

RESOLUTION NO. 99 - 56

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA IN OPPOSITION TO THE ADOPTION OF FLORIDA HOUSE BILL 2033 AND SENATE BILL 1370 THAT PERTAIN TO LOCAL GOVERNMENT REGULATION OF SOLID WASTE.

WHEREAS, Section 403.706, Florida Statutes, places upon counties the responsibility for and the power to provide for the operation of solid waste disposal facilities to meet the needs of all incorporated and unincorporated areas of the counties, and;

WHEREAS, paragraph (8) of Section 403.706 provides that a county or municipality may enter into a written agreement with other persons to undertake to fulfill some or all of the county's or municipality's solid waste responsibilities, and;

WHEREAS, counties and municipalities should be required to conform to the same solid waste health and safety requirements as private firms, but may require of private firms certain administrative provisions including but not limited to application fees, franchise agreements, payment bonds, performance bonds, and insurance that are not equivalently appropriate for governmental providers, and;

WHEREAS, the purpose of Chapter 163, Florida Statutes (Part I) is to permit local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities, and;

WHEREAS, interlocal agreements as provided for by Chapter 163, Florida Statutes (Part I) for the purposes of solid waste management enable local governments to efficiently comply with the mandate of Section 403.706, Florida Statutes, and;

WHEREAS, House Bill 2033 and Senate Bill 1370 inordinately burden local governments and interfere with the state mandated solid waste responsibilities placed upon counties.

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of St. Johns County, Florida that:

1. The Board strongly opposes the adoption of House Bill 2033 and Senate Bill 1370.
2. If the Florida legislature deems it necessary to adopt House Bill 2033 and Senate Bill 1370:
 - (a) Section 1(1) should be amended to read: "Separately account for revenues, expenses, property associated with the provision of services."
 - (b) Section 1(2) should be amended to read: "Comply with local health and safety requirements

applicable to any private firm that provides solid-waste-management-services.”

(c) Section 2, and Section 3 should be struck in toto because they interfere with state mandated solid waste responsibilities placed upon local governments.

PASSED AND ADOPTED this 6 day of April, 1999 by the Board of County Commissioners of St. Johns County, Florida.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**


Chairman

ATTEST: Cheryl Strickland, Clerk of Court

By 
Deputy Clerk

