

TOWN OF CALLAHAN, FLORIDA
ORDINANCE NO.: 2019-O07

AN ORDINANCE OF THE TOWN OF CALLAHAN TO UPDATE CHAPTER 155 OF THE CALLAHAN CODE BY REMOVING OUTDATED AND UNNECESSARY PROVISIONS AND PROVIDING FOR CONTRACTED GARBAGE SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 155 of the Code of the Town of Callahan governing solid waste contains numerous provisions that are outdated or unnecessary due to changes in the contracting structure for solid waste disposal and language that no longer pertains to the Town; and

WHEREAS the Town Council finds that Chapter 155 of the Code of the Town of Callahan should be substantially updated.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CALLAHAN, FLORIDA, AS FOLLOWS:

Section 1. Section 155-1 of the Code of the Town of Callahan is hereby amended as follows:

§ 155-1. Storage and disposal of garbage.

Within the corporation limits of the Town of Callahan, Florida, all garbage, refuse, offal and filth shall be placed in and stored in a ~~covered metal~~ container supplied by the town or its contractor until said garbage, refuse, offal or filth shall be removed by the town-~~garbage collector or its contractor~~ or disposed of by the owner or occupant of the premises in a manner not in violation of this Article outside the corporate limits of said town.

Section 2. Section 155-4, Penalties for Offenses, is hereby deleted in its entirety.

Section 3. Section 155-5 of the Code of the Town of Callahan is hereby amended as follows:

§ 155-5. Town to provide residential service; ~~frequency~~.

Residential ~~G~~garbage service shall be provided by the town ~~not less than one (1) time per week. Pickups shall not be reduced by holidays, but pickups normally scheduled to be made on a holiday may be rescheduled upon approval by the town and notification to the affected residential premises by publication of notice in a newspaper of daily circulation in the area served by the town. The town may provide such garbage service or through franchise agreements with private contractors on such terms as the town shall determine or the contract shall provide.~~

Section 4. Section 155-6 of the Code of the Town of Callahan is hereby amended as follows:

§ 155-6. ~~Container requirements; and refuse placement; hours.~~

~~Garbage shall be placed in ninety-gallon containers on wheels, to be furnished by contractor. These containers are the responsibility of the contractor, who shall maintain and repair any damage due to normal wear and tear. All damage not due to normal wear and tear shall be the responsibility of the residential customer. Additional containers may be used by the customer, provided that the unit has a gross weight not exceeding forty (40) pounds and meets the following requirements:~~

~~A. — A container of not more than thirty-two (32) gallons nor less than twelve-quart capacity which is:~~

- ~~(1) Free from jagged and sharp edges;~~
- ~~(2) Free from inside structures, such as inside bands or reinforcing angles, which would prevent free discharge of the contents;~~
- ~~(3) Watertight and of impervious materials;~~
- ~~(4) Provided with a tight fitting cover to protect the contents from flies, insects, rats and other animals; or~~
- ~~(5) A plastic bag of thirty-two (32) gallons capacity having a method of securing the bag opening tightly~~

~~B. Location of residential waste for collection. All persons receiving residential waste collection service pursuant to this article shall place waste receptacles, disposable containers and other items at the curbside; provided, however, that for those who are physically unable to handle the containers, the town may pick up the container at a convenient location upon customer request and town agreement.~~

~~C. Removal of improper receptacles. Any container used for the collection or storage of residential waste which fails to meet the standards prescribed by this article shall be clearly marked by the Town, specifying the manner in which the container fails to meet these requirements. Any container which fails to meet these requirements and is so marked, shall be removed from service by the party furnishing it. Upon failure of the party furnishing the container to remove it from service after written notice by the Town, the Town shall remove the container from service and destroy it.~~

~~D. Hours of collection. The Town shall provide residential waste collection services between the hours of 6:30 a.m. and 6:00 p.m., except to meet holiday or emergency demands as directed by the town.~~

Section 5. Section 155-7 of the Code of the Town of Callahan is hereby amended as follows:

§ 155-7. Separation of recyclables; rates; containers.

A. Each residential unit shall separate recyclables and place them in a separate container provided by the Town.

~~B. Residential garbage and recycling shall be picked up at the monthly rate of \$10.82 per household.~~

~~C. The Town shall furnish one ninety-gallon container, and each additional container furnished by the Town shall be furnished for a charge of \$6 per month. The Town Council shall appoint a three-person review board which may approve a list of senior citizen households or indigent households which would be entitled to a reduction of 25% in the base monthly charge. A "senior citizen household" is defined as one in which the head of the household has attained the age of 62 years and does not have full-time employment. An "indigent household" is defined as one which meets the criteria established by Nassau County, Florida, for landfill special assessments. The review board shall consist of one Councilperson designated by the Council President and two other citizens of the Town of Callahan, Florida, appointed by the Town Council.~~

~~D. Each apartment complex and trailer park with commercial dumpsters shall participate in the curbside recycling program and shall pay a fee of \$2.25 per unit (or mobile home) per month.~~

E. The Town Council may ~~change~~ set the rates for garbage and recycling pickup by resolution or by entry into agreement with contractors to provide such services.

Section 6. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 7. This Ordinance shall become effective upon its adoption.

ADOPTED THIS _____ DAY OF _____, 2019.

TOWN OF CALLAHAN, FLORIDA

Ken Bass, Town Council President

ATTEST:

APPROVED:

Stephanie Knagge, Town Clerk

Martin Fontes, Mayor

Date of First Reading:
Dates of Publication:
Date of Public Hearing
& Second Hearing:
Date of Final Passage: