

# MIAMI BEACH

## COMMITTEE MEMORANDUM

TO: Finance and Economic Resiliency Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 28, 2024

TITLE: DISCUSS A PROPOSED AMENDMENT TO SECTIONS 90-276 - 90-278 OF THE CITY CODE, CLARIFYING THE CIRCUMSTANCES UNDER WHICH A ROLLOFF PERMIT (AND PAYMENT OF THE PERCENTAGE OF GROSS RECEIPTS) IS REQUIRED FROM THOSE INDIVIDUALS AND ENTITIES ENGAGED IN DEMOLITION AND/OR REMOVAL OF CONSTRUCTION DEBRIS AND/OR BULKY WASTE IN THE CITY, AND PROVIDING LIMITED EXEMPTIONS FROM OBTAINING A ROLLOFF PERMIT.

### **BACKGROUND/HISTORY**

The City Code currently regulates the activities of "rolloff contractors," who are specialty contractors involved in the removal of construction and demolition debris and/or large quantities of trash and/or bulky waste, but not garbage or commercial refuse. Rolloff contractors are required to obtain a Business Tax Receipt ("BTR") pursuant to Section 90-276 of the City Code, obtain and pay for a rolloff permit, pursuant to Sections 90-276 to 90-277 of the City Code, and pay rolloff franchise fees in the amount of 20% of gross receipts for rolloff services provided within the City, pursuant to Sections 90-278(a) &(b) of the City Code.

### **ANALYSIS**

As part of routine audits verifying that the City has received amounts due from permittees, questions have arisen concerning the definition of a rolloff (and, relatedly, what is not a rolloff), as well as the definition of a rolloff container (and, relatedly, what is not a rolloff container), in view of the significant permit fees and Franchise Fees associated with the use of rolloffs, the costs of which are all ultimately borne by property owners engaged in demolition and construction activities.

### **CONCLUSION**

The Administration would like to discuss a proposed amendment to sections 90-276 and 90-278 of the City Code, clarifying the circumstances under which a rolloff permit (and payment of the percentage of gross receipts) is required from those individuals and entities engaged in demolition and/or removal of construction debris and/or bulky waste in the City, and providing limited exemptions from obtaining a rolloff permit.

### **Applicable Area**

Citywide

**Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?**

Yes

**Is this item related to a G.O. Bond Project?**

No

### **Department**

Public Works

### **Sponsor(s)**

Commissioner Tanya K. Bhatt