

ORDINANCE NO. 12-1594

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING SECTION 66-35, "SCHEDULE OF FEES" OF THE CODE OF ORDINANCES TO ESTABLISH A NEW RATE FOR SOLID WASTE REMOVAL TO DOWNTOWN BUSINESSES ABOVE STREET LEVEL WITH A 25% FEE REDUCTION WHICH SHALL BE EFFECTIVE OCTOBER 1, 2012; PROVIDING FOR INCLUSION IN THE CODE BY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 11 of the Town Charter (the "Charter") of the Town of Surfside ("Town") gives the Town Commission (the "Commission") the power to levy, assess and collect fees; and

WHEREAS, on August 23, 2012 at a Special Town Commission Meeting, the Commission agreed after discussion and due consideration of a Summer Study to a 25% rate reduction for solid waste removal to downtown businesses above street level.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA as follows:

Section 1. Recitals. The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

Section 2. Code Amendment. The code of the Town of Surfside, Florida is hereby amended as follows:

Chapter 66. Solid Waste.

Sec. 66-35. - Schedule of fees.

(a) The following schedule of fees and charges to be imposed upon property owners and tenants, or both, will be collected as follows:

- (1) *Single-family residence*, \$246.82 per annum, on a yearly basis with payment due October 1 of each year.
- (2) *Duplex*, \$246.82 per annum, per unit, on a yearly basis with payment due October 1 of each year.
- (3) *Apartments*, \$230.90 per apartment per annum, payable quarterly from date of billing.

- (4) *Hotels, motels*, \$87.43 per room per annum, payable quarterly from date of billing.
- (5) *Business area*, except pay apartments, hotels, motels and commercial establishments listed under the exceptions which follow, \$455.74 per annum, payable quarterly 30 days from date of billing, per 12½ feet of frontage on Harding Avenue. If a business is located ~~above or below~~ at street level, \$229.30 per annum per such business unit, if a business is located above street level, \$172.20 per annum per such business unit. Any footage in multiples of other than 12½ front feet shall be prorated.

Section 3. Severability. If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 4. Conflict. All sections or parts of sections of the Town of Surfside Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

Section 5. Inclusion in the Code of Ordinances. It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word “ordinance” may be changed to “Sections” or other appropriate word.

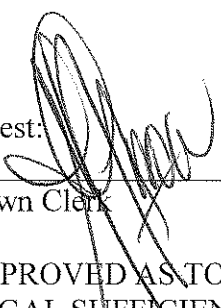
Section 6. Effective Date. This Ordinance shall be effective on passage on Second Reading or as otherwise provided by Florida law.

PASSED and ADOPTED on first reading this 9 day of ~~OCTOBER~~, 2012
PASSED and ADOPTED on second reading this 13 day of ~~NOVEMBER~~, 2012



Daniel Dietch, Mayor

Attest:



Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



Lynn M. Dannheisser, Town Attorney

Ordinance No. 12-1594

On Second Reading Moved by: COMMISSIONER KLIGMAN

On Second Reading Seconded by: COMMISSIONER OLCHYK

Vote:

Commissioner Joseph Graubart	yes	<input checked="" type="checkbox"/>	no	_____
Commissioner Michelle Kligman	yes	<input checked="" type="checkbox"/>	no	_____
Commissioner Marta Olchyk	yes	<input checked="" type="checkbox"/>	no	_____
Vice Mayor Michael Karukin	yes	<input checked="" type="checkbox"/>	no	_____
Mayor Daniel Dietch	yes	<input checked="" type="checkbox"/>	no	_____

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