

as there exists capacity at any operating resource recovery facilities in the county ~~which~~
~~that~~ are available to accept and dispose of processable waste; and (ii) "garbage," as that
term is defined in Rule 62-701.200, Florida Administrative Code, within any portion of the
solid waste management facility that is located above an elevation of
two hundred twenty-five (225) feet National Geodetic Vertical Datum (NGVD), except
during a disaster declared by any level of government, including federal, state, or local,
or as directed by the County following an express finding by the Board of County
Commissioners (or by the County Administrator, if during the Board's recess) that the
landfilling of "garbage" as would otherwise be prohibited is in the best interests of the
public. Nothing herein shall prohibit the landfilling of "Class III waste," "construction and
demolition debris," "sludge" (excluding liquid sludge), "ash residue," "bottom ash," or "fly
ash," as those terms are defined in Rule 62-701.200, Florida Administrative Code, or
nonhazardous soils.

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Section 2. Severability.

If any portion of this Ordinance is determined by any court to be invalid, the invalid
portion will be stricken, and such striking will not affect the validity of the remainder of this
Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
legally applied to any individual, group, entity, property, or circumstance, such
determination will not affect the applicability of this Ordinance to any other individual,
group, entity, property, or circumstance.

Section 3. Inclusion in the Broward County Code of Ordinances.