those shared locations are solely the responsibility of the receiving property owner.

(3) Household refuse and clean yard waste may not be placed against the trunks of trees or palms or on top of the roots of trees or palms in close proximity to same (as a general rule, trash shall be kept a minimum of five feet away from the base of trees and palms), or against or on top of utility installations including drainage inlets, or in any manner so as to cause damage to the public infrastructure or so as to cause a hazardous condition to be created.

(4) Properties that have dual frontages and are situated along Red Road, Bird Road, Coral Way, Miller Road, Kendall Drive, Sunset Drive and Old Cutler Road, shall locate trash pits on the property's other street frontage not listed in this subsection. The city is authorized to further regulate the location of trash piles in the public right-of-way, in a manner consistent with the best interests of the city.

(c) Household refuse and clean yard waste placed upon the parkway shall be removed by the city once each week or as directed by the city manager. Any tree trunks or stumps shall be cut to a maximum length of three feet when placed upon the parkway for pickup by the city.

(d) All clean yard waste shall be unbagged and placed in an organized manner in trash piles.

(e) Household refuse may be placed in trash piles after ~~residents and occupants of property within the city are prohibited from depositing household refuse in trash piles, any earlier than~~ 6:00 p.m. of the day preceding the designated collection day and no ~~any~~ later than 7:00 a.m. on the day of the scheduled collection.

~~(e)~~(f) White goods shall not be placed on the parkway without notification to the city and the scheduling of a special pick-up appointment.

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of the City of Coral Gables Code of Ordinances and that the sections of this "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 6. If the Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2023.

APPROVED:

VINCE LAGO
MAYOR

ATTEST:

BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

CRISTINA M. SUÁREZ
CITY ATTORNEY