

Requested by: Public Works
Prepared by: City Attorney and City Clerk

ORDINANCE NO. 2017-09

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA AMENDING THE CODE OF ORDINANCES CHAPTER 54, SOLID WASTE, ARTICLE II, ADMINISTRATION, SECTION 54-31, AUTHORITY OF DIRECTOR OF PUBLIC WORKS; TO GRANT, WITH THE CONSENT OF CITY COUNCIL, THE PUBLIC WORKS DIRECTOR AUTHORITY TO WAIVE CERTAIN REGULATIONS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, from time to time the city may wish to implement a temporary program to determine efficiencies in the area of solid waste/recycling collection; and

WHEREAS, these temporary programs may diverge from the policies promulgated by the city; and

WHEREAS, with the consent of the city council, the city determines that it is in the best interest of the city to grant the public works director the authority to implement temporary programs in order to determine the efficiency and desirability of the program prior to enacting a permanent change to the city's solid waste/recycling collection system.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA as follows:

SECTION 1. The above whereas clauses are ratified and confirmed as true and correct.

SECTION 2. Chapter 54, Solid Waste, Article II, Administration, Section 54-31, Authority of director of public works is hereby amended to read as follows:

Sec. 54-31. Authority of director of public works.

All solid waste refuse and recyclable materials in the city shall be collected and disposed of by the city under the supervision of the director of public works. The director shall have the authority to:

(1) thru (3) no change.

(4) With the consent of city council, make regulations on a temporary basis not to exceed one year for the collection, conveyance or disposal of solid waste or recyclable materials that may be contrary to the provisions of this chapter.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 4. If any part, section, subsection, or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this ordinance, and all applications thereof not having been declared void, unconstitutional, or invalid, shall remain in full force and effect. The city council specifically declares that no invalid or prescribed provision or application was an inducement to the enactment of this ordinance, and that it would have enacted this ordinance regardless of the invalid or prescribed provision or application.

SECTION 6. This Ordinance shall take effect immediately upon approval and adoption as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS 11TH DAY OF APRIL 2017.

First Reading: March 28, 2017

Final Reading: April 11, 2017

Adoption: April 11, 2017

John W. Holic, Mayor

ATTEST:

Lori Stelzer, MMC, City Clerk

I, LORI STELZER, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the Venice City Council, at a meeting thereof duly convened and held on the 11th day of April 2017, a quorum being present.

WITNESS my hand and the official seal of said City this 11th day of April 2017.

Lori Stelzer, MMC, City Clerk

APPROVED AS TO FORM:

City Attorney