

ORDINANCE NO. 2022-399

AN ORDINANCE OF THE CITY OF PARKER, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF PARKER (ORDINANCE NO. 2010-349, AS AMENDED); AMENDING CERTAIN PROVISIONS OF CHAPTER 66 OF THE CODE OF ORDINANCES RELATING TO TRASH AND YARD WASTE; PROVIDING FOR SEVERABILITY; PROVIDING A MECHANISM FOR THE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR THE LIBERAL CONSTRUCTION OF THIS ORDINANCE; PROVIDING FOR CODIFICATION AND REPEALER CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER AS FOLLOWS:

Section 1. Section 1-2 of the Code of Ordinances, City of Parker, Florida, is hereby amended to read as follows:

Section 66-37 of the Code of Ordinances, City of Parker, Florida, is hereby amended to read as follows:

Sec. 66-37. Trash.

(a) Removal.

(1) The city shall be responsible for collecting only such items of trash which are incapable of being placed in a 96-gallon container. All trash items which can be placed into a 96-gallon container shall be placed in the 96-gallon container and shall be collected by a person authorized by the city to engage in the business of collecting, hauling, or transporting garbage or other refuse within the city limits and shall not be collected by the city.

(2) The current maximum quantity of all trash to be collected by the city per week at any one collection point shall be a volume of 3.5 cubic yards (approximately 4' x 4' x 6' pile), as

long as said volume of trash does not exceed 500 pounds in weight or such other volume as may be set by subsequent resolution of the city council. All trash to be collected not in containers shall be neatly stacked along the street or authorized alley right-of-way abutting their property for collection. Trash other than yard debris shall not be placed by the street for collection until the day before the designated collection day.

(3) If any person desires the city to remove a quantity of trash exceeding the maximum quantity currently set out in this section or by subsequent resolution, they may request such service from the city. Removal of trash exceeding the maximum allowed quantity will be subject to a fee based upon a cubic yard volume, the current amounts are set forth in the schedule below or such other fees as may be established by the city by subsequent resolution:

Size	Volume	Fee
Less than $\frac{1}{4}$ load	Less than 3.5 cy	Determined by city based upon amount and estimated costs and tipping fees
$\frac{1}{4}$ load	More than 3.5 cy and less than 6 cy	\$62.50
$\frac{1}{2}$ load	More than 6 cy and less than 12 cy	\$125.00
$\frac{3}{4}$ load	More than 12 cy and less than 18 cy	\$187.50
Full load	More than 18 cy and less than 24 cy	\$250.00

(4) In the event that an owner, agent, tenant, or occupant places over-sized trash curbside that outside of a 96-gallon container exceeding 3.5 cubic yards (approximately 4' x 4' x 6' pile) or 500 pounds, without being requested to be picked up by the city, the city will provide notice to the occupant of the premises that they have one week to remove and dispose of such trash or the anticipated cost if the city picks up or contracts

for the removal of the over-sized trash. In the event that the owner, agent, tenant, or occupant fails to remove and dispose of the trash during the allotted time, the city shall remove or cause to be removed the over-sized curbside trash. In that event that the owner, agent, tenant, or occupant shall be charged and billed by the city the fee set forth in subparagraph (a)(3) above or the actual cost to the city, whichever is greater, without notice thereof to the customer.

(b) Tree Removal. Except for trees cut or trimmed by a contractor or landscaper, all tree trimmings shall be cut to no more than four (4) feet in length and four (4) inches in diameter and weighing no more than 100 pounds must be placed at curbside for pickup according to the schedule established by the city.

(1) In the event a city resident hires a private contractor or landscaper to trim or cut trees from their property, the contractor or landscaper shall remove and dispose of all the tree trimmings and or tree trunks cut from the property, and shall not place such tree trimmings at curbside for pickup. A violation of this section shall subject the property owner to a civil penalty pursuant to chapter 26 of this Code.

(c) Collection. All trash accumulated in the city shall be collected, conveyed and disposed of by the city, and such services are mandatory for all utility customers except as set forth in this article. Except as may be otherwise provided herein, no person or entity shall collect, convey over any of the streets or alleys of the city, or dispose of any trash accumulated in the city.

(1) This section does not prohibit the actual producers of trash or the owners of premises upon which trash is accumulated from personally collecting, conveying and disposing of such trash, provided such producers or owners comply with the provisions of this article and with any other applicable ordinance or law.

(2) The city council may grant special permission to collectors of solid waste from outside the city to collect recyclable materials or to make collections requiring special equipment.

(d) Deposits for trash service. All utility customers shall pay a deposit equivalent to two months' trash collection service

to the department of the city at the time deposits are paid to the city for other utility services.

(e) Collection rates. The monthly collection fee for trash collection service shall be established by resolution, from time to time, by the council.

(f) Billing.

(1) The charges for trash collection and disposal shall be billed monthly as a part of the utility bills of the city.

(2) Upon a utility customer's termination of utilities/trash service, the customer shall receive a refund of the deposit less any amounts owed.

(g) Fees.

(1) Each utility customer or each property owner in the case of a tenancy where the tenant is the utility customer shall pay such fees, rates and charges therefor as are established from time to time by the council. In the first and last month of service during which a utility customer will be initiating or terminating service, the regular rate may be pro-rated for the number of days that the customer has service available.

(2) Bills reflecting the monthly charges and fees assessed to a customer shall be submitted by the city and shall be paid by each customer monthly. If any monthly bill for any portion of the utility billing including but not limited to trash and/or garbage (if billed by the city) service(s) shall be and remain unpaid after the due date a penalty of 15 percent of said bill shall be assessed on the day after the due date. If the day after the due date falls on a weekend or city observed holiday, the penalty shall be waived until the next working day. If the monthly bill shall continue and remain due and unpaid on or after seven (7) days after the due date or the cut-off date set by the city, whichever occurs first, the water, sewer, trash and/or garbage service, as appropriate, to the customer shall be discontinued and shall not be reconnected until all past due charges including penalties, shall have been fully paid, together with a re-connection charge of \$15.00. In addition, if the cut-off day falls on a Friday, weekend or city observed holiday, the penalty shall

be waived until the next working day. The city shall accept payments for services rendered if postmarked by the tenth of the month without penalty to the customer. In addition, the refusal or failure to make payment within 30 days from the due date is a violation of this article, and shall be punished pursuant to section 66-44.

(3) Any utility service to a property which has been terminated pursuant to the provisions of this section or elsewhere in the code shall not be reconnected or restored until all past-due utility bills or other fees relating to trash and penalties have been paid, together with any reconnection or restoration charges imposed by the city at the time of reconnection or restoration.

(4) In addition to and not in lieu of the foregoing, if the charge is not paid, it shall constitute a lien against the property pursuant to section 66-45.

Section 2. Severability.

If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 3. Scrivener's Errors.

The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Clerk or the Clerk's designee, without public hearing.

Section 4. Ordinance to be Liberally Construed.

This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

Section 5. Codification.

The provisions of this Ordinance shall become and be made part of the Code of the City. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 6. Repeal of Conflicting Codes, Ordinances, and Resolutions.

All codes, ordinances and resolutions or parts of codes, ordinances and resolutions or portions thereof of the City of Parker, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

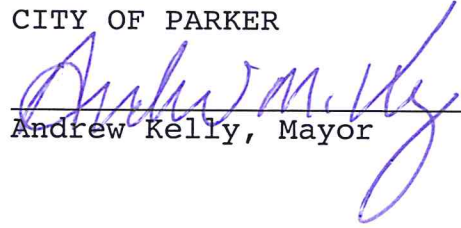
Section 7. Effective Date.

This Ordinance shall take effect immediately upon its

passage.

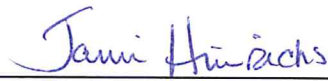
PASSED, ADOPTED AND ADOPTED at a Meeting of the City Council
of the City of Parker, Florida as of the 5th day of April,
2022.

CITY OF PARKER



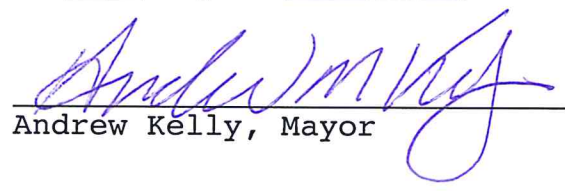
Andrew Kelly, Mayor

ATTEST:



Jami Hinrichs, City Clerk

Examined and approved by me, this 5th day of April, 2022.



Andrew Kelly, Mayor