

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

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5 **ORDINANCE 2022-403**

6 AN ORDINANCE MAKING CERTAIN FINDINGS; APPROVING
7 THE APPLICATION OF INDEPENDENCE RECYCLING OF
8 FLORIDA, INC. REQUESTING AN INITIAL CERTIFICATE
9 OF PUBLIC CONVENIENCE AND NECESSITY (CON) FOR
10 THE OPERATION OF A CLEAN DEBRIS RECYCLING
11 FACILITY; PROVIDING FOR CONDITIONS OF SAID
12 CERTIFICATE; PROVIDING AN EFFECTIVE DATE.

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14 **WHEREAS**, pursuant to Chapter 380, *Ordinance Code*, Independence
15 Recycling of Florida, Inc. (the "Applicant") has applied for an
16 initial Certificate of Public Convenience and Necessity (CON) for the
17 operation of a clean debris recycling facility (the "Facility")
18 located at 1600 Talleyrand Avenue, Jacksonville, Florida 32206; and

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

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

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

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

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

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

27 **Section 4. Effective Date.** This Ordinance shall
28 become effective upon signature by the Mayor or upon becoming
29 effective without the Mayor's signature.
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2 Form Approved:

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5 Office of General Counsel

6 Legislation prepared by: Mary E. Staffopoulos

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