

**ORDINANCE NO. O2023-45**

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA AMENDING AND RESTATING ORDINANCE NO 2017-18, AS AMENDED; RELATING TO THE TRI-COUNTY SOLID WASTE FRANCHISE AGREEMENT; AMENDING EXHIBIT "B" AND EXHIBIT "C"; ESTABLISHING NEW RATES AND FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Wildwood, Florida (the "City") enacted Ordinance No. O2017-18 on April 10, 2017 (the "Tri-County Solid Waste Franchise Ordinance" or the "Ordinance"), relating to the granting of a non-exclusive franchise for solid waste collection to serve certain specified properties as further set forth in the Ordinance; and

**WHEREAS**, the franchise was granted to Tri-County Sanitation, LLC, Southeast referred to herein as the ("Franchisee"); and,

**WHEREAS**, Section 11(2) of the Ordinance indicates that adjustments to the approved rates and fee schedule are based on the change to the Consumer Price Index (CPI) over the previous year and shall not be less than positive two percent (2.0%) or greater than positive four percent (4.0%); and,

**WHEREAS**, the CPI change from April 2022 to April 2023 was 6.43% which is above the allowed increase range of two percent (2%) to four percent (4%); and,

**WHEREAS**, the Franchisee is requesting amendments to Exhibits "B" and "C" of the Ordinance to reflect a 4.0% adjustment to the approved rates and fee schedule, which is the maximum increase allowed under the Ordinance; and,

**WHEREAS**, the City Commission has determined that it is in the best interests of the citizens and residents of the City for the Ordinance to be amended as set forth herein.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the City Commission of the City of Wildwood, Florida, as follows:

**SECTION 1. FINDINGS AND INTENT.** The City Commission finds that the above recitals warrant amendment of the Tri-County Solid Waste Franchise Ordinance.

**SECTION 2. AMENDMENT.** The Amended and Restated Tri-County Solid Waste Franchise Ordinance is amended as follows:

(a) Exhibits "B" and "C" of the Amended and Restated Tri-County Solid Waste Franchise Ordinance are hereby replaced by amended EXHIBIT B – RESIDENTIAL RATES and amended EXHIBIT C – COMMERCIAL RATES which are attached hereto. Exhibits "B" and "C" are effective as of October 1, 2023 as stated thereon.

**SECTION 3.** Except as amended in Section 2 herein, the Amended and Restated Tri-County Solid Waste Franchise Ordinance shall remain unchanged and in full force and effect.

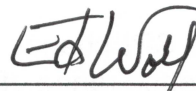
**SECTION 4. SEVERABILITY.** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.


**SECTION 5. CONFLICT.** All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

**SECTION 6. EFFECTIVE DATE.** Unless otherwise stated herein, this Ordinance shall become effective upon its adoption by the City Commission.

**DONE AND ORDAINED** this 27<sup>th</sup> day of November, 2023, by the City Commission of the City of Wildwood, Florida.

**CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA**


  
\_\_\_\_\_  
Ed Wolf, Mayor

  
ATTEST: Jessica Barnes  
Jessica Barnes, City Clerk

First Reading: 8/14/23

Second Reading: 11/27/23

Approved as to form:

  
\_\_\_\_\_  
City Attorney

## EXHIBIT B – RESIDENTIAL RATES

### Tri-County Sanitation

#### Monthly Solid Waste and Recycling Rates and Charges

- Residential Curbside (Effective 10/1/2023)

	10/1/2022	10/1/2023	% Change
Collection	\$19.18	\$19.94	4.00%
Disposal	\$2.97	\$2.97	0.00%
Fuel Surcharge	\$0.39	\$0.00	-100.00%
Total	\$22.54	\$22.91	1.67%

## EXHIBIT C – COMMERCIAL RATES

### Tri-County Sanitation

#### Monthly Solid Waste and Recycling Rates and Charges

- Commercial Curbside (Effective 10/1/2023)

	10/1/2022	10/1/2023	% Change
Collection	\$17.61	\$18.31	4.00%
Disposal	\$2.97	\$2.97	0.00%
Fuel Surcharge	\$0.39	\$0.00	-100.00%
<b>Total</b>	<b>\$20.97</b>	<b>\$21.28</b>	<b>1.50%</b>

- Commercial Dumpster Containers Rates per Month (Effective 10/1/2023)

Size	4	4	4	4	4	4
Pick-Up/Week	1	2	3	4	5	6
Service Charge	\$116.86	\$233.73	\$350.59	\$467.45	\$584.33	\$701.20
Disposal	\$37.44	\$74.87	\$112.00	\$149.75	\$187.19	\$224.63
Fuel Surcharge	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$154.30</b>	<b>\$308.60</b>	<b>\$462.59</b>	<b>\$617.20</b>	<b>\$771.53</b>	<b>\$925.83</b>
Size	6	6	6	6	6	6
Pick-Up/Week	1	2	3	4	5	6
Service Charge	\$167.11	\$278.56	\$417.18	\$556.50	\$696.51	\$835.83
Disposal	\$56.16	\$112.31	\$168.00	\$224.63	\$280.78	\$336.94
Fuel Surcharge	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$223.27</b>	<b>\$390.87</b>	<b>\$585.18</b>	<b>\$781.13</b>	<b>\$977.29</b>	<b>\$1,172.77</b>
Size	8	8	8	8	8	8
Pick-Up/Week	1	2	3	4	5	6
Service Charge	\$181.04	\$348.22	\$515.40	\$682.58	\$849.76	\$1,016.94
Disposal	\$74.88	\$149.75	\$224.63	\$299.50	\$374.38	\$449.24
Fuel Surcharge	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$255.92</b>	<b>\$497.97</b>	<b>\$740.03</b>	<b>\$982.08</b>	<b>\$1,224.14</b>	<b>\$1,466.18</b>



# Business Impact Estimate

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Wildwood website by the time notice of the proposed ordinance is published.*

Proposed ordinance's title/reference: O2023-45

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, a business impact estimate is not required by state law<sup>1</sup> for the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

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<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.