

ORDINANCE NUMBER 2025 - _____

AN ORDINANCE OF THE CITY OF OCALA, FLORIDA AMENDING SECTION 54-1, SECTION 54-31(a) and SECTION 54-121(c), *CODE OF ORDINANCES, CITY OF OCALA, FLORIDA*; PROVIDING FOR THE PROVISION OF MUNICIPAL SOLID WASTE COLLECTION SERVICES THROUGH THE USE OF ROLL-OFF COMPACTORS; PROVIDING DIRECTION TO STAFF; PROVIDING DIRECTION TO THE CODIFIER; REPEALING INCONSISTENT AND/OR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY OF ORDINANCE PROVISIONS; PROVIDING FOR MODIFICATIONS ARISING FROM CONSIDERATION AT A PUBLIC HEARING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 54, *Code of Ordinances, City of Ocala, Florida*, currently provides for the regulation of the City of Ocala Florida's municipal solid waste collection and disposal systems, policies and procedures; and

WHEREAS, in or about December 3, 2024, the City Council of the City of Ocala, Florida provided direction to staff to begin to develop and implement the collection and disposal of municipal solid waste through the use of roll-off compactors - a service not previously provided by the City; and

WHEREAS, in addition to the aforementioned direction, the City Council also authorized the purchase of certain trucks, containers and other equipment necessary to develop and implement the collection and disposal of municipal solid waste through the use of roll-off compactors; and

WHEREAS, in the succeeding months, staff for the City of Ocala, Florida has acquired the aforementioned equipment and developed the protocols necessary for the City to begin providing municipal solid waste collection services through the use of roll-off compactors; and

WHEREAS, since the provision of municipal solid waste collection services through the use of roll-off compactors had not previously been provided by the City of Ocala, Florida, it is necessary to amend Chapter 54, *Code of Ordinances, City of Ocala, Florida*, so as to provide the necessary regulation of solid waste collection and disposal using said roll-off compactors; and

WHEREAS, given the above and foregoing, the City of Ocala, Florida now desires to amend Section 54-1, Section 54-31(a), and Section 54-121(c), *Code of Ordinances, City of Ocala, Florida*, to add language providing the necessary regulation of solid waste collection and disposal using said roll-off compactors; and

WHEREAS, the City Council of the City of Ocala, Florida finds and determines that this ordinance and the amendments to Section 54-1, Section 54-31(a), and Section 54-121(c), *Code of Ordinances, City of Ocala, Florida*, contained herein are further protection of the health, safety and welfare of the citizens of Ocala, Florida; and

WHEREAS, the City Council of the City of Ocala, Florida finds and determines that this ordinance and the amendments to Section 54-1, Section 54-31(a), and Section 54-121(c), *Code of Ordinances, City of Ocala, Florida*, contained herein are in the best interest of the City of Ocala, Florida and its citizens; and

NOW THEREFORE, be it ordained, by the City Council of the City of Ocala, Florida, in regular session, as follows:

Section 1. Ratification, Adoption and Incorporation of Recitals.

The City Council of the City of Ocala, Florida ratifies the above-outlined recitals as true and correct; adopts and incorporates them herein as part and parcel of this ordinance.

Section 2. Purpose and Authority for Ordinance.

This ordinance is adopted for the purpose of amending and revising Section 54-1, Section 54-31(a), and Section 54-121(c) of the *Code of Ordinances, City of Ocala, Florida* so as to provide for the regulation of the collection of municipal solid waste collection through the use of roll-off compactors and is adopted pursuant to the authority granted by Chapter 166, *Florida Statutes*, and other relevant provisions of Florida and federal law.

Section 3. Amendment of Section 54-1, Code of Ordinances, City of Ocala, Florida.

Section 54-1 of the *Code of Ordinances, City of Ocala, Florida* is hereby amended* by the addition of the following definition:

Roll-off compactor means a large, heavy-duty waste container with an integrated hydraulic ram designed to crush and reduce the volume of waste inside, allowing more trash to fit before requiring a pickup.

Section 4. Amendment of Section 54-31(a), Code of Ordinances, City of Ocala, Florida.

Section 54-31(a) of the *Code of Ordinances, City of Ocala, Florida* is hereby amended* by replacement in its entirety with the following:

- (a) Maximum period of accumulation. It shall be unlawful to permit an accumulation of municipal solid waste upon any premises in the city for a period longer than seven days without having arranged for disposal of such accumulation by some person qualified under this chapter to perform such service or by the sanitary municipal solid waste system of the city except under the following circumstances:
 - (1) Where severe weather or "acts of God" make it impossible for the municipal solid waste collector normally providing collection services at the premises to perform collection services using normal collection equipment; or
 - (2) Official holidays interrupt the normal seven-day collection cycle, in which case collections may be postponed to the next working day of the municipal solid waste collector.
 - (3) *Where roll-off compactors are utilized, the disposal of municipal solid waste shall not exceed a period longer than fourteen days.*

Section 5. Amendment of Section 54-121(c), Code of Ordinances, City of Ocala, Florida.

Section 54-121(c) of the *Code of Ordinances, City of Ocala, Florida* is hereby amended* by replacement in its entirety with the following:

* For purposes of illustrating the amendments contained herein, words ~~stricken~~ are deletions; words underlined are additions.

- (c) Residential establishments serviced by commercial division. For apartments, condominiums and all other multifamily residential developments determined to be safely serviceable by **dumpsters**, the commercial division of the sanitary municipal solid waste system, the rate per dwelling unit for such service as established by resolution shall be the rate specified for multifamily residence. **For apartments, condominiums and all other multifamily residential developments determined to be safely serviceable by roll-off compactors the commercial division of the sanitary municipal solid waste system, the rate for such service shall be established by resolution.**

Section 6. Direction to Staff.

The City Council of the City of Ocala, Florida directs staff to take any and all other steps necessary to effectuate the adoption and implementation of this ordinance; and all other matters as provided for above and herein as well as to ensure the orderly and effective administration and implementation of the intent of this ordinance and the specific matters outlined herein.

Section 7. Direction to the Codifier.

It is the intention of the City Council of the City of Ocala, Florida that (1) this ordinance shall become and be made a part of the *Code of Ordinances, City of Ocala, Florida*, (2) the sections and paragraphs of this ordinance may be renumbered or relettered in order to accomplish said intention; (3) terms or headings not affecting the intent of this ordinance may be changed to further accomplish said intention; and (4) any scrivener's error(s) contained herein which do not affect the intent of this ordinance be corrected with the authorization of the City Manager or their designee and without the need for additional public hearings or consideration by the City Council.

Section 8. Repealing Inconsistent and/or Conflicting Provisions.

The City Council of the City of Ocala, Florida hereby specifically repeals, to the extent of any such conflict, any and all ordinances, resolutions, policies, procedures and/or other articles which are conflicting and/or inconsistent with this ordinance and the intent and direction provided by the City Council herein.

Section 9. Severability of Ordinance Provisions.

If any section, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, it is the intent of the City Council of the City of Ocala, Florida that (1) such portion shall be deemed a separate, distinct and independent provision; (2) such holding shall not affect the validity of the remaining portions hereof; and (3) this ordinance be adopted as though any such provision was not included herein.

Section 10. Modifications Arising from Consideration at a Public Hearing.

It is the intention of the City Council of the City of Ocala, Florida that (1) the provisions of this ordinance may be modified as a result of its consideration by the City Council of matters that may arise during the public hearing(s) at which this ordinance is considered; and (2) any such modifications shall be incorporated into the final version of this ordinance.

Section 11. Effective Date of Ordinance.

This ordinance shall become effective immediately upon approval by the Mayor or becoming law without such approval.

PASSED AND ADOPTED, in a regular session with a quorum present and voting, by the City Council of the City of Ocala, Florida this ____ day of October 2025.

CITY OF OCALA, FLORIDA

By: KRISTEN M. DREYER., as
 President of the City Council

ATTEST:

By: ANGEL JACOBS, as
 City Clerk

APPROVED AS TO FORM AND LEGALITY:

By: WILLIAM E. SEXTON, as
 City Attorney

APPROVED / DENIED by me, as Mayor of the City of Ocala, Florida this ____ day of October 2025.

By: BENJAMIN MARCIANO, as
 Mayor

ORDINANCE NUMBER: _____
INTRODUCED: _____
ADOPTED: _____
LEGAL AD NUMBER: _____