



City of North Port

ORDINANCE NO. 2026-16

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, RELATED TO THE CITY’S SOLID WASTE SERVICES; AMENDING CHAPTER 62 AND CHAPTER 66 OF THE CODE OF THE CITY OF NORTH PORT, FLORIDA; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of North Port, Florida, desires to clarify procedures related to the City’s Solid Waste services and improve Solid Waste operations for City residents; and

WHEREAS, the Commission desires to amend City Code Chapter 62, entitled “Solid Waste,” to update, clarify, and enhance provisions related to the provision of solid waste services; and

WHEREAS, the Commission desires to amend City Code Chapter 66, Article IV, related to the Solid Waste District, to update the administration of the District and the District’s authority to levy and collect special assessments; and

WHEREAS, the City Commission finds that these amendments serve the public health, safety, and welfare of the citizens of the City of North Port, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1 – FINDINGS

- 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
- 1.02 In accordance with Florida Statutes Section 166.041(4)(a), the City timely posted a business impact estimate on the City’s website on or before the date the newspaper published notice of this ordinance’s final reading.

SECTION 2 – ADOPTION

- 2.01 Chapter 62 of the Code of the City of North Port, Florida is hereby amended as follows:

“Chapter 62 – SOLID WASTE

...

ARTICLE III. – COLLECTION AND DISPOSAL

...

Sec. 62-48. – Collection containers.

...

- (f) *Commercial customers.* All commercial customers within the city shall lease city-owned dumpsters, roll-offs, or automated garbage containers. The only exception is except compactors, units which the customer may purchases. All containers shall be of such size and type and at such locations as the ~~Director~~ or designee ~~his authorized agent~~ may reasonably require ~~in order~~ to promote the sanitary, aesthetic, and economic collection and disposal of solid waste and recyclables. All compactor units must be approved by the director to ensure compatibility as compatible for use with division equipment, safety requirements including compatibility with equipment, safety limitations, and road weight limits. The city must ~~will~~ repair city-owned dumpsters.

...

Sec. 62-51. – Collection schedules.

...

- (c) When collection services are curtailed due to a national, state, or local holiday, the solid waste district ~~District~~ shall publish an adjusted schedule for the provision of services in a newspaper of general circulation at least one day prior to the holiday.

...

Sec. 62-52. – Limitation on quantity collected.

...

- (f) *Overweight commercial container surcharge.* For commercial containers, a rate surcharge of \$100.00 is added to the regular bill to cover costs of equipment wear and tear from a customer overload. In the event this occurs for a given account more than once in a 12-month period, the surcharge is \$500.00 per instance thereafter in the same 12-month period. If city equipment is ~~actually~~ damaged or the department incurs other costs or losses related to an overweight commercial container, they the costs and losses may be billed to the customer, with credit given for any amounts paid. These costs are in addition to a charge for the cost of solid waste collection service to the container involved at the maximum applicable rate for said style of container. The customer shall further be charged the cost of any tickets or any other fines or penalties ~~which that~~ departmental vehicles receive as a consequence of being overloaded on the public right-of-way.

Sec. 62-55. – Fees.

...

- (b) Commercial customers. Commercial solid waste customers will be invoiced monthly and must remit payment by the date indicated on the invoice. Special collection fees must be paid in advance of collection.

...

- (6) *Capital component assessments.* The city may apply a capital component assessment to all commercial lots located within the solid waste district, including vacant commercial parcel identification units and commercial properties, as those lots are identified by the

Sarasota County Property Appraiser's Office. These parcels are subject to assessment under the most recent applicable methodology to ensure fair and proportionate allocation of capital costs related to solid waste infrastructure and services. The inclusion of these parcel types ensures that all benefiting properties contribute equitably to the capital investment necessary for maintaining and enhancing the solid waste system.

Sec. 62-56. – Commercial service.

...

(f) Commercial recycling required. All commercial customers operating within the city limits must participate in a recycling program. A commercial customer may satisfy this requirement by utilizing recycling services provided by the city or by contracting with a private recycling service provider. Commercial customers that do not utilize city recycling services must provide proof of active recycling service to the public works department in a form acceptable to the director or designee. Proof may include, but is not limited to, a current service agreement, invoice, or receipt demonstrating ongoing recycling service. Failure to provide acceptable proof of recycling service shall constitute a violation of this section and may subject the commercial customer to fines, penalties, or other enforcement actions as provided in this Code.

Sec. 62-60. – Commercial service providers.

(a) Persons and companies providing recycling and commercial services, such as, but not limited to, landscaping, carpet or tile installation, home repairs or remodeling, are responsible for the proper disposal of any and all debris resulting directly or indirectly from such services."

2.02 Chapter 62 of the Code of the City of North Port, Florida is hereby amended as follows:

"Chapter 62 – SOLID WASTE

...

ARTICLE IV. – DISASTER DEBRIS MANAGEMENT

...

Sec. 62-83. – Collection of disaster debris.

...

(b) Residential customers located on private roads or within gated communities may receive disaster debris collection and disposal services provided that:

...

(2) The legal owner(s) or the designated legal representative(s) of the private road or gated community have executed the HOA/Private Roadway Contract Information Form, and right of entry agreement for private communities form, and city-issued right of entry/hold harmless agreement (Exhibit A attached to Ord. No. 08-51) and that agreement remains in full force and effect, or FEMA has waived the necessity of such agreement. Unless waived, the refusal or inability to sign the right of entry/hold harmless agreement will result in the non-collection of disaster debris, and all costs incurred for the collection and disposal of the disaster debris shall be the responsibility of the property owners residing on the private road or within the gated community; and

2.03 Chapter 66 of the Code of the City of North Port, Florida is hereby amended as follows:

“Chapter 66 – SPECIAL DISTRICTS

...

ARTICLE IV. – SOLID WASTE DISTRICT

Sec. 66-85. – Definitions and word usage.

As used in this article, the following terms shall have the meanings indicated:

(a) Assessment. The levy of special assessments for benefits and fees against all accessible real property.

(b) Board/governing body. The City Commission of the City of North Port, Florida.

(c) Costs. All costs of operating said district, including, but not limited to, the acquisition of property necessary for solid waste disposal operations, to include transfer stations, construction of any solid waste management or transfer stations and/or improvements thereto, purchase and maintenance of equipment, wages, salaries and benefits for personnel and administrators of the district, advertising and the holding of referendum elections, creation of a reserve account, audit, engineering and legal expenses, reimbursements to any person and/or firm for services performed for the benefit of the district or its residents as approved by the board, reimbursement of any moneys advanced by the board for services provided within the district area.

(d) District. The North Port Solid Waste District is wholly situated within the corporate limits of the city.

(e) Real property. All specially benefitted real property located within the territorial boundaries of the district, regardless of ownership.

Sec. 66-89. – Public works director; district director.

...

(b) The public works director shall be the district director of the solid waste district and shall answer directly to the city manager or designee. The public works director shall be responsible to direct the district toward its primary objective and assume overall management of the solid waste district.

Sec. 66-91. – Authority to levy and collect special assessments.

...

(c) The ~~city North Port Building Department~~ shall not issue a certificate of occupancy for residential real property, whether new construction or a change in the use of property from another category, to improve residential real property, until such issuance has been approved by the solid waste district at time of certificate of occupancy (CO), which shall grant such approval upon the following circumstances:”

SECTION 3 – CONFLICTS

- 3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

SECTION 4 – SEVERABILITY

- 4.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the ordinance.

SECTION 5 – CODIFICATION

- 5.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any additional codification information and notations appear in *italics*. These editorial notations are not intended to appear in the codified text.

SECTION 6 – EFFECTIVE DATE

- 6.01 This ordinance takes effect immediately upon adoption.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session on _____, 2026.

PASSED and DULY ADOPTED by the City Commission of the City of North Port, on the second and final reading in public session on _____, 2026.

CITY OF NORTH PORT, FLORIDA

PETE EMRICH
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

MICHAEL FUINO, B.C.S.
CITY ATTORNEY