

ORDINANCE NO. 0-99-29

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING CHAPTER 50, "SOLID WASTE AND RECYCLING MANAGEMENT" BY AMENDING SECTION 50.05 OF THE CODE OF ORDINANCES TO PROVIDE THAT THE FRANCHISE FEE PAYABLE BY PRIVATE CONTRACTORS COLLECTING SOLID WASTE AND RECYCLABLES SHALL BE ESTABLISHED BY RESOLUTION OF THE CITY COMMISSION.

WHEREAS, Chapter 50 of the Code of Ordinances of the City of Hollywood, establishes the procedures and regulations for solid waste and recycling management; and

WHEREAS, the Public Works Department has reviewed the current franchise fee relating to the collection of solid waste and recycling by private contractors and has determined that said fee needs be changed; and

WHEREAS, the City Commission has previously determined that rates and fees should be adopted by resolution rather than ordinance in order to make them easier to amend; and

WHEREAS, the City Commission wishes to provide for the adoption of the franchise fee for private collection of solid waste and recyclables by resolution;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That Chapter 50, "Solid Waste and Recycling Management, " of the Code of Ordinances of the City of Hollywood is hereby amended as follows:

TITLE V: PUBLIC WORKS

CHAPTER 50: SOLID WASTE AND RECYCLING MANAGEMENT

\* \* \*  
\* \* \*

(Coding: Words in ~~struck-through~~ type are deletions from existing law; words underscored are additions.)

**§50.05 COLLECTION OF GARBAGE, RECYCLING, AND RUBBISH BY PRIVATE CONTRACTOR; PERMIT REQUIREMENTS; RECYCLING.**

(F) Franchise Fee. The issuance of a permit, as described above, gives each private contractor so permitted, a franchise to collect garbage and rubbish within the city. The commercial franchise fee shall be established by resolution of the City Commission. ~~effective beginning October, 1994 and shall be payable to the City in an amount equal to 10% of the gross receipts or equivalent value received for commercial collection, less allowable exemptions from gross receipts.~~ Private Contractors shall be solely responsible for remitting payment for the franchise fee to the City based upon the **GROSS RECEIPTS** by the private contractor. The private contractor shall remit the franchise fee payment along with the remittance form which shall be provided by the Director of Financial Services or his/her designee.

\* \* \*

Section 2: That is the intention of the City Commission and it is hereby ordained that the provisions of this ordinance shall be made a part of the Code of Ordinances of the City of Hollywood, Florida, and the provisions of said sections may be renumbered to accomplish such intention.

Section 3: That if any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 4: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

**ORDINANCE NO. 0-99-29 CHAPTER 50 "SOLID WASTE AND RECYCLING  
MANAGEMENT"**

Section 5: That this ordinance shall take effect on July 1, 2000.

Advertised Sept 3, 1999.

PASSED AND ADOPTED on first reading this 7 day of  
Sept, 1999.

PASSED AND ADOPTED on second reading this 15 day of  
Sept, 1999.

  
MARA GIULIANTI, MAYOR

ATTEST:

  
PATRICIA A. CERNY, CMC/AAE,  
CITY CLERK

APPROVED AS TO FORM & LEGALITY  
for the use and reliance of the  
City of Hollywood, Florida only.

  
DANIEL L. ABBOTT, CITY ATTORNEY

PO-99-28

Passed  
on 1st  
Read

9/7/99

PO-99-28

Passed  
on  
2nd  
Read

9/15/99

## LEGAL AD

NOTICE IS HEREBY GIVEN in accordance with Section 166.041 Florida Statutes that the City Commission of the City of Hollywood, Florida, at a Special City Commission Meeting, on WEDNESDAY, SEPTEMBER 15, 1999, in the City Commission Chambers, Room 219, General Joseph W. Watson Circle, Hollywood, Florida, proposes to consider on second and final reading the following proposed ordinance(s):

Proposed Ordinance - PO-99-26 - beginning at: 7:00 PM, or as soon thereafter as same can be heard:

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA FIXING THE AMOUNT AND RATE OF TAXATION FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 1999, AND MAKING THE TAX LEVY FOR THE YEAR 1999.

Proposed Ordinance - PO-99-27 - beginning at: 7:00 PM, or as soon thereafter as same can be heard:

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA MAKING APROPRIATIONS FOR THE FISCAL YEAR 2000 BASED ON THE OPERATING AND CAPITAL BUDGET ESTIMATE OF REVENUES AND EXPENDITURES FOR EACH OF THE CITY'S OPERATING FUNDS AS SUBMITTED BY THE CITY MANAGER.

Proposed Ordinance - PO-99-28 - beginning at: 7:00 PM, or as soon thereafter as same can be heard:

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA AMENDING CHAPTER 50, "SOLID WASTE AND RECYCLING MANAGEMENT" BY AMENDING SECTION 50.01 OF THE CODE OF ORDINANCES TO REVISE THE GROSS RECEIPT DEFINITION AND AMENDING SECTION 50.05 OF THE CODE OF ORDINANCES TO PROVIDE THAT THE FRANCHISE FEE PAYABLE BY PRIVATE CONTRACTORS COLLECTING SOLID WASTE AND RECYCLABLES SHALL BE ESTABLISHED BY RESOLUTION OF THE CITY COMMISSION.

The proposed ordinance(s) may be inspected by the public in the Office of the City Clerk, Room 221, General Joseph W. Watson Circle, Hollywood, Florida, between the hours of 8:00 AM and 4:45 PM on any regular working day. Interested parties may appear at the aforesaid time and place and be heard with respect to the proposed ordinance(s).

NOTE: Any person who decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting will need a record of the proceedings, and it will be their responsibility to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Please call 921-3211 for any questions regarding the above matter.

Persons with disabilities who require reasonable accommodation to participate in City programs and/or services may call the Office of Human Resources three business days in advance at (954) 921-3073 (voice). If an individual is hearing or speech impaired, please call (954) 921-3239 (V-TDD).

Dated this 3rd day of September, 1999.

Patricia A. Cerny, CMC/AAE  
City Clerk  
Hollywood, FL

THE SUN SENTINEL/LEGAL AD  
PUBLISH: September 3rd, 1999  
FURNISH PROOF OF PUBLICATION