

ORDINANCE NO. 1528

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LIVE OAK, FLORIDA ADJUSTING UTILITY RATES AS
PROVIDED IN CHAPTER 34, ARTICLE I AND II, SOLID
WASTE COLLECTION AND DISPOSAL OF THE CODE OF
ORDINANCES; PROVIDING FOR CONFLICT AND
SEVERABILITY; PROVIDING FOR CODIFICATION; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Live Oak, Florida (hereinafter the "City") desires to provide utility services to the citizens of the City and offer services outside the municipality pursuant to the City's Code of Ordinances; and

WHEREAS, the City has determined that it is in the best interest of the City to utilize vehicle automatic pick up of household Garbage cans; and

WHEREAS, the City has determined that City household garbage customers, may only utilize City provided garbage containers; and

WHEREAS, the City is required to adopt and fix fees and rates for utilities to assure that adequate revenues will be received by the City to meet its financial obligations; and

WHEREAS, the City may adjust utility fees and rates for the general welfare of the City; and

WHEREAS, the City Council finds that it is in the best interest of the City to adjust utility fees and rates as described herein.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of Live Oak, Florida, as follows:

SECTION 1. That the following Sections 34-1, 34-25, 34-26 (c), (e), 34-27 (5), 34-30. and Section 34 Appendix A, of the Code of Ordinances, City of Live Oak are hereby amended to read as follows (words ~~stricken~~ are deletions, and words underlined are additions):

Chapter 34 - SOLID WASTE
ARTICLE I. - IN GENERAL
Sec. 34-1. - Definitions.

Garbage can means a ~~watertight cylindrical, metal or polyvinyl can with a tightfitting cover and suitable handles of not more than 32 gallons in~~

~~capacity. Underground storage meeting the foregoing definition may be used. Bags may also be used as provided in section 34-26(e). City issued Garbage container that will remain City property and shall remain at the assigned location.~~

Sec. 34-25. - Garbage cans required; condemnation.

It shall be the duty of the person responsible for each account to properly care for the City issued Garbage can. As a utility account is closed or discontinued, the Garbage cans should remain at the address originally assigned, if a resident would prefer to turn in an extra Garbage can or the original Garbage can back to the City, please call City Hall or email utility@cityofliveoak.org to make arrangements for pickup. If the City issued Garbage can is not surrendered to the City, the customer shall be charged a replacement fee as approved by City Council (See Appendix A). ~~supply required garbage cans unless containers are used.~~ All gGarbage cans shall be subject to condemnation by the public works director or his designee. Upon such condemnation, the account holder shall be so notified. If the City assigned Garbage can is condemned due to customer's abuse, a replacement fee will be charged (See Appendix A). It shall be unlawful to place garbage or trash in a condemned gGarbage can for collection.

Sec. 34-26. - Placing garbage for collection.

(c) All moist garbage shall be placed either in container units furnished by the eCity with a capacity of two cubic yards/dumpsters or more ~~or in metal or other containers furnished by the customer with a capacity of not more than 32 gallons.~~ issued by the City with a capacity of approximately 96 gallons. Only City issued Garbage

cans are to be utilized. Customers can request a second Garbage can be issued and authorizes an added monthly fee. As the City transitions into automatic vehicle automatic pickup of household Garbage cans, when City issued Garbage cans are in place residents will no longer utilize bags nor any other cans or containers for garbage collection. Setting out any can other than the City issued Garbage can will result in that can or container not being emptied or picked up by the City.

~~(e) Customers may, as an option, use a disposable plastic or other airtight and watertight bag of sufficient strength so the same will not tear in handling, by the customer or the collection crews, for the placement of moist garbage for collection.~~ If a City issued Garbage can is on a vacant lot or on a property associated with an account with non-active services the City has the right to take possession of the Garbage can.

~~(f) It shall be the customer's duty to protect gGarbage cans and other containers from being overturned by animals or persons, and to protect plastic or other airtight and watertight bags in a manner so that the same shall not be torn or otherwise damaged so as not to remain airtight and watertight until collect ed.~~ If the City issued Garbage can is broken and considered prematurely unusable, except for normal wear and tear, by the Public Works Director or his designee, the Garbage can will be replaced and the customer will be charged a replacement fee as determined by the City Council. (See Appendix A).

Sec. 34-27. - Placing trash for collection; limitations

Trash shall be located for collection in such a place as to allow it to be loaded

directly into collection vehicles without such vehicles leaving designated streets, ~~or alleys~~. Trash, vines, branches, limbs or palm fronds may be placed in piles beside the street, ~~or alley~~. Trash that is subject to be scattered by the winds shall be placed in paper bags, cardboard cartons or other suitable receptacles. The paper bags, cardboard cartons or other suitable receptacles shall be considered to be trash. Cardboard boxes, except those used to contain trash, should be crushed or collapsed as much as possible. Trash shall be limited to 20 cubic yards of material for any one pickup.

Sec. 34-30. - Service charges generally.

a.

- (1) *Residential curbside collection.* Each residential account shall be charged a basic garbage collection charge in an amount established by the ~~city~~ City Council (see ~~a~~ Appendix A) per residence for curbside collection. Curbside garbage collection customers shall place ~~garbage containers~~ Garbage can within ~~five~~ three feet of the street, ~~or alley~~.

Sec. 34. - Chapter 34 (Solid Waste).

Appendix A -LIVE OAK FEE SCHEDULE

Sec. 34-30. Residential and commercial garbage collection service.

- (1) *Residential curbside collection.* Each residential account shall be charged a basic garbage collection charge of ~~\$21.67~~ \$24.17 per month per residence for curbside collection. Curbside garbage collection customers shall place garbage container(s) within ~~five~~ three feet of the street ~~or alley~~.

- (2) *Residential backdoor collection.* Each residential account shall be charged an additional \$9.55 per month for backdoor collection. Backdoor garbage collection customers shall be those whose garbage container(s) are placed more than ~~five~~ three feet from street side ~~or alleyway~~. ~~Those citizens with a valid handicap tag or sticker that live alone and can not place garbage can to the curb~~

will not be charged for backdoor pickup. Proof of renewal is required for tags and stickers. Any customer who possesses a handicap tag or sticker and lives alone may apply to the City for a waiver of the \$9.55 monthly additional fee. The application forms are available at City Hall during normal business hours. An application form can also be requested by email by contacting City Hall. All applications must be renewed on an annual basis. The Public Works Director or City Manager shall review all applications and shall be responsible for approving or disapproving all applications.

(3) Residential "additional" can pick up. If a resident wishes to have a second 96 gallon Garbage can issued to them, they agree to pay an additional monthly fee of \$7.50.

(4) Residential Garbage can replacement fee: \$75.00.

Sec. 34-31. Commercial garbage collection service.

(a) The basic monthly rates for commercial establishments shall be:

TABLE INSET:

Container size	Dumps per week	Total Garbage and Landfill
4-32 96 Gal.	1	\$64.61 - 67.11

(b) Additional pickups will be \$54.74 - **59.12** per pickup, plus \$8.75 - **9.45** per yard based on container size.

(c) Minimum Commercial monthly rate \$64.61 - **67.11** per customer.

(d) Garbage can replacement fee: \$75.00

SECTION 2. Conflict and Severability. Should any section, provision, paragraph, sentence, clause or word of this Ordinance or portion hereof be held or declared by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall be considered as eliminated and shall not affect the validity of the remaining portions or applications of this Ordinance.

SECTION 3. Codification. It is the intention of the City Council of the City, that the provisions of this Ordinance shall become and made a part of the Code of Ordinances of the City, as applicable, and that the Sections of this

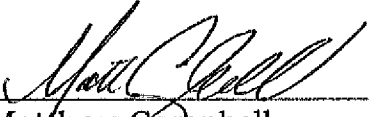
Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or other word or phrase in order to accomplish such intention.

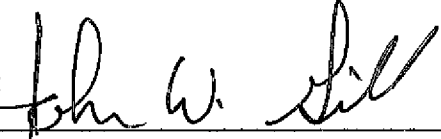
SECTION 4. Effective Date. This ordinance shall become effective the 1st day of March 2025.

PASSED on first reading, this 14th day of January 2025.

PASSED AND DULY ADOPTED by the City Council of the City of Live Oak, Florida after a second and final reading, on the 11th day of February 2025.

CITY OF LIVE OAK, FLORIDA

By: 
Matthew Campbell,
Council President

Attest:
By: 
John Gill, City Clerk

By: _____
Thomas J. Kennon, III,
City Attorney

READ AND APPROVED by me this 11 day of February,
2025.

By: 
Frank C. Davis, Mayor