

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

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5 **ORDINANCE 2022-404**

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

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14 **WHEREAS**, pursuant to Chapter 380, *Ordinance Code*, Custom
15 Concrete, Inc. (the "Applicant") has applied for an initial
16 Certificate of Public Convenience and Necessity (CON) for the
17 operation of a clean debris recycling facility (the "Facility")
18 located at 1777 North McDuff Avenue, Jacksonville, Florida 32254; 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 Custom Concrete,
23 Inc., provided the Applicant agrees to accept and comply with the
24 Specific Operating Conditions contained in **Exhibit 1**, attached hereto
25 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 Custom Concrete, Inc. to operate
14 the Facility as described in **Exhibit 1**, attached hereto and
15 incorporated herein by this reference, and as described in the
16 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 "Custom Concrete, Inc. Clean Debris Recycling Facility
20 Certificate of Public Convenience and Necessity Specific Operating
21 Conditions" attached hereto as **Exhibit 1**. The comments and
22 recommendations of the appropriate representatives from the Public
23 Works Department, the Planning and Development Department, the
24 Neighborhoods Department Environmental Quality Division, and the
25 Florida Department of Health are attached hereto as **Exhibit 2** and
26 incorporated herein by this reference. A copy of the CON Monthly
27 Waste Analysis Report form is attached hereto as **Exhibit 3**.

28 **Section 4. Effective Date.** This Ordinance shall
29 become effective upon signature by the Mayor or upon becoming
30 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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