

AN ORDINANCE AMENDING ORDINANCE 82-2, THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY BY AMENDING SECTION 20, DEFINITIONS BY DELETING THE DEFINITION OF RECYCLING CENTER; AND BY ADDING DEFINITIONS OF TRANSFER STATION, RESOURCE RECOVERY FACILITY, RECYCLING AND BY PROVIDING FOR CONFLICT AND SEVERABILITY; AND BY PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 5, 1982, the Board of County Commissioners approved Ordinance Number 82-2, which established the Comprehensive Zoning Ordinance for Unincorporated Collier County, Florida; and

WHEREAS, on June 24, 1988, the Governor of the State of Florida approved the Solid Waste Management Act, Chapter 88-130, Florida Statutes, which establishes strict goals for the reduction of County municipal solid waste, and further requires county's to establish recycling and resource recovery programs and facility toward the achievement of the municipal solid waste reduction goals; and

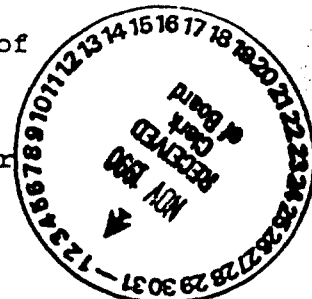
WHEREAS, Bob Fahey, Director of Solid Waste Management of Collier County, petitioned the Board of County Commissioners of Collier County, Florida, to amend Section 20, Definition of Ordinance Number 82-2 by deleting the definition: of "Recycling Center" and adding definitions of the terms "Resource Recovery Facility", "Transfer Station and Recycling".

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners of Collier County, Florida:

SECTION ONE: Amendments to Section 20, Definitions, of Ordinance 82-2, as amended.

Section 20, Definitions, of Ordinance 82-2, the Zoning Ordinance of Collier County, Florida is hereby amended by deleting the term "Recycling Center" and definition thereof and by adding the terms "Resource Recovery Facility", "Transfer Station" and "Recycling" and definitions thereof to read as follows:

DEPARTMENT OF PUBLIC
TALLAHASSEE, FLORIDA
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FILED



Recycling-Center---A-place,-structure,-or-lot-where
junk,-waste,-discarded,-salvaged,-or-similar
materials-such-as-old-metals,-wood,-slush,-lumber,
glass,-paper,-rags,-cloth,-bagging,-cordage,
barrels,-containers,-etc,-are-brought,-bought,
sold,-exchanged,-baled,-packed,-disassembled,
stored,-or-handled,-including-used-lumber-and
building-material-yards,-housewrecking-yards,-heavy
equipment-wrecking-yards,-and-yards-or-places-for
the-storage,-sale-or-handling-of-salvaged
housewrecking-or-structural-steel-materials,---This
definition-shall-not-include-automobile-wrecking
and-automobile-wrecking-yards,-or-pawnshops-and
establishments-for-the-sale,-purchase,-or-storage
of-second-hand-cars,-clothing,-salvaged-machinery,
furniture,-radios,-stoves,-refrigerators,-or
similar-household-goods-and-appliances,-all-of
which-shall-be-usable,-nor-shall-it-apply-to-the
processing-of-used,-discarded,-or-salvaged
materials-incident-to-manufacturing-activity-on-the
same-site-where-such-processing-occurs-

Transfer Station: A place for the reclaiming of
recyclable materials by collecting, receiving,
sorting, baling and otherwise preparing these
materials for transfer or sale to a Resource
Recovery Facility. With the exception of
nonferrous metals, this activity does not include
the reclaiming of any scrap, salvage, second-hand
building materials or other construction site
waste, junk automobiles, or second-hand automotive
parts.

Resource Recovery Facility: A place where the
materials reclaimed at a Transfer Station, and in
addition scrap, salvage, second-hand building
materials and other construction site waste, are
processed by cleaning, shredding, chipping,
grinding, milling, crushing or other similar
processes to create the raw materials used by
industry for the production of a finished product.
Those activities permitted to be conducted at a
Transfer Station may also be conducted at these
facilities. This definition does not include the
retail sale of processed materials such as occurs
in junk yards, nor does it include the processing
of used, discarded, or salvaged materials incident
to manufacturing activity on the same site where
such processing occurs. Also excluded from this
definition are automobile wrecking yards.

Recycling: The recovery of useful materials from
the waste stream and reintroduction of such
materials into the production stream via a three
stage process consisting of 1) reclaiming
materials; 2) processing reclaimed materials; and
3) manufacturing products using reclaimed and
processed materials.

SECTION TWO: Conflict and Severability

In the event this Ordinance conflicts with any other
Ordinance of Collier County or other applicable law, the more
restrictive shall apply. If any phrase or portion of this

Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion.

SECTION THREE: Effective Date

This Ordinance shall become effective upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Secretary of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this 23rd day of October, 1990.

DATE: October 23, 1990 BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

ATTEST:
JAMES C. GILES, CLERK

BY: Max A. Hasse, Jr.
MAX A. HASSE, JR., CHAIRMAN

Max A. Hasse, Jr.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Marjorie M. Student
MARJORIE M. STUDENT
ASSISTANT COUNTY ATTORNEY

20-90-16 ORDINANCE

This ordinance filed with the Secretary of State's Office the 23rd day of Oct, 1990

in acknowledgement of that I received this 16th day

10/16/90
Louise Chesnie
Deputy Clerk

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, JAMES C. GILES, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true copy of:

Ordinance No. 90-81

which was adopted by the Board of County Commissioners on the 23rd day of October, 1990, during Special Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 24th day of October, 1990.

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JAMES C. GILES
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

Maureen Kenyon
By: /s/Maureen Kenyon
Deputy Clerk

