

ORDINANCE NO. 2020-\_\_

**AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES FLORIDA, AMENDING CHAPTER 54, "SOLID WASTE," SECTION 54-146, TO REQUIRE ALL HOMES WITH TWO STREET FRONTAGES ALONG RED ROAD, BIRD ROAD, CORAL WAY, MILLER ROAD, KENDALL DRIVE, SUNSET DRIVE AND OLD CUTLER ROAD TO LOCATE TRASH PITS ON THE PROPERTY'S OTHER STREET FRONTAGE**

**WHEREAS**, the City of Coral Gables has determined that trash pits located along major traffic arteries encourages illegal dumping within the City and creates hazardous conditions for drivers, pedestrians, and City employee; and

**WHEREAS**, the existence of these trash pits on the major traffic arteries also creates visual clutter and diminishes the aesthetics of these areas; and

**WHEREAS**, the City desires to limit trash pits along major thoroughfares for the public health, safety, and welfare of its citizens; and

**WHEREAS**, the City would like to ensure that adequate time is given, and proper notice is provided to affected residents of these changes, before any enforcement takes place.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY 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 hereby made a specific part of this Ordinance upon the adoption hereof.

**SECTION 2.** That Chapter 54, Section 54-146(b) of the City of Coral Gables Code is hereby amended to read as follows<sup>1</sup>:

**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.**

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

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<sup>1</sup> Words and figures underscored are additions to existing code; words and figures ~~struck through~~ are deletions.

public infrastructure or so as to cause a hazardous condition to be created. ~~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.~~

(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.

**SECTION 3.** City staff is hereby directed to conduct an educational campaign to ensure that all affected residences are aware of this change to the City Code.

**SECTION 4. Repealer.** All ordinances or parts of ordinances in conflict herewith, are hereby repealed.

**SECTION 5. Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Ordinance, but they shall remain in effect it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 6. Codification.** 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 a part of the City of Coral Gables Code of Ordinances; and that 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 such appropriate work or phrase in order to accomplish such intentions.

**SECTION 7. Effective Date.** This Ordinance shall become effective 90 days after adoption to allow sufficient time for notice to be sent to all affected residents.

PASSED AND ADOPTED THIS EIGHTH DAY OF DECEMBER, A.D., 2020.

(Moved by \_\_\_\_\_, Seconded by \_\_\_\_\_)  
(Passed 0/0 vote)

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RAUL VALDES-FAULI  
MAYOR

ATTEST:

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BILLY Y. URQUIA  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

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MIRIAM SOLER RAMOS  
CITY ATTORNEY