

Introduced by the Council President per Section 715.208, *Ordinance Code*, and co-introduced by Council Member Matt Carlucci:

ORDINANCE 2025-266-E

AN ORDINANCE STATING THE GENERAL DESCRIPTION OF RESIDENTIAL SOLID WASTE SERVICES; PROVIDING FOR SERVICE COST; PROVIDING FOR ASSESSMENT RATE; REPEALING MAXIMUM ASSESSMENT RATE; APPROVING ANNUAL RATE ORDINANCE AND ASSESSMENT ROLL; PROVIDING FOR A PHASED INCREASE OF THE SOLID WASTE ASSESSMENT; EFFECT OF FINAL ASSESSMENT ORDINANCE; LIEN OF ASSESSMENTS; PROCEDURAL IRREGULARITIES; CORRECTION OF ERRORS AND OMISSIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Jacksonville enacted Ordinance 2010-444-E which created a new Chapter 715 (Service Assessments), *Ordinance Code*, to provide for a procedure for the enactment of service assessments within the City; and

WHEREAS, on February 11, 2025, the City Council enacted Ordinance 2025-1-E, beginning the process of approving the solid waste assessment and repealing the maximum assessment rate set forth in Ordinances 2010-446-E and 2010-673-E; and

WHEREAS, on May 27, 2025, the City Council held a duly noticed public hearing on Ordinance 2025-266-E (this "Ordinance"); and

WHEREAS, all proceedings required for the imposition of the Solid Waste Service Assessments have been completed, including notice by mail to all affected property owners and notice by publication prior to the public hearing; and

WHEREAS, at the public hearing, the City Council reviewed and

considered all comments presented in writing or at the public hearing;
now therefore

BE IT ORDAINED by the Council of the City of Jacksonville:

Section 1. General Description of Services. This Ordinance constitutes the Annual Rate Ordinance pursuant to Subsection 715.208, *Ordinance Code*, regarding Solid Waste collection services provided to residential properties.

Section 2. Service Cost. The total estimated Service Cost as defined in Subsection 715.101(u), *Ordinance Code*, for Calendar Year 2025 is approximately \$100 million.

Section 3. Established Assessment Rate. The established monthly assessment rate for Calendar Year 2025 is \$27.00 for an annual rate of \$324.00 per Residential Premises.

Section 4. Maximum Assessment Rate Repealed. Ordinances 2010-446-E and 2010-673-E set the maximum rate of \$18 per month. The maximum rate of \$18 per month is hereby repealed and there will no longer be a maximum rate.

Section 5. Approved Annual Rate Ordinance and Assessment Roll. This Annual Rate Ordinance, pursuant to Section 715.208, *Ordinance Code*, and the Assessment Roll for Calendar Year 2025, available at <http://coj.net/cityfees> and also for inspection at the Legislative Services Division, is approved.

Section 6. Providing for a Phased Increase of Solid Waste Assessment. In order to mitigate the impact of the increase in the solid waste assessment, the City Council intends to undertake a phased approach to said increase from the current monthly assessment rate of \$12.65 or annual rate of \$151.80, to a monthly assessment rate of \$27.00 or an annual rate of \$324.00 in Calendar Year 2025, a monthly assessment rate of \$29.50 or an annual rate of \$354.00 in Calendar Year 2026 and a monthly assessment rate of \$32.00 or an annual rate of \$384.00 in Calendar Year 2027, subject to annual approval by the

1 City Council. The City will evaluate costs on an annual basis to
2 determine if further fee adjustments are needed to fully cover the
3 costs of providing the service.

4 **Section 7. Effect of Final Assessment Ordinance.** The Solid Waste
5 assessments for the Calendar Year 2025 shall be established upon
6 adoption of this Ordinance. The adoption of this Ordinance shall be
7 the final adjudication of the issues presented, including, but not
8 limited to, the method of apportionment and assessment, the repeal
9 of the Maximum Assessment Rate, the rate of assessment, the Assessment
10 Roll, and the levy and lien of the assessments, unless proper steps
11 are initiated in a court of competent jurisdiction to secure relief
12 within 20 days from the date of Council action on this Ordinance. The
13 Assessment Roll, as approved by this Ordinance, shall be delivered
14 to the Tax Collector, or the Property Appraiser if so directed by the
15 Tax Collector. In accordance with section 197.3632, Florida Statutes,
16 the assessments shall be collected in accordance with all collection
17 provisions, including provisions relating to discount for early
18 payment, pre-payment by installment method, deferred payment, penalty
19 for delinquent payment, and issuance and sale of tax certificates and
20 tax deeds for non-payment.

21 **Section 8. Lien of Assessments.** Per section 715.209, *Ordinance*
22 *Code*, all assessments shall constitute a lien against such property
23 equal in rank and dignity with the liens of all State, County,
24 district, or municipal taxes and special assessments. Except as
25 otherwise provided by law, such lien shall be superior in dignity to
26 all other prior liens, mortgages, titles, and claims, until paid. The
27 lien for the assessment shall be deemed perfected upon adoption by
28 the City Council of this Ordinance. The lien for the assessment
29 collected under the Uniform Assessment Collection Act shall attach
30 to the property as provided by law.

31 **Section 9. Procedural Irregularities.** Per section 715.211,

1 *Ordinance Code*, any informality or irregularity in the proceedings
2 in connection with the levy of the assessments per this Ordinance
3 shall not affect the validity of the same after the approval of this
4 Ordinance, and any assessment as finally approved shall be competent
5 and sufficient evidence that such assessment was duly levied, that
6 the assessment was duly made and adopted, and that all other
7 proceedings adequate to such assessment were duly had, taken, and
8 performed as required by Chapter 715, *Ordinance Code*; and no variance
9 from the directions shall be held material unless it be clearly shown
10 that the party objecting was materially injured thereby.
11 Notwithstanding the provisions of Section 715.211, *Ordinance Code*,
12 any party objecting to an assessment imposed pursuant to this
13 Ordinance must file an objection with a court of competent
14 jurisdiction within the time periods prescribed in Chapter 715,
15 *Ordinance Code*.

16 **Section 10. Correction of Errors and Omissions.** Per section
17 715.212, *Ordinance Code*, no act of error or omission on the part of
18 the Property Appraiser, Tax Collector, Mayor, Council, their
19 deputies, employees, or designees, shall operate to release or
20 discharge any obligation for payment of an assessment imposed by the
21 City Council under the provision of this Ordinance and Chapter 715,
22 *Ordinance Code*. When it shall appear that any assessment should have
23 been imposed under this Ordinance and Chapter 715, *Ordinance Code*,
24 against a lot or parcel of property specially benefited by the
25 provision of a service, facility, or program, but such property was
26 omitted from the Assessment Roll, the City Council may, upon provision
27 of appropriate notice, impose the applicable assessment for the
28 Calendar Year in which such error is discovered. Prior to the delivery
29 of the Assessment Roll to the Property Appraiser or Tax Collector in
30 accordance with the Uniform Assessment Collection Act, the Mayor
31 shall have the authority at any time, upon her own initiative or in

1 response to a timely filed petition from the Owner of any Assessed
2 Property, to correct any error in applying the assessment
3 apportionment method to any particular property not otherwise
4 requiring the provision of notice pursuant to the Uniform Assessment
5 Collection Act. Any such correction shall be considered valid *ab*
6 *initio* and shall in no way affect the enforcement of the assessment
7 imposed under this Ordinance and the provisions of Chapter 715,
8 *Ordinance Code*. All requests from affected property owners for any
9 such changes, modifications or corrections shall be referred to, and
10 processed by, the Mayor and not, the Property Appraiser or Tax
11 Collector. After the Assessment Roll has been delivered to the
12 Property Appraiser or Tax Collector in accordance with the Uniform
13 Assessment Collection Act, any changes, modifications, or corrections
14 thereto shall be made in accordance with the procedures applicable
15 to correcting errors and insolvencies on the Tax Roll upon timely
16 written request and direction of the Mayor.

17 **Section 11. Effective Date.** This Ordinance shall
18 become effective upon signature by the Mayor or upon becoming
19 effective without the Mayor's signature.

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21 Form Approved:

22
23 /s/ Dylan Reingold

24 Office of General Counsel

25 Legislation Prepared By: Dylan Reingold

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