

ORDINANCE 2010-14

AN ORDINANCE OF THE TOWN OF LAUDERDALE BY-THE-SEA, FLORIDA, AMENDING CHAPTER 10 "GARBAGE AND REFUSE", ARTICLE III "SOLID WASTE", DIVISION 1 "GENRALLY" BY ADDING SECTION 10-46 ENTITLED "DEBRIS COLLECTION ON PRIVATE ROADWAYS DURING AN EMERGENCY", PROVIDING FOR DEBRIS REMOVAL ON PRIVATE COMMUNITY STREETS IN EMERGENCIES FOR PUBLIC SAFETY PURPOSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE

WHEREAS, the devastation and damage caused by natural or man-made disasters obstructs the Town's ability to provide emergency medical, fire and police services; and

WHEREAS, the debris resulting from these disasters can block private as well as public streets and hinder or compromise the Town's ability to provide emergency medical services, to fight fires, to provide rescue services and to save lives; and

WHEREAS, it is necessary to eliminate the threat of significant damage to persons and to property in emergency conditions where there is an immediate threat to the life, health and safety of the citizens of the Town; and

WHEREAS, the Town has jurisdiction over private roads in the Town for the public purposes set forth herein; and

WHEREAS, the Town has the obligation, authority and responsibility to enforce its laws on private streets and to provide government services independent and apart from of this Ordinance, and such obligation, authority and responsibility is hereby restated and affirmed as a matter of record;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE BY-THE-SEA, FLORIDA:

50 essential to the public health and safety. No other property will be cleared in a private community.
51 This authority applies only to those areas where the Town is regularly provided access for emergency
52 vehicles and municipal and other public service vehicles and for enforcement of Town regulations.
53 Debris will be removed only where there is unrestricted access during removal times.

54 (e) The Town shall conduct similar operations on public streets.

55 * * * * *

56 **Section 2: Codification.** This Ordinance shall be codified in accordance with the foregoing.
57 It is the intention of the Town Commission that the provisions of this Ordinance shall become and be
58 made a part of the Town of Lauderdale-by-the-Sea Code of Ordinances; and that the sections of this
59 Ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section”,
60 “article” or such other appropriate word or phrase in order to accomplish such intentions.

61 **Section 3: Severability.** If any section, sentence, clause, or phrase of this Ordinance is held
62 to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no
63 way affect the validity of the remaining portions of this Ordinance.

64 **Section 4: Conflicting Ordinances.** All prior ordinances or resolutions, or parts thereof, in
65 conflict herewith are hereby repealed to the extent of said conflict.

66 **Section 5: Effective Date.** This Ordinance shall be in full force and effect immediately
67 upon its passage.

68
69 Passed on the first reading, this ___ day of _____, 2010.

70 Passed and adopted on the second reading, this ___ day of _____, 2010.

71
72
73 MAYOR ROSEANN MINNET,

74

75

First Reading

Second Reading

76 Mayor Minnet

77 Vice-Mayor Dodd

78 Commissioner Clotey

79 Commissioner Sasser

80 Commissioner Vincent

81

82 ATTEST:

83

84

85

86 _____
June White, Town Clerk CMC

87

88 APPROVED AS TO FORM:

89

90

91

92 _____
Susan L. Trevarthen, Town Attorney

Memo

Date: 10/08/2010

To: Town Manager Connie Hoffman

CC: Assistant Town Manager Bud Bentley

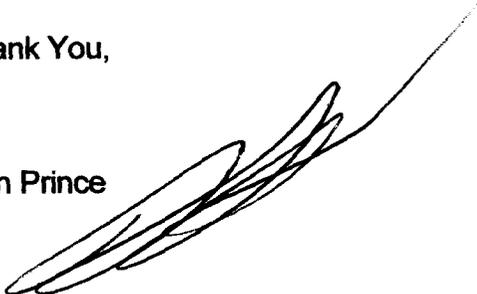
From: Don Prince, Director of Municipal Services

Re: Emergency Debris Management

The Town is currently in the last year of a five year contract for emergency debris hauling with Grubbs Emergency Services. The contract will expire July 27, 2011 at which time we will need to do an RFP. Choice and Grubbs currently charge the same price per cubic yard (\$20.00).

Thank You,

Don Prince

A handwritten signature in black ink, appearing to read 'Don Prince', is written over a thin horizontal line. The signature is stylized and cursive.