

1 Introduced by the Council President pursuant to Chapter 380, *Ordinance*
2 *Code* and amended by the Neighborhoods, Community Services, Public
3 Health and Safety Committee:

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6 **ORDINANCE 2024-740-E**

7 AN ORDINANCE MAKING CERTAIN FINDINGS; APPROVING
8 THE APPLICATION OF HRUSTIC BROTHERS, INC. FOR
9 RENEWAL OF ITS CERTIFICATE OF PUBLIC CONVENIENCE
10 AND NECESSITY (CON) TO OPERATE A CLEAN DEBRIS
11 RECYCLING FACILITY ("FACILITY") WITH A
12 MODIFICATION TO ALLOW FOR THE EXPANSION OF THE
13 FACILITY ONTO AN ADJACENT PARCEL; PROVIDING FOR
14 CONDITIONS OF SAID RENEWAL; PROVIDING AN
15 EFFECTIVE DATE.

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17 **WHEREAS**, pursuant to Chapter 380, *Ordinance Code*, Hrustic
18 Brothers, Inc. (the "Applicant") has applied for renewal of its
19 Certificate of Public Convenience and Necessity (CON) for the
20 continued operation of a clean debris recycling facility (the
21 "Facility") located at 6498 Fayal Drive South, Jacksonville, Florida
22 32258, R.E. Parcel No. 157138-0900 (the "Property") with a
23 modification to allow for the expansion of the Facility onto a parcel
24 adjacent to the Property and located at 11901 Fayal Drive,
25 Jacksonville, Florida 32258, at R.E. Parcel No. 157138-0000; and

26 **WHEREAS**, the initial CON authorizing operation of a clean
27 debris recycling facility was granted by Ordinance 2015-374-E and
28 administratively renewed by the Director of the Department of Public
29 Works; and

30 **WHEREAS**, based upon the determination of need for the Facility
31 by the City Council, the Solid Waste Division of the Department of

1 Public Works supports approval of the application for renewal and
2 modification of the Certificate of Public Convenience and Necessity
3 for the Applicant, provided the Applicant agrees to accept and comply
4 with the Specific Operating Conditions contained in **Exhibit 1**,
5 attached hereto and incorporated herein by this reference; and

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

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

12 **Section 1. Making Findings.** Based upon the criteria set
13 forth in Section 380.105, *Ordinance Code*, and the comments and
14 recommendations of the Director of the Planning and Development
15 Department, the Chief of the Solid Waste Division, the Chief of the
16 Environmental Quality Division, and the Florida Department of Health
17 in Duval County, the Council finds that the Facility would serve the
18 public convenience and provide a needed service to the citizens of
19 Duval County.

20 **Section 2. Renewal and Modification of Certificate of**
21 **Public Convenience and Necessity (CON) Granted.** In accordance with
22 Chapter 380, *Ordinance Code*, the City of Jacksonville hereby grants
23 renewal and modification of the Certificate of Public Convenience and
24 Necessity (CON) to the Applicant for the continued operation of a
25 clean debris recycling facility on the Property and the expansion of
26 such facility onto the adjacent parcel located at located 11901 Fayal
27 Drive, Jacksonville, Florida 32258, at R.E. Parcel No. 157138-0000,
28 all as described in **Exhibit 1**, and as described in the submitted and
29 approved application.

30 **Section 3. Conditions.** The Certificate of Public
31 Convenience and Necessity shall be subject to the conditions set

1 forth in the "Hrustic Brothers, Inc. 6498 & 11901 Fayal Drive South
2 Clean Debris Recycling Facility Certificate of Public Convenience and
3 Necessity Specific Operating Conditions" attached hereto as **Exhibit**

4 **1.** The comments and recommendations of the appropriate
5 representatives from the Department of Public Works, the Planning and
6 Development Department, the Neighborhoods Department Environmental
7 Quality Division, and the Florida Department of Health are attached
8 hereto as **Revised Exhibit 2**, labeled as "Revised Exhibit 2, Rev
9 Letters, October 14, 2024 - NCSPHS" and incorporated herein by this
10 reference. A copy of the CON Monthly Waste Analysis Report form is
11 attached hereto as **Exhibit 3**.

12 **Section 4. Effective Date.** This Ordinance shall become
13 effective upon signature by the Mayor or upon becoming effective
14 without the Mayor's signature.

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16 Form Approved:

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18 /s/ Mary E. Staffopoulos

19 Office of General Counsel

20 Legislation Prepared By: Harry M. Wilson, IV

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