

ORDINANCE NUMBER 2018-765

AN ORDINANCE OF THE TOWN OF LAKE PLACID AMENDING THE TOWN CODE AS FOLLOWS: AMENDING AND RESTATING CHAPTER 80 REGARDING THE COLLECTION OF GARBAGE; INCREASING THE CHARGES FOR GARBAGE COLLECTION; CREATING THE POSITION OF SOLID WASTE COORDINATOR; ESTABLISHING REQUIREMENTS OF PLACEMENT OF GARBAGE TO BE COLLECTED BY THE TOWN; AMENDING THE CHARGES FOR VIOLATING PROVISION OF CHAPTER 80 OF THE TOWN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Lake Placid, Florida desires to amend the Chapter 80 of the Town Code regarding the Garbage Collection Fees; and

WHEREAS, at least ten (10) days prior to adoption, notice of the proposed enactment of this Ordinance was published once each week for two (2) consecutive weeks in a newspaper of general circulation in the Town of Lake Placid; and

WHEREAS, this Ordinance was read either in full or by title at two (2) separate regular meetings on:

The 13rd day of August 2018; and
The 10th day of September 2018; and

WHEREAS, no valid objection has been made to the proposed Ordinance and it appears to be in the best interest of the Town of Lake Placid that the Ordinance be adopted;

WHEREAS, this nonemergency Ordinance was adopted at a regular meeting of the Lake Placid Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE PLACID, FLORIDA:

SECTION 1. SECTION 80-1 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-1. - Residential Garbage , Rubbish and Refuse Collection Fees .

- (a) *Imposition of Residential Garbage Collection Fee .* A Garbage Collection Fee of two hundred dollars (\$200.00) per year is imposed on each Residential Unit within the Town for collection and disposal of Residential Garbage.
- (b) *Residential Garbage Collection.* Residential Garbage-as hereinafter defined shall be collected from each Residential Unit twice each week as scheduled by

the Solid Waste Coordinator from time to time.

- (c) *Additional Residential and other Garbage.* Additional Residential Garbage (more than the regular pick up), shall be collected by special appointment with the Town. For each additional single garbage pick-up, the Town shall collect (in advance) one hundred fifty dollars (\$150.00) per Town truckload or part thereof (up to 20 cubic yards).
- (d) *Reserved.*
- (e) *Failure to Comply.* Failure to properly place, contain or package garbage or debris for collection may result in the garbage or debris being left on-site.

SECTION 2. SECTION 80-1.1. OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-1.1. - Commercial Garbage Collection Fees .

- (a) *Imposition of Commercial Garbage Collection Fee.* A Garbage Collection Fee is imposed upon all Commercial Units within the corporate limits of the Town at the rates set out in Section 80-41 below. Said Collection Fee shall be paid on a monthly basis upon the same terms and provisions as provided for the collection of water revenue.
- (b) *Additional Commercial Garbage and Debris.* Additional Commercial Garbage, debris or heavy debris (above the regular pick-up) shall be collected by special appointment with the Town. For each additional extra waste collection, the Town shall collect (in advance) \$150.00 per 20 cubic yard brush truck load (or part thereof). In the alternative, by agreement the same may be billed through an existing water account for the property from which the additional waste collection originated.
- (c) RESERVED.
- (d) *Determination of Level of Service.* The Solid Waste Coordinator shall determine the level of service (the number of pick-ups per week and the container size and number based upon the customer's historic use; and shall determine whether the commercial customer may use the customer's garbage cans.

SECTION 3. SECTION 80-2 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-2. - Discontinuation of Service for Failure to Pay.

Except where prohibited by Section 180.135, Florida Statutes, if any person, persons, corporation, business or otherwise fails to pay said water, or sewer bills or the Garbage Collection Fee within thirty (30) days from the date of billing, then and in that event, the Town may discontinue the Garbage Collection Service, the water service, and the sewer service to the said Unit and may discontinue water, sewer and Garbage Collection Service to all other properties owned by the same entity.

Except where prohibited by Section 180.135, Florida Statutes, when water, sewer or garbage collection services have been discontinued for non-payment, said service shall not be commenced until the unpaid bill is paid in full. This service prohibition applies to all properties for which the Town provides water, sewer or garbage collection services.

SECTION 4. SECTION 80-3 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-3. - Definitions.

The following terms as used in this chapter are defined as follows

Commercial Unit. Any water-using entity that is not a Residential Unit as defined herein shall be a Commercial Unit. Specialized housing accommodations such as nursing homes and convalescent homes, hotels and motels, bed and breakfasts, are not Residential Units. Residential housing containing between six (6) and ten (10) unrelated persons shall be considered two (2) Units; housing between eleven (11) and fifteen (15) unrelated persons shall be considered three (3) Units; and housing between sixteen (16) and twenty (20) unrelated persons shall be considered four (4) Units; each of which shall be considered for the purposes of this chapter Commercial Units.

Residential Unit. For the purpose of this chapter, a Residential Unit shall mean improved property used as a residence, including but not limited to, single-family dwellings such as residences, guest homes, mobile homes (whether registered as vehicles or assessed as real property), motor homes, park model campers, used as a single-family residence.

Multi-family Residential Units. The term “Multi-family Residential Units” means a structure having more than one (1) single-family Unit and shall include apartment buildings, motels and hotels. Units can be individually owned by a person residing therein, leased or rented. Multi-family Residential Units may be served under the Residential or Commercial garbage collection sections of this Ordinance, as determined by the Solid Waste Coordinator (ALTERNATE: if agreed by the owner and Solid Waste Coordinator.)

Unit. For the purpose of this chapter, the term "Unit", whether residential or nonresidential, shall be determined by the Town's Sanitation Supervisor, based on the following factors, although these factors are not intended to be exclusive: occupational license(s); ownership; leases; family relationship(s); and separate utility and telephone services bills; separate and distinct businesses; or separate and distinct living quarters. A separate

"Unit" shall be found to exist if these and similar factors considered together make it appear that different and distinct businesses are using separate facilities or separate and distinct families or groups are occupying separate residential living quarters.

Solid Waste Coordinator. The term "Solid Waste Coordinator" means the coordinator of the Sanitation Division of Public Works Department as appointed by the Mayor.

Garbage. The term "Garbage" means every refuse accumulation of animal, fruit or vegetable matter that attends the preparation, use, cooking and dealing in, or storage of meats, fish, fowl, fruits or vegetables, and any refuse accumulation of paper, wooden or paper boxes; cans, bottles or other containers; sweepings; and all other accumulations of a nature usual to housekeeping. The term "Garbage" shall not include any Yard Waste.

Approved Residential Garbage Container.

The term "Approved Residential Container" also known as "Residential Container" means a galvanized metal can or plastic can of the type commonly sold as garbage cans, not exceeding a volume of thirty-two (32) gallons, and equipped with two (2) handles and a water-tight lid. Preferred model is pictured.

Construction Debris. The term "Construction Debris" means discarded materials from construction, deconstruction, or renovation of a structure which are considered to be not water soluble and non-toxic in nature including, but not limited to, steel, glass, brick, concrete, pipe, gypsum wallboard, lumber, wood or pallets, plywood, flooring, siding, roofing materials wiring or plumbing supplies.

Household Furniture. The term "Household Furniture" shall mean things which are generally found or used as the non-attached contents and furnishings of a single—family home, such as furniture, mattresses, couches, or chairs. The term does not include portions of the home (walls, flooring, roofing); or White Goods.

White Goods. The term "White Goods" shall mean all air conditioners, refrigerators, stoves, washers, dryers, water heaters, or any other large household appliance.

Brown Goods. The term "Brown Goods" shall mean all electronic goods such as televisions, electronic devices, radios, media players or computers.

Yard Waste. The term "Yard Waste" means accumulations of grass, trees, shrubbery, weed cuttings, pine needles, grass clippings, branches, palm fronds, other vegetation trimmings, and other refuse incident to the care of lawns, shrubbery, vines, trees and gardens, and horticulture waste. The term "Yard Waste" does not include used or broken appliances, furniture, bedding, building materials, lumber, logs or other material of like nature.

Extra Garbage Collection. The term “Extra Garbage Collection” means all collections in excess of normal residential garbage, to include any Yard Waste, Construction Debris, White Goods, Brown Goods, or any waste not in a garbage can, dumpster, or plastic bag (the bag chosen by the customer must be sturdy enough to hold the contents).

SECTION 5. SECTION 80-4 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS CREATED TO READ AS FOLLOWS:

For the protection of the health, safety and welfare of Town residents, Chapter 80 of the Code of the Town of Lake Placid has been created to establish and operate a system for the lawful collection and disposal of the Garbage found or generated in the Town.

SECTION 6. SECTION 80-5 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-5. - Prohibited Acts.

It shall be unlawful for any person to do any of the following:

- (1) To place or cause to be placed any Garbage or Trash upon the property of another.
- (2) To place or cause to be placed Yard Waste, White Goods, Brown Goods, Garbage, Trash, Approved Residential Garbage Containers, or dumpsters (or similar commercial garbage collection containers) on the public rights-of-way, roads, sidewalks, or alleyways unless given written authorization by the Solid Waste Coordinator or unless authorized by this Chapter.
- (3) RESERVED.
- (4) To allow Garbage, White Goods, Brown Goods, Yard Waste, or Trash to spill, blow or drop from any vehicle on any road or to transport unsecured any Garbage, White Goods, Brown Goods, Yard Waste, or Trash over any public road. The Garbage, White Goods, Brown Goods, Yard Waste, or Trash will be deemed secured if it is covered with a tarp securely fastened to the vehicle in a manner which prevents the covered material from escape.
- (5) To place or store Garbage, White Goods, Brown Goods, Yard Waste, or Trash on private property for a period in excess of one (1) week; or to place or store Garbage, White Goods, Brown Goods, Yard Waste, or Trash on Town property (including rights of way) for more than 24 hours of a business day without arrangement for pickup.

- (6) To deposit or dispose of any Garbage or Trash on the paved or traveled portion of any public street, or any alleyway, sidewalk, bike path; or within any stream, ditch, river, pond, bay, creek, park; or right-of-way or public place in the Town except at areas as may be designated in writing by the Solid Waste Coordinator.
- (7) RESERVED.
- (8) RESERVED.
- (9) To place for collection and then allow scattered Garbage, White Goods, Brown Goods, Yard Waste, or Trash to remain for a period of 24 hours or more on public or private property
- (10) To place any Garbage, White Goods, Brown Goods, Yard Waste, or Trash out for collection by any alley service drive, easement or right-of-way not serviced by collection trucks.
- (11) To place any Garbage, White Goods, Brown Goods, Yard Waste, or Trash out for collection adjacent to the street if collection trucks service the area from other roads.
- (12) To place any Garbage, White Goods, Brown Goods, Yard Waste, or Trash in an underground container for pickup.
- (13) To deposit any hazardous waste as defined in F.S. § 403.703, or any compressed gas, or container designed to store compressed gases, biological or infectious wastes, radioactive, toxic, explosive, or highly flammable materials, or other dangerous substances, specifically including but not limited to gasoline and petroleum products, solvents, chemicals, acids, explosives, sewage sludge, or industrial wastes, in any container to be collected by the Town.
- (14) To place or cause to be placed any Garbage, White Goods, Brown Goods, Yard Waste, or Trash in the dumpster belonging to another (without permission of the person served by said container).
- (15) To remove any materials from any Garbage Disposal Container which was set out for collection by the Town (Town employees and law enforcement agencies are exempt).
- (16) RESERVED

- (17) RESERVED.
- (18) To block or allow to remain blocked the area providing direct access to any dumpster or regular garbage pickup area.
- (19) Violation of any part of this section shall be penalized according to the Town Code. Each day's violation is a separate offense. The landowner and the occupant of the property involved are jointly and severally liable for all penalties.

SECTION 7. SECTIONS 80-6 THROUGH AND INCLUDING 80-20 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA ARE NOT AMENDED.

SECTION 8. SECTION 80-21 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-21. - Mandatory.

- (a) The Town of Lake Placid shall provide residential Garbage Collection Service to all Residential Units within the Town limits. Subscription to the Garbage Collection Service shall be mandatory for all Units. A charge for the Residential Garbage Collection service shall be imposed or assessed against the owner of each Residential Unit within the Town limits. The Town may by resolution collect the garbage collection charges by a non-ad valorem assessment or by a monthly collection charge.
- (b) For each Garbage collection day, the Town shall collect up to but no more than four (4) containers, each with a volume of not more than thirty-two (32) gallons and each containing not more than fifty (50) pounds of residential garbage. Said containers shall be placed at street-side at least two feet (2') but not more than ten feet (10') from the edge of the pavement, securely fastened to prevent spillage. In the alternative, the Town shall collect up to but not more than eight (8) bags, each with a volume not to exceed thirty-two (32) gallons and each containing not more than (25) pounds of Residential Garbage. The said bags of Residential Garbage shall be placed for collection in the same location as the above described containers.
- (c) RESERVED.
- (d) Tree limbs not exceeding four (4) inches in diameter which have been cut into lengths not exceeding three (3) feet, which have been bundled or stacked and placed in the same location as the Residential Garbage Containers will be collected as an Extra Waste Collection, for an additional charge and not as part

of the residential garbage service. Tree limbs need not be bagged. If, in the judgment of the collection crew: (1) there is room on the residential garbage collection truck; (2) the Extra Waste Collection and other Residential Garbage is small in volume; and (3) the Residential Unit has not produced unreasonable volume in the past, then the Town may collect and remove an Extra Waste Collection without charge.

- (e) RESERVED.
- (f) Containers of Residential Garbage shall be placed as above required for scheduled collections no earlier than 5:00 p.m. of the day prior to collection, no later than 7:00 a.m. of the days designated for collection, and shall be removed within 24 hours of collection by the Town.
- (g) Residential Garbage not in an Approved Residential Container or plastic bag both as described in this chapter will not be collected by the Town (example: Residential Garbage in a cardboard box).
- (h) Containers which by virtue of their size, shape, construction, or condition may endanger the Town employee collecting the Residential Garbage shall not be used; and will not be serviced by the Town.
- (i) Lids shall be on all Approved Residential Containers placed for collection.
- (j) Garbage, White Goods, Brown Goods, Yard Waste, or Trash which is not contained as required in this Code will not be collected by the Town.

SECTION 9. SECTION 80-22 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS REPEALED AS FOLLOWS:

§ 80-22. – RESERVED.

SECTION 10. SECTION 80-23 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-23. - Garbage from outside Town limits.

No person shall bring or transport garbage or refuse of any kind into the Town limits from outside the Town limits for purposes of collection by the Town (unless they are paying for dumpster service).

SECTION 11. SECTION 80-24 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS REPEALED AS FOLLOWS:

§ 80-24. – RESERVED.

SECTION 12. SECTION 80-25 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED AND DELETED AS FOLLOWS:

§ 80-25. - RESERVED

SECTION 13. SECTION 80-26 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-26. - Heavy debris.

Heavy debris, appliances, furniture, engine blocks, car bodies, construction or demolition debris, tires, or other bulky or heavy items shall not be collected as part of the regular Residential Garbage Collection Service. At the discretion of the Solid Waste Coordinator, these items may be collected as part of a special collection program for an additional advance collection charge under Subsection 80-1(c), above. In the alternative, the additional charge may be billed on the customer's water account by agreement.

SECTION 14. SECTION 80-27 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-27. - Hardship.

Upon showing by an owner of a hardship, good cause, or other special circumstance, the Town may temporarily suspend operation of, or grant relief, variance or adjustment to any provision of this article. The Solid Waste Collector may negotiate with any property owner or tenant and may grant relief from the provisions of this Code; provided that all relief granted shall be disclosed to the Town Council at its next regular meeting.

SECTION 15. SECTION 80-28 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-28. - Penalty for Violation.

Any person violating any provision of this article shall be subject to a charge of one hundred dollars (\$100.00) for each violation of each separate section or subsection of this chapter, with each day that a violation shall continue being counted as a separate and distinct violation. This charge shall be added to the garbage account and utility account pertaining to every property owned or occupied within the Town by the person violating this code.

SECTION 16. SECTION 80-29 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-29. - Garbage, Rubbish and Refuse Set-up Fee.

The Town Clerk shall charge and collect a fee to establish garbage, rubbish and refuse service is twenty-five dollars (\$25.00).

SECTION 17. SECTIONS 80-30 THROUGH AND INCLUDING 80-40 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA ARE NOT AMENDED.

SECTION 18. SECTION 80- OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-41. - Mandatory.

- (a) The Town shall provide Commercial Garbage Collection Service to all Commercial Units within the Town limits. Subscription to the Service shall be mandatory for all Commercial Units. A monthly Collection Fee for the Garbage Collection Service shall be imposed against the owner of each Commercial Unit within the Town. Said Collection Fee shall be paid on a monthly basis upon the same terms and provisions as provided for the collection of water service.
- (b) Roll on roll off containers for the exclusive purpose of collecting construction and demolition debris may be obtained from any hauler; provided that the hauler's license is on file with the Town Clerk; that the dumpster does not contain anything giving off an odor; and that the dumpster is emptied promptly when full. Construction and demolition dumpsters shall only be allowed on a premises with an active constructive or demolition on the subject property. The Town may allow roll on roll of dumpster service by other commercial haulers approved by the Town, but only where the Town is unable to provide reasonable commercial garbage collection service or where the waste generated by the customer causes damage to the Town's garbage collection personnel or equipment. Commercial haulers violating this provision (after written notice of violation) shall be prohibited from providing garbage collection services within the Town. Town customers violating this provision shall be charged \$50.00 per day while in violation. This charge shall be levied against all of the customers accounts with the Town (garbage, water and sewer). Failure to timely pay this charge shall result in the termination of each service.
- (c) The required number of pickups per week shall be determined by the Town Solid Waste Coordinator based on the following volume:

- (1) Two (2) pickups per week for any Commercial Unit generating two (2) or less bags per pickup for a charge of twenty-seven dollars (\$27.00) per month;
 - (2) Two (2) pickups per week for any Commercial Unit generating three (3) to five (5) bags per pickup for a charge of thirty-three dollars (\$33.00) per month;
 - (3) Commercial Garbage in excess of the foregoing volumes (in the opinion of the Solid Waste Coordinator) shall be collected by dumpster only at the fees set out in this chapter, below.
- (d) RESERVED.
- (e) Dumpster service (dumpster size and pick-up type and frequency) shall be determined by the Town Solid Waste Coordinator.
- (f) The Town will not collect Garbage, White Goods, Brown Goods, Yard Waste, or Trash piled on or near dumpsters. The Town will only collect Garbage, White Goods, Brown Goods, Yard Waste, or Trash which is contained within a dumpster with the lid closed. It is the responsibility of the customer to call for an extra pickup in the event the customer's dumpster is full to the point that the lid will not close.
- (g) The Solid Waste Coordinator may refuse collection services to customers whose construction debris or other waste presents an ongoing hardship on Town personnel or equipment. Any refusal of such services will be made in writing to the customer. The customer may then opt to acquire a roll-off dumpster from a service other than the Town.
- (h) Cardboard will be collected only as follows:
1. If it is placed within dumpsters; or
 2. If it is securely tied in bundles which one person can reasonably lift; or
 3. If it is within a container of less than ___ gallons in volume, with two (2) handles, which a person can reasonably lift.

Cardboard will not be collected if it contains anything other than cardboard.

SECTION 19. SECTION 80-42 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-42. - Placement and Removal of Containers.

Containers shall be placed for collection not prior to 5:00 p.m. on the day prior to collection, by 7:00 a.m. on the day of collection, and all containers shall be removed from street-side within twenty-four (24) hours of collection. The owner, tenant or occupant of each commercial business shall promptly clean up any spilled garbage, refuse or litter.

SECTION 20. SECTION 80-43 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-43. - Garbage from outside Town limits.

No business or person shall bring or transport Garbage, debris or refuse of any kind into the Town limits from outside the Town limits for purposes of collection by the Town. Violation of this provision shall be illegal dumping as defined and penalized by Florida Statutes.

SECTION 21. SECTION 80-44 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS REPEALED AND AMENDED AS FOLLOWS:

§ 80-44. -RESERVED.

SECTION 22. SECTION 80-45 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-45. - Yard Trash Excluded.

Tree limbs, grass clippings, leaves or other yard trash shall not be collected as a part of the Town's Commercial Garbage Collection. But shall be collected for an additional charge, below?

SECTION 23. SECTION 80-46 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-46. - Heavy debris.

Heavy debris, appliances, white goods, furniture, engine blocks, car bodies, construction or demolition debris, tires, or other bulky or heavy items shall not be collected as part of the regular Commercial Garbage Collection Service . At the discretion of the Town's Public Works Director, these items may be collected as part of a special commercial collection service, and a special collection fee shall be established on a case by case basis by the Town's Public Works Director .

SECTION 24. SECTION 80-48 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-48. - Violation; Penalty.

Any person violating any provision of this article shall be charged one hundred dollars (\$100.00) for each violation of each section or subsection of this chapter, with each day that a violation shall continue being counted as a separate and distinct violation. Additional violations of the same code shall be charged \$200.00 per repeat violation.

SECTION 25. SECTION 80-49 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-49. - Commercial Dumpster Collection Service .

The Town shall provide Garbage Collection Service to Commercial Units within the Town limits by dumpster. The following monthly charge for the dumpster service is hereby imposed upon the Commercial Unit owner and service subscriber:

Size CONTAINER	1 Pick-Up Per Week	2 Pick-Ups Per Week*	3 Pick-Ups Per Week*	4 Pick-Ups Per Week*	5 Pick-Ups Per Week*	6 Pick-Ups Per Week **	7 Pick-Ups Per Week **
1 Cu. Yd.	\$67.20	\$101.85	\$152.25	\$157.50	\$192.15	\$221.54	\$250.93
2 Cu. Yds.	\$80.85	\$115.50	\$168.00	\$221.55	\$277.20	\$326.29	\$375.38
3 Cu. Yds.	\$123.90	\$172.20	\$250.95	\$334.95	\$420.00	\$494.03	\$568.06
4 Cu. Yds.	\$165.90	\$229.95	\$334.95	\$447.30	\$576.45	\$679.09	\$781.73
6 Cu. Yds.	\$247.80	\$345.45	\$502.95	\$669.90	\$875.70	\$1,032.68	\$1,189.66
8 Cu. Yds.	\$329.70	\$462.00	\$669.90	\$892.50	\$1,042.65	\$1,220.89	\$1,399.13

**Garbage rate increases for 6 day and 7 day pickup calculated based on average of increases for other days.

Extra Waste Pickups fees of \$150.00 shall apply for any one (1) time extra dumpster pickup per month.

SECTION 26. SECTION 80-50 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS AMENDED TO READ AS FOLLOWS:

§ 80-50. - Deposits, Collections, Returned Checks Duplicate **Bill and .**

- (a) *Deposits.* Before commencing the dumpster collection service, the subscriber shall pay to the Town of Lake Placid a \$350.00 deposit.
- (b) *Collections.* Payment for the Town's Garbage Collection Service is due when the bill is rendered. The bill becomes delinquent twenty (20) days after mailing. If payment has not been received by the next billing, the Town Clerk shall apply so much of the deposit as is needed to pay the bill and collection shall cease until a new deposit is posted.
- (c) *Returned Checks.* The sum of twenty-five dollars (\$25.00) or five (5) percent of the face amount of the check, draft, or order, whichever is greater, shall be charged to the customer for each check returned by the bank or other financial institution.
- (d) RESERVED.
- (e) *Research Fee.* All record requests to determine prior service and payment will be performed by Town staff for a fee of ten dollars (\$10.00) per hour with a minimum charge of one (1) hour, payable in advance, unless the Town is found to be in error.
- (f) *Discontinue Service.* If payment for any service provided by the Town is not received by the second billing for said service, the second bill will reflect the balance forward and a notice that the service will be terminated unless the past due sum is paid in full within seven (7) following the mailing of said notice. The Town's Solid Waste Coordinator may delay the termination of Town services for up to 120 days if the customer is in medical or financial hardship; provided that Town Council is given written notice of the same at its next regular meeting. Further delay in the termination of Town Services may be granted only by the Town Council.
- (g) *Legal Fees.* The Town's Utility Director may assess, charge and recover the Town's actual legal fees paid by the Town for any proceeding to enforce collection of water, sewer or garbage collection services. Said charge shall be levied against the customer's water, sewer and garbage collection service accounts.

SECTION 27. SECTION 80-51 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS CREATED TO READ AS FOLLOWS:

Section 80-51. Options for Multi-Family Residential Service.

Multi-family Residential Units may be billed pursuant to one (1) of the terms below.

Option 1 - Multi-family Units where the Units are owned individually, and the owner

resides therein may be billed on an annual rate same as residential customers where each apartment is assessed an annual one-time fee and an annual payment is collected in the same manner as residential customers. Multi-family Units where the units are owned individually, and the owner resides therein may be billed on an annual rate in advance of service same as residential customers through the system used by the Town for billing. The Town currently has arranged with the Highlands County Tax Collector for collections of residential garbage assessments.

The owners of Multi-residential Commercial Units may apply to the Town to be allowed to use the Residential Garbage Service and pay same as the residential Garbage Collection Fee. Applications for any changes in service and fee shall be filed with Town Hall. If the request is reasonable and demands are consistent with normal residential requirements the Town may choose an arrangement for billing as follows:

- A) Assessment of an annual same as residential Garbage where each Unit is assessed same as residence price, \$200 per year, and is billed by the same as residence Collection Service annually;
- B) Assessment of an annual same as Residential Garbage where each unit is assessed same as residence price, \$200 per year, and the Town bills the Unit monthly, bi-annually or annually in advance of service.

Option 2 - Multi-family Units may also be billed to the owners of the total combined Units at dumpster rates based on demand. Examples are motels, rental apartment complexes, homeowner's associations. If the request is reasonable and demands for service are reasonable the Town may choose an arrangement for billing as follows:

- A) Assessment of an annual determined rate for the entire multi-unit complex billed annually by the same as Residence Collection Service annually;
- B) Assessment of a determined rate billed by the Town to a designated representative, such as a homeowner's association, corporation, etc. on a monthly, bi-annual, or annual basis.

In considering which billing is best for any combinations of Multi-family Units, the Solid Waste Coordinator will consider factors such as:

- 1) Demands for service as is indicated by average garbage placement for pick-up by the Town;
- 2) Geographical access to areas in the complex by Town equipment and burdens on equipment;
- 3) Requests from the ownership or representatives on any Multi-family Unit complex;

- 4) Existing agreements between the Town and any Multifamily Unit complex;
- 5) Historical financial dependability of Unit(s) paying bills;

In no case will the Town approve assessing individual Units same as residential where the individual apartments are all jointly owned by one (1) entity. Examples are Holiday Inn or Multi-unit complexes totally owned by corporations.

SECTION 28. SECTION 80-51 ENTITLED “SPECIAL NEEDS SERVICES” IS HEREBY CREATED TO READ AS FOLLOWS:

SECTION 80.51. Special Needs Services.

The Town, by and through the Solid Waste Coordinator, shall provide to qualified, physically and/or mentally challenged Town of Lake Placid residents, special needs services consisting of front or side yard pick-up and return of garbage containers. To qualify for said services the affected resident (customer) must make an annual written application to the town for said services (unless in the opinion of the Town Solid Waste Coordinator the special need is obviously permanent). As a part of the application process, the resident must obtain from his or her primary physician a yearly written statement that he or she is medically and/or psychologically incapable of performing the tasks on his or her own behalf. In addition, the resident must certify in writing that there are no able-bodied adults residing within the residence.

SECTION 29. EFFECTIVE DATE. This Ordinance shall become effective on 1 October 2018.

ADOPTED AND ORDAINED during a regular meeting of the Lake Placid Town Council held this 10th day of September 2018.

TOWN OF LAKE PLACID, a Florida municipal corporation

By: _____
John M. Holbrook, Mayor

(SEAL)

Attest: _____
Eva Cooper Hapeman, Town Clerk

THIS ORDINANCE WAS READ in full or by title on at least two (2) separate days in two (2) separate Town Council meetings (on the 13th day of August 2018 and on the 10th day of September 2018). Notice of the proposed enactment containing the Ordinance title, stating that a copy may be obtained at Town Hall, and stating the date, time and place of the proposed adoption and advising that interested parties may appear at the meeting and be heard with respect to the proposed ordinance was published at least once each week for two consecutive weeks in

the _____ on the ____ day of _____ 2018 and on the __ day of _____ 2018 being at least ten (10) days prior to adoption.

Eva Cooper Hapeman, Town Clerk