

ORDINANCE NO. 2026-O-19

AN ORDINANCE OF THE CITY OF EDGEWATER, FLORIDA, SUBMITTING AN ADVISORY REFERENDUM TO THE QUALIFIED ELECTORS OF THE CITY OF EDGEWATER AT THE NOVEMBER 3, 2026, GENERAL MUNICIPAL ELECTION REGARDING THE CITY'S MUNICIPAL CURBSIDE RECYCLING COLLECTION PROGRAM; PROVIDING FOR THE BALLOT TITLE AND BALLOT SUMMARY; DIRECTING THE CITY CLERK TO COORDINATE WITH THE VOLUSIA COUNTY SUPERVISOR OF ELECTIONS; PROVIDING THAT THE REFERENDUM IS ADVISORY ONLY; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY; PROVIDING FOR AN EFFECTIVE DATE AND ADOPTION.

WHEREAS, the City Council of the City of Edgewater, Florida, has made the following determinations:

1. Desires to obtain the views of the qualified electors regarding the continuation of the City's municipal curbside recycling; and
2. Finds that submitting this question to the voters will assist the Council in evaluating future solid waste services and utility costs; and
3. Section 100.342, Florida Statutes, authorizes municipalities to place public questions before the electors; and
4. Desires to submit the following advisory referendum to the qualified electors of the City of Edgewater at the General Municipal Election to be held on November 3, 2026.

NOW THEREFORE, BE IT ENACTED by the City Council of the City of Edgewater, Florida:

PART A. ELECTION CALLED

An advisory referendum shall be submitted to the qualified electors of the City of Edgewater at the General Municipal Election to be held on November 3, 2026.

~~Struck through~~ passages are deleted.

Underlined passages are added.

PART B. ADVISORY BALLOT QUESTION

The following advisory question shall appear on the ballot:

BALLOT TITLE:

DISCONTINUATION OF MUNICIPAL RECYCLING PROGRAM

BALLOT SUMMARY:

All City utility customers currently pay for the municipal recycling program which has an annual operating cost of approximately \$1.1 million, although only approximately one-half of residents participate. In an effort to reduce overall utility fees for City of Edgewater residents, should the City discontinue providing municipal curbside recycling collection services?

YES

NO

PART C. ADVISORY REFERENDUM ONLY

The referendum authorized by this Ordinance is advisory only and is intended solely to obtain the views of the qualified electors of the City regarding the continuation of the City's municipal curbside recycling program. The results of the referendum shall not amend the City Charter, amend the City Code, or otherwise constitute binding legislative action.

PART D. NOTICE OF ELECTION

The City Clerk is directed to coordinate with the Volusia County Supervisor of Elections to prepare the official ballot, publish all notices required by law, and take all actions necessary to conduct the referendum in accordance with applicable law.

PART E. CONFLICTING PROVISIONS

All conflicting ordinances and resolutions, or parts thereof in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

~~Struck through~~ passages are deleted.

Underlined passages are added.

PART F. SEVERABILITY AND APPLICABILITY

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provisions thereof shall be held to be inapplicable to any person, property, or circumstances, such holding shall not affect its applicability to any other person, property or circumstance.

PART G. EFFECTIVE DATE

This ordinance shall take effect upon adoption.

PASSED AND DULY ADOPTED this ____ day of _____, 2026.

Diezel DePew, Mayor

ATTEST:

Cassie Killgore, City Clerk

Passed on first reading on the ____ day of _____, 2026

REVIEWED AND APPROVED: _____
Sabatini Law Firm, City Attorney