

ORDINANCE 15 – 11

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA AMENDING SECTION 30-8 (c) OF THE CITY OF ALACHUA CODE OF ORDINANCES RELATING TO CONSENT TO INCLUSION IN MUNICIPAL SERVICE BENEFIT UNIT FOR A NON-AD VALOREM SPECIAL ASSESSMENT FOR SOLID WASTE MANAGEMENT; EXTENDING THE CONSENT TO SUCH INCLUSION FROM ITS CURRENT EXPIRATION DATE OF SEPTEMBER 30, 2015 THROUGH THE NEXT CITY FISCAL YEAR AND THEN AUTOMATICALLY EXTENDING SUCH CONSENT EACH FISCAL YEAR THEREAFTER UNLESS SUCH CONSENT IS TERMINATED BY FUTURE ORDINANCE ADOPTED BY THE CITY COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; PROVIDING FOR INCLUSION IN THE CITY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Alachua adopted a “Code of Ordinances, City of Alachua, Florida,” Consisting of Chapters 1-40 on September 27, 2010; and

WHEREAS, beginning with the 1997-98 fiscal year, the City of Alachua has partnered with the Alachua County Board of County Commissioners and all other municipalities to provide certain solid waste services to all residents through a non-ad valorem assessment for solid waste management; and,

WHEREAS, the Alachua City Commission recognizes and finds that the solid waste non-ad valorem assessment for solid waste management benefits and provides essential services to City of Alachua citizens by supporting a wide variety of activities such as environmental protection, recycling, the operation of rural collection centers, the maintenance of "closed landfills" and the maintenance of property for future land fill operations; and,

WHEREAS, it is necessary to amend Section 30-8 (c) to continue City consent for the assessment for solid waste management inside its municipal limits for the fiscal year October 1, 2015 through September 30, 2016 and to automatically extend such consent for each succeeding fiscal year unless such consent is terminated by future ordinance of the City Commission; and,

WHEREAS, based in the findings recited above, the City desires to amend Sec. 30.8 (c) of its Code of Ordinances to continue the Term of City Consent for inclusion in the municipal service benefit unit and non-ad valorem special assessment for solid waste management; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ALACHUA, FLORIDA.

Section 1. AMENDMENT OF CODE OF ORDINANCES

The following section SEC 30-8 (c) of Chapter 30 of the City of Alachua Code of Ordinances is hereby amended to read as follows:

Sec. 30-8

(c). Term. This consent is granted ~~only~~ for the assessments to be billed in November of the years ~~2013, 2014 and 2015~~ 2016 for services rendered from October 1, ~~2012~~ 2015, through September 30, ~~2013~~ 2016; ~~October 1, 2013, through September 30, 2014; and October 1, 2014, through September 30, 2015, respectively.~~ and is given in advance for each fiscal year thereafter to serve as and authorize automatic renewal for each succeeding fiscal year unless such request and consent is subsequently withdrawn for any subsequent fiscal year by adopting an ordinance abandoning consent and providing a certified copy of such ordinance to the County prior to May 1 preceding the fiscal year for which consent is being withdrawn. Request and consent shall be irrevocable for any fiscal year in which the subject assessment is levied by the County within the incorporated area

Section 2 Inclusion in the Code

It is the intention of the City Commission of the City of Alachua, Florida, and it is hereby provided that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Alachua, Florida; that the sections of this ordinance may be renumbered or relettered and that the word “ordinance” may be changed to “section”, “article” or other appropriate designation to accomplish such intention.

Section 3. Repealing Clause

All ordinances or parts of ordinances in conflict with this ordinance are, to the extent they conflict with this ordinance, repealed.

Section 4. Providing for Severability

It is the declared intent of the Alachua City Commission that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by

a court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance and the remainder of this ordinance, after the exclusion of such part or parts, shall be deemed to be valid.

Section 5. Effective Date

This Ordinance shall be effective upon its passage and adoption on the second and final reading.

PASSED on first reading on the 11th day of August 2015.

**CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA**

Gib Coerper, Mayor

SEAL

ATTEST:

APPROVED AS TO FORM

Traci L. Cain, City Manager/Clerk

Marian B. Rush, City Attorney