

**ORDINANCE NO. 2008 - 07**

**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING SECTION 14-65 OF THE TOWN'S CODE OF ORDINANCES TO ALLOW BULK TRASH TO BE SET OUT THE SATURDAY PRIOR TO EACH ZONE'S SCHEDULED PICK UP; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on July 6, 2006, the Town Council adopted Ordinance No. 2006-20 relating to bulk trash collection; and

**WHEREAS**, to provide a safer environment, to enhance the aesthetic appearance of the community, and to reduce prolific dumping, the Town required all bulk trash items to be placed on the swale no earlier than forty-eight hours prior to the scheduled collection day; and

**WHEREAS**, in almost all areas of the Town, this policy enables residents to place bulk trash items onto the swales the weekend before their scheduled pick-up date; and

**WHEREAS**, the Town Council desires to be fair and consistent by allowing all areas within the Town to set out their bulk trash on the Saturday prior to their scheduled pick-up date; and

**WHEREAS**, the Town Council believes that this amendment is in the best interest of the health, safety, and welfare of its residents.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:**

**Section 1.** That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

**Section 2.** The Town Council hereby amends Section 14-65 (g) (3), "Removal of garbage, construction debris, rubbish and refuse require", of the Town's Code of Ordinances, as follows:

....

(3) ~~Bulk trash items shall not be placed into the swale earlier than forty eight (48) hours prior to the scheduled collection day.~~ Bulk trash items shall not be placed into the swale earlier than the Saturday prior to the scheduled collection day.

....

**Section 3. Conflicts.** All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

**Section 4. Inclusion.** It is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Town of Southwest Code of Ordinances; and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

**Section 5. Severability.** If any portion of this Ordinance is determined by any Court to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remainder of this Ordinance. If any Court determines that this Ordinance, or any portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies), or circumstance(s), such determination shall not affect the applicability hereof to any other individual, group, entity, property or circumstance.

**Section 6. Effective Date.** This Ordinance shall be effective immediately upon its adoption.

**PASSED ON FIRST READING** this 3<sup>rd</sup> day of April, 2008 on a motion made by Council Member Aster Knight and seconded by Council Member Steve Breitkreuz.

**PASSED AND ADOPTED ON SECOND READING** this 1<sup>st</sup> day of May, 2008, on a motion made by Council Member Steve Breitkreuz and seconded by Council Member Aster Knight.

Fink	<u>Y</u>	Ayes	<u>5</u>
Nelson	<u>Y</u>	Nays	<u>0</u>
Breitkreuz	<u>Y</u>	Absent	<u>0</u>
Knight	<u>Y</u>	Abstaining	<u>0</u>
Maines	<u>Y</u>		

**[SIGNATURES ON FOLLOWING PAGE]**

Mecca Fink  
Mecca Fink, Mayor

ATTEST:

Susan A. Owens  
Susan A. Owens, CMC, Town Clerk

Approved as to Form and Correctness:

Gary A. Poliakoff  
Gary A. Poliakoff, J.D., Town Attorney  
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