

PROPOSED

ORDINANCE NO. 2019-

1 AN ORDINANCE OF THE BOARD OF COUNTY
2 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
3 PERTAINING TO ZONING; AMENDING SECTION 39-275
4 OF THE BROWARD COUNTY CODE OF ORDINANCES
5 ("CODE"); PROVIDING SOLID WASTE STORAGE
6 REQUIREMENTS FOR RESIDENTIAL PROPERTIES; AND
7 PROVIDING FOR SEVERABILITY, INCLUSION IN THE
8 CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

8 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
9 BROWARD COUNTY, FLORIDA:

11 Section 1. Section 39-275 of the Broward County Code of Ordinances is hereby
12 amended to read as follows:

13 **Sec. 39-275. General provisions.**

14 ...

15 (6) *Storage on residential property.*

16 ...

17 2. Solid waste receptacles (~~Trash cans~~), bulk ~~trash~~ waste, or yard
18 waste required to be placed at the back of curb or edge of pavement,
19 ~~side of a public right-of-way, road, or easement~~ for collection by a
20 collector shall:

- 21 a. be placed neatly so they allow convenient passage of persons
22 or vehicles;

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Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in
underscored type are additions.

- 1 b. not be placed for collection more than twenty-four (24) hours
2 prior to the regularly scheduled collection, nor remain more
3 than twelve (12) hours after scheduled collection; ~~and~~
4 c. not be placed upon a public streets or improved rights-of-way;
5 d. not be placed in front of another property;
6 e. consist only of noncommercial residential solid waste, bulk
7 waste, and yard waste; and
8 f. consist only of waste originating from the abutting private
9 property (property separated from public rights-of-way, roads,
10 or easements by a sidewalk shall be deemed "abutting").

11 . . .

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13 Section 2. Severability.

14 If any portion of this Ordinance is determined by any court to be invalid, the invalid
15 portion will be stricken, and such striking will not affect the validity of the remainder of
16 this Ordinance. If any court determines that this Ordinance, in whole or in part, cannot
17 be legally applied to any individual, group, entity, property, or circumstance, such
18 determination will not affect the applicability of this Ordinance to any other individual,
19 group, entity, property, or circumstance.

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21 Section 3. Inclusion in the Broward County Code of Ordinances.

22 It is the intention of the Board of County Commissioners that the provisions of
23 this Ordinance become part of the Broward County Code of Ordinances as of the
24 effective date. The sections of this Ordinance may be renumbered or relettered and the

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1 word "ordinance" may be changed to "section," "article," or such other appropriate word
2 or phrase to the extent necessary in order to accomplish such intention.

3 Section 4. Effective Date.

4 This Ordinance is effective as of the date provided by law.

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PROPOSED

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ENACTED

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FILED WITH THE DEPARTMENT OF STATE

9

EFFECTIVE

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Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

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By /s/ Damaris Y. Henlon 12/26/18
Damaris Y. Henlon (date)
Assistant County Attorney

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By /s/ Maite Azcoitia 12/26/18
Maite Azcoitia (date)
Deputy County Attorney

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DYH/gmb
01/10/19
Ch39 Proper Placement of Residential Solid Waste for Collection Ord.
#392241

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