

1 Introduced by the Council President pursuant to Chapter 380, *Ordinance*
2 *Code*:

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5 **ORDINANCE 2022-454-E**

6 AN ORDINANCE MAKING CERTAIN FINDINGS; APPROVING
7 THE APPLICATION OF SUNSHINE ORGANICS & COMPOST
8 LLC, REQUESTING AN INITIAL CERTIFICATE OF PUBLIC
9 CONVENIENCE AND NECESSITY (CON) FOR THE
10 OPERATION OF A COMPOSTING AND YARD TRASH
11 RECYCLING FACILITY; PROVIDING FOR CONDITIONS OF
12 SAID CERTIFICATE; PROVIDING AN EFFECTIVE DATE.

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14 **WHEREAS**, pursuant to Chapter 380, *Ordinance Code*, Sunshine
15 Organics & Compost LLC (the "Applicant") has applied for an initial
16 Certificate of Public Convenience and Necessity (CON) for the
17 operation of a composting and yard trash recycling facility (the
18 "Facility") located at 6478 Buffalo Avenue, Jacksonville, Florida
19 32208; and

20 **WHEREAS**, based upon the determination of need for the Facility
21 by the City Council, the Solid Waste Division of the Department of
22 Public Works supports approval of the application for an initial
23 Certificate of Public Convenience and Necessity for Sunshine Organics
24 & Compost LLC, provided the Applicant agrees to accept and comply
25 with the Specific Operating Conditions contained in **Exhibit 1**,
26 attached hereto and incorporated herein by this reference; and

27 **WHEREAS**, the City Council has caused a public hearing, properly
28 noticed, to be held before the Council Committee to which matters
29 regarding public utilities are referred, as required by Chapter 380,
30 *Ordinance Code*, and has made certain findings with respect to said
31 application; now therefore

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

2 **Section 1. Making findings.** Based upon the criteria set
3 forth in Section 380.105, *Ordinance Code*, and the comments and
4 recommendations of the Director of the Planning and Development
5 Department, the Chief of the Solid Waste Division, the Chief of the
6 Environmental Quality Division, and the Florida Department of Health
7 in Duval County, the Council finds that the Facility would serve the
8 public convenience and provide a needed service to the citizens of
9 Duval County. The Applicant's request for a CON to operate the
10 Facility is hereby approved.

11 **Section 2. Certificate of Public Convenience and Necessity**
12 **(CON) granted.** In accordance with Chapter 380, *Ordinance Code*, the
13 City of Jacksonville hereby grants an initial Certificate of Public
14 Convenience and Necessity (CON) to Sunshine Organics & Compost LLC
15 to operate the Facility as described in **Exhibit 1**, and as described
16 in the submitted and approved application.

17 **Section 3. Conditions.** The Certificate of Public
18 Convenience and Necessity shall be subject to the conditions set
19 forth in the "Sunshine Organics & Compost LLC Composting and Yard
20 Trash Recycling Facility Certificate of Public Convenience and
21 Necessity Specific Operating Conditions" attached hereto as **Exhibit**
22 **1**. The comments and recommendations of the appropriate
23 representatives from the Public Works Department, the Planning and
24 Development Department, the Neighborhoods Department Environmental
25 Quality Division, and the Florida Department of Health are attached
26 hereto as **Exhibit 2** and incorporated herein by this reference. A
27 copy of the CON Monthly Waste Analysis Report form is attached hereto
28 as **Exhibit 3**.

29 **Section 4. Effective Date.** This Ordinance shall
30 become effective upon signature by the Mayor or upon becoming
31 effective without the Mayor's signature.

1 Form Approved:

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3 /s/ James R. McCain, Jr.

4 Office of General Counsel

5 Legislation prepared by: Mary E. Staffopoulos

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