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**AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, RAISING THE FEES FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE AND RECYCLING BY .42 CENTS PER HOME FOR A NEW MONTHLY RATE OF \$16.34 BASED ON THE ANNUAL 2018 CONSUMER PRICE INDEX ADJUSTMENT OF 2.7%; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**Whereas**, the Town of Howey-in-the-Hills entered into a Solid Waste Franchise Agreement with WCA of Florida, LLC on August 10, 2015.

**Whereas**, Section 10.2(a) of the Agreement provides that WCA may petition the Town Council each year for an annual Consumer Price Index “CPI” adjustment which shall not be unreasonably denied.

**Whereas**, WCA submitted a request for the annual CPI adjustment to the Town on April 30, 2018, and the adjustment was approved by the Town Council on June 11, 2018.

**Whereas**, Sec. 100-10.3 of the Town's Code of Ordinances requires that fees for the collection and disposal of refuse shall be as provided for by the Town by ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA:**

**Section 1. Recitals.** The recitals set forth above are true and correct and constitute the legislative findings of the Town Council.

**Section 2. Adjustment to the WCA Solid Waste and Recycling Rates.** The rates for solid waste and recycling are hereby increased by .42 cents per home for a new monthly rate of \$16.34. This increase is based on the CPI for 2018 which is 2.7%. The rates will be increased for the next billing cycle following the adoption date of this Ordinance.

**Section 3. Severability.** The provisions of this Ordinance are declared to be separable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 4. Effective Date.** This Ordinance takes effect immediately upon its enactment.

**PASSED AND ORDAINED** on \_\_\_\_\_, 2019, by the Town Council of the Town of  
Howey-in-the-Hills, Florida.

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\_\_\_\_\_  
David Nebel, Mayor

**ATTEST:**

**APPROVED AS TO FORM AND LEGALITY**  
for use and reliance by the Town of Howey-in-the-  
Hills, Florida, only.

\_\_\_\_\_  
Dairian Burke, Town Clerk

\_\_\_\_\_  
Heather Ramos, Town Attorney

First Reading January 28, 2019

Advertised \_\_\_\_\_, 2019

Second Reading and Public Hearing held \_\_\_\_\_, 2019