

ORDINANCE NO. 118

AN ORDINANCE AMENDING SECTION 7 (B) OF ORDINANCE NO. 108 OF THE TOWN OF CINCO BAYOU, FLORIDA; AUTHORIZING THE FRANCHISEE TO ENTER INTO WRITTEN COMMERCIAL SANITATION SERVICE CONTRACTS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA:

SECTION 1. That Section 7(b) of Ordinance No. 108 of the Town of Cinco Bayou, Florida is hereby amended to read as follows:

SECTION 7 (b). The Contractor is authorized to negotiate and enter into written commercial sanitation services contracts with those customers within the corporate limits of the town who desire commercial services. It shall be left to the discretion of the contractor and the customer to agree upon payment times and methods and additionally to establish any other terms and conditions under the written contracts as they may desire. Notwithstanding the foregoing, the commercial rate for container service shall be in accordance with the schedule as set forth under Ordinance No. 108 as adopted by the Town Council. The contractor is expressly granted the authority to enforce the terms and conditions of the written commercial contracts notwithstanding anything in this ordinance or in Ordinance No. 108 to the contrary.

SECTION 2. SEVERABILITY. If any word, sentence, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or word shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS. All ordinances and resolutions of the governing body in conflict herewith are repealed.

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective immediately upon its final passage and adoption.

Adopted this 10th day of November, 1987.



APPROVED:

Charles R. Luymer
Mayor

ATTEST:

Quentin B. B. B.
Town Manager/Clerk