

1 BE IT ORDAINED BY THE VILLAGE COMMISSION OF THE VILLAGE OF
2 BISCAYNE PARK, FLORIDA, AS FOLLOWS:

3 **Section 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as
4 being true and correct and are hereby made a specific part of this Ordinance upon adoption
5 hereof.

6 **Section 2.** Authority. This Ordinance is adopted pursuant to provisions of Section
7 17.4 of the Land Development Code and Sections 166.021 and 166.041, Florida Statutes, and
8 other applicable provisions of law.

9 **Section 3.** Imposition of Solid Waste Management Fee Assessment.

10 (A) Residential units include all residential properties within the Village except for
11 building containing six (6) or more contiguous dwelling units are to receive solid waste services
12 from the Village. Six or more contiguous dwelling units are to contract with a County approved
13 contractor.

14 (B) The assessed properties are hereby found to be specially benefitted by the
15 provision of the solid waste collection services in the amount of the solid waste management fee
16 assessment of \$572.00 per residential unit and are determined to be fairly and reasonably
17 apportioned.

18 (C) For the fiscal year beginning October 1, 2013, the total solid waste management
19 fee assessment throughout the Village is estimated to be \$742,664.00.

20 (D) The solid waste management fee assessment for solid waste collection services is
21 hereby approved and shall continue to be the current schedule for solid waste collection,
22 transportation, separation and disposal service in subsequent years unless and until a new
23 management fee assessment is established by separate ordinance.

1 (E) The solid waste management fee assessment shall constitute a lien upon the real
2 property, so assessed equal in rank and dignity with the liens of all state, county, district and
3 municipal taxes and other non-ad valorem assessment.

4 **Section 4.** Effect and Adoption of Ordinance. The adoption of this Ordinance shall
5 be the final adjudication of the issues presented unless proper steps shall be initiated in a court of
6 competent jurisdiction to secure relief within twenty calendar days from the date of this
7 assessment.

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

14 **Section 6.** **Repeal of Conflicting Provisions.** To the extent any provisions of the
15 Code conflict with this Chapter, those provisions are repealed in its entirety.

16 **Section 7.** **Effective Date.** This Ordinance shall be effective upon adoption at
17 second reading.

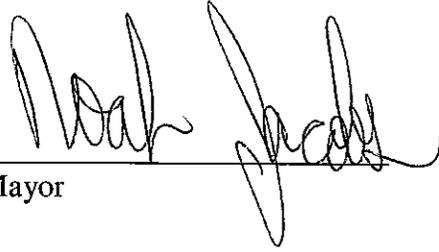
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19 The foregoing Ordinance was offered by Commissioner Ross, who moved its adoption. The
20 motion was seconded by Vice Mayor Anderson and upon being put to a vote, the vote was as
21 follows:

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23 PASSED AND ADOPTED upon first reading this 10th day of September, 2013.

24 PASSED AND ADOPTED upon second reading this 24th day of September, 2013.

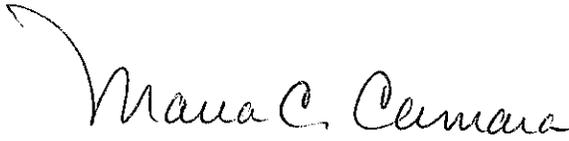
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The foregoing ordinance upon being put to a vote, the vote was as follows:



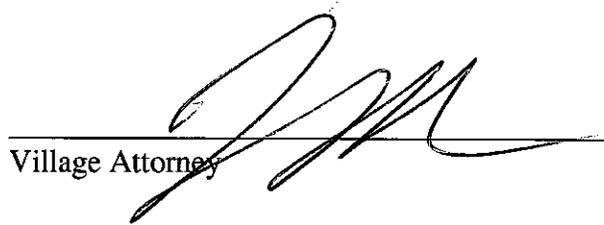
Noah Jacobs, Mayor

Mayor Jacobs: Yes
Vice Mayor Anderson: Yes
Commissioner Cooper: Absent
Commissioner Ross: Yes
Commission Watts: Yes



Maria C. Camara, Village Clerk

Approved as to form:



Village Attorney