ORDINANCE NO. 2005-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING ARTICLE 5, SOLID WASTE, OF CHAPTER 18, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, PROVIDING FOR TIPPING FEES AT THE COUNTY SOLID WASTE FACILITIES; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, that:

Section 1. Section 18-141, Article IV, "Solid Waste" of Chapter 18, "Utilities", of the Code of Laws of Leon County, Florida, is hereby amended to read as follows:

~~(a) The landfill tipping fee shall be set at $29.00 per ton.~~

(a) Solid Waste tipping fees shall be established in accordance with law and set by resolution of the Board of County Commissioners.

(b) All fees that are collected as a result of ~~the landfill~~ tipping fees shall be placed into the appropriate County ~~Landfill~~ Solid WasteTipping Fee Trust Fund.

Section 2. Conflicts. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, except to the extent of such conflicts with the Tallahassee-Leon County 2010 Comprehensive Plan as amended, which provisions shall prevail over any parts of this ordinance which are inconsistent, either in whole or in part, with the said Comprehensive Plan.

Section 3. Severability. If any word, phrase, clause, section, portion or application of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate and distinct, and independent

provision or application, and such holding shall not affect the validity to the remaining parts or applications thereof.

Section 4. **Effective Date.** This ordinance shall have effect upon becoming law.

DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon County, Florida, this ____ day of September, 2005.

LEON COUNTY, FLORIDA

BY: _____
CLIFF THAELL, CHAIRMAN
BOARD OF COUNTY COMMISSIONER

ATTESTED BY:
BOB INZER, CLERK OF THE COURT

BY: _____
CLERK

APPROVED AS TO FORM:
COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

BY: _____
HERBERT W.A. THIELE, ESQ.
COUNTY ATTORNEY