

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2019-_____

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, AMENDING SECTION 54-86, CHAPTER 54, ARTICLE III OF THE CITY OF CORAL GABLES CODE TO MOVE “CARDBOARD” FROM THE DEFINITION OF “HOUSEHOLD REFUSE” TO THE DEFINITION OF “RECYCLABLE MATERIAL” SO THAT CARDBOARD MUST BE SEGREGATED AS A RECYCLABLE MATERIAL PURSUANT TO SECTION 54-149; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Coral Gables declares that it is in the best interest of the City to encourage and facilitate the recycling of cardboard; and

WHEREAS, the City Code currently includes “cardboard” in the definition of “household refuse” and as a result, cardboard is permitted to be deposited upon the parkway immediately abutting a property (“trash pile areas”) to be removed by the city on a weekly basis pursuant to Section 54-156 of the City Code; and

WHEREAS, Section 54-149 of the City Code provides that all recyclable material shall be placed in the household recycling container provided by the city; and

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

WHEREAS, the City also has an interest in preserving the aesthetic standards of the City by not allowing cardboard to be deposited in trash pile areas; and

WHEREAS, including cardboard under the definition of recyclable materials will reduce trash and therefore reduce the City’s tipping fees for the collection of trash; and

WHEREAS, including cardboard under the definition of recyclable materials is consistent with Florida Statutes § 403.706(2)(f); and

WHEREAS, it is intent of the City Commission to include cardboard under the definition of recyclable materials so that placing it in a trash pile will constitute a violation of sections 54-149 and/or 54-156 of the City Code, among any other applicable provisions; 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 54-86 of Chapter 54 "Solid Waste," Article III "Collection and Disposal" of the Code of the City of Coral Gables, Florida is amended as follows (deletions indicated in ~~strikethrough~~ and additions indicated in underline):

CHAPTER 54

ARTICLE III. – COLLECTION AND DISPOSAL

DIVISION 1. GENERALLY

Sec. 54-86. – Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Household refuse means an accumulation of paper, excelsior, wooden ~~or cardboard~~ boxes or containers, sweepings, household furnishings, plastic products (other than recyclables) and all other accumulations of a nature other than garbage and clean yard waste, which are usual to housekeeping and to the operation of stores, offices, and other business places.

Recyclable material means those materials that are capable of being recycled and which would otherwise be processed or disposed of as a solid waste. Specific recyclable items shall be newspapers, cardboard, aluminum cans, steel cans, glass containers and plastic beverage containers.

SECTION 3. SEVERABILITY

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 4. REPEALER.

All ordinances or parts of ordinances in conflict herewith, are hereby repealed.

SECTION 5. 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 other appropriate word or phrase in order to accomplish such intentions.

SECTION 6. EFFECTIVE DATE.

This ordinance shall become effective six months from the passage and adoption herein, following an extensive education campaign by the City, to inform residents of their responsibilities. The education campaign, which will begin upon the adoption of this Ordinance, may include: community meetings, workshops, the use of social media, city wide newsletters, programming on Coral Gables T.V., printed informational materials, website, resident letters, and/or emails and mail inserts. Upon the effective date, the educational campaign shall continue for an additional six months during which time, only warnings shall be issued for a violation of sections 54-149 and/or 54-156 of the City Code for placing cardboard in a trash pile.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2019.

APPROVED:

RAÚL VALDÉS-FAULI

MAYOR

ATTEST:

BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY