

RESOLUTION NO. R-04-313

A RESOLUTION AMENDING MANATEE COUNTY RESOLUTION NO. R-04-205 ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ON AUGUST 17, 2004, RELATING TO RATES, FEES AND CHARGES FOR SOLID WASTE COLLECTION AND DISPOSAL SERVICES BASED ON A FRANCHISE AGREEMENT FOR UNINCORPORATED MANATEE COUNTY; AMENDING SUBSECTION 3.b. OF RESOLUTION NO. R-04-205 TO ESTABLISH REVISED LANDFILL TIPPING FEES FOR SPECIAL WASTE; PROVIDING FOR EFFECT OF RESOLUTION NO. R-04-205; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Subsection 125.01(k), Florida Statutes, and Chapter 85-457, Laws of Florida, authorize and empower the Board of County Commissioners of Manatee County, Florida, to provide for and to regulate waste collection and disposal; and

WHEREAS, Chapter 2-16, Manatee County Code of Ordinances, as amended, provides for the establishment of rates, fees and charges to be paid for collection and disposal of solid waste, recyclable materials and yard trash; and

WHEREAS, on August 17, 2004, the Board of County Commissioners of Manatee County adopted Resolution No. R-04-205 relating to rates, fees and charges for solid waste collection and disposal services based on a Franchise Agreement for unincorporated Manatee County; and

WHEREAS, Subsection 3.b. of Resolution No. R-04-205 provides for landfill tipping fees for special waste; and

WHEREAS, the Board of County Commissioners has determined that it is necessary to establish revised landfill tipping fees for special waste; and

WHEREAS, the Board of County Commissioners desires to amend Subsection 3.b. of Resolution No. R-04-205 for the purpose of establishing revised landfill tipping fees for

RESOLUTION NO. R-04-313

special waste; and

WHEREAS, pursuant to Chapter 2-16, Manatee County Code of Ordinances, as amended, changes to the rates, fees and charges of the solid waste system require a public hearing by the Board of County Commissioners in accordance with the law to adopt a new rate schedule; and

WHEREAS, on December 14, 2004, the Board of County Commissioners held a public hearing to consider Resolution No. R-04-313 amending Resolution No. R-04-205; and

WHEREAS, the Board of County Commissioners finds that it is in the best interest of the county and the customers of the solid waste system to amend Resolution No. R-04-205 relating to rates, fees and charges for solid waste collection and disposal services to provide for establishment of revised landfill tipping fees for special waste.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. Subsection 3.b. of Resolution No. R-04-205 is hereby amended to read as follows:

Section 3. Landfill Tipping Fees.

b. The tipping fees for disposal of ash residue, sludge, contaminated soil, asbestos, and other special waste at the County's landfill or solid waste facility are \$50.00 per ton. A minimum fee of \$25.00 will be charged for loads of 1,000 pounds or less. As used in this subsection, the term "special Special waste" shall include any types of waste not identified in subsection 3.a. above which are permitted for disposal at the County's

landfill or solid waste facility.

Section 2. Effect of Resolution No. R-04-205. All other provisions of Resolution No. R-04-205 shall remain in full force and effect to the extent not otherwise modified herein.

Section 3. Severability. In the event that any provision, portion or section of this resolution is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining provisions, portions or sections of this resolution which shall remain in full force and effect.

Section 4. Effective Date. This resolution shall become effective January 1, 2005.

PASSED AND ADOPTED by the Board of County Commissioners of Manatee County, Florida, with a quorum present and voting, on the 14TH day of DECEMBER, 2004.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: [Signature]
Chairman

ATTEST: R. B. Shore
Clerk of the Circuit Court

By: [Signature]
OC

