

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2022-20

AN ORDINANCE OF THE CITY COMMISSION AMENDING THE CITY OF CORAL GABLES CODE BY CREATING CHAPTER 54 “SOLID WASTE”, ARTICLE III- COLLECTION AND DISPOSAL, DIVISION 3- COLLECTION REQUIREMENTS, SECTION 54-150 PROHIBITED DISPOSITION OF YARD WASTE, DIRT, OR DEBRIS WHEN USING LEAF BLOWERS; PROVIDING FOR REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Coral Gables has various rules and regulations regarding the use of leaf blowers however, the City Commission is aware that frequently property owners and/or their hired landscapers blow dirt, debris, and yard waste into the City right-of-way and on to neighboring properties; and

WHEREAS, disposing of such debris into the City right-of-way can cause problems with stormwater catch basins, can be unsightly, and when debris is blown onto a neighboring property or streets, cause a nuisance for the neighbor, pedestrians, and commuters; and

WHEREAS, the City Commission wishes to prohibit property owners and landscapers from improperly blowing or disposing of a property’s yard waste, dirt, or debris when utilizing leaf blower and make it explicitly clear that such action is prohibited within the City;

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

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 Section 54-150 of the City Code in Chapter 54- Solid Waste, Article III- Collection and Disposal of the City Code of Coral Gables, Florida, Division 3- Collection Requirements be created as indicated below.

Chapter 54- Solid Waste, Article III- Collection and Disposal, Division 3- Collection Requirements

Section 54-150.- Prohibited disposition of yard waste, dirt, or debris when using leaf blowers.

- (a) It shall be unlawful for any person using a leaf blower to cause yard waste, dirt, or debris to be deposited or blown into or upon any city street, plaza, alley, park, parkway or any neighboring property. All yard waste, dirt, or debris collected using a leaf blower should be properly disposed of in accordance with this Chapter and the City Code.
- (b) A violation of this section shall be punishable by the following:
 - a. 1st violation within a 12-month period- warning;
 - b. 2nd violation within a 12-month period- \$100.00 fine;
 - c. 3rd or subsequent violation within a 12-month period- \$200.00 fine.
- (c) The fine shall be issued to the individual using the leaf blower in violation of this section. However, should the individual violating the code section be acting in the scope of their employment by a contractor, landscaper, homeowners' association, or other entity, that entity will receive the fine, not the individual employee.

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 to accomplish such intentions.

SECTION 6. If the Official 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.

SECTION 7. This Ordinance shall become effective upon the date of its passage. And adoption herein.

PASSED AND ADOPTED THIS TWENTY-SIXTH DAY OF APRIL, A.D., 2022.

(Moved: Anderson / Seconded: Menendez)

(Yeas: Anderson, Fors, Jr., Menendez, Lago)

(Absent: Mena)

(Unanimous: 4-0 Vote)

(Agenda Item: F-4)

APPROVED:

DocuSigned by:



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VINCE LAGO

MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


DocuSigned by:



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BILLY Y. URQUIA
CITY CLERK

DocuSigned by:



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MIRIAM SOLER RAMOS
CITY ATTORNEY