



# City of Dania Beach

## Department of Public Services

100 West Dania Beach Blvd · Dania Beach, FL 33004 · (954) 924-3741 · (954) - 923-1109 (fax)

### MEMORANDUM

TO: Robert Baldwin, City Manager  
FROM: Brad Kaine, Director of Public Services  
DATE: May 4, 2016  
SUBJECT: SOLID WASTE ORDINANCE CHANGES

The new solid waste contract with Waste Management was accompanied by changes to residential garbage services, i.e., city-wide curbside pickup and the introduction of recycling carts. Since the start of the new service, it has become apparent that additional changes to the City's sanitation code are necessary to improve the appearance of the City.

Currently, the code allows for residents to place bulk waste out at the curb the weekend before pick-up, which results in a Friday pick-up on the curb for up to seven days prior to pick-up. Neighborhood appearance suffers. In addition it makes illegal dumping more difficult to identify since the longer a pile of bulk waste sits, the less likely illegal additions to the pile are noticed. The city's tonnage rate per home dramatically increased from one bid cycle to the next.

The first change that is being proposed to the sanitation code is to set out bulk trash no earlier than 24 hours prior to the scheduled collection date. This is a common limit found throughout most Broward County municipalities (see the attached survey).

The second change proposed resulted from a request by a private residential community to be included in the City's residential garbage service. This community does not qualify since it has more than four units. This change will allow for the City and the hauler to examine any requesting community to see if it meets certain criteria:

- Communities that have driveways that can be picked up curbside under the franchise agreement
- The City's contractor agrees to accept the additional service
- The request is voluntary by the residential community
- The property is able to be billed for service under the City's billing criteria

Upon the approval of the ordinance, the City and Waste Management will collaborate on a bulk waste renotification schedule for our residential customers to notify them of the change in service.

DRAFT

ORDINANCE NO. 2016-\_\_\_\_\_

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 13, ENTITLED "HEALTH AND SANITATION", ARTICLE IV, ENTITLED "GARBAGE AND TRASH", SECTION 13-69, ENTITLED "SERVICE PROVIDED BY THE CITY", OF THE CITY CODE OF ORDINANCES, BY REDUCING THE BULK TRASH PLACEMENT TIME FOR PICKUP FROM THREE DAYS TO FORTY-EIGHT HOURS BEFORE PICKUP; CREATING A LIMITED EXCEPTION TO THE OTHERWISE APPLICABLE REQUIREMENT OF CITY GARBAGE COLLECTION SERVICES BEING LIMITED TO SERVICES PROVIDED TO FOUR (4) OR LESS RESIDENTIAL UNITS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:**

**Section 1.** That Article IV, entitled "Garbage and Trash" of Chapter 13, entitled "Health and Sanitation", Section 13-69, "Service Provided by the City", of the City Code of Ordinances, is amended to read as follows:

**Sec. 13-69. – Service provided by the city.**

(a) *Solid waste:*

- (1) For each residential unit(s) and multiresidential family building(s) containing no more than four (4) units, the city shall provide, twice a week, unlimited pickup of garbage and trash as described hereinabove in this chapter, which shall be placed in ninety-six (96) gallon roll out garbage containers. The garbage and trash shall and must be placed in ~~said~~ such containers and shall not at any time be placed in loose piles, plastic bags, or any other type of container.
- (2) Multiresidential family building(s) containing five (5) units or more must use a private collection and hauling service provided by a private sanitation company holding a business tax receipt issued by the city.

(b) *Bulk trash pickup.*

- (1) For all residential units and multiresidential family buildings containing no more than four (4) units, the city shall provide pickup, once a month, of bulk trash as defined ~~hereinabove~~ in this chapter.
  - (2) The maximum amount of bulk trash to be picked up shall be six (6) cubic yards (approximately five (5) feet by six (6) feet) per residential unit. ~~Bulk trash~~ exceeding the maximum cubic yards will require a special pickup as described in subsection (e) below.
  - (3) Bulk trash must be placed and will be collected from the swale area of city residential customers for pickups as scheduled by the city. Bulk trash shall not be placed upon any swale area more than twenty-four (24) hours before a scheduled pickup date. Bulk trash placed upon a swale more than twenty-four (24) hours before a scheduled pickup date is a violation of this section. The notice of violation shall provide a compliance date and allow for the correction of the violation by such date for the bulk trash pile in question. If the violation still exists after the compliance date, the city will schedule the pile to be picked up. All costs associated with removal and disposal of the trash pile, including a charge for dispatching and travel costs, if applicable, even if the pile is removed by the owner after the compliance deadline date, will be the responsibility of the owner, tenant or account holder of the location in question.
- (c) *Recyclables.* For each residential unit(s) and multiresidential family building(s) containing no more than four (4) units, the city shall provide once a week pickup of recyclables, which shall be placed in recycling bins provided by the city. The pickup of recyclables shall be on one of the days that solid waste is picked up and the residents or occupants shall not co-mingle solid waste with recyclables.
- ~~(d) *Scheduled pickup.* Bulk trash pickup as described hereinabove in this section, must not be put out for pickup prior to the Friday immediately preceding the week that pickups are scheduled in designated areas.~~

(ed) *Special pickup.*

- (1) Special bulk trash pickups are available for resident owners or occupants ~~that~~ who do not wish to wait for a regular pickup in their area or have in excess of the cubic yards provided for in this article.
- (2) Bulk ~~Trash~~ for special pickup must be kept separate from garbage and trash for regular pickup. If this stipulation is violated, the city will notify owner or occupant of the necessity of a special pickup and the charge based on the combined volume of trash.
- (3) Bulk ~~Trash~~ must be legally disposed of within ~~three (3) working days~~ forty eight (48) hours after being discarded. If not disposed of within stated time, the city will have ~~the~~ such trash removed and assess a charge equal to one and one-half (1½) the amount of the special pickup. This charge will be added to the utility bill.
- (4) Charge for special pickup will be according to resolution adopted by the city commission which may be amended from time to time which charges shall apply to all collectors doing business within the ~~City of Dania Beach~~.
- (5) Special trash pickup is not available to building contractors holding a business tax receipt except as provided for by private licensed haulers.
- (6) The scheduling of special trash pickup will be determined by the city's contract hauler and the city's contract hauler should be contacted regarding scheduling of special trash pickups. The city's contract hauler shall be responsible for billing and collection of all amounts owed for special pickups. The city shall not be responsible or liable for the billing or collection of any amounts to be paid or owed for special pickups.

(fe) {Exceptional conditions.} Whenever there exists exceptional conditions of occupancy and use of premises, the city manager is ~~hereby~~ authorized to charge proper fees and prices for collection and disposal predicated upon the cost therefor. If the city receives a written request for garbage collection pickup and determines that a residential area, community or complex (the "community") is eligible for such services (eligibility

depends upon whether the community provides a driveway for each residential unit, that the street widths of the community meet city and the waste hauler criteria and the waste hauler consents to service the affected residents), then the city will grant an exception to the otherwise applicable limitation to servicing of four (4) residential units or less, as described in subsections (a) and (b) above; provided, however, that such a request by a community, once granted, is irrevocable.

- (g) ~~{Fees.}~~ All fees for garbage, trash, bulk trash, and recyclables collection, as described ~~hereinabove in this chapter~~ shall be set by resolution adopted by the city commission and ~~as same may be~~ amended from time to time.
- (h) ~~{Payment required.}~~ Monthly fees for regular pickup of garbage, trash, bulk trash and recyclables are payable regardless of occupancy.
- (i) Illegal disposal. Illegal dumping of trash throughout the city shall result in a fine up to five hundred dollars (\$500.00), six (6) months in jail or both.
- (j) General. The amount of the collection fee imposed in this article for the collection and disposal of garbage, trash, bulk trash and recyclables is ~~hereby~~ declared to be a debt due to the city, and any person required under the terms of this article to have any accumulation of garbage, trash and bulk trash removed and disposed of at any time shall be liable to the city for the amount of the collection fee due ~~therefor~~ it. The collection and disposal of solid waste is found to specifically benefit the property to which it is provided and the cost shall constitute a lien against the premises to the same extent and character as the lien for special assessments and with the same penalties and with the same rights of collection, foreclosure, sale, ~~or~~ and forfeiture as obtained by special assessment liens. Delinquencies in the payment of solid waste, recyclables and disposal collection fees may be collected or enforced by any lawful means. This will not apply to charges for special pickups charged directly by the city contractor.

**Section 2.** That if any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

**Section 3.** That all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with this Ordinance, are repealed to the extent of such conflict.

**Section 4.** That this Ordinance shall take effect on \_\_\_\_\_, 20\_\_ following City Commission adoption.

**PASSED** on first reading on \_\_\_\_\_, 20\_\_.

**PASSED AND ADOPTED** on second reading on \_\_\_\_\_, 20\_\_.

ATTEST:

\_\_\_\_\_  
LOUISE STILSON, CMC  
CITY CLERK

\_\_\_\_\_  
MARCO A. SALVINO, SR.  
MAYOR

APPROVED AS TO FORM  
AND CORRECTNESS:

\_\_\_\_\_  
THOMAS J. ANSBRO  
CITY ATTORNEY

## BROWARD COUNTY MUNICIPALITIES SURVEY

*How many days prior to bulk pickup day can residents place bulk items out?*

Municipality	Municipality/Address	Telephone	Survey Result
Coconut Creek	City of Coconut Creek 4800 West Copans Road Coconut Creek, FL 33063	954-973-6770	Dawn: night before day of pickup
Cooper City	Cooper City 9090 SW 50th Place Cooper City, FL 33328	954-434-4300	Dawn: 24hours before day of pickup
Coral Springs	City of Coral Springs 9551 W Sample Road Coral Springs, FL 33065	954-344-1000	Dee: night before day of pickup
Dania Beach	City of Dania Beach 100 West Dania Beach Blvd Dania Beach, FL 33004	954-924-6800	
Davie	Town of Davie 6591 Orange Drive Davie, FL 33314	954-797-1000	Grace: weekend before pickup day
Deerfield Beach	City of Deerfield Beach 150 NE 2nd Avenue Deerfield Beach, FL 33441	954-480-4200	Angela: day before pickup day
Fort Lauderdale	City of Ft Lauderdale 100 N Andrews Avenue Fort Lauderdale, FL 33301	954-828-5000	Jennie: no more than 24 hours in advance of pickup day
Hallandale Beach	City of Hallandale Beach 400 S Federal Highway Hallandale Beach, FL 33009	954-458-3251	left voice message
Hollywood	City of Hollywood 2600 Hollywood Blvd Hollywood, FL 33020	954-921-3211	954-967-4526 Margarita: night before pickup day
Lauderdale-By-The-Sea	Lauderdale-By-The-Sea 4501 N Ocean Drive Lauderdale-By-The Sea, FL 33308	954-640-4200	Kathy: night before pickup day
Lauderhill	City of Lauderhill 5581 W Oakland Park Blvd Lauderhill, FL 33313	954-730-3010	954-730-3000 Katia: night before pickup day
Lauderdale Lakes	City of Lauderdale Lakes 4300 NW 36th Street Lauderdale Lakes, FL 33319	954-535-2700	Preciaus: 12 hours before as per code
Lazy Lake	City of Lazy Lake 2250 Lazy Lane Lazy Lake, FL 33305	954-614-9058	left voice message
Lighthouse Point	City of Lighthouse Point 2200 NE 38th Street Lighthouse Point, FL 33064	954-943-6500	954-946-7386: night before pickup day
Margate	City of Margate 5790 Margate Blvd Margate, FL 33063	954-972-6454	Utra: day before pickup day

Miramar	City of Miramar 2300 Civic Center Place Miramar, FL 33025	954-602-300	954-883-6820 left message for Alcia Allen
North Lauderdale	City of North Lauderdale 701 SW 71st Avenue North Lauderdale, FL 33068	954-722-0900	Fran: 3 days prior to pickup day
Oakland Park	City of Oakland Park 3650 NE 12th Avenue Oakland Park, FL 33334	954-630-4200	Fawn: 48 hours prior to pick up day
Parkland	City of Parkland 6600 N University Parkland, FL 33067	954-753-5040	Kim: day before pickup day
Pembroke Park	City of Pembroke Park 3150 SW 52nd Avenue Pembroke Park, FL 33023	954-966-4600	left voice message
Pembroke Pines	City of Pembroke Pines 10100 Pines Blvd Pembroke Pines, FL 33026	954-435-6500	Rose: day before pickup day
Plantation	City of Plantation 400 NW 73rd Avenue Plantation, FL 33317	954-797-2200	Wilma: Saturday prior to pickup day
Pompano Beach	City of Pompano Beach 100 W Atlantic Blvd Pompano Beach, FL 33060	954-786-4601	Betty: 5:00 pm day prior to pickup day
Sea Ranch Lakes	Village of Sea Ranch Lakes 1 Gatehouse Road Sea Ranch Lakes, FL 33308	954-943-8862	left voice message
Southwest Ranches	Town of Southwest Ranches 13400 Griffin Road Southwest Ranches, FL 33330	954-434-0008	Sandy: large properties, allowed the Saturday before pickup day
Sunrise	City of Sunrise 10770 W Oakland Park Blvd Sunrise, FL 33351	954-741-2580	left voice message
Tamarac	City of Tamarac 7525 NW 88th Avenue Tamarac, FL 33321	954-597-3505	Troy: 7:00pm night before pickup day
West Park	City of West Park 1965 S SR 7 West Park, FL 33023	954-989-2688	left voice message
Weston	City of Weston 17200 Royal Palm Blvd Weston, FL 33326	954-385-2000	Gay said to read the City Code online
Wilton Manors	City of Wilton Manors 2020 Wilton Drive Wilton Manors, FL 33305	954-390-2100	left voice message