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**ORDINANCE NO. 2019-05**

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**AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA  
PERTAINING TO HEALTH, SAFETY AND WELFARE; AMENDING THE  
TOWN’S CODE OF ORDINANCES TO ADD A NEW SECTION 28-8 TO  
CHAPTER 28 OF THE TOWN’S CODE OF ORDINANCES TO BE TITLED  
“PERMISSIBLE HOURS FOR GARBAGE COLLECTION”; PROVIDING  
THAT RESIDENTIAL AND NON-RESIDENTIAL GARBAGE MAY BE  
COLLECTED ONLY DURING THE HOURS BETWEEN 7:00 A.M. AND  
10:00 P.M., EACH DAY OF THE WEEK; PROVIDING FOR  
SEVERABILITY AND CODIFICATION; PROVIDING AN EFFECTIVE  
DATE.**

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*Whereas*, there have been numerous complaints regarding garbage being picked up at early hours in the morning within the Town and the Town Council of the Town of Windermere, Florida (the “Town Council”) desires to regulate the times during which garbage may be collected.

**BE IT ENACTED BY THE PEOPLE OF THE TOWN OF WINDERMERE:**

**Section 1. Recitals.** The recitals set forth above are true and correct and constitute the legislative findings of the Town Council.

**Section 2. Amendments to the Town of Windermere’s Code of Ordinances.** A new Sec. 28-8 is hereby added to Chapter 28 of the Town of Windermere’s Code of Ordinances as follows:

**Sec. 28-8. Permissible hours for garbage collection.**

Unless previously approved in writing by the Town Manager, hours for residential and non-residential garbage collection within the incorporated areas of the Town is between the hours of 7:00 a.m. and 10:00 p.m., each day of the week. Failure to comply with the provisions of this section shall constitute a code violation and shall subject the collection company to the code enforcement provisions and procedures set forth in the Town’s Code of Ordinances.

**Section 3. Severability.** If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

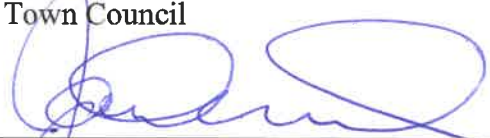
**Section 4. Codification.** The provisions of this Ordinance shall become and be made a part of the Town’s Code of Ordinances.

**Section 5. Effective Date.** This Ordinance takes effect immediately upon its enactment.

47 ENACTED this 13<sup>th</sup> day of August, 2019, at a regular meeting of the Town Council of  
48 the Town of Windermere, Florida.  
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Town of Windermere, Florida  
by: Town Council

by:   
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Jim O'Brien, Mayor

57 Attest:

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61 Dorothy Burkhalter, MMC, FCRM  
62 Town Clerk

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64 First reading: July 9, 2019  
65 Second reading: August 13, 2019  
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