

**ORDINANCE NO. 2018-096**

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING AND ADOPTING THE ANNUAL CONSUMER PRICE INDEX (CPI) ADJUSTMENT FOR SOLID WASTE AND RECYCLABLES SERVICE COLLECTION RATES PURSUANT TO HIALEAH CODE § 78-127(b), IN THE AMOUNT OF 2.9% DESIGNATED "CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI)" AS ISSUED BY THE BUREAU OF LABOR STATISTICS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTY FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, pursuant to Hialeah Code §78-127(b), the latest solid waste and recyclables collection services charges shall be adjusted on an annual basis concurrently with the adoption of the annual budget for the City, to provide for an annual Consumer Price Index (CPI) adjustment by the amount of the annual increase in the index numbers of retail commodity prices designated "Consumer Price Index For All Urban Consumers (CPI) issued by the Bureau of Labor Statistics, United States Department of Labor.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1:** Pursuant to Hialeah Code §78-127(b), an increase in the solid waste and recyclables collection services charges commensurate with the annual Consumer Price Index (CPI) adjustment in the amount of 2.9% designated "Consumer Price Index for All Urban Consumers (CPI)", as issued by the Bureau of Labor Statistics, is hereby confirmed, approved and adopted. The solid waste and recyclables collection service charges shall be adjusted to reflect the CPI increase effective on October 1, 2018.

**Section 2: Repeal of Ordinances in Conflict.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 3: Penalties.**

Any person, business, association, corporation, partnership or other legal entity who violates any of the provisions of this ordinance shall be assessed a civil penalty, up to a maximum of \$500.00, within the discretion of the court or administrative tribunal having jurisdiction. Each day that a violation continues shall constitute a separate violation.

**Section 4: Severability Clause.**

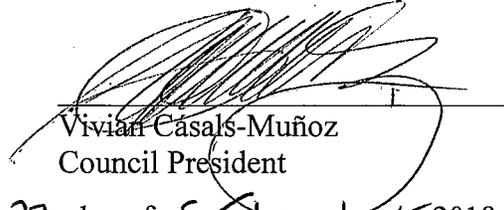
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

**Section 5: Effective Date.**

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED AND ADOPTED this 24 day of September, 2018.

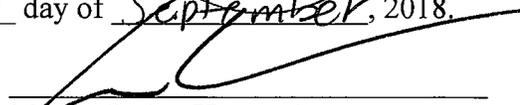
THE FOREGOING ORDINANCE  
OF THE CITY OF HIALEAH WAS  
PUBLISHED IN ACCORDANCE  
WITH THE PROVISIONS OF  
FLORIDA STATUTE 166.041  
PRIOR TO FINAL READING.

  
Vivian Casals-Munoz  
Council President

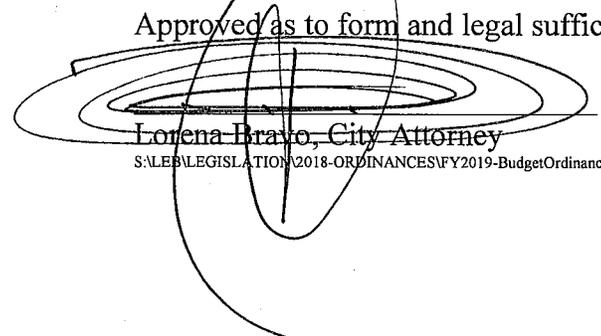
Attest:

Approved on this 27 day of September, 2018.

  
Marbelys Fatjo, City Clerk

  
Mayor Carlos Hernandez

Approved as to form and legal sufficiency:

  
Lorena Bravo, City Attorney

Ordinance was adopted by a 7-0 vote with Councilmembers, Zogby, Lozano, Casals-Munoz, Hernandez, Caragol, Garcia-Martinez and Cue-Fuente voting "Yes"