

ORDINANCE NO. 537

AN ORDINANCE OF TOWN OF INDIAN RIVER SHORES, FLORIDA, A MUNICIPAL CORPORATION, PURSUANT TO CHAPTER 403, FLORIDA STATUTES, ESTABLISHING MANDATORY RESIDENTIAL RECYCLING WITHIN THE TOWN; PROVIDING FOR CHARGES FOR RECYCLING SERVICES; PROVIDING FOR BENEFITS FROM ADOPTION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is the policy of the State of Florida to require a cooperative effort between municipalities and counties to reach goals for collection and disposal of recyclable material; and

WHEREAS, Indian River County has established a Solid Waste Disposal District (SWDD) that undertakes to process waste of all types, including recyclable materials, and

WHEREAS, residents of the Town are being charged for services of the SWDD as reflected in the yearly real property billing from the office of the Tax Collector; and

WHEREAS, the Town has determined the residents receive a real and tangible benefit by participating in a recycling program; and

WHEREAS, a mandatory program equitably spreads the cost and allows a better rate to be negotiated or bid by prospective haulers.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN RIVER SHORES, FLORIDA, AS FOLLOWS:

SECTION 1. Recycling within the Town limits shall be mandatory for all residential dwellings as defined and referenced in this ordinance. Residential dwellings shall include one family and multiple family dwellings as defined in the Town's Land Development Code.

SECTION 2. Each residential dwelling shall be charged for recyclable collection services. Charges shall be pursuant to the terms and conditions of a franchise agreement entered between the Town and a recyclable hauler. The franchise agreement may be modified from time to time, which may cause rates to vary over a period of time.

SECTION 3. The recyclables contemplated by this ordinance shall be the same as those defined and accepted by the SWDD. It shall be the policy of the Town to make a reasonable effort to inform residents of changes adopted by the State of Florida or SWDD that affect the collection effort.

SECTION 4. The manner of collection, including containers utilized, dates and times of collection and all other details shall be included in a franchise agreement with the hauler.

SECTION 5. All ordinances or parts of ordinances in conflict herewith or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6. If any provision of this ordinance or the application hereof is held invalid, such invalidity shall not affect the other provisions or applications, and to this end, the provisions.

SECTION 7. This Ordinance shall take effect upon its final reading and approval.

1st Reading: April 26, 2018

Published: May 4, 2018

PASSED AND ADOPTED upon second and final reading at a regular meeting of the Town Council of the Town of Indian River Shores, Florida, on the 17th day of May, 2018.

By:

/s _____
Thomas F. Slater, Mayor

Attest: /s _____
Laura Aldrich, Town Clerk