

ORDINANCE NO. 1465

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, AMENDING THE CITY'S CODE OF ORDINANCES RELATED TO GARBAGE AND TRASH; REQUIRING THE COLLECTION AND REMOVAL OF GARBAGE, TRASH AND WASTE MATERIALS FROM RESIDENTIAL DWELLING BY THE CITY OR PERSONS CONTRACTED BY THE CITY; PROVIDING PENALTIES FOR VIOLATIONS; AUTHORIZING THE CITY TO APPROVE RATES FOR THE COLLECTION OF GARBAGE; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, the collection of garbage, trash, refuse and waste materials is necessary for the preservation of the health, safety and welfare of the City of Panama City Beach and surrounding areas; and

WHEREAS, the City has home rule power provided by state law to mandate from and within the boundaries of the City the collection of all garbage, trash, refuse and waste materials and the payment of a reasonable fee therefore by all persons to whom such service is available; and

WHEREAS, the City by its home rule power is authorized, but not obligated, to make itself the sole provider of garbage collection and removal within the boundaries of the City, and in fact has undertaken to collect and remove yard debris within the City; and

WHEREAS, the City may delegate the performance of garbage collection within the City to private firms by contract let by advertised, competitive bids; and

WHEREAS, the City finds that requiring the collection of garbage, trash, refuse and waste materials from residential dwellings, by the City or persons contracted by the City, will reduce unsightly litter and illegal dumping and is in the best interests of the visitors and residents of the City.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH:

SECTION 1. From and after the effective date of this ordinance, Article II Chapter 8 of the Code of Ordinances of the City of Panama City Beach, related to collection of Garbage and Trash is created to read as follows:

ARTICLE II. GARBAGE COLLECTION.

Section 12-8. Residential collection service required.

- (a) Each residential dwelling in the City shall provide for the collection and removal of garbage, trash and waste materials generated at and by that residential dwelling, by persons employed by the City or by persons working under contract with the City.
- (b) Violation of subsection (a) shall constitute a civil offense punishable by civil penalty pursuant to Chapter 25 of the City's Code of Ordinances in the amounts specified below:
 - First violation: \$50.00
 - Second violation: \$100.00
 - Third and all subsequent violations: \$200.00. The financial penalty for the third and all subsequent violations shall be cumulative to any other penalty which may be provided by law.
- (c) The civil penalties established in this section shall always be cumulative and in addition to any other civil or criminal penalties available for a violation of this section of the Panama City Beach Code of Ordinances, including the general penalty and terms set forth in Section 1-12, and also cumulative and in addition to any requirements, proscriptions and civil or criminal penalties under state law.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 3. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained.

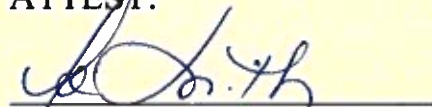
Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 4. This Ordinance shall take effect immediately upon passage. However, the officers and agents of the City shall not issue any civil penalty for a violation of the provisions of this Ordinance prior to March 13, 2019.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this 13th day of December, 2018.


MAYOR

ATTEST:


CITY CLERK

EXAMINED AND APPROVED by me this 13th day of December, 2018.


MAYOR

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